

Sample Resolution

**RESOLUTION ADOPTING RULES AND PROCEDURES
FOR ACCESS TO PUBLIC RECORDS**

_____ **County Fire Protection District No.** _____

RESOLUTION NO. _____

WHEREAS, RCW Chapter 42.56 requires that governmental units adopt rules and procedures relating to maintenance and availability of public records; and,

WHEREAS, the district maintains various types of records relating to its operation and therefore is subject to the requirements of the statute;

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of _____ County Fire Protection District No. _____ hereby adopt the attached "Access to Public Records" rules and procedures.

ADOPTED at the regular meeting of the Board of Commissioners of _____ County Fire Protection District No. _____ this _____ day of _____, 2____.

Chairperson

Commissioner

Commissioner

Secretary

ACCESS TO PUBLIC RECORDS

1. **PUBLIC RECORDS.** Public records of _____ County Fire Protection District No. _____ includes any writing containing information relating to the conduct or performance of any governmental function prepared, owned, used, or retained by the district except the following:
 - A. Personnel records of all full-paid and volunteer firefighters, the disclosure of which would constitute a violation of the right to privacy;
 - B. Investigative records which are being compiled by the district during the investigation of any suspected arson fire, until such time as the investigation has been completed; provided, however, in the event the investigative record has been referred to any law enforcement agency then the determination of whether to disclose such records shall be made by such enforcement agency.
2. **PUBLIC RECORDS AVAILABILITY.** All public records of the district as defined above are available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW Chapter 42.56.
3. **LOCATION OF RECORDS.** The district's public records shall be maintained at the district headquarters station in the charge of a designated employee who shall be responsible for the implementation of these rules.
4. **HOURS FOR INSPECTION AND COPYING.** Public records shall be available for inspection and copying during normal office hours of the district which are from _____ a.m. to _____ p.m., Monday through Friday, excluding legal holidays.
5. **REQUESTS FOR PUBLIC RECORDS.** In accordance to the provisions of RCW 42.56 public records may be inspected or copied, or copies obtained by members of the public as follows:
 - A. Requests shall be made in writing to a district employee and shall include the following information:
 1. The name of the person requesting the record;
 2. The time of day and calendar date on which the request was made;
 3. The nature of the request;
 4. If the matter requested is referenced in the current index maintained by the district, a reference to the requested record as it is described in such index;
 5. If the requested matter is not identifiable by reference to an index, an appropriate description of the record is requested.
 - B. In all cases in which a member of the public is making a request it shall be the obligation of the employee to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

6. **FEES.** No fees shall be charged for the inspection of public records. The district shall charge a fee of fifteen cents per page for providing copies of public records. This charge is the amount necessary to reimburse the district for the actual cost of such copying. In the event the district is requested to mail copies an additional charge in the amount of the actual postage shall be made. (Please reference RCW 42.56080.)

7. **EXEMPTION FROM PUBLIC INSPECTION.**

A. The district reserves the right to determine that a record requested is exempt from public inspection under RCW 42.56.210;

B. In accordance with RCW 42.56.070 the district reserves the right to delete identifying details when it makes available any public record in any case where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by RCW 42.56. The employee who deletes such information shall fully justify such deletion in writing;

C. All denials of requests for public records shall be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

8. **REVIEW OF DENIALS.**

A. Any person who objects to the denial of a request for a public record may petition for a prompt review of such decision by submitting a written request for review;

B. Upon receipt of a written request for review of a decision denying inspection of a public record, the employee to whom the request has been submitted shall refer it to the chairperson of the Board of Commissioners of the district. The chairperson shall immediately consider the matter and either affirm or reverse the denial or call a special meeting of the Board of Commissioners as soon as legally possible to review the denial. The final decision shall be rendered to the petitioner as soon as reasonably possible;

C. Administrative remedies shall not be considered exhausted until the district has returned the request with the decision or until a period of seven days has elapsed since the submission of the request.

9. **RECORDS INDEX.** The district has available to all persons a current index, which provides identifying information as to the following records, maintained by the district.