

# City of Lake Forest Park Washington

## Administrative Policy Regarding Requesting Public Records

September 10, 2015

### Application and Definitions

This policy applies to all City departments.

City of Lake Forest Park provides various records on its website, [www.cityofflp.com](http://www.cityofflp.com). Requestors are encouraged to review records available on the website prior to submitting a records request.

Definitions of “public record” and “writing” have the same meanings as defined in the Public Records Act, Chapter 42.56 RCW:

**Public record** includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. For the office of the secretary of the senate and the office of the chief clerk of the house of representatives, public records means legislative records as defined in RCW 40.14.100 and also means the following: All budget and financial records; personnel leave, travel, and payroll records; records of legislative sessions; reports submitted to the legislature; and any other record designated a public record by any official action of the senate or the house of representatives.

**Writing** means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

### 1. City of Lake Forest Park Complies with the Public Records Act ([RCW 42.56](http://www.wa.gov/RCW/42.56)).

City of Lake Forest Park is committed to providing full access to public records in accordance with the Washington State Public Records Act (RCW Chapter 42.56), by providing the public with full access to records concerning the conduct of government, mindful of individual privacy right, and the desirability of the efficient administration of government.

## **2. City Council Designates Public Records Officer**

The City Council will designate a **Public Records Officer** to oversee compliance.

The current Public Records Officer is:

**Matthew McLean, CMC**  
**Municipal Services Manager/City Clerk**  
17425 Ballinger Way NE  
Lake Forest Park, WA 98155

Telephone: 206.368.5440  
FAX: 206.364.6521

Email: [publicrecords@ci.lake-forest-park.wa.us](mailto:publicrecords@ci.lake-forest-park.wa.us)

Hours:  
Monday – Friday  
9:00 a.m. – 5:00 p.m.

## **3. City of Lake Forest Park Makes Public Records Available Upon Request**

The Public Records Officer receives requests on the [Request for Public Records Form](#). The request form may be submitted to the Public Records Officer by regular mail, in person, FAX, or email. No requests shall be submitted or received orally.

City of Lake Forest Park makes public records available for inspection and access subject to the following conditions:

- Dated request includes name, address, and contact information of requester and description of public records adequate to locate the records.
- Inspection and copying occurs on city premises during normal business hours, excluding holidays.
- Original public records may not be removed, disassembled, or altered.
- City of Lake Forest Park will not disclose lists of individuals for commercial purposes.
- For large requests, copies may be provided in installments and outside copy services may be utilized, with such copies provided to requestor at cost.

City of Lake Forest Park provides space to inspect records.

#### **4. City of Lake Forest Park Charges for Copies and Mailing**

City of Lake Forest Park follows the City Fee Schedule, adopted by the City Council.

City of Lake Forest Park may require a deposit of up to 10 percent for the estimated costs of copying the records. The requestor shall make full payment before receiving the records.

City of Lake Forest Park will not charge for retrieval or inspection of public records.

#### **5. Copies of Records Furnished Free**

No charge shall be made for the first copy of:

- A. City ordinances and resolutions adopted since the last code update;
- B. Drafts of ordinances and resolutions under council consideration;
- C. Drafts of ordinances and resolutions which are the subject of public hearings before the council or commissions established by the council;
- D. The current agenda and current minutes or meeting summary of meetings and public hearings held by the city council or commissions established by the council;
- E. Current issue of the Lake Forest Park newsletter;
- F. Police reports (to participants only);
- G. Accident reports (to participants only)
- H. Building permits, not including site plans, topographic maps, landscaping plans, or other such extensive technical studies and reports.

#### **6. Department Director Manages Departmental Records and Responds to Incidental Requests and Counter Documents**

The Department Director, with guidance from the Public Records Officer, will establish and follow rules for records management in his or her department. The Department Director will designate a contact for Public Record Requests who will work with the Public Records Officer to process requests.

#### **7. Public Records Officer Tracks and Responds to Requests**

The Public Records Officer will:

- Track all requests for public records.
- Respond to all requests within five (5) business days by:
  - Providing the record; or

- Acknowledging the City has received the request and providing a reasonable estimate of the time the City will require to fully response to the request; or, advising when and where the records will be available for inspection or available for retrieval; or
- Providing an internet address and link on the City website to the specific records requested, except that if the requestor notifies the City that he or she cannot access the records through the internet, the agency must provide copies of the record, subject to fees as established in the City fee resolution; or
- Acknowledging the records are exempt from disclosure or are not sufficiently identified to be produced;
- Acknowledging the request has been submitted to the city attorney for legal review, and the city will respond within a specified number of days. If the records requested are subject to disclosure and copies have been requested, the Public Records Officer will state the cost per page, if any, for producing the records, and that the payment of copying costs is a condition of release of the records; provided that, whenever in the judgment of the Public Records Officer a private copying service must be employed, the person making the request will be responsible for such costs and will be advised of same; or
- Denying the public records request.
  - Coordinate review of records.
  - Close complete, withdrawn, or abandoned requests.

Additional time required to respond to a request may be based on the need to clarify the intent of the request, to locate and assemble the records requested, to notify third persons or agencies affected by the request, or to determine whether any of the records requested are exempt and that a denial should be made as to all or part of the request. In acknowledging receipt of a public records request that is unclear, the City may ask the requestor to clarify, in writing, what records the requestor is seeking.

## **8. Public Records Officer Reviews Records for Exemptions**

The Public Records Officer will review records for exemptions from the law. If the Public Records Officer withholds or redacts a record, he or she will state the specific exemption and explain why the record or a portion of the record is being withheld on an exemption log to be provided to the requestor.

## **9. Public Records Officer May Provide Notice to Other Affected Parties**

If requested records contain information that may substantially and irreparably damage any person to whom a record specifically pertains if released, before providing the records, the Public Records Officer may give third-party notice to such potentially affected persons to allow an opportunity to seek an injunction preventing disclosure.

## **10. Mechanism for Review of Denial**

Any person who objects to the denial of a public records request may petition in writing to the Public Records Officer for a review of that decision prior to the end of the fifth business day following the denial. The petition shall include a copy of, or reasonably identify, the written statement by the Public Records Officer or designee denying the request. The Public Records Officer shall perform a review of the denial as promptly as possible. Pursuant to state law, the review shall be deemed concluded at the end of the second business day following the City's receipt of the petition for review of the denial, or longer with the permission of the requestor.

(RCW 42.56.520)