RESOLUTION NO. 2018-02 A RESOLUTION RESCINDING RESOLUTION NO. 2000-03 AND AMENDING THE CITY OF ROSEBURG'S PUBLIC RECORDS REQUEST POLICY

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROSEBURG, OREGON, that RESOLUTION NO. 2000-03, *PROVIDING PROCEDURES FOR REQUESTS, INSPECTION AND COPYING OF CITY RECORDS, PROVIDING FOR REVIEW OF RECORDS AND REQUIRING FEES FOR SUCH SERVICES*, as adopted by the Roseburg City Council on February 14, 2000, is hereby rescinded and replaced with the following:

CITY OF ROSEBURG PUBLIC RECORDS REQUEST POLICY

<u>Section 1</u>. **Purpose**. The City of Roseburg establishes this Public Records Request Policy in accordance with ORS 192.410 through 192.505 for purpose of formalizing a consistent method of responding to requests for public records in a manner that complies with the Public Records Law, while allowing for efficient management of the workload of City staff. This policy does not require the City to produce a record that does not exist or create a new record by extracting data from the City's computer programs or systems.

<u>Section 2</u>. Written Requests. Unless otherwise provided by these rules, requests for inspection and/or copies of public records shall be in writing on a form prescribed by the City and shall include the following:

- **a.** The name, mailing address, email address, phone number and signature of the person making the request or their authorized representative;
- **b.** A detailed description of the record(s) being requested and any pertinent information that may assist City staff in locating the requested record(s);
- **c.** A brief statement as to the purpose of the request; and
- **d.** The date of such request.

<u>Section 3.</u> Cost Estimate. Pursuant to ORS 192.440 (4), the City has the authority to charge for staff time spent in locating and reviewing the requested records and segregating exempt from nonexempt records, as well as the actual cost for City Attorney time spent reviewing, redacting and segregating such records. The cost for responding to public records requests shall be prescribed by the City Manager as set forth in this policy and in accordance with Roseburg Municipal Code Section 3.04.040.

Upon receipt of a records request, the requestor shall be advised the City will prepare an estimate of the cost involved with providing the requested records and that the requested records will not be released without the City's receipt of the estimated cost. Failure to so

advise the requesting party of such obligation shall not relieve the requesting party of the obligation to pay the prescribed fee. If the City has informed the requestor of the estimated fee, the obligation of the City to complete its response to the request is suspended until the requestor has paid the fee. If the requestor fails to pay the fee within 60 days of the date on which the City informed the requestor of the fee, or fails to pay the fee within 60 days of the date on which the City informed the request of the denial of the fee waiver, the City shall close the records request.

<u>Section 4.</u> Receipt and Acknowledgement of Request. Written requests for inspection or copies of City records shall be date stamped upon receipt and submitted to the City Recorder who shall keep on file a list of fees prescribed by the City Manager or his designee for processing public records requests. Unless impracticable as described under Section 7 of this Policy, the City Recorder shall acknowledge receipt of the request within five business days of receiving the request by either:

- **a.** Confirming that the City is the custodian of the requested records, providing the requestor with a copy of this Policy and advising the requestor pursuant to Section 3 of this Policy of an estimate of the cost involved with providing the records:
- **b.** Informing the requestor that the City is not the custodian of the requested records; or
- c. Notifying the requestor that the City is uncertain whether the City is the custodian of the public record and providing requestor with an estimated time it will take to make such determination.

<u>Section 5</u>. Response to Request. Except when compliance is impracticable for the reasons set forth in the following Section 7, within ten (10) business days after the date by which the City is required to acknowledge receipt of a records request the City shall either:

- **a.** Fulfill and complete the public records request as outlined in Section 6 of this Policy; or
- **b.** Provide the requestor with a written statement which explains that the City is working to fulfill the request and provides the requestor with a reasonable estimated date by which the City expects to complete its response to the request.

If the City has informed the requestor of a cost estimate pursuant to Section 3 of this Policy, the obligation of the City to complete its response to the request is suspended until the requestor has paid the fee or the fee has been ordered waived.

The City may request additional information or clarification from a requestor for the purpose of expediting the City's response to the request. If the City has requested such

clarification, the City's obligation to complete its response to the request shall be suspended until the requestor provides the requested clarification or affirmatively declines to provide that clarification. If the requestor fails to respond within 60 days of the City's request for clarification, the City shall close the request.

<u>Section 6.</u> Completed Response. The City may complete its response to a public records request by:

- **a.** Providing access to or copies of the requested records within the City's possession or custody that the City does not assert are exempt from public disclosure, or directing the requestor to the location where the requested records are already available to the public;
- **b.** Advising the requestor the requested records are exempt from disclosure and identifying the state or federal law that the City relied on for asserting the exemption from disclosure;
- **c.** Complying with ORS 192.505 by providing any requested record or portion thereof that is not exempt under ORS 192.501 and 192.502;
- **d.** To the extent the City is not the custodian of the records being requested, providing the requestor with a written statement to that effect; or
- e. To the extent that state or federal law prohibits the City from acknowledging whether the requested records exits or that acknowledging whether a requested record exists would result in the loss of federal benefits or imposition of another sanction, providing the requestor with a written statement to that effect, citing the state or federal law that the City relies on, unless the written statement itself would violate state or federal law.

Section 7. Exception to Response Deadline. The City shall not be required to comply with either the five (5) business day requirement to acknowledge receipt of a request for public records as described in Section 4 of this Policy; the ten (10) business day requirement to fulfill the request as described in Section 5 of this Policy; or to provide an anticipated deadline for fulfillment of a request, if compliance with such deadlines would be impracticable because:

- **a.** The City Recorder or Recorder's designee is unavailable to complete a response to the request for public records. The Recorder or Recorder's designee shall be considered unavailable when the Recorder or designee is on leave or is not scheduled to work.
- **b.** Compliance by the City would demonstrably impede its ability to perform other necessary functions; or
- **c.** The volume of public record requests being simultaneously processed by

the City makes complying with a particular request impracticable under the required time frames.

If the City is unable to meet the five (5) business day deadline to acknowledge receipt of a records request or to fulfill the records requests within (ten) 10 business days for reasons outlined in this Section, the City shall still acknowledge and respond to the request as soon as practicable and without unreasonable delay.

<u>Section 8</u>. Fees to Reflect Costs. When establishing the fees to be charged for completing public record requests, the City Manager shall base such fees on costs the City incurs for processing the request. These costs shall include, but not be limited to, personnel costs and costs associated with materials used in processing the request.

Personnel costs shall include, but are not limited to, employee's time spent while locating, reviewing and copying records and supervising public inspection of records. Costs shall be at an hourly rate equivalent to the salary plus benefits (computed at an hourly rate) of each employee involved in processing the request. Costs for photographs and other non-paper materials shall be reimbursed at actual costs as determined by the City Manager.

<u>Section 9.</u> Records Request or Fee Waiver Denied. If the City asserts that one or more of the requested records are exempt from disclosure, the City shall provide the requestor a written statement advising requestor of their right to seek review of the City's denial with either the Douglas County District Attorney or the Douglas County Circuit Court pursuant to ORS 192.450, 192.460, 192.465, 192.470, 192.480 and 192.490.

Further, if a requestor has asked for and been denied a fee waiver or reduction and believes the denial is unreasonable, the requestor may also petition the District Attorney or Circuit Court for review of such denial.

<u>Section 10</u>. Records Requested for Court Proceedings. The City shall not charge fees for costs incurred by the City when an employee of the City, in the employee's role as custodian of the records, is a witness in a trial or other court proceeding. When the City is a party to a court proceeding and a request for copies of public records is made by a party or representative of a party to such proceeding in the course of discovery, then the cost to be charged for providing such copies shall be limited to those indicated in Section 8 of this Policy.

<u>Section 11</u>. City Manager Authority. The City Manager or his designee shall have the authority to:

- **a.** waive the requirement that the request must be in on a form provided by the City;
- **b.** waive fees if the request is of a one-time nature, requires copying of less than five (5) pages, requires no redaction and involves less than one-half hour of staff time to process;

- **c.** waive required compliance with this resolution in special cases where the public interest in supplying a public record free of charge outweighs the cost of furnishing the record;
- **d.** establish a particular charge or fee for routinely requested documents where the charge is a reasonable approximation of the City's cost; and
- **e.** periodically adjust fees to cover increased costs of providing public records.

<u>Section 12</u>. Exemption from Fees. The following individuals, groups or organizations shall not be charged a fee for photocopying costs or the first ½ hour of staff time required to process a public records request:

- a. any person requesting public records pertaining to a matter which specifically affects the person and is pending before the City Council or a Board or Commission of the City;
- **b.** any member of a recognized news media organization; and
- c. any crime victim requesting a copy of a police report pertaining to the crime in which they have been made a victim (applies to first copy only).

If it is determined a specific request will take longer than ½ hour staff time to process, the requesting party may ask the City Council to reduce or waive all additional fees associated with providing the requested record.

ADOPTED BY THE ROSEBURG CITY COUNCIL AT ITS REGULAR MEETING ON THE 12th DAY OF FEBRUARY, 2018.

Sheila R. Cox, City Recorder

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PUBLIC INFORMATION REQUESTS (Resolution 2019-06)

COPIES/STAFF TIME

Copies: MISCELLANEOUS RECORDS: (Applied to requests from any department)	
Contract/Bid Documents:	
Containing 20 - 50 pages	15.00/document
Containing more than 50 pages	25.00/document
Note: May be waived by City Manager on individual contract basis.	
Personnel Costs:	
Will be charged for requests requiring more than 1/2 hour staff time. attorney review or assistance will be charged the same rate the attorney time.	
Photocopy Charges:	
Service charge of \$1.00 plus	
(black and white) up to 8½ x 14 (color) up to 8½ x 14 11x17	
Digital Images (Photos, Videos or Files)	15.00/each
CITY RECORDER RECORDS: Business Registration List:	
Complete List	15.00
Annual List	
Municipal Code:	
Complete (unbound)	
Updates	per/page ree
COMMUNITY DEVELOPMENT/DIJII DINC DECORDS.	
COMMUNITY DEVELOPMENT/BUILDING RECORDS: Comprehensive Plan	25.00
·	
Comprehensive Plan Map	
Downtown Master Plan	25.00
Historic Resources Inventory:	25.00
Per Volume	
Per Set	100.00
Title 12 (Land Use Development Regulations) Roseburg Municipal	05.00
Code	
Urban Renewal Plan	
Wetlands Conservation Plan	15.00

Zoning Maps......20.00

FINANCE RECORDS: Audit	
FIRE DEPARTMENT RECORDS: Emergency Response Report	10.00
LIBRARY Black and White Copies Color Copies	
PARK DEPARTMENT RECORDS: Bikeway Master Plan Parks Master Plan	
POLICE/COURT RECORDS: Accident Report Police Report Digital Images (Photos/Videos) Video Cam Footage: Full Blur (digital or CD) Partial Blur	
PUBLIC WORKS RECORDS: Aerial Maps-photo copy. Aerial Maps-digital format. Airport Master Plan. Base Maps (Storm/Water).(photo copy). Computer Mapping. Computerized City Map. Design Standards. Mylars. Standard Specifications (hardbound) Standard Drawings (hardbound).	
Storm Drain Master Plan	

RESOLUTION NO. 2021-09

A RESOLUTION AMENDING RESOLUTION NO. 92-13 REGARDING FEES

WHEREAS. Resolution No. 2006-02 and Resolution No. 2008-10 require annual adjustments to Fire Department and Community Development Department fees be made based upon the CPI (CPI-U West) index. That adjustment is 1.7% for calendar year 2020; and

WHEREAS, Resolution No. 2006-12 requires annual adjustments to certain Airport fees be made based upon the CPI (CPI-U West) index for the preceding calendar year up to a maximum of 3%. That adjustment is 1.7%; and

WHEREAS, Systems Development Charges are to be adjusted annually based upon the March Construction Cost Index. That adjustment is 3.1%; and

WHEREAS, Roseburg Municipal Code Section 9.25.110(B) establishes that the linear foot fee for non-carrier telecommunication providers that occupy the public way but have no customers in the City shall be adjusted annually in accordance with the CPI (CPI-U West) index. That adjustment is 1.7%; and

WHEREAS, A Supplemental Copies' fee is being added for Police Reports under Public Information Request fees to help offset the cost of providing supplemental copies for large reports; and

WHEREAS, Fire no longer charges the Opticom Traffic Control Device fee for non-City owned vehicles so that fee is being removed; and

WHEREAS, The fee for Taxicab Stand Permit under Business Permits/Licenses is being removed as those are no longer issued.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEBURG that:

PUBLIC INFORMATION REQUESTS – Effective July 1, 2021, the below-listed Section 1. Public Information Request fee will be adjusted as follows:

POLICE/COURT RECORDS

Police Report Supplemental Copies

5.00

Section 2. AIRPORT FACILITIES - Effective July 1, 2021, the below-listed Airport Facilities fees will be adjusted as follows:

Rent/Lease Rates (Annual):

Non-Aviation Related Use of Corporate Hangar Space 0.72 per s.f.

0.73 per s.f.

Rent/Lease Rates (Monthly):

783.00	796.00
0.3063 per s.f.	0. <u>3115 per s.f.</u>
80.00	<u>81.00</u>
58.00	<u>59.00</u>
242.00	<u>246.00</u>
177.00	<u>180.00</u>
444.00	<u>452.00</u>
22.00	<u>22.00</u>
32.00	<u>33.00</u>
206.00	<u>219.00</u>
39.00	<u>40.00</u>
66.00	<u>67.00</u>
	0.3063 per s.f. 80.00 58.00 242.00 177.00 444.00 22.00 32.00 206.00

Section 3. BUSINESS PERMITS/LICENSES – Effective July 1, 2021, the below-listed Business Permits/Licenses fees will be removed from the fee schedule:

Taxicab

Stand Permit	150.00
Gland I Cirrill	100.00
On or after 7/1	75.00

Telecommunication Providers:

*Non Carrier w/facilities in right-of-way but No City Customers (annual per linear foot of public way occupied)

2.3987/linear foot

2.4395/linear foot

Section 4. COMMUNITY DEVELOPMENT - PLANNING - Effective July 1, 2019, the below-listed Community Development - Planning fees will be adjusted as follows:

Administrative Function (i.e. address, land use compatibility	y statement LUCS, DMV) 32.00	33.00
Amendment (Conditions, Findings and Plat)	308.00	313.00
Annexation: Petition Initiated	739.00	<u>752.00</u>
Appeals: Dangerous Building Abatement (to City Manager then Council) Nuisance Abatement (to City Manager then Council)	cil) 308.00 265.00	313.00 270.00
Boundary Line Adjustment	246.00	<u>250.00</u>
(,	1481.00 1847.00	1506.00 1878.00

Conditional Use Permit Day Care	616.00 308.00	<u>626.00</u>
Day Cale	3U0.UU	<u>313.00</u>
Demolition Permit	34.00	<u>35.00</u>
Derelict Building Registration:		
Residential Application	312.00	<u>317.00</u>
Commercial Application	563.00	<u>573.00</u>
Monthly Registration for each month or portion months	thereof building is registered	for the first six
Residential	123.00	125.00
Commercial	563.00	573.00
Extension – Monthly Registration for each month after six months Residential	n or portion thereof building is 245.00	s registered 249.00
Commercial	1146.00	<u>1165.00</u>
	(4 - d)
Delinquent Payment Penalty (for each monthly p	ayment more than 30 days p 123.00	nast due) 125.00
Residential Commercial	120.00 563.00	573.00
Commercial	000.00	<u>010.00</u>
Expedited Land Use Action (plus \$100 postage)	1969.00	2002.00
Grading Plan:		
Single Family Unit/Duplex	61.00	62.00
Other	308.00	313.00
Historic Structure – Alteration/Construction/De corresponding Site Review Fee)	molition with HRRC public 61.00	hearing (plus 62.00
Non-Conforming Use Alteration	185.00	<u>188.00</u>
Partition:	494.00	<u>502.00</u>
	•	
Planned Development:	1107.00	1126.00
Preliminary (<i>plus \$10.00 per lot</i>) Final	1107.00 123.00	<u>1126.00</u> 125.00
Resubmittal Fee	123.00	125.00
Construction Review	123.00	125.00
Preliminary Application Conference	123.00	125.00
Site Plan Review:		
Above Ground Storage Tank	246.00	<u>250.00</u>
Alteration/Remodel Single Family Unit/Duplex	42.00	43.00
Alteration/Remodel Commercial/Industrial	61.00	<u>62.00</u>
Floodplain Review	181.00	<u>184.00</u>

New Construction Single Family Unit/Duplex Commercial/Industrial/Other Mobile Home Park	123.00 429.00 429.00	125.00 436.00 436.00	
Site Plan Review – Signs: Area – 0 to 32 square feet Area – 33 to 60 square feet Area – 61 to 99 square feet Area – 100 to 250 square feet Freestanding (in addition to above) Temporary (30 days or less) Temporary Sign Refundable Deposit	26.00 37.00 42.00 61.00 26.00 22.00 53.00	26.00 38.00 43.00 62.00 26.00 22.00 54.00	
Subdivision: Preliminary (plus \$10.00 per lot) Construction Plan Review Final Plat Replat Resubmittal Fee	1107.00 123.00 123.00 429.00 123.00	1126.00 125.00 125.00 436.00 125.00	
Temporary Use Permit: Family Hardship/Structure [City Manager and/or Community 123.00 Development Director can waive fee based on financial hardship] Use/Zoning, Etc. 123.00			
Vacation (Street, Alley, Easements) (plus deposit for costs as determined by the City Recorder) 429.00 436.00			
Variance: Administrative Public Hearing before Planning Commission Riparian Setback Water Service Request for Outside City Limits: Residential – Single Family Residential – Other Commercial	246.00 494.00 185.00 123.00 308.00 429.00	250.00 502.00 188.00 125.00 313.00 436.00	
Zone Change	922.00	938.00	
Section 5. FIRE DEPARTMENT – Effective Department fees will be adjusted as follows:	July 1, 2021, the	below-listed Fire	
False Alarm Response Fee to be assessed for the 3 rd through 6 th false alarm for the same location within any calendar year (partial reimbursement) 338.00 each 7 th and each subsequent false alarm (full reimbursement) 785.00 each 798.00 each			
False Alarm Appeal Fee	131.00	<u>133.00</u>	

Inspections		
Illegal Occupancy	372.00	378.00
Exceeding maximum occupant load	171.00	174.00
"A" Occupancy Inspections (after hours)	104.00	106.00
φ		
Business Inspections	•	
Unmitigated violations - Subsequent re-inspections		
1st re-inspection visit	per facility plus 33.00 p	er violation class
	<u>)</u> per facility plus 33.00 p	
3rd & subsequent re-inspection visits 574.00/584.00	<u>0</u> per facility plus 33.00 p	per violation class
Permits	100.00	470.00
Blasting	169.00	<u>172.00</u>
Fire works including retail sales inspection		
Booth	136.00	138.00
Tent	169.00	172.00
Display	338.00	344.00
Storage Tanks	000.00	<u>011.00</u>
Installation	169.00	172.00
Removal	102.00	104.00
On-Site Inspections		
Underground piping		
Flushing	101.00	<u>103.00</u>
Hydrostatic test	101.00	<u>103.00</u>
Aboveground Piping		
Modifications/Remodels	101.00	<u>103.00</u>
Sprinkler System Pre-Cover (\$50.00 minimum)	101.00/hr	<u>103.00/hr</u>
Hydrostatic Test	101.00	103.00
Pneumatic Test	101.00	103.00
Dry Piping Trip Test	101.00	103.00
Standpipes	101.00	103.00
Fire Alarm Systems	101.00/hr	103.00/hr
Missed Appointment Fee	101.00	103.00 103.00
Smoke Removal Systems	101.00 101.00/hr	<u>103.00</u> <u>103.00/hr</u>
Final Inspection (\$100.00 minimum) New Hydrant Installation Inspection and flushing p	·	172.00 172.00
New Hydrant installation inspection and husiling p	er riyuranı 100.00	172.00
Additional Inspections		
Clean Agent System (site inspection/room integrity	/ flow & alarm test) 169	9.00 <u>172.00</u>
Commercial Cooking Suppression System (site ins		
	. ,	
Special Inspection (typically business insurance page 5	urposes) 126.00/hr	_128.00/hr
Spray Booth (site inspection/trip test)	169.00	<u>172.00</u>
Temporary Membrane Structures, Tents and Cand	pies 101.00	<u>103.00</u>

Plan Review

Including Deferred Submittals (\$50.00 minimum if les	ss than 1 hour)	101.00/hr / <u>103.00/hr</u>	
Mechanical Inspection Fire Smoke Damper (per damper)	21.00	<u>21.00</u>	
Site Review/Consultation First hour free - Each additional hour per project	101.00	<u>103.00</u>	
Hazardous One hour minimum – Non-State Team Response	338.00	344.00	
Opticom Traffic Control Device - non City owned vehicles Annual permit per agency 2028.00			
Section 6. PARK DIVISION – Effective July 1, 2021, the below-listed Park Division fees will be adjusted as follows:			
System Development Charge: Per Equivalent Residential Unit [ERU] for new development	lopment 642.00	662.00	

Section 7. PUBLIC WORKS DEPARTMENT – Effective July 1, 2019, the below-listed Public Works Department fees will be adjusted as follows:

Transportation System Development Charge:	(for new development)
Methodology Resolution #2014-1 (per Trip-En	nd) 3079.00 3174.00

Section 8. STORM DRAINAGE – Effective July 1, 2019, the below-listed Storm Drainage fees will be adjusted as follows:

Storm Drainage System Development Cha	arge - Connection Charge:	
For a single family unit	1097.00	<u>1131.00</u>
For all other development per square ft of im	npervious surface 0.366	0.377
Minimum	1097.00	1131.00

Section 9. This resolution shall become effective immediately upon adoption by the Roseburg City Council May 24, 2021.

ADOPTED BY THE ROSEBURG CITY COUNCIL AT ITS REGULAR MEETING ON THE 24TH DAY OF MAY, 2021.

Amy L. Sowa, ACM/City Recorder