

	<i>Administrative Regulation</i>	Policy #:	15.04
	RECORDS REQUESTS	Effective:	10/16/2017
		Revised:	07/03/2025
		Owner:	CMO

Note: Terms that are ***bolded and italicized*** the first time they appear in this regulation are defined below. After the first occurrence, defined terms appear in *italics only*.

PURPOSE:

This regulation establishes procedures for receiving, processing, and responding to ***public records*** requests and for recovering the City’s actual costs incurred in fulfilling such requests, in compliance with Oregon *Public Records Law*.

SCOPE:

This regulation applies to all *public records* requests received by the City.

POLICY:

The City of Springfield complies with Oregon Public Records Law by responding to requests as soon as practicable and without unreasonable delay.

All *public records* requests must be submitted in writing to the City Recorder and must include:

- The requester’s name and mailing address;
- A phone number or email address;
- A complete and sufficiently detailed description of the requested records; and
- When available, where applicable Identifying information such as department, approximate date range, or subject matter to assist staff in locating the records.

The City is not required to create new documents, compile information, or perform research in response to a public records request.

In accordance with ORS 192.324, the City must acknowledge *public records* requests within five (5) business days and must either fulfill the request or provide an estimated fulfillment timeline within an additional ten (10) business days. Actual response time depends on the volume of records, staff availability, and any legal review necessary to determine whether records are ***exempt from disclosure***.

The City may charge fees to recover the actual cost incurred in responding to *public records* requests, as permitted by law.

PROCEDURE:

1. Classification of Requests

- a. Requests will be classified into one of three levels based on complexity and required staff time.

B. Level 1 Request:

- a. No written request is required.
- b. Records are current, readily available, and require minimal staff time.
- c. No fees are typically charged.

C. Level 2 Request:

- a. Must be submitted writing to the City Recorder.
- b. Records are not immediately available but can be retrieved without extensive research.
- c. Requests must not exceed 50 pages of documents over one year old, involving more than one department, or require legal review.
- d. Cost estimates will be provided. The requestor must agree to the charges before processing begins.
- e. Records are typically available within 5 business days (not including weekends or holidays).
- f. Payment due upon receipt.

D. Level 3 Request:

- a. Must be submitted to the City Recorder.
- b. Request is complex, involving multiple departments, or require legal review or clarification.
- c. The City will provide written acknowledgment of receipt, an estimated timeline, and cost.
- d. The requestor must submit written authorization and payment before processing begins.

2. Response Timelines

- a. Level 1: Same business day, when possible.
- b. Level 2: Within 5 business days.
- c. Level 3: Within 15 business days.
- d. The City Recorder will coordinate Level 2 and 3 requests and may consult with the City Attorney for legal review.

3. Inspection of Records

- a. Requestors may inspect *public records* in person.
- b. Requestors may not search through file cabinets or rearrange documents.
- c. Inspections must occur during normal business hours and at a time mutually agreed upon.
- d. Original records may not be removed from City custody.
- e. A staff member must be present during inspection to protect the documents.

4. Cost Estimates

- a. For Level 2 and 3 requests, the affected department must prepare an itemized cost estimate that includes:
 - (1) Staff time for retrieval, redaction, preparation, organization, and delivery.
 - (2) Attorney time for legal review or redaction, if needed.
 - (3) Copy or reproduction charges (provided in fee schedule);
 - (4) Delivery or mailing charges, if applicable.
 - (5) The first 30 minutes of staff time is provided at no charge.
 - (6) If actual costs exceed the estimate, the requestor will be notified. If the actual costs are lower than estimated, the difference will be refunded.
- b. Staff time is calculated using the employees fully loaded hourly rate (wage, benefits, and indirect costs).

5. Deposit and Payment

- a. If the estimated cost is \$100.00 or more, a \$100 deposit is required before work begins.
- b. The department may proceed only after receiving the deposit.
- c. Records will not be released until full payment is received.

6. Waiver or Reduction of Fees

- a. A fee may be waived or reduced if the City Manager determines the request is in the public interest and primarily benefits the general public (ORS 192.324(5))
- b. The process includes:
 - (1) The requestor submits a written request with their name, address, purpose and how the information will benefit or be shared with the public.
 - (2) The City Manager may also consider financial hardship and the cost impact on the City.
 - (3) The City Manager's decision is final.
- c. Additional guidelines:
- d. Requestors with disabilities may not be charged extra for accessible formats.
- e. News media are not charged for routine materials unless processing takes more than 30 minutes.
- f. Requestors will not be charged for personal routine documents (except police reports) unless processing exceeds 30 minutes.
- g. Springfield officials or advisory committee members may receive records without charge if requested in an official capacity.

DEFINITIONS:

Exempt from Disclosure:

Are records that are not subject to public disclosure under ORS 192.345.

Public Record:

As defined in ORS 192.005 is any information that:

- Is prepared, owned, used or retained by the City.
- Relates to the City's activities, transactions, or functions; and
- Is necessary to satisfy the City's fiscal, legal, administrative, or historical obligations.

Additional notes:

- Public records may exist in any format, including paper or electronic (e.g., email).
- Extra reference copies are not considered public records.
- Voicemail messages are not considered public records.
- Text and instant messages may qualify as public records.

RESOURCES:

- [Springfield Municipal Code Section 2.305, Custody of Records](#)
- [ORS 192.005\(5\) Public Record](#)
- [ORS 192.324\(4\), establishing fees to reimburse public body](#)
- [ORS 192.324\(5\), waiver or reduction of fees](#)
- [ORS 192, records; public reports and meetings](#)