

Security Sanitation District
Colorado Open Records Act
Request Policy

WHEREAS, the official custodian of records for the Security Sanitation District is the Manager of the Sanitation District; and,

WHEREAS, the Colorado Open Records Act ("CORA"), as codified in Colorado statute at C.R.S. §24-72-201 *et seq.*, provides authority for the official custodian of public records to make such rules with reference to the inspection of such records as are reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the duties of the custodian or the custodian's office;

NOW THEREFORE, pursuant to the authority granted by CORA to the Manager as the official custodian of records for the Sanitation District, the following policy is adopted as to the processing and handling of any and all open record requests made upon the Sanitation District pursuant to CORA:

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

- A. Specific beginning and ending dates for the documents requested;
- B. Specific subject matter for the documents requested sufficient for the 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 first hour expended in the research and compilation of documents relevant to any open records request shall be at no charge. After this initial first hour, the Sanitation District shall charge a reasonable fee of \$30.00 per man-hour expended 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 Manager's reasonable estimate of time required, with excess amounts to be refunded upon completion of the compilation of the open records request, and additional amounts due payable prior to

the review by the requesting party of any relevant documents so compiled. Such fee shall automatically be adjusted as set forth in § 27-72-205(6)(b) C.R.S.

3. The Sanitation District shall charge a reasonable fee of \$0.25 per standard page (i.e. 8.5" x 11" black and white or 11" x 17" black and white) copy made, and will charge actual costs of providing a copy, printout, or photograph of a public record in a format other than a standard page. Such costs and fees shall be paid in advance of any review by the requesting party of any relevant documents compiled and copied pursuant to an open records request. Such fees may be adjusted from time to time in the reasonable discretion of the Manager;

4. In the event that the Manager estimates that the man-hours required to research and compile documents relevant to an open records request exceed 40 hours, it is recognized that the scope of such request makes it physically impossible for the Sanitation District to comply with the maximum seven (7) working days provided by statute for compliance with an open records request. In such instances, the Sanitation District shall so advise the requesting party, in writing, of the physical impossibility of compliance with such open records request, requesting that the party either:

- A. Revise their open records request to provide greater specificity and thereby allowing the Sanitation District to comply with the statutory requirements; or,
- B. Consent to an extended research and compilation period beyond the statutory requirements, and expressly waiving any and all statutory and common law remedies against Sanitation District for such noncompliance as concerns the specific open records request as may otherwise be available;

5. To the extent a requesting party is not willing to accommodate the Sanitation District's requests as discussed in Paragraph 4, above, as concerns research and compilation requirements exceeding statutory provisions, the Sanitation District may seek a declaratory judgment from the District Court for El Paso County, Colorado that the open records request is "impossibly 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 Sanitation District shall not be held liable for compliance with such requirements on such basis.

Enacted this 16th day of July, 2014.

Roy E. Heald

Roy E. Heald, as Manager of
Security Sanitation District

INSTRUCTIONS FOR RECORDS REQUESTS COLORADO OPEN RECORDS ACT (CORA)

1. All requests must be completed on the approved Request Form provided by Security Water and Sanitation Districts.
2. Provide a brief, but specific description of the document(s) or information requested noting the specific substance, type, date of issuance, and location of the document(s), if known. A request that is broad, vague, or too voluminous may result in a response that does not provide all of the documents that you desire or may cause a delay in the time that Security Water and Sanitation Districts can produce the records. If needed, please attach additional pages to list all items in detail.
3. All requests must be submitted either by email to r.heald@securitywsd.com, or by mail or in person at Security Water and Sanitation Districts' Office, 231 Security Boulevard, Security, Colorado 80911. All requests must include the following information:

Date of request
Company name (if applicable)
Your name
Your address
Your telephone number
Name of document(s) and descriptive information as discussed above

4. If the records are available pursuant to § 24-72-201, *et seq.*, the records shall be made available for inspection within three working days. If extenuating circumstances exist so that the custodian cannot gather the records within the three-day period, then the period shall be extended an additional seven working days. The requester shall be notified of the extension within the first three days of the Security Water and Sanitation Districts' receipt of a completed Request Form and full payment of estimated costs and fees.
5. Pursuant to § 24-72-204, C.R.S., certain records may not be disclosed through a CORA records request and will therefore not be provided by Security Water and Sanitation Districts. Such records include, but are not limited to, employee personnel records, real estate appraisals prior to title passing to Security Water and Sanitation Districts, email addresses provided to Security Water and Sanitation Districts for future electronic communication, medical, mental health, or sociological information of any person, and personal information of past or present customers.
5. For complete information, please see Security Water and Sanitation Districts' open records policies. Such policies are available at www.securitywsd.com or at the office of Security Water and Sanitation Districts.
6. The first hour expended in the researching and compiling of documents shall be at no charge. After the initial first hour, Security Water and Sanitation Districts will charge \$30.00 per man-hour expended for such research and compilation.
7. Security Water and Sanitation Districts will charge a copy fee of \$0.25 per standard page (i.e. 8.5" x 11" black and white or 11" x 17" black and white) and will charge actual costs of providing a copy, printout, or photograph of a public record in a format other than a standard page.
8. Prior to Security Water and Sanitation Districts' beginning any work to research or compile requested documents or information, Security Water and Sanitation Districts will provide an estimate of the total costs and fees for such research and compilation. This estimated total must be paid to Security Water and Sanitation Districts prior to any research or compilation being conducted. Upon completing the research and compilation, any fees or costs in excess of the estimated amount are due and must be paid prior to review by the requesting party of any of the documents so compiled. Any amount paid by the requesting party in excess of the actual amount of the fees and costs will be refunded upon completion of the compilation.