



Records Request Number Sticker Here:

5 Business Day Response By:

P.O. Box 320 • 22017 SE Wax Road, Suite 200 • Maple Valley, WA 98038

Phone: (425) 413-8800 • Fax: (425) 413-4282

Date Stamp Here:

Please return the completed form to the City Clerk.

**CITY OF MAPLE VALLEY
REQUEST FOR DISCLOSURE OF PUBLIC RECORDS**

DATE _____

NAME _____

ADDRESS _____

CITY _____ STATE ____ ZIP _____ PHONE _____

RECORDS REQUESTED:

Please describe below the records you are requesting and any additional information that will help us locate them for you as quickly as possible. Be as specific as possible, and include any relevant date or date range that might be applicable. For example: "Agenda materials for Public Safety Oversight Committee Meetings from January to August 2001." A request for a list of individuals requires you to sign a certification that the list will not be used for commercial purposes. The City has five business days to respond to a records request.

Please select one of the following:

___ I want to review records, then decide whether I want copies.

___ I want copies of all records I have requested (there is a charge for producing copies).

___ I want the records I have requested to be sent to me as electronic files. My email address is:
_____.

Signed this _____ day of _____

Signature and certification that the request will not be used for commercial purposes.

For Departmental Use Only

DATE _____

DEPARTMENT RECEIVING REQUEST _____

PERSON RECEIVING REQUEST (Initials) _____

CITY ATTORNEY REVIEW OF REQUEST (Initials) _____

CITY ATTORNEY REVIEW NECESSARY TO PROCESS REQUEST

___ YES ___ NO

(Review Administrative Order A-10-06 for requirements for City Attorney review)

DATE REQUEST RECEIVED BY CITY CLERK _____

ACTION:

DATE OF 5-DAY RESPONSE LETTER TO REQUESTER: _____

DATE OF RELEASE OF REQUESTED RECORD(S): _____

WERE RECORDS RELEASED ELECTRONICALLY? ___ Yes ___ No

Copy of records released, attached? ___ Yes ___ No. (Records released as hard copies should be scanned prior to release for electronic storage.) If not attached, were copies of records released provided electronically to the City Clerk? ___ Yes ___ No

NUMBER OF PAGES RELEASED (hard copies only): _____

TOTAL CHARGES ¹ _____

AMOUNT PAID: \$ _____

DATE PAID: _____

NOTES:

¹ See MVMC 2.50.070 for list of charges.

Chapter 2.50

DISCLOSURE OF PUBLIC RECORDS

Sections:

- [2.50.010](#) Relationship to Public Records Disclosure Act.
- [2.50.020](#) Disclosure of public records.
- [2.50.030](#) Definitions of public record and writing.
- [2.50.040](#) Maintenance of records.
- [2.50.050](#) Exemptions.
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- [2.50.080](#) Decision on public records requests – Procedure for review of decision.
- [2.50.090](#) Disclosure prohibited by other statutes.
- [2.50.100](#) Administrative rules.

2.50.010 Relationship to Public Records Disclosure Act.

This chapter constitutes the City's rules and regulations to carry out and implement the Public Records Disclosure Act, Chapter 42.17 RCW. Except as provided in this chapter, Chapter 42.17 RCW shall apply to all City public records. (Ord. O-97-14 § 1).

2.50.020 Disclosure of public records.

Unless exempt from disclosure under this chapter, public records shall be available for inspection and copying in accordance with this chapter. (Ord. O-97-14 § 2).

2.50.030 Definitions of public record and writing.

A. "Public record" means any writings, maps, or drawings containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the City regardless of physical form or characteristics.

B. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion pictures, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated. (Ord. O-97-14 § 3).

2.50.040 Maintenance of records.

A. All substantive and procedural rules of general applicability, including but not limited to ordinances and resolutions of the City Council, minutes of the regular meetings of the City Council, and statements of general policy, and all public contracts, deeds, easements, and leases shall be indexed and maintained in the office of the City Clerk for the use of the City and of the general public.

B. All other records of the City relating to the specific function or responsibility of a particular City department shall be maintained for the use of the department and the general public in the office of the department. The department shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records:

1. Final opinions and orders made in the adjudication of cases;
2. Statements of policy and interpretations of policy which have been adopted by the City;
3. Administrative staff manuals and instructions to staff that affect a member of the public;
4. Planning policies and goals, and interim and final planning decisions;
5. Factual staff reports and studies, factual consultant reports and studies, scientific reports and studies and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others;
6. Correspondence, and materials referred to therein, by and with the City relating to any regulatory, supervisory, or enforcement responsibilities of the City, whereby the City determines, opines upon, or is asked to determine or opine upon, the rights of the State, the public, a subdivision of State government, or of any private party; and
7. The job classification, pay and tenure of employees hired by the City shall be public information. In addition, unless exempt from disclosure pursuant to RCW 42.17.310(1) and (2), records pertaining to an employee's: (a) prior employment history, including names of employers, titles or job classifications, and duties and responsibilities; (b) education, including names of institutions, dates attended, and degrees obtained; and (c) occupational licensing shall be public information. (Ord. O-97-14 § 4).

2.50.050 Exemptions.

A. The following shall be exempt from public inspection and copying:

1. Personal information in files maintained for employees, appointees, or elected officials, to the extent that disclosure would violate their right to privacy, as defined in RCW 42.17.255;
2. Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would be prohibited to such persons by RCW 82.32.330 or violate the taxpayer's right to privacy, as defined in RCW 42.17.255, or result in unfair competitive disadvantage to the taxpayer;
3. Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy, as defined in RCW 42.17.255;
4. Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the Public Disclosure Commission, if disclosure would endanger any person's life, physical safety, or property; provided, that if at the time a complaint is filed the complainant, victim or witness indicates a desire for disclosure or nondisclosure, such desire shall govern;
5. Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination;
6. Except as provided by Chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency including the City, relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal;
7. Valuable formulae, designs, drawings, and research data obtained by the City within five years of the request for disclosure when disclosure would produce private gain and public loss;
8. Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by the City in connection with any City action;
9. Records which are relevant to a controversy to which the City is a party but which records would not be available to another party under the rules of pretrial discovery for

causes pending in the Superior Courts;

10. Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites;

11. Financial and commercial information and records supplied by businesses during application for loans or program services provided by Chapters 43.160, 43.163, 43.168, and 43.330 RCW;

12. All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant;

13. The residential addresses and residential telephone numbers of employees or volunteers of the City which are held by the City in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers;

14. The residential addresses and residential telephone numbers of the customers of a City utility contained in the records or lists held by the City utility of which they are customers;

15. Client records maintained by the City under any domestic violence program as defined in RCW 70.123.020, or rape crisis center as defined in RCW 70.125.030;

16. Information that identifies a person who, while a City employee: (a) seeks advice, under an informal process established by the City, in order to ascertain his or her rights in connection with a possible unfair practice under Chapter 49.60 RCW against the person; and (b) requests his or her identity or any identifying information not be disclosed;

17. License applications under RCW 9.41.070;

18. Information revealing the identity of child victims of sexual assault who are under age 18. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator;

19. A law enforcement authority may not request inspection or copying of records of any person, which belong to a City electrical utility, unless the authority provides the City electrical utility with a written statement in which the authority states that it suspects that the particular person to whom the records pertain has committed a crime and the authority has a reasonable belief that the records could determine or help determine whether the suspicion might be true; and

20. Any other record which is exempt from disclosure under any State law.

B. The exemptions from public disclosure set forth in this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

C. Inspection or copying of any specific records exempt under this section may be permitted if the King County Superior Court finds, after a hearing with notice thereof to every person interested and to the City, that the exemption of such records is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

D. Nothing in this section shall affect a positive duty of the City to disclose, or a positive duty to withhold, information which duty to disclose or withhold is contained in any other law. (Ord. O-97-14 § 5).

2.50.060 Procedure for inspection or copying.

A. Persons wishing to inspect or copy City records shall first make such request to the City Clerk or the department head of the City department which maintains the requested records. If the requester does not know which department maintains the records, the request shall be made to the City Clerk. The City Clerk shall direct the requester to the appropriate department. All assistance necessary to help the requester locate the particular record shall be provided promptly either by the City Clerk or by the particular department maintaining the records. The provision of such assistance shall not unreasonably disrupt the normal

operations of the City Clerk, the department, or the assisting employee.

B. The City Clerk or other City employee shall not distinguish among persons requesting records. Persons requesting records shall not be required to provide information as to the purpose for the request, except to establish whether the inspection or copying would violate RCW 42.17.260(5) or other statute or ordinance which exempts or prohibits disclosure of specific information or records to certain persons. (Ord. O-97-14 § 6).

2.50.070 Reimbursement for copying costs.

A. Copies of written records, maps, photographs including slides, audio tape recordings, video tape recordings, and disks shall be made and provided by the City upon request and payment of the actual cost of reproducing the same, including labor and mailing costs. Items that are copied by an outside vendor shall be subject to the vendor cost plus any mailing charges.

B. Fees. The following fee schedule shall be applied to the provision and copying of public records:

City Council, Board, Committee, Commission Agendas	No Charge
Preliminary Annual Budget	No Charge
Materials copied on the copier on letter, legal, or ledger size paper (includes agenda packet materials, ordinances, resolutions, public meeting minutes, contracts, etc.)	\$0.15 per page
Audio Recording Tapes	\$10.00 per audio tape
3.5" Computer Disc	\$1.00 per disc
CD Disc	\$1.50 per disc
DVD Disc	\$7.00 per disc
Verbatim Transcripts (\$100.00 deposit when ordered)	\$30.00/hour
Zoning Map (11" x 14")	\$1.50
Plat Map (2' x 3')	\$2.00
Large City Map (2' x 4')	\$6.00
GIS Aerial Mapping (11" x 17")	\$6.00
City Clerk Certification of Documents	\$1.00 per page

C. Where the request is for a certified copy, there shall be an additional charge as noted in subsection (B) of this section to cover the additional expense and time required for certification.

D. The City Clerk or a department head may provide copies of City records at no charge to individuals or government agencies doing business with the City, if the City Clerk or department head determines such action is in the best interest of the City. (Ord. O-04-265 § 1; Ord. O-97-14 § 7).

2.50.080 Decision on public records requests – Procedure for review of decision.

A. Upon receiving an oral or written request to inspect or copy a public record, the City Clerk or the department head shall grant the request unless the City Clerk or department

head determines that the record requested is or may be exempt from disclosure in whole or in part, in which case the City Clerk or department head shall require that the requester complete a written request for public records form.

B. A department head shall immediately deliver a completed written request for public records form to the City Clerk.

C. Upon receiving a completed written request for records form, the City Clerk shall determine whether the requested record is exempt by law from inspection and copying in whole or in part. Within five business days of the date of receipt by the City of the written request for a record, the City Clerk shall:

1. Provide the record; or
2. Acknowledge that the City has received the request and provide a reasonable estimate of the time the City will require to respond to the request; or
3. Deny the public record request.

Additional time to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt. If a public records request is unclear, the City Clerk may ask the requester to clarify what information the requester is seeking. If the requester fails to clarify the request, the City need not respond to the request.

D. If the City Clerk determines that the document is exempt in part, but can be made available after deletion of exempt portions, or after deletion of portions which would violate personal privacy or vital governmental interests, the request shall be granted; provided, that such exempt portions shall first be deleted. If the City Clerk determines to deny the request, in whole or in part, a written statement of the specific reasons for the denial shall be provided to the requester.

E. A decision by the City Clerk denying inspection shall be reviewed by the City Attorney. Such review shall be deemed complete at the end of the second business day following the denial of inspection and shall constitute final City action for the purposes of judicial review. The requester shall be notified by mail of the decision to grant or deny the request. (Ord. O-97-14 § 8).

2.50.090 Disclosure prohibited by other statutes.

The City shall not be required by this chapter to permit public inspection and copying of any record to the extent public disclosure of the record is prohibited, restricted or limited by any State or federal statute or regulation including, but not limited to, Chapter 10.97 RCW, the Washington State Criminal Records Privacy Act, Chapter 13.50 RCW, relating to release of records by juvenile justice or care agencies, or Chapter 46.52 RCW, relating to accident reports and abandoned vehicles. (Ord. O-97-14 § 9).

2.50.100 Administrative rules.

The City Manager may issue rules for the implementation of this chapter. (Ord. O-97-14 § 10).