

RESOLUTION 2017-50

A RESOLUTION ESTABLISHING FEES TO RECOVER THE ACTUAL COPYING AND LABOR COSTS ASSOCIATED WITH RESPONDING TO PUBLIC RECORDS REQUESTS

WHEREAS, the City of Lewiston must provide public records to requesters in accordance with the Idaho Public Records Act;

WHEREAS, pursuant to Idaho Code § 74-102(10)(c), the City of Lewiston may establish a copying fee schedule, and such copying fees may not exceed the actual cost to the City of Lewiston of copying the records;

WHEREAS, pursuant to Idaho Code § 74-102(10)(e), the City of Lewiston may charge fees to recover reasonable labor costs necessarily incurred in responding to public records requests; and

WHEREAS, the City of Lewiston may not charge a fee unless at least one (1) of the three (3) conditions set forth in Idaho Code § 74-102(10)(b) is met.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEWISTON, IDAHO:

SECTION 1: If a public records request is for more than one hundred (100) pages of paper records, then the following fees shall apply to each page in excess of one hundred (100) pages of paper, unless the City Attorney, or his or her designee, determines the requester has demonstrated that fees must be waived in accordance with Idaho Code § 74-102(10)(f), as amended from time-to-time:

- A. For black and white 8.5 inch by 11 inch (8.5" x 11") copies, the requester shall pay Ten Cents (\$0.10) per one-sided page and Twenty Cents (\$0.20) per double-sided page. For color 8.5 inch by 11 inch (8.5" x 11") copies, the requester shall pay Thirteen Cents (\$0.13) per one-sided page and Eighteen Cents (\$0.18) per double-sided page.

- B. For black and white 8.5 inch by 14 inch (8.5" x 14") copies, the requester shall pay Fourteen Cents (\$0.14) per one-sided page and Twenty-Eight Cents (\$0.28) per double-sided page. For color 8.5 inch by 14 inch (8.5" x 14") copies, the requester shall pay Seventeen Cents (\$0.17) per one-sided page and Thirty-One Cents (\$0.31) per double-sided page.
- C. For black and white 11 inch by 17 inch (11" x 17") copies, the requester shall pay Eighteen Cents (\$0.18) per one-sided page and Thirty-Six Cents (\$0.36) per double-sided page. For color 11 inch by 17 inch (11" x 17") copies, the requester shall pay Twenty-One Cents (\$0.21) per one-sided page and Thirty-Nine Cents (\$0.39) per double-sided page.
- D. For 8.5 inch by 11 inch (8.5" x 11") color map copies, the requester shall pay One Dollar (\$1) per page. For 11 inch by 17 inch (11" x 17") color map copies, the requester shall pay Two Dollars (\$2) per page. For large document (plotter) color map copies, the requester shall pay Five Dollars (\$5) per page.

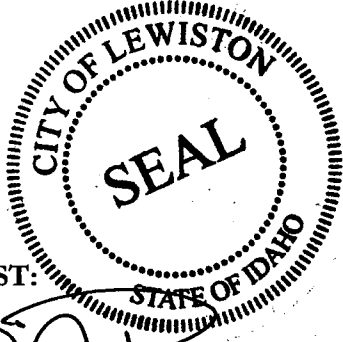
SECTION 2: If a response to a public records request is provided on a computer disc or comparable storage device, then the requester shall pay the costs set forth in Idaho Code Title 74, Chapter 1, as amended from time-to-time.

SECTION 3: If the actual labor associated with responding to a public records request exceeds two (2) hours, then the requester shall pay a fee not to exceed the reasonable labor costs necessarily incurred in responding to the public records request, unless the City Attorney, or his or her designee, determines the requester has demonstrated that fees must be waived in accordance with Idaho Code § 74-102(10)(f), as amended from time-to-time. Fees for labor shall be charged at the loaded hourly rate (hourly wage plus benefits) of the lowest paid department employee for the City of Lewiston who is necessary and qualified to process the public records request.

SECTION 4: If a public records request includes records from which nonpublic information must be deleted, and the time to delete such nonpublic information exceeds fifteen (15) minutes, then the requester shall pay a fee not to exceed the reasonable labor costs necessarily incurred in responding to the public records request, unless the City Attorney, or his or her designee, determines the requester has demonstrated that fees must be waived in accordance with Idaho Code § 74-102(10)(f), as amended from time-to-time. Fees for labor shall be charged as described in Section 3.

SECTION 5: The City Clerk may require advance payment of estimated fees associated with responding to a public records request.


PASSED this 11th day of December 2017.



CITY OF LEWISTON

By: 
James Kleeburg, Mayor

ATTEST:


Kari J. Ravencroft, City Clerk