

SOUTH LANE COUNTY FIRE & RESCUE BOARD POLICY

SECTION ADMINISTRATION
POLICY A-12

PUBLIC RECORDS ACCESS POLICY

12.0 INTRODUCTION:

The District shall fully comply with the Oregon Public Records Law, ORS 192.410-192.505. As a general rule most Fire District records and documents are public records and may be accessed by members of the general public. State law clearly defines certain exceptions that are not open for public disclosure.

- 12.1** All requests for access to District reports, records, or documentation shall be forwarded to the Fire Chief for processing. Requests will be handled on an “as available” basis with a 15 working day maximum.

Specificity of Request: In order to facilitate the public’s access to records in the District’s possession, and to avoid unnecessary expenditure of staff time, persons requesting access to public records for inspection or copying, or who submit written requests for copies of public records, shall specify the records requested with particularity, furnishing the dates, subject matter and such other detail as may be necessary to enable District personnel to readily locate the records sought. All requests for public records shall be made on the District’s *Public Records Request Form*.

Access: The District shall permit inspection and examination of its non-exempt public’s records during regular business hours in District headquarters office, or such other locations as the Fire Chief may reasonably designate from time to time. Copies of non-exempt public records maintained in machine readable or electronic form shall be furnished, if available, in the form requested. If not available in the form requested, such records shall be made available in the form in which they are maintained. ORS 192.440(2).

- 12.2** Basic and routine information concerning alarm activity and official news releases are public record and can be released.
- 12.3** Requests for personal reasons by individual District members, individual Board Members and/or individual law enforcement officers shall be treated the same as requests from the general public.
- 12.4** Requests from mutual aid agencies, the Board of Directors, law enforcement agencies, or other duly formed agencies shall be handled on a case-by-case basis.
- 12.5** Requests for fire investigations and code enforcement issues shall be coordinated through the Fire Chiefs office. Fire reports will be issued to tenants

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and property owners, one copy for no charge with proof of a rental agreement or mortgage statement. Anybody that is not a tenant or property owner will be required to pay a \$10 fee per fire report.

12.6 Fees for Public Records

Fees must be limited to no more than \$25.00. If estimated fees exceed \$25.00, the requestor must approve the amount in writing before the District proceeds with the request. In order to recover costs for responding to public records requests, the following fee schedule is adopted by the District:

- Copies of Public Records; Certified Copies: Copies of public records shall be \$0.25 cents per copy for standard letter size copies. Stapling, collating, three-hole punching or binding are not included in the above fees, additional fees may be assessed.
- Copies of sound recordings: Copies of sound recordings of meetings shall \$10.00 per copy plus the cost of the CD or tape.
- Copies of Maps or other Nonstandard Documents: Charges for copying maps or other nonstandard size documents shall be charged in accordance with the actual costs incurred by the District.
- Research Fees: If a request for records requires District personnel to spend more than 15 minutes searching or reviewing records prior to their review or release for copying, the minimum fee be \$28.00 an hour and additional charges shall be in ¼ hour increments. The District shall estimate the total amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost the search and copying of the records in advance. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.
- Additional Charges: If a request is of such magnitude and nature that compliance would disrupt the District's normal operation, the District may impose such additional charges as are necessary to reimburse the District for its actual costs of producing the records.
- Reduced Fee or Free Copies: Whenever it determines that furnishing copies of public records in its possession at a reduced fee or without costs would be in the public interest, the Board or Fire Chief may so authorize. ORS 192.440(4).
- Attorney's Time: If the District is required to consult with legal counsel to sort records into exempt and non-exempt records, or to redact exempt information

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from certain records, the requestor shall reimburse the District for the attorney's actual time, at the attorney's regular hourly rate.

12.7 Authorization Required for Removal of Original Records

At no time, shall an original record of the District be removed from the District's files or the place at which the record is regularly maintained, except upon authorization of the Board of Directors or Fire Chief.

12.8 On-Site Review of Original Records

If a request to review original records is made, the District shall permit such a review provided that search fees are paid in advance in accordance with the Fees for Public Records section, above. A District representative shall be present at any time original records are reviewed, and the charges for standing by while the records are reviewed shall be the same as the charges for searching or reviewing records.

12.9 Unauthorized Alteration, Removal, or Destruction of Records

If any person attempts to alter or destroy any District record, the District representative shall immediately terminate such person's review, and notify the Fire Chief, whom shall notify the attorney for District and the Board of Directors.

Adopted 06-04-2003

Revised 03-16-2017