

1 **RESOLUTION NO. 2018-03**

2  
3 **A RESOLUTION UPDATING PUBLIC RECORD REQUEST FEES AND CHARGES**  
4 **AUTHORIZED IN THE LINCOLN CITY MUNICIPAL CODE CHAPTER 2.07 THROUGH**  
5 **THE 2018-19 FISCAL YEAR;**

6 **WHEREAS**, ORS 192.324(4) provides:

7 (4)(a) The public body may establish fees reasonably calculated to reimburse the  
8 public body for the public body's actual cost of making public records available,  
9 including costs for summarizing, compiling or tailoring the public records, either  
10 in organization or media, to meet the request.

11  
12 (b) The public body may include in a fee established under paragraph (a) of this  
13 subsection the cost of time spent by an attorney for the public body in reviewing  
14 the public records, redacting material from the public records or segregating the  
15 public records into exempt and nonexempt records. The public body may not  
16 include in a fee established under paragraph (a) of this subsection the cost of  
17 time spent by an attorney for the public body in determining the application of  
18 the provisions of ORS 192.311 to 192.478.

19  
20 (c) The public body may not establish a fee greater than \$25 under this section  
21 unless the public body first provides the requester with a written notification of  
22 the estimated amount of the fee and the requester confirms that the requester  
23 wants the public body to proceed with making the public record available.  
24

25 **WHEREAS**, ORS 294.160(1) provides:

26 (1) The governing body of a city, county or other unit of local government shall  
27 provide an opportunity for interested persons to comment on the enactment of  
28 any ordinance or resolution prescribing a new fee or a fee increase or an increase  
29 in the rate or other manner in which the amount of a fee is determined or  
30 calculated.  
31

32 **WHEREAS**, the City of Lincoln City established public record request fees and  
33 charges originally in Resolution 2008-22 and such fees and charges have been modified  
34 and updated periodically in accordance with ORS 294.160, most recently in Resolution  
35 2017-20.

1           **WHEREAS**, the City council finds it necessary to amend and update the current  
2 fees and charges for public records requests in order to recover the full actual cost of  
3 services in connection with providing public records.

4           **WHEREAS**, consistent with ORS 294.160 the public was provided an opportunity  
5 to comment on the proposed public records fees and charges at the Council meeting on  
6 March 26, 2018;

7 **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LINCOLN CITY RESOLVES**  
8 **AS FOLLOWS;**

9  
10 **Section 1.** There are hereby established consistent with ORS 192.324 and ORS 294.160,  
11 and there shall be collected, fees and charges for copying and providing public records  
12 as set forth in "Exhibit 1", attached hereto and incorporated herein by this reference.

13 **Section 2.** This Resolution rescinds Resolution No. 2008-22 and supersedes any other  
14 resolution to the extent it enacts fees and charges of the exact type set forth herein.

15 **Section 3.** This resolution is effective March 26, 2018.


16           PASSED AND ADOPTED by the City Council of the City of Lincoln City this 26<sup>th</sup>  
17 day of March, 2018.

18  
19   
20 \_\_\_\_\_  
DON WILLIAMS, MAYOR

21 ATTEST:

22  
23   
24 \_\_\_\_\_  
CATHY STEERE, CITY RECORDER

25  
26  
27 APPROVED AS TO FORM:

28  
29   
30 \_\_\_\_\_  
31 RICHARD APPICELLO, CITY ATTORNEY  
32

## CITY OF LINCOLN CITY

### FEE SCHEDULE – PUBLIC RECORDS REQUESTS

(Effective March 26, 2018)

Record Description	Fee Amount
<b>I. Photocopy Charges</b>	
a. Black and White 8-1/2" x 11" or 8 1/2" x 14	\$ .30 per side copied
b. Black and White 11" x 17"	\$ .40 per side copied
c. Color 8 1/2" x 11 or 8 1/2" x 14"	\$ 1.00 per side copied
d. Color 11" x 17"	\$ 1.50 per side copied
<b>II. Certified Copies</b>	\$ 10.00 per document plus cost of duplication
<b>III. Notary Public</b>	
a. Related to city business	No Charge
b. Non-related to city business	\$ 10.00
<b>IV. Photographs</b>	\$ 15.00
a. Prints (w/negative, plus actual cost of development)	
b. On CD or other media	\$ 15.00
<b>V. Media</b>	
a. DVD'S	\$ 15.00
b. USB Drive	\$ 15.00
c. Computer Generated Reports	\$ .50 per screen page
d. Private Drop Box Account	Actual Cost

EXHIBIT 1

<p><b>VI. Special Publications</b> a. Lincoln City Comprehensive Plan</p>	<p>Available online</p>
<p>b. Lincoln City Budget</p>	<p>Available online</p>
<p>c. Lincoln City Charter</p>	<p>Available online</p>
<p>d. Lincoln City Municipal Code</p>	<p>Available online</p>
<p>e. Lincoln City Transportation System Plan</p>	<p>Available online</p>
<p>f. Lincoln City Parks Master Plan</p>	<p>Available online</p>
<p><b>VII. Lien Search (per each tax lot)</b></p>	<p>\$ 25.00</p>
<p><b>VIII. Recording Fee</b></p>	<p>Actual Cost (See Lincoln County Recording Fees)</p>
<p><b>IX. Maps</b> a. Map copies (Black and White 24" x 36")</p>	<p>\$ 3.00 per sheet</p>
<p>b. Map copies (Color) 24" x 36"</p>	<p>\$ 15.00 per sheet</p>
<p>c. GIS Maps (On CD)</p>	<p>\$ 15.00</p>
<p>d. GIS Maps</p>	<p>\$ 15.00 (24 x 36)</p>
<p><b>X. Document Transmittal Cost</b> a. Postage/Mailing</p>	<p>Actual Cost</p>
<p>b. Emailing Documents</p>	<p>No Charge</p>
<p>c. Fax Transmission</p>	<p>\$ 5.00 first page/ \$ 1.00 add'l page</p>
<p><b>XI. Returned or NSF Checks</b></p>	<p>\$ 25.00</p>
<p><b>XII. Research Fee/Personnel Time:</b> <i>Please Note: The City will not charge personnel costs if the request for records takes less than 15 minutes – only the copy cost will be charged. For example, a 10</i></p>	<p>Actual Loaded Hourly Wage <i>([salary and benefits] for all staff involved)</i></p>

EXHIBIT 1

<p><i>page computer generated report will cost \$5.00 if it takes less than 15 minutes. (copy cost only) If a 100 page computer generated report is requested and takes more than 15 minutes the cost will be \$50.00 plus the cost of personnel at the actual loaded rate.</i></p>	
<p><b>XIII. Police Records</b> a. Reports – First 5 pages</p>	<p>\$ 15.00</p>
<p>b. Reports – Each add'l page</p>	<p>\$ .30</p>
<p>c. DVD's</p>	<p>\$ 15.00</p>
<p>d. Photographs (w/negative,plus actual cost of development)</p>	<p>\$ 15.00</p>
<p><b>XIV. Fee Waivers</b> a. A public records fee may be waived or substantially reduced if the City Manager finds that waiver or reduction of the fee is in the public interest because making the record available primarily benefits the general public.</p>	