South Fork Coeur d’Alene River Sewer District

THE BOARD OF TRUSTEES

Records Available to Public

Subject to the limitations provided herein, and as provided by the Idaho Public Records Act, Sections 74-101 et. seq. (the “Act”), full access to public records concerning the administration and operations of the South Fork Coeur d’Alene River Sewer District (the “District”) shall be afforded to the public.

Every person has the right to examine and take copy of any public record. All District records except those restricted by state and federal law shall be made available to citizens upon written request for inspection at the District office, according to the Act.

The office manager shall serve, or designate someone to serve, as the Custodian of public records. The office manager shall authorize the inspection and copying of the District’s records only in accordance with the criteria set forth in this policy and in compliance with state and federal laws.

Definitions

A “public record” is defined by the Act.

A “writing” is defined by the Act.

In accordance with the Act, certain records shall NOT be subject to public inspection or copying. The Act is specific and the District complies with the requirements of the Act.

If a public record requested for inspection and/or copying contains both information exempted from disclosure and nonexempt information, the District shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide a written explanation for the deletion.

Response to Request

The District shall require that a public records request be submitted in writing upon a form prescribed by the District with the requestor’s name, mailing address, email address, and telephone number. The District may provide the requester information to help the requester narrow the scope of the request or to help the requester make the request more specific when the records requested are voluminous or costly.

The District shall either grant or deny a person’s request to examine or copy public records within three working days of the date of the receipt of a request for public records. If a longer period of time is needed to locate or retrieve the records, the District shall notify the person requesting the records of the same and provide the records to such person no later than ten working days following the request. The documents shall then be made available for inspection and copying provided at a time mutually agreeable to the parties during normal business hours.

If the District fails to respond, the request shall be deemed to be denied within ten working days following the request. If the District denies the request for examination or copying the public records or denies in part and grants in part the request for examination and copying of the public records, the office manager shall notify the person in writing of the denial or partial denial of the request for public record. The notice of denial or partial denial shall state that the attorney for the District has reviewed the request or shall state that the District has had an opportunity to consult with an attorney regarding the request for examination or copying of a record and has chosen not to do so. The notice of denial or partial denial also shall indicate the statutory authority for the denial and indicate clearly the right to appeal the denial or partial denial and the time periods for doing so.

The District will not receive or respond to public records requests via electronic mail.

Fee Waiver

The District will adhere to its copying fee schedule unless it is determined by the office manager that an individual making such a request has demonstrated information sufficient to meet the requirements of Section 74-102(10)(f) and the procedures set forth therein

A requester may not file multiple requests for public records solely to avoid payment of fees. If the District suspects that this is the case, it can aggregate the related requests and charge based upon its copying fee schedule.

Fee Schedule

The copying fee schedule of the District is as follows:

1. Except for fees that are authorized or prescribed under other provisions of Idaho Law, the District shall not charge a fee for the first 100 pages of records or the first two hours of labor in responding to a request.
2. Copies of public records: $0.10 per page (CANNOT EXCEED ACTUAL COST) for copies beyond the first 100 pages or beyond the first two hours of labor in responding to a request.
3. The District will charge for the labor costs associated with locating and copying public records if:
   1. The request is for more than 100 pages of records;
   2. The request includes nonpublic information that must be redacted from the public records; or
   3. The labor associated with locating and copying the public records exceed two hours.
4. The fees for labor associated with responding to a public records request shall be charged at the per hour pay rate of the lowest-paid administrative staff employee of the District who is necessary and qualified to process the request.
5. The fees associated with redactions required to be made by an attorney employed by the District shall be charged at the lowest-paid hourly rate of the lowest paid attorney employed by the District or, if there are no attorneys employed by the District, the rate shall be no more than the usual and customary rate of the attorney retained at the District.
6. Copy of a duplicate computer disc or similar record system the fee shall not exceed:
   1. The District’s cost of copying the information in that form;
   2. The District’s cost of conversion, or the cost of conversion charged by a third party, if the electronic record must be converted to electronic form.

Fees shall be collected in advance. The District shall provide requesters with an itemized statement of fees to show the per page cost for copies and the hourly rate of employees and attorneys involved in responding to the request.