

TANGENT RURAL FIRE PROTECTION DISTRICT

Ordinance No. 103

(FEE SCHEDULE FOR PUBLIC RECORDS REQUESTS)

WHEREAS, TRFPD is bound by the Oregon Public Records Law (ORS 192.311 to ORS 192.478);
and

WHEREAS, the Oregon Public Records Law allows the District to establish fees reasonably calculated to reimburse the District for the District's actual cost of making public records available, including costs for summarizing, compiling or tailoring the public records, either in organization or media, in response to a request; and

WHEREAS, the District provided an opportunity for interested persons to comment on the enactment of this Ordinance and the proposed fees herein, pursuant to ORS 294.160;

THEREFORE, BE IT ORDAINED that the District's nominal fees for search, review, release, and copying of any public record, including photographs, are as follows:

1. Copies of public records are \$0.10 per page for letter-sized copies and \$0.15 per copy for legal sized copies. Double-sided copies count as two (2) pages.
2. Charges for electronically stored materials will be calculated based upon the actual cost of the computer disc, flash drive, etc., plus the time required to make the copy, computed as provided in Section 3 of this fee schedule.
3. If a request for District records requires personnel to spend more than 15 minutes collecting or reviewing the requested records prior to their release or copying, the requester will be billed at the rate of \$7.50/quarter hour for each staff member involved, with a minimum of one-half hour (\$15.00) charge. The total staff time to collect and review the requested records will be estimated by the District, and the estimated fee must be deposited with the District before District personnel will begin collecting, reviewing, or copying the requested records. If the amount of time involved is less than estimated, the excess deposit shall be refunded to the requester. If the actual cost exceeds the deposit the difference must be paid by the requester before the requested documents will be provided. The actual costs of research will be billed to the requester even if the District personnel are unable to locate the requested records, or the District determines that the requested records are exempt from disclosure under the Public Records Act.
4. A change in the format of a record (for example, paper records scanned and saved onto a disc) will be billed for actual time it takes to convert the record to a new format, plus any additional costs associated with the change in format, provided that the District has the means to convert the records to the requested format. Staff time will be computed as provided in Section 3 of this Fee Schedule. Changes of format calculated to address the requirements of the Americans with Disabilities Act will not incur any additional charge.

5. The District may furnish records without charge or at a substantially reduced fee if the District determines that the waiver or reduction of fees is in the public interest because making the record available primarily benefits the general public.
6. If a request is of such size, complexity, or nature that compliance would disrupt the District's normal operation, separate arrangements will need to be made prior to such a release of records in accordance with advice from legal counsel.
7. If the request requires advice from the District's attorney, the requester will be billed for the actual cost to the District of the time spent by the District's attorney to review, redact, and segregate the records. The District will not charge a requester for time spent by the District's attorney in determining the application of the Public Records Law to the request.
8. If the estimated fee to respond to a request is more than \$25.00, the District will provide a written cost estimate to the requester and will take no further action until the District receives confirmation that the requester wants the District to respond to the request and agrees to pay the applicable fees.
9. At no time will original records or photographs of the District be removed from the District's files or from the place of regular record retention. Original District records and/or photographs may not be reviewed unless District personnel are available to oversee that review. The charge for District personnel time for monitoring an in-person review of District records will be computed as provided in Section 3 of this fee schedule.

FIRST READING OF ORDINANCE:

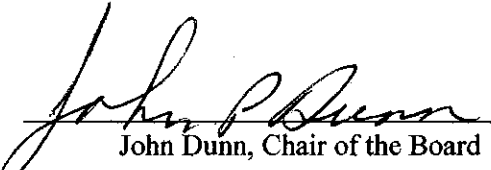
September 11, 2019

SECOND READING OF ORDINANCE:

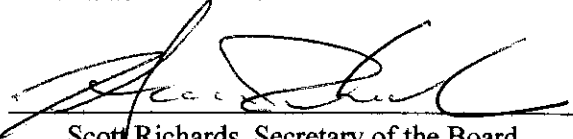
October 9, 2019

ADOPTED by vote of the Tangent Rural Fire Protection District Board of Directors this 9th day of October 2019.

ATTEST:



John Dunn, Chair of the Board



Scott Richards, Secretary of the Board