

## **Wellington Fire Protection District Open Records Request Policy<sup>1</sup>**

### Policy Statement

The Wellington Fire Protection District (the "District") has developed the following Open Records Request Policy in order to create a systematic method of managing open records requests. Pursuant to the Colorado Open Records Act ("CORA"), § 24-72-200.1, C.R.S., *et seq.*, public records are to be open for inspection by individuals at reasonable times, upon request, unless such disclosure would be contrary to the public interest as provided under CORA. As a public entity, the District recognizes the importance of this state policy and the importance of creating an environment of openness with respect to its internal operations. This policy is intended to balance the public's right to inspect the records of the District with the District's need to protect its records and prevent unnecessary interference with its regular duties in responding to such requests. All CORA requests will be reviewed and responded to consistently with the requirements of CORA.

### Procedures

- The designated Custodian of Records (CR), as defined in § 24-72-202(1.1), C.R.S., will accept written CORA requests.
- The designated Custodian of Records (CR) for the Wellington Fire Protection District is District Administration.
- All requests for public records shall be made in writing and can be emailed to the District through [recordsrequest@wfpd.org](mailto:recordsrequest@wfpd.org). Requests may also be mailed or hand-delivered to the front desk receptionist at the District Administration building at the address below:

Wellington Fire Protection District  
Custodian of Records  
8130 3rd Street  
P.O. Box 10  
Wellington, CO 80549

- The CR may forward requests to the District's legal counsel for review and assistance with developing an appropriate response.
- The first full business day following the date the request is received by the CR will constitute the first business day for calculating the three-day or seven-day response period, in accordance with § 24-72-203(3)(b), C.R.S., as provided below.
- All requests must be specific as to the records sought and the relevant dates of those records.
- Requests for correspondence must identify the parties to the correspondence. For any request that is vague or broadly stated, the CR may require the requestor to provide a more specific request.
- Requests for records will not take priority over previously scheduled work activities or duties of the District; provided, however, that the request shall be met within the statutory three (3) business day time period unless extenuating circumstances exist, as described in § 24-72-203(3)(b), C.R.S. In that

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case, the District may receive a time extension which will not exceed seven (7) business days. A finding of extenuating circumstances must be communicated in writing to the requesting party within the three (3) business days of receiving the request.

- The CR reserves the right to levy a reasonable fee of \$33.58 per hour for research and retrieval services of requested documents. Such fee shall automatically increase every five years thereafter, pursuant to § 24-72-205(6)(b), C.R.S. However, the first hour of research and retrieval services shall be provided at no charge.
- The CR is not required by CORA to construct a document that does not exist.

#### Responding to Requests for Open Records

- The District's legal counsel may assist the CR to determine if the information requested is subject to inspection under CORA. If it is determined that the records requested are not subject to inspection under CORA, the CR will inform the requestor, in writing, that the request is being denied and provide the specific statutory citation supporting the denial.
- If the request is for records the District does not possess, the requestor will be informed, in writing, that the District does not possess the requested records and will be informed who does possess the records and where they can be found, if that information is known to the CR.
- If the requested records contain information that is partially open to inspection and partially exempt from inspection, the District may, in its discretion, withhold the record altogether or redact the exempted information and provide the record(s) for inspection.
- Some records are available online. If so, the CR will inform the requestor of its online availability.
- Once the records have been located and reviewed, the District will notify the requestor, in writing, that the records are available for inspection.
- A transmittal fee may not be charged for emailing electronic records to the requestor.

#### Inspection of Records

- Records will be available for inspection during the District's normal business hours.
- The requestor may obtain copies of the requested records at a cost of \$0.25 per page, or for documents in non-standard formats, the actual duplication costs.
- Full payment for copying costs as well as research and retrieval costs must be received by the District in advance of releasing requested copies and/or allowing the requestor to inspect the same.
- Once the requestor is notified that the records are available for inspection, the requestor must contact the District within three (3) business days and pay any applicable fees or make arrangements to make payment at a later date. If, within three (3) business days after making the records available for inspection, the requestor fails to pay all applicable fees or make arrangements to pay such fees at a later date, the request will be considered abandoned.
- Once a request is considered abandoned, the requestor must submit a new request to inspect any records. All applicable fees may be charged for a new request.