



# **CITY OF FRUITA**

## **OPEN RECORDS REQUEST FORM AND FEE SCHEDULE**

### **INSTRUCTIONS TO APPLICANT**

The City of Fruita complies with public records inspection requests in compliance with the Colorado Open Records Act, Article 72 of Title 24. The Act provides that “all public records are open for inspection by any person at reasonable times,” unless otherwise provided by the Act itself, or other law.

If public records requested are not in the custody or control of the City, the Applicant shall be notified of this fact. Such notification will be in writing only if the Applicant requests written notification. Such notification shall state, to the best of the responding City employee’s knowledge and belief, the reason for the absence of the records, the location of the records and who has custody or control of the records.

If the records requested are in active use, in storage or otherwise not readily available at the time requested for inspection, the City shall notify the Applicant. Such notification will be in writing only if the Applicant requests written notification. If the Applicant further requests, the City shall set a date and hour at which the records will be available for inspection which shall be within a reasonable time after the request.

No public record shall be made available for inspection if such inspection would be contrary to state statute, federal statute or regulation or Supreme Court rule or court order.

Not all records within the custody or control of the City are available for inspection as public records either because the documents do not meet the statutory definition of public record or because the record is excepted from the disclosure requirements. If access to any public record is denied, the City will provide a written statement of the grounds for denial only if requested by the applicant.

For hard copies of records, the City will charge a fee of \$.25 per 8 ½ x 11-inch page and \$.50 per 11 x 17-inch page (or any other size paper) plus manipulation costs. The City will not charge for records in a digital or electronic format. The fee of \$12 per CD shall be charged for making copies of minutes and/or public hearings.

When information gathering, printing, retrieval of a document or manipulation of data requires staff research, labor or travel time, the hourly charge begins after 60 minutes and will be assessed and pro-rated in quarter hour increments. A time log outlining staff time spent responding to the request shall be provided. All staff time shall be billed at \$33.58 per hour (plus all applicable copying charges and other applicable fees).

