

Kitsap 911 Public Authority

Resolution 2020-001

Imposing Reasonable Charges for Providing Copies of Public Records.

WHEREAS, on April 25, 2016 the Board of County Commissioners adopted ordinance 532-2016 enacting chapter 2.110 of the Kitsap County code (the “Ordinance”), creating the Kitsap 911 Public Authority; approving a charter therefor; establishing a Board of Directors to govern the affairs of Kitsap 911; and providing how Kitsap 911 shall conduct its affairs; and

WHEREAS, Kitsap 911 (the “Authority”) is a public corporation organized pursuant to RCW 35.21.730; and

WHEREAS, RCW 42.56.120 allows public agencies to impose reasonable charges for providing copies of public records; and

WHEREAS, RCW 42.56.070 (7) requires public agencies provide notice and hold a public hearing prior to adopting a statement of costs; and

WHEREAS, Pursuant to RCW 42.56.120 (2) (b), Kitsap 911 finds that it is unduly burdensome to calculate the actual costs to provide records due to insufficient resources to conduct a comprehensive study to determine actual costs and the interruption of essential business that would result from conducting such a comprehensive study.

NOW, THEREFORE, BE IT RESOLVED by the Kitsap 911 Executive Committee as follows:

Section 1. Fee Schedule Adopted. Kitsap 911 reserves the right to charge fees to the requestor in accordance with the amounts provided in RCW 42.56.120 as amended by the legislature.

Section 2. Alternative Fees Allowed. Kitsap 911 may also use any other method authorized by the Public Records Act for imposing charges for public records including, but no limited to, charging a flat fee, charging a customized service charge, or charging based on a contract, memorandum of understanding, or other agreement with a requestor.

Section 3. Customized Service Charges. Kitsap 911 may include a customized service charge if a public records request would require the use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilation and customized access services are not used by Kitsap 911 for other proposes. Such charge shall be the actual cost of providing the customized access service. Kitsap 911 must notify the requestor in advance of the customized service charge to applied including an explanation of why the customized service charge service applies a description of the specific expertise, and a

reasonable estimate cost of the charge, and Kitsap 911 must provide the requestor the opportunity to amend the public records request in order to avoid or reduce of a customized service charge.

Section 4. No Fees for Inspection. Kitsap 911 will not charge a fee for the inspection of public records or for records available via a publicly available web link, unless the requestor has specifically requested that Kitsap 911 provide copies of such records through other means.

Section 5. Fees Waived for Certain Low Volume Requests. Fees except for customized service charges shall be waived for requests which are emailed as an attachment of less than 25MB, provided that large requests will not be broken into installments for the purpose of waiving fees.

Section 6. Fees May Be Waived for Certain Public Agencies. The Executive Director is authorized to waive fees for public agencies.

Section 7. Fees Must be Paid in Advance. In accordance with RCW 42.56.120 (4) Kitsap 911 collects fees prior to providing the records. If the estimated charge for fulfilling an entire request exceeds \$25.00, a deposit is required.

Section 8. Severability. If any provision of this Resolution or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Resolution which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this agreement, and to this end the provisions of this Resolution are declared to be severable.

Section 9. Effective Date. This resolution shall become effective immediately upon adoption and signature as provided by law, and will apply to all open and new requests.

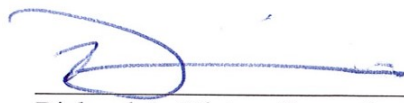
MOVED AND PASSED at a regular meeting of the Kitsap 911 Board of Directors on March 3, 2020 of which public notice was given, all Directors were notified, a quorum was present, and a public hearing conducted.

**KITSAP 911 EXECUTIVE COMMITTEE
OF THE BOARD OF DIRECTORS**



DAVID ELLINGSON, CHAIR

ATTEST:



Richard A. Kirton, Executive Director