



City of Albany
Finance/City Clerk's Office
Policy # F-05-08-009
Title Public Records Requests

Purpose To outline procedures for public records requests

Scope This policy applies to all City employees

Policy The City of Albany strives to provide timely and open access to public records and information not specifically exempted from disclosure as set forth in Oregon Revised Statutes (ORS). Each department shall be responsible for implementing this policy with oversight by the department's Records Information Management (RIM) Coordinator.

For assistance and additional information regarding public records requests, requesters may email City Clerk Mary Dibble or Deputy City Clerk Allison Liesse, at Cityclerk@cityofalbany.net

This policy outlines the internal procedures to meet public records requests. Fees are listed on the public records request forms.

Guidelines

1. **Documentation.** All public records requests must be documented using a Public Records Request Form provided on the City of Albany website. The City of Albany has three public records request forms available on its website:

- a [City of Albany Public Records Request Form](#)
- b [AFD Public Records Request Form](#)
- c [APD Public Records Request Form](#)

All requests must be specific enough for the City to determine the nature and content of the records, and the department where the records may be located. If a requester requires assistance in drafting a proper request, they may contact the person identified on the form.

2. **Responsible Department.** RIM Coordinators should coordinate public records requests. If the records requested are in a different department, the RIM Coordinator is responsible for forwarding the request to the appropriate RIM Coordinator promptly.
3. **Mandatory Acknowledgement.** ORS requires the public body to acknowledge receipt of public records requests within five business days, and to fulfill the request, or provide either responsive documents or a written statement estimating how long the fulfillment will take, within 10 business days from the date of the acknowledgement. The Form is used to document this timeline.
4. **Exempt Records.** Certain public records are exempt from disclosure per ORS and other government agencies. **The RIM Coordinator completing the request is responsible for verifying that the records being released are not exempt.** If records are exempt, then



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the RIM Coordinator should respond to the requester in a timely manner, identifying which exemptions are being used to withhold documents. If there is any question about whether or not a record can be disclosed, please contact the City Clerk's Office and/or the City Attorney.

5. **Fees.** The ORS authorizes the public body to charge fees associated with requests, including requesting a portion of the fees in advance as a condition of receiving the public records. These fees may only be designed to cover the cost of the actual processing of the request. Additionally, public bodies are required to publish the fees. Records request fees are listed on the Form.
 - a. Requests with fees that are estimated to exceed \$25 require written notification of the estimated amount followed by confirmation from the requestor to proceed with the public records request.
 - b. Prepayment in full may be required for requests that are estimated to exceed \$25. The balance for previous public records requests must be paid in full before new requests for the same requestor will be processed.

- 4 **Personal External Sources, and Shared Drives** Personal CDs, DVDs, or USB flash drives, or any other external source presented by the public for the copying of City records, are prohibited. The City will provide a CD, DVD, or a USB flash drive according to the Fee Schedule. Any other external source must be approved by designated Information Technology staff and the requestor will be charged for the real cost of the item.
 - a. The use of shared drives for records that contain exempt or confidential information is prohibited.

5. **Vulnerable Building.** A completed Authorization to Proceed Form from a qualified representative is required before records regarding a vulnerable building can be disclosed.

6. **Billing.** The department responding to the request is responsible for collecting and processing the payment through their cashiering system and verifying that previous balances have been paid before new requests from the same requestor are processed.

7. **Archiving** Once the request is satisfied, RIM Coordinators should send the Form to the City Clerk's Office for archival except for Police, Fire, and Municipal Court.

8. **Identity Theft Protection.** Records released as part of a public records request must be in compliance with F-04-08, Identity Theft Protection.

Supersedes F-05-08-008	Created/Amended by/date 01-04-2019	Effective Date 01-28-2019
Deputy City Manager/CIO 		City Manager