

City of Longmont Open Records Cost Policy and Procedure

Updated October 8, 2025



Policy Statement

Pursuant to § 2.20.150, Longmont Municipal Code, and the Colorado Open Records Act, C.R.S. § 24-72-201 et seq. ("CORA"), the Longmont City Manager hereby establishes the reasonable costs of furnishing printed materials, copies, codes, documents, and other materials, except for criminal justice records, at the request of members of the public.

This organization administers the requirements of CORA with regard to those records that are in the organization's possession and control. CORA strikes a balance between the statutory right of the public to inspect and copy public records and the administrative burdens that may be placed upon a governmental agency. This policy preserves that balance and is adopted in accordance with C.R.S. § 24-72-203, which authorizes the City to "make such rules with reference to the inspection of such records as are reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the duties of the custodian or the custodian's office," and C.R.S. § 24-72-205(6)(a), which authorizes the City to establish a policy regarding fees for research and retrieval of records.

CORA defines a "public record" as including most writings made, maintained, or kept by the organization in connection with its official activities. This policy statement summarizes the practices and procedures the City will use for fulfilling its obligations under C.R.S. § 24-72-202(6). The organization must make a good-faith effort to respond to requests to inspect public records while ensuring that other confidential, excepted, or exempted writings based on criteria set out in C.R.S. §§ 24-72-202, -204 are redacted or withheld.

Response Deadlines

The organization is allowed a reasonable time to respond to a request, which is presumed to be three (3) working days. When responding to a request for public records under CORA, every effort will be made to respond within three (3) working days as required by section 24-72-203(3)(b), C.R.S. If the custodian determines that extenuating circumstances exist, an additional seven (7) working days are available to respond.

If the nature of the request requires more time than set out in the statute, the requester will be notified of the need for additional time, and a good-faith, reasonable effort will be made to process the request as promptly as feasible, considering:

- The size and scope of the request;
- The workload of other prior requests being processed;
- The technical capacity of IT systems to search for responsive records.

Requests to inspect records shall not take priority over the regular work activities of City employees.

Deadline Calculation Guidelines

- Requests received after 3:00 p.m. or on any day that the City is officially closed will be considered received on the following business day.
- In calculating response time, the day the request is received is not counted (see section 2-4-108, C.R.S.).
- For broad, general requests, the timeframe may be put on hold while attempting to clarify or narrow the request.
- For requests requiring a deposit or payment, the timeframe is put on hold until payment is received.

Clarifying or Narrowing Requests

Broad, general requests will likely be costlier to the requestor because of the staff time required to fulfill these requests. The organization may contact the requestor to clarify or narrow a request. Requestors are encouraged to narrow search requests by including search criteria such as a date range, email addresses to be searched, and specific search terms. The organization does not suggest search terms or parameters and does not create new records in response to a request.

If the requestor agrees to narrow their request, they will be asked to re-submit their request in writing with the narrowed information and the statutory timeframe will begin again. If the requestor is unwilling to narrow their request, they will be advised of the potential fees associated with the request.

Procedures for Multiple, Repeated, or Duplicative Submissions

Each request will be handled in the order received. However, when there are duplicative CORA requests submitted – either by one individual or by multiple requestors – staff time must be appropriately managed to ensure that processing such requests does not interfere with regular organizational duties.

At the organization's discretion, requests with the same or similar search terms from one requestor will be consolidated. The statutorily prescribed fee will be charged for the staff time necessary to review and respond to consolidated requests.

When addressing the same or similar requests from multiple requestors, the City may choose to provide a copy of a previously fulfilled request and/or to publish the requested information on a publicly available website to satisfy its CORA responsibilities.

Examples of requests that may be consolidated:

- Multiple requests or similar requests from the same requestor within a week (e.g., 5 requests submitted within one day or one requested submitted every day for 5 consecutive days).
- Same or similar requests from multiple requestors over a short timespan (e.g., 5 submissions of the same or similar request from different requestors within a week).

- Multiple requests for the same search terms on a 'per day' basis, (e.g. requesting the same information for different specified time frames by breaking the time frame into multiple separate requests).

Fees and Costs

Upon receipt of a public records request, a prompt estimate of fees will be provided to the requesting party when the request is deemed to take more than one hour of staff time to fulfill. If the requestor wishes to proceed after receiving an estimate, the requestor must acknowledge their agreement to pay the costs and deposit in writing. If the requestor subsequently narrows or abandons the request, the requestor shall remain responsible for any costs incurred by the custodian in response to the request. Upon payment of that estimate, necessary research, retrieval, compiling, or copying will begin with staff time recorded. Upon completion, any excess fees will be refunded, or remaining fees will be collected. Records will be provided upon full payment of all fees due, if there are remaining fees.

Fee Structure

For Copies Not Involving Research:

- Standard page (black and white single-sided copy on letter or legal-sized white paper): \$0.25 per page
- Other sizes, including photographs, blueprints, other media and full color documents: Actual or reasonably estimated cost of producing the copy

For Research, Retrieval and Compilation:

- The first hour of staff time researching and retrieving public records (per request) shall be free of charge.
- Beyond the first hour: \$41.37 per hour is charged as allowed under section 24-72-205(6), C.R.S. (as adjusted by the director of research of the legislative council and published on the website of the Colorado general assembly).

For Manipulation of Data:

- Fees will be charged for any manipulation of data needed to generate a record in a form or format not used by the organization.
- Fees shall not exceed the actual cost of manipulating data and generating the record.

Payment Requirements

- Payment of the estimated costs is required prior to the research, retrieval, review, and delivery of any responsive records.
- Initial cost estimates are provided as estimates only; any additional fees incurred must be paid in full before the requested records are released.

- Credit Cards are accepted by contacting the City Clerk's Office. Payment may also be made by check delivered to the City Clerk's Office.
- In circumstances where a third-party contractor is necessary to fulfill the request, the City will discuss estimated costs and timeframe with the requestor in advance.

Abandoned Requests

- **For Clarification or Scope Discussion:** If attempts are made to contact a requestor to clarify a request or discuss scope and the requestor does not respond within three (3) business days, the request will be automatically closed.
- **For Record Pickup:** Records assembled in response to a CORA request will be held for no more than ten (10) business days after the requestor has been notified that records are available. Failure to inspect or pick up records within this timeframe will be considered an abandoned request.
- **For Re-Opened Requests:** A request to re-open a closed request will be treated as a new request.

Abusive or Harassing Requests

While the organization is required to make a reasonable, good-faith effort to respond to CORA requests within the guidelines of the statute, there is no requirement to respond to harassing or abusive communications.

Exclusion

This Records Cost Policy and Procedure does not include records requests that fall under the Colorado Criminal Justice Records Act, C.R.S. § 24-72-301, et seq. (CCJRA).

This policy is approved on this 8th day of October, 2025.

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City Clerk – *Originating Department*

Signed by:



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City Attorney – *Proofread and Approved*

DocuSigned by:



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City Manager