

Policy: Open Records-CORA	Effective Date: 12/16/2011	Revised: June 19, 2014
Policy Number: AD-003	Section:	Prior Policy Number: N/A
Department: District	Initial Policy Date: 12/07/2011	Prior Effective Date: 12/07/2011

Policy Statement

The Windsor-Severance Fire Protection District (WSFPD) has developed this Open Records Request Policy in order to create a systematic method of managing open records requests. Pursuant to the Colorado Open Records Act ("CORA") public records are to be open for inspection by individuals at reasonable times, upon request, unless exempted under CORA. As a public agency WSFPD recognizes the importance of this state policy and the importance of creating an environment of openness with respect to its internal operations. This policy is intended to balance the public's right to inspect WSFPD records with WSFPD's need to protect its records and prevent unnecessary interference with its regular duties in responding to requests.

Procedures

- The designated Custodian of Records (CR) will accept written CORA requests.
- Requesting Open Records requests shall be addressed to:
WSFPD Custodian of Records
100 N. 7th Street – Windsor, CO 80550
- The CR will immediately forward requests to the Chief, and if not available to the District's legal counsel.
- All requests must be made in writing. Faxed or e-mailed requests will not be accepted. The first business day following date the request is received by the Custodian will constitute the "date of receipt" for timing purposes.
- All requests must be specific as to the records sought and the relevant dates.
- Requests for correspondence must identify the parties to the correspondence. For any request that is vague or broadly stated the Custodian may require the requestor to provide a more specific request.
- Requests for records will not take priority over previously scheduled work activities or duties of WSFPD; provided, however, that the request shall be met within the three (3) day time period unless extenuating circumstances require the District to devote substantially all of its resources to meet an impending deadline or period of peak activity that is either unique or does not occur more frequently than once a month.
- WSFPD reserves the right to levy a reasonable fee for research and retrieval services of requested documents above and beyond the costs for obtaining copies as identified.
- Record retrieval fees are a minimum of \$30.00 / hr with no charge for the first hour.
- The CR is not required by the Open Records Act to construct a document that does not exist.

Responding to Requests for Open Records

- The District's legal counsel will assist the CR to determine if the information requested is subject to inspection under CORA. If it is determined the records requested are not subject to inspection under CORA, the CR will inform the requestor, in writing, that the request is being denied and the specific statutory citation supporting the denial.
- If the request is for records WSFPD does not possess, the requestor will be informed, in writing, that WSFPD does not possess the requested records.
- If the requested records contain information that is partially open to inspection and partially exempt from inspection WSFPD may withhold the record altogether or redact the exempted information and provide the record(s) for inspection.
- If the request is made by a member of the media, the Public Relations Officer will be informed.
- Some records are available online. If so the CR will inform the requestor of its online availability. If the requestor still wants a personal inspection and to obtain copies pursuant to the rest of this policy WSFPD will reasonably accommodate.
- WSFPD will make reasonable efforts to ensure requested records are available for inspection within three (3) business days of receiving the request. If the records are not immediately available, or if extenuating circumstances exist as defined by Sec. 24-72-203(3)(b), C.R.S., WSFPD will make reasonable efforts to ensure the records are available within seven (7) business days of receiving the request.
- Once the records have been located and reviewed, WSFPD will notify the requestor, in writing, via United States Mail that the records are available for inspection.

Inspection of Records

- Once the requestor is notified that the records are available for inspection, the requestor must contact WSFPD within five (5) business days to arrange a date, time and place to inspect the records. If within five (5) business days the requestor fails to schedule a time for inspection the request, it will be considered abandoned.
- Records will be available for inspection during WSFPD's normal business hours.
- The requestor may obtain copies of the requested records at a cost of \$0.25 per page, or for documents in non-standard formats, the actual duplication costs.
- The District reserves the right, pursuant to Sec. 24-72-205(1)(b), CRS, to require full payment for all fees and costs before releasing the requested records.
- The records will be maintained by WSFPD for two (2) business days after the scheduled inspection time at which point the records will be returned to their point of origination.
- Once a request is considered abandoned, the requestor must submit a new request to inspect any records.