

Colorado Open Records Act Requests

Lincoln County, Colorado

Procedures for making and responding to requests for information to Lincoln County under the Colorado Open Records Act (“CORA”)

- 1. These procedures apply to all requests submitted pursuant to 24-72-203(1) C.R.S, *et seq.*, to inspect public records in the custody or control of Lincoln County.**
- 2. All requests to inspect public records must be submitted in writing to the official custodian of records (“Custodian”) pertaining to the individual county departments. Requests made to any person other than the Custodian will not be accepted.**
- 3. Requests may be mailed or sent via facsimile. The Custodian, at the Custodian’s sole prerogative, may accept requests sent via e-mail. *Note: The reason for this rule is that due to e-mail filters and inactive or incorrect e-mail accounts, the county cannot guarantee that the Custodian has received an electronic mail request.***
- 4. All requests for records MUST be specific as to the records sought and the relevant dates. Requests for correspondence must identify the date or one of the parties to the correspondence. For any request that is vague or broadly stated the Custodian may require the requestor to provide a more specific request.**
- 5. If a requestor is unable to identify the specific documents sought, the requestor is encouraged to contact the county in advance of submitting a request for assistance in providing the requisite specificity.**
- 6. The Custodian is not required by the CORA to construct or create a record that does not exist.**
- 7. Time for response to records request shall be as follows:**
 - a. The normal time for production shall be three working days.**
 - b. Such period may be extended upon determination by the Custodian that extenuating circumstances exist. Such**

period of extension shall not normally exceed seven working days, as described in section 24-72-203(3)(b)C.R.S. The requestor shall be notified of the extension within the three-day period.

- 8. Requests to inspect records and/or documents will not take priority over the regular work activities of county employees.**
- 9. Charges for copies of requested records shall be as follows:**
 - a. The normal cost for requested documents shall be \$.25 per standard black and white page or, for documents in color and non-standard formats, the actual duplication costs.**
 - b. The requestor may be charged a research and retrieval fee of up to \$30 per hour for employee time, or gathering, preparing and copying requested documents.**
 - c. If records are readily available, the Board of County Commissioners or its designee may waive the charge or may charge a lesser amount per page for copies.**
- 10. If charges are expected to exceed \$.25, or if a retrieval fee based on the *actual* cost of responding is to be charged, the Custodian will provide the requestor with an estimate of the cost of responding prior to responding and may require a deposit. If the requestor wishes to proceed upon receiving an estimate, he or she must respond in writing. By responding in writing the requestor agrees to pay all fees associated with responding to the request. The time between the date of the Custodian's estimate and the receipt by the Custodian of a written request to proceed will not be counted against the time period set forth above.**
- 11. Inspection shall be by appointment only during ordinary working hours deemed to be from 8:00 a.m. to 4:30 p.m., Monday through Friday, except for times when the Custodian's office is closed. Such inspection must be supervised by a county representative and the requestor may be charged for employee time associated with such inspection.**
- 12. If the Requestor should decide to withdraw the requests, fees accrued from the time of the request to withdraw may be**

required based on the actual cost of employees time gathering, preparing, and copying requested documents.

13. The Lincoln County Public Records Request Form may be obtained by contacting the individual department from which the request is being made, or by visiting www.lincolncountyco.us. The form shall be completed and returned as indicated.

Lincoln County Public Records Request Form

The following request is made under the Colorado Open Records Act:

Date: _____

Time: _____

Name: _____

Company Represented (if any): _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Fax Number: _____

Cell Number: _____

Records Requested (if the name of the record is unknown, provide brief, but specific description of the record and its location): _____

If the records are available pursuant to C.R.S. 24-72-201, *et seq.*, the records shall be made available for viewing within three working days. If extenuating circumstances exist so that the Custodian cannot reasonably gather the records within the three-day period, the Custodian may extend the period by up to seven working days. The requestor shall be notified of the extension within the three-day period.

Public records shall be viewed at 103 3rd Avenue, Hugo, Colorado, on regular business days by appointment. After viewing the document(s), photocopies may be requested for \$.25 per standard page, the requestor may be charged a retrieval fee of up to \$30 per hour of staff time required to complete the request. Charges must be paid at the time the request for photocopies is made and must be picked up in person.

Signature

Date

FOR OFFICIAL USE ONLY

Verification of Form and Date Received: _____

Custodian of Records:

Time spent by staff in assembling the records request: _____

Estimated Cost of assembly: \$ _____

Records requests received by: _____

Department Manager/Elected Official

Date

Amount received