

SALT LAKE COUNTY
COUNTY-WIDE POLICY
ON

Public Records Access

1.0 Access to Records

1.1 Each county agency, department and division shall provide access to public records during normal County business hours. Every person has the right to inspect a public record free of charge. Every person has the right to obtain a copy of a public record according to the county's fee schedule. Requests can be submitted in person or through the Public Records Portal.

1.2 When an agency receives a records request for records retained by multiple county agencies, the receiving agency shall as soon as possible forward a copy of the request to each affected agency. Each agency is then responsible to respond to that request. If an agency receives a request for records it does not retain, it must forward the request to the correct agency by the end of the next business day.

1.3 The County Records Management and Archives Division ("RMA") shall publish information about how to submit a GRAMA request on the RMA website.

2.0 Timeliness of County Response to Record Requests

2.1 Agencies must respond to most written requests within fourteen (14) calendar days after receipt of the request.

2.2 Agencies must respond to each request seeking an expedited response within seven calendar days by either fulfilling the request or by notifying the requestor that the request does not meet the legal criteria for an expedited response.

2.3 Under certain circumstances, as defined by the Act, an agency may be granted additional time to process a record request.

3.0 Records Retention

3.1 The Act and the Salt Lake County Ordinance require that all County records regardless of format be evaluated, designated with a primary classification, and scheduled for retention.

3.2 Salt Lake County Retention Schedules:

3.2.1 It is the responsibility of agency representatives, managers, directors, or coordinators to review, classify, and evaluate record series for proper retention in

compliance with the Records and Information Management Policy. Proposed retention schedules shall be submitted to the RIM Committee for assistance and approval. Procedures for retention scheduling and its processes are maintained on the Salt Lake County Records Management webpage.

3.2.2 Each agency shall consider the following factors when scheduling records for retention: requirements established by law, standards based on best business practices, storage needs, industry standards; pending fiscal or performance audit processes; and historical value.

3.2.3 The County and the Act requires the prompt and appropriate disposal of records that have reached the end of the established retention period.

3.2.4 Records Management will submit reports to the State of Utah regarding changes to retention schedules or records classification not more than thirty (30) days after action has been taken by the RIM Committee.

4.0 Fees and Guidelines

4.1 An agency may fulfill a record request without charge and is encouraged to do so.

4.2 If a charge is imposed, the first 30 minutes of research and response by the agency is provided to the requestor without charge. The agency shall thereafter charge \$25.00 per hour to cover the actual cost of providing the record.

4.2.1 A county agency may charge the actual cost for media materials, such as CD, DVD, and thumb drive.

4.2.2 Costs for certified copies shall be \$10.00, or the statutory fee for certified copies.

4.2.3 Costs for paper copies may be charged not more than 50 cents per page.

4.3 Other fees allowed by law may be applicable. Agencies are encouraged to provide requestors estimated fees before duplication. If the estimated cost will exceed \$50.00, an agency may require payment from the requestor before processing the request.

5.0 GRAMA Appeals Procedure

5.1 Each county agency shall designate an employee to act as the agency representative for appeals.

5.2 County agencies shall attempt to informally resolve public concerns and complaints related to records requests.

5.3 Levels of Appeals: At each level of appeal, the requestor will be informed in writing how to appeal to the next level.

5.3.1 Agency Appeal:

5.3.1.1 The initial administrative appeal is made to the agency designee.

5.3.1.2 The agency designee shall have 14 calendar days after receipt of the notice of appeal to respond in writing.

5.3.2 Chief Administrative Officer of Appeals (CAOA)

5.3.2.1 The Mayor designates one or more persons to act as CAOAs and may appoint CAOAs to handle different agency's requests.

5.3.2.2 If a request is not resolved at the agency level, the requestor may submit an appeal to the CAOAs within thirty (30) calendar days after receiving a decision from the agency designee.

5.3.2.3 The notice of appeal shall state the basis of the appeal and relief requested.

5.3.2.4 A notice of appeal is considered filed with the CAOAs when it is received through the County's Public Records Portal.

5.3.2.5 Once a notice of appeal has been filed, all communications between the CAOAs and the agency and/or the requestor shall be copied to all interested parties.

5.3.2.6 The CAOAs shall have 14 calendar days after receipt of appeal to respond. If the CAOAs determines that the appeal raises complex issues of fact or law that require additional time to investigate or that the resolution of the matter would benefit from a written response by the agency or the requestor, then the CAOAs may take up to fourteen (14) additional calendar days to respond. The CAOAs must promptly notify the agency and requestor of the reason for requiring the additional time to respond.

5.3.2.7 The county shall send written notice of the CAOAs's decision to all participants.

5.3.2.8 If the CAOAs's decision requires an agency to act, the agency shall have fourteen (14) calendar days to comply, unless the CAOAs grants additional time.

5.4 The requestor or agency designee may appeal the decision of the CAOAs to the Utah State Records Committee or to Third District Court, as provided by the ACT.

APPROVED and ADOPTED by the Salt Lake County Council on the 13 day of September, 2022.

SALT LAKE COUNTY COUNCIL


Laurie Stringham, Council Chair

ATTEST:



Sherrie Swenson, County Clerk, date

ADVISE AS TO FORM AND LEGALITY:

Gavin Anderson, Deputy District Atty, date