



Clifton Sanitation District Open Records Request Policy

The following policy is adopted as to the processing and handling of all open record requests made upon the Clifton Sanitation District pursuant to the Colorado Open Records Act (CORA):

1. All requests for review of documents or records of the District shall be made with sufficient specificity to allow the District Manager to determine with reasonable accuracy the approximate number of records subject to the request, the anticipated time which will be required for the District Manager and/or District staff to research and assemble the records subject to the request, and the costs associated therewith. At a minimum each open record request pursuant to CORA shall include the following:

- a. Specific beginning and ending dates for documents requested;
- b. Specific subject matter for the documents requested sufficient for the District Manager to reasonably identify with specificity those documents relevant to the request;
- c. To the extent feasible or applicable, each open records request shall include specifically identified property descriptions for which the requested records are relevant.

2. The District shall charge a fee of \$30.00 for each staff hour spent in the research and compilation of documents relevant to any open records request, and such costs shall be paid in advance on the basis of the District Manager's reasonable estimate of time required. Excess amounts shall be refunded upon completion of the compilation of the open records request and additional amounts are payable prior to the review by the requesting party of the documents so compiled. The fee may be adjusted from time to time in the reasonable discretion of the District Manager, but not to exceed the amounts permitted by statute.

3. The District shall charge a fee of \$0.25 per page for black and white copies, \$0.50 per page for color copies, and actual costs incurred for oversize copies made pursuant to an open records request. Costs and fees shall be paid in advance of any review by the requesting party of any documents compiled and copied pursuant to an open records request. The fees may be adjusted from time to time in the reasonable discretion of the District Manager, but not to exceed the amounts permitted by statute.

4. In the event the District Manager estimates staff hours required to research and compile documents exceed 6 hours, it is recognized that the scope of such request may make it physically impossible for the District to comply with the maximum seven (7) working days provided by statute for compliance with an open records request. In such instances the District shall so advise the requesting party, in writing, of the physical impossibility of compliance and request that the requesting party either:

- a. Revise the open records request to provide greater specificity to allow the District to comply with the statutory requirements; or,
- b. Consent to an extended research and compilation period beyond the statutory requirements and expressly waive all statutory and common law remedies against the District for such noncompliance.



5. To the extent a requesting party is not willing to accommodate the District's requests as discussed in Paragraph 4, the District may seek a declaratory judgment from the District Court for Mesa County, Colorado that the open records request is overbroad and that it would be physically impossible to comply with the statutory provisions of CORA requiring review of requested documents within a reasonable time, being a maximum of seven (7) days, and requesting that the Court provide a judgment that the District shall not be held liable for compliance with such requirements.

Enacted February 3, 2016