

**COLORADO OPEN RECORDS ACT POLICY
TOWN OF GARDEN CITY**

A. Purpose:

To provide the policy and procedures for requesting and accessing public records maintained by the Town to ensure compliance with the requirements of the Colorado Open Records Act (CORA).

B. Policy:

It is the policy of the Town of Garden City to make public records available for public inspection at reasonable times or if necessary, within three (3) business days of the request, unless extenuating circumstances such as the volume of the request necessitates more than three (3) business days or the records are protected from disclosure by law.

C. Procedures:

1. The Town Clerk is responsible for coordinating the maintenance, care, and keeping of public records.
2. The original public records to be inspected shall not be removed from the Clerk's office without advance permission, and then the Clerk shall take precautions to ensure the security of the public records.
3. Public records that are kept only in miniaturized, digital, or electronic form shall be made available without unreasonable delay or unreasonable cost.
 - a. If the public record is not available in the requested format, the record shall be provided in an alternative format along with a written declaration as to the reasons why the record was not available in the requested format.
4. Inspection, copying, and disclosure of public records shall not be available as follows:
 - a. If upon consultation with the Town Attorney, it is determined that inspection, copying, and disclosure would be contrary to state statute or federal statute.
 - b. If the record is communication between the Town Attorney or other special counsel of the Town until there has been consultation with the recipient of the communication and the Town Attorney or special counsel who wrote the communication.
 - c. If the disclosure of the contents of the public record, would be contrary to the public interest in accordance with the guidelines of CORA.
5. The requestor of public records shall complete a "Request for Public Records" form and submit the completed form to the Town Clerk by mail, fax, e-mail or hand-delivery.
 - a. A request shall be considered made when the request is actually received by the Town Clerk. CORA requests received on weekends, observed holidays, Town

- closure days, or after regular business hours are deemed received on the following business day.
- b. The request for public record must be sufficiently specific as to the information requested. The Town may contact the person requesting to inspect or receive a copy of public records in order to clarify the request.
 - c. The Town reserves the right not to respond to that portion of any communication that contains demeaning, harassing, or threatening language, or consists of interrogatories, or other similar comments.
6. The Town Clerk will process the request immediately, if possible and reasonable, or within three (3) business days. In the event extenuating circumstances exist as defined in CORA, the Town Clerk shall have an existing seven (7) business days to make the requested records available. Extenuating circumstances may include broad requests that include a large category of records that cannot be processed reasonably within three (3) business days.
 7. If the public records requested are not available immediately or within three (3) business days, a written statement may be provided to the requestor.
 8. The requestor of public records has the right to request copies, printouts, or photographs of public records upon payment of the fees and charges established by this policy and set forth in the fee schedule as shown on the "Request for Public Records" form. Advance payment is due for the estimated cost of searching, retrieving, producing, and reproducing such records. Prior to the release of the requested records, the requestor shall pay the difference, if any, between the estimate and actual cost.
 9. A fee shall also be established by the Town Clerk to be charged on staff time, in excess of an hour, that is required to search, retrieve, produce, and reproduce, mail, and e-mail the requested records.
 10. The requestor shall be charged for the cost of mailing records to the requestor including actual cost of postage and packaging.

D. Fee Schedule:

Copies: (letter) (legal) (ledger) Quantity:	\$ 0.25 Each
Research and Retrieval after First Hour	\$41.37 per hour
CD	\$15.00
Reproduction of Published Materials	Actual Cost
Shipping	Actual Cost
Maps and Oversized Documents	Varied
Other	

E. Advisement:

The Town of Garden City strives to make public records available. Although this is intended to be a comprehensive Colorado Open Records Policy, exceptions may exist for large, or complicated, or unusual requests. There is certain information that is protected under the law and some information may not be available due to those legal restrictions.

F. Revision:

This policy may be revised, amended, or repealed as necessary.