



ARA 8.03 PUBLIC RECORDS REQUESTS

A. Purpose and Authority

Oregon's public records laws ([ORS Chapter 192](#)) provides that: "Every person has a right to inspect any public record of a public body in this state." The definition of "public body" includes state and local organizations, including county and city governing bodies. Although the law provides specific exemptions to disclosure, most City records in the possession of a public body must be made available to the public for inspection.

Oregon's public records law requires the City to provide timely responses to requests for public records, to make available to the public a written procedure for making public records requests, and to provide information about the fees charged by the City. The purpose of this rule is to document the City's public records request procedures and fees.

Portland City Council adopted a public records request form, fees, and procedures in 2007, through [Resolution No. 36563](#). Council adopted an updated Uniform Public Records Request Form and Standard Fees for Public Records Requests in 2009, through [Resolution No. 36756](#). Resolution 36756 authorized the City Auditor to adopt future updates to the form and schedule of fees by administrative rule, without further Council approval.

[Chapter 3.76](#) of the Portland City Code requires the City Auditor to maintain a professional Archives and Records Management Program for the City. Section 2-506 of the Portland City Charter authorizes the City Auditor to adopt, amend, and repeal administrative rules to carry out the Auditor's Office's duties.

B. Submitting a Public Records Request

1. Public records requests must be made in writing, and may be submitted:
 - a. Online, through the [Portland Public Records Request Center \(GovQA\)](#) (<http://www.portlandoregon.gov/prr>).
 - i. The City encourages the use of the online system. The system is designed to streamline the public records request process, provide quicker responses from City bureaus, and simplify the management of responses to requests involving multiple City bureaus.

- ii. The [Portland Public Records Request Center](#) provides instructions for creating an account, submitting a request, and monitoring its progress.
 - b. Using the City's [Uniform Public Records Request form](#), which is available in multiple languages [here](#). The completed form may be submitted in person or by U.S. mail to the City bureau that houses the responsive records.
 - i. A list of public records contacts for each City bureau can be found [online](#). Working with the designated contact person for that bureau can improve the City's response to requests. NOTE: Requests to the Bureau of Development Services require additional information. Forms and instructions are available on the Bureau's [website](#).
 - ii. The Uniform Public Records Request form cannot be submitted via email unless an accommodation is needed or a translated version of the form is used (see Section D). Translated versions of the Uniform Public Records Request form can be submitted via email to: PRRhelp@portlandoregon.gov.
 2. The responding City bureau will use the City's online Public Records Request system to respond to public records requests within a reasonable time.

C. Guidelines for Submitting Public Records Requests

Requesters must follow these guidelines when submitting a public records request:

- 1. Submit the request to a particular bureau.** Requesters should direct requests to the Bureau responsible for and in possession of the requested records. When submitting requests online via the Portland Public Records Request Center, the requester will be required to select which bureau(s) the request is directed to. Requests submitted via paper form must have the "bureau or office" line completed, and the form must be sent to that City bureau(s). Questions about which bureau is responsible for the records can be directed to PRRhelp@portlandoregon.gov. If a request is submitted to the incorrect bureau, it may be rejected with directions to submit to the correct bureau before the request will be processed.
- 2. Identify specific records in the request.** Requesters must identify and describe the records sought with as much specificity as possible, including a date range and the record title, if known.

3. Request existing records. The City is required to provide existing public records in response to records requests. It is not required to create documents to respond to public records requests. The City will fulfill requests for records that exist up to the date the public record request is submitted. Records responding to a public records request which are not otherwise publicly available will be released through the Portland Public Records Request Center. Requesters seeking to inspect or obtain copies of records on a continuing basis must submit new, successive records requests for each date range, which cannot extend beyond the date the public records request is submitted.

4. Use the Request Center for all written communication after a request has been submitted. All written communications regarding a request should go through the Portland Public Records Request Center. Please do not email or write to public records responders outside of the Request Center which can lead to confusion and delay. However, if you need to call and discuss a request with a public records responder, their contact information should be on messages sent to you or on the central contact list.

5. Request single types of records or by a single topic. If you are requesting multiple types or sets of records, or records on different topics, this will be considered a multi-part request. The City may reject multi-part requests and require the requester to submit individual requests.

6. Changes to a request after submission may require submission of a new request. Changes within the scope of the original request, such as clarifying or narrowing a request after submission, are permitted. However, changes that expand the records being sought to seek new records, including new dates or types of records, require submission of a new request.

7. The City might not consider information submitted after a request is closed. If a request has been closed, any additional information provided by the requester may not be considered, and the requester should submit a new request. For example, if a request requires a waiver or release, and the request is closed for not having provided the waiver or release, the requester may be asked to submit a new request.

8. Questions are not considered public records requests. A requester cannot reframe a question as a public records request. For example, asking which individuals meet certain criteria is a question to which the City is not required to respond.

D. City Contacts for Public Records Requests

A list of [public records contacts](#) for each City bureau is available online at:

<https://www.portland.gov/policies/administrative/archives-records-management/adm-803-public-records-requests>.

E. Accommodations

The City of Portland will make reasonable accommodations for people with disabilities and/or those needing assistance with language interpretation and translation when making public records requests.

1. Accommodation requests related to public records should be made to the [public records contact](#) for the City bureau that houses the requested records, or via email to: PRRhelp@portlandoregon.gov.
2. The Uniform Public Records Request form in multiple languages is available [here](#).

F. Right to Appeal

Any person denied the right to inspect or to receive a copy of any public record of the City of Portland may petition the Multnomah County District Attorney for review, in accordance with [ORS 192.415](#). The denial of a fee waiver request may also be appealed. More information on how to file a petition for review can be found on the Multnomah County District Attorney [website](#). Any person denied the right to inspect or receive a copy of a public record of a public official may petition the Multnomah County Circuit court for review, in accordance with ORS 192.427.

G. Fee Schedule for Public Records Requests

1. Oregon law authorizes public agencies to establish reasonable fees to be reimbursed for the actual costs of making public records available. The City's actual costs may include:
 - Time or costs to copy or convert records to paper or other media and mailing expenses
 - Time spent locating, reviewing, redacting, copying, and supervising a person's inspection of original records in order to protect them
 - Research time to locate and analyze the requested records, even if no records are located or if the requested records are determined to be exempt from disclosure
 - Any time spent notifying public employees of requests for employee personal information
 - Time spent by an attorney to review, redact, or segregate records for possible exemptions

2. The City's [Standard Fees for Public Records Requests](https://www.portland.gov/policies/administrative/archives-records-management/adm-803-public-records-requests) are available at: <https://www.portland.gov/policies/administrative/archives-records-management/adm-803-public-records-requests>. The fee schedule incorporates general fees and fees specific to and determined by individual City bureaus.

If the estimated costs involved in fulfilling a public records request exceed \$25, the City will advise the requester of those costs and require the requester's approval before beginning work. If the fee estimate exceeds \$25, at least a 50% deposit will be required to begin work. Full payment of the total amount of costs incurred is required before the public records may be inspected or copies released.

3. Fee waivers may be available and are evaluated on a case-by-case basis. To be eligible for a fee waiver, the requester must show that the request primarily benefits the public interest. However, even when the request benefits the public interest, the City is not required to waive fees. The City must evaluate the financial and resource burdens placed on the City by the request as well as other factors.

To make this determination, the City will request information sufficient to evaluate whether the request primarily benefits the public interest. If the requester fails to provide requested information the fee waiver request will likely be denied.

4. Refunds will be issued only in the event of overpayment, duplicate payments, or a payment made when no public record request fee was due. An online payment made Monday through Friday may be voided the same day it is made by calling (503) 823-6040 before 4:00 PM Pacific Time.

5. Council adopted the [Standard Fees for Public Records Requests](#) and has authorized the City Auditor to adopt updates to the fee schedule by administrative rule, without further Council approval. The City Auditor will adopt updates to the fee schedule as follows:

- a. Before proposing a public records request fee increase, a City bureau or office must gather information to estimate the bureau or office's actual costs of responding to records requests and must work with the City Attorney's Office to determine an appropriate fee based on the information gathered.
- b. A City bureau or office proposing to increase or decrease public records request fees must submit a written request to the Auditor's Office to amend the fee schedule. The written request must provide an explanation for how the new fee was calculated.

- c. The Auditor's Office will provide notice of the proposed fee change and will accept public comments on the proposed change for at least 30 days, in accordance with Auditor's Office Administrative Rule 1.02 – Auditor's Office Administrative Rule Process.
 - i. The Auditor's Office will include the explanation submitted by the City bureau or office in the public notice of rulemaking.
 - ii. The Auditor's Office will forward all comments to the proposing City bureau or office and the City Attorney's Office for consideration.
- d. The City bureau or office must consider all comments received and may:
 - i. Post or send responses to comments.
 - ii. Ask the Auditor's Office to extend the comment period to allow for additional public input.
 - iii. Ask the Auditor's Office to adopt the proposed fee change or to adopt a fee change that has been decreased or increased by the City bureau or office in response to comments received.
- e. The Auditor's Office will not adopt a fee change unless the process in this rule has been followed.

H. Other Resources

Browse frequently asked questions about requesting public records at the [Portland Public Records Request Center](#), under "Find Information." For additional information, please consult the [Oregon Attorney General's Public Records and Meetings Manual](#). Another resource is: [A Quick Reference Guide to Oregon's Public Records Law](#), published by Open Oregon: a Freedom of Information Coalition in collaboration with the Oregon Attorney General's Office.

Auditor's Office Administrative Rule Information and History

Questions about this administrative rule may be directed to the [Auditor's Office's Archives and Records Management Division](#).

Binding City Policy BCP-ADM-8.03 was adopted by City Council December 19, 2007, pursuant to authority granted in Resolution No. 36563.

Amended by City Council on December 16, 2009 (Resolution No. 36756).

Amended by the City Auditor on January 27, 2011.

Amended by the City Auditor on December 21, 2015.

Amended by the City Auditor on December 6, 2016 to replace BCP-ADM-8.03 - Public Records Requests, BCP-ADM-8.03 - Public Records Requests - Appendix - Information and Forms, and BCP-ADM-8.03(A) - Public Records Requests - Form Updates.

Amended by the City Auditor on April 19, 2017.

Amended by the City Auditor and renumbered as ARA 8.03 on *Click to enter date.*

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