

## RESOLUTION NO. 41 FOR 2007

A RESOLUTION ADOPTING A POLICY FOR THE REQUEST AND DISTRIBUTION OF PUBLIC RECORDS MAINTAINED BY THE CITY OF SWEET HOME.

WHEREAS, during the 2007 legislative session SB 554 was passed regarding the subject of public records requests and disclosure, and

WHEREAS, this legislation requires public bodies within the State of Oregon to publish a written procedure for public records requests containing specific information regarding the request procedure and related costs, and

WHEREAS, the City of Sweet Home will by separate Resolution establish the fees and manner of their calculation for recovering costs of eligible requested records position was not budgeted for during the 2006-2007 budget process; and

WHEREAS, the City of Sweet Home has and will continue to respond promptly and appropriately to request for eligible public records as required by law and for the benefit of the public.

NOW, THEREFORE THE CITY OF SWEET HOME DOES RESOLVE TO ADOPT THE FOLLOWING PUBLIC RECORDS REQUEST POLICY:

### **City of Sweet Home REQUEST FOR INFORMATION POLICY**

In accordance with State Law, every person has the right to inspect any non-exempt public record of the City of Sweet Home subject to reasonable procedures and costs associated thereto. As such the City of Sweet Home recognizes and respects the public's right to public documents and the importance of maintaining orderly files to facilitate public access in an efficient and cost effective manner. This policy shall govern the request and distribution of Public Records for the City of Sweet Home.

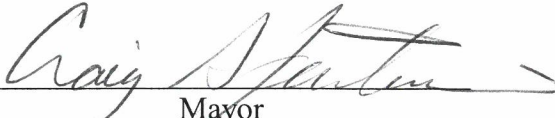
**Policy:**

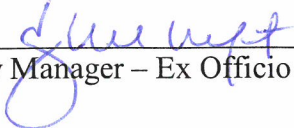
1. The City shall permit inspection and examination of its non-exempt public records during regular business hours in City Offices, or such other locations as the City may designate from time to time.
2. All requests to inspect a public record should be in writing when possible with the date, name, address and signature of person making the request.
3. The request form must contain the specific records requested, furnish the dates, subject matter and such other detail as necessary to enable City personnel to readily locate the records sought.

4. The City shall respond in writing to all public document requests acknowledging the receipt of the request in as timely a manner as is practicable and include at least one of the following:
  - a. A statement that the City is not in possession of the requested records;
  - b. A request from the City clarifying the records request
  - c. Copies of the requested records
  - d. A statement that the City is in possession of at least some of the requested records, the estimated amount of time before the records requested may become available, and a cost estimate for providing the records;
  - e. A statement that the City is uncertain if it is in possession of the records and the amount of time the City needs to search for the records; or
  - f. A statement that the records requested is exempt from public disclosure under state and federal law.
5. The City shall not create any new documents or customize any existing documents in response to a records request.
6. If the public record is maintained in machine readable or electronic format the City will provide copies of the record in the form requested if available. If the records is not available in the form requested it will be made available in the form in which it is maintained.
7. A person making a public records request may personally inspect the requested records during normal business hours. A City staff person shall be present while any original public records are being inspected.
8. In order to recover costs for responding to Public Records Requests, the City shall establish by separate Resolution fees and their manner of calculation as applicable for the research and reproduction cost of Public records.
9. All requests for Public records shall be addressed to the City Manager or his/her designee.

This Resolution shall be effective January 1, 2008.

PASSED by the City Council and approved by the Mayor this 11th day of December, 2007.

  
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Mayor

  
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City Manager – Ex Officio City Recorder