

Mescal-J6 Fire District Public Records Policy

Purpose:

To outline the procedures for requesting and fulfilling public records requests in accordance with Arizona's public records laws, ensuring transparency and document preservation.

Scope:

This policy applies to all employees of the Mescal-J6 Fire District and any individuals requesting access to public records maintained by the District.

Policy Statement:

The Mescal-J6 Fire District is committed to maintaining transparency and adhering to document preservation standards as embodied in Arizona's public records laws. The District will promptly produce public records or make them available for inspection within a reasonable time after a properly done request has been made, except where prohibited by law.

Procedures:

1. Request Submission:

- Public records requests must be submitted using the Public Records Request Form, which must be completed in its entirety.
- Each record request must be submitted with its own form. There cannot be more than 1 (one) item per records request form.
- Items given to Board at any Board meeting are not official records requests and must be done in accordance with this policy.
- Any items given to district attorney through Ombudsman or other legal route, that district attorney agrees information should be provided, must be asked for according to this policy.
- Requests can be submitted in person (by appointment) and by mail to the District's Records Custodian.
- Requests must be for specific records, not general information. Broad requests will be returned for clarification.

2. Response Time:

- The District aims to fulfill requests within 30 calendar days. If additional time is required, the requester will be notified in writing with an estimated completion date.
- Factors affecting response time include the nature and quantity of records, staff availability, and the need for legal review.

3. Fees:

Fees are charged to cover administrative costs, reproduction, and postage for non-commercial purposes as permitted by A.R.S. § 39-121.01(D)(1).

Fee schedule:

- NON-COMMERCIAL REQUESTS
 - Involved party incident reports- No Fee
 - Non-involved party incident reports- \$15.00
 - In person inspection: No charge for non-commercial purposes; however, an appointment must be made with the District to review records. Walk-in requests without an appointment will not be honored.
 - Paper copies:
 - District paper records (black and white) \$0.50 per page
 - District paper records (color copies) \$1.00 per page
 - Copies of material in digital format (when necessary) \$25.00 each Electronic Device
 - Postage or shipping: 2.50 per large envelope, \$0.55 per legal letter. Actual postage for more than legal letter.
 - Archives \$25.00 per hour.
 - Databases \$175.00 per database.
 - Electronic copies: No charge if the official/original documents are already in electronic form. If a request requires the District to convert hard copies into electronic copies, a \$0.50 per page fee will be charged.
 - Returned Check fee \$35.00
- COMMERCIAL REQUESTS
 - Administrative fee \$15.00 plus actual cost for reproduction.
 - Records that are requested for commercial purposes will be charged for the value of the reproduction on the commercial market as allowed pursuant to A.R.S. § 39-121.03. A “commercial purpose” is defined by as “the use of public record for the purpose of the sale or resale or for the purpose of producing a document containing all or part of the copy, printout, or photograph for sale, or obtaining of names and addresses from such public records for the purpose of solicitation, or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of such public record.” A.R.S. § 39-121.03(D).

- Payment must be made by check or money order payable to Mescal-J6 Fire District. NO CASH ACCEPTED. Delivery of payment accepted by USPS mail or in-person by appointment. All fees must be received before the release of records.

4. Commercial Requests:

- Requests for commercial purposes will incur additional charges as outlined in A.R.S. § 39-121.03. A commercial purpose is defined by A.R.S. § 39-121.03(D).

- Charges include the value of the records on the commercial market and costs associated with reproduction.

5. Legal Review:

- Records may undergo legal review to avoid disclosing information protected by law.

- Protected information, such as personal, financial, or proprietary details, will be redacted.

- The District may withhold documents based on attorney-client privilege, legislative privilege, deliberative process privilege, or other recognized privileges.

- The requester will be informed in writing if records are withheld or redacted and the reasons for doing so.

6. Access and Availability:

- Records already available on the District's website are deemed available to the public and will not be provided in hard copy unless requested as a reasonable accommodation under applicable laws.

- Requests must be for records that already exist; the District is not required to create new records.

- Direct observation will be done with a Board member present and no photographs, copies or other means of replication can be used by the requestor.

Effective Date:

This policy is effective immediately and supersedes any previous public records policies of the Mescal-J6 Fire District.

By adhering to this policy, the Mescal-J6 Fire District ensures compliance with Arizona public records laws while maintaining transparency and efficient handling of public records requests.

Date 10/23/2024

Dana Law

Dana Law- Board Chair

Debi Wise

Debi Wise-Board Clerk