

RESOLUTION R- 4669

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO COMPLIANCE WITH THE PUBLIC RECORDS ACT, SPECIFICALLY, ADOPTING PUBLIC RECORDS ACT RULES, ISSUING A FORMAL ORDER THAT MAINTAINING AN INDEX WOULD BE UNDULY BURDENSOME, ORDERING PUBLICATION OF THIS RESOLUTION AND THE PUBLIC RECORDS ACT RULES AND APPOINTING THE CITY CLERK AS THE PUBLIC RECORDS OFFICER

WHEREAS, RCW Sections 42.56.040, 42.56.070 and 42.56.100 of the Public Records Act ("the Act") collectively require that state and local agencies provide, publish and prominently display certain information, exemptions and rules governing disclosure of public records; and

WHEREAS, the City of Kirkland ("the City") is a local agency as defined in the Act and must therefore comply with its provisions; and

WHEREAS, the attached Public Records Act Rules ("the Rules") fulfill one of these requirements and were developed using the Attorney General's Office advisory Model Rules for disclosure of public records; and

WHEREAS, RCW 42.56.070(3) requires an agency to maintain an index of records therein described unless the local agency determines that it would be unduly burdensome to do so and in that event it must issue and publish a formal order specifying why it would be unduly burdensome; and

WHEREAS, RCW 42.56.580 requires that each agency appoint and publicly identify a Public Records Officer and provide contact information for that Officer,

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The attached Rules are adopted as the rules the City will follow in handling public records requests and the City Manager is hereby authorized to amend the Rules as necessary to remain in compliance with evolving law governing the handling of public records requests and to update the Rules as facts may require.

Section 2. The City is comprised of ten departments, their divisions and subdivisions serving over 45,000 citizens, which maintain separate databases and/or record keeping systems for the indexing of records and information. Because these records are diverse, complex and stored in multiple locations and in multiple computer systems and databases, it is unduly burdensome to

maintain a central index of these records. Therefore, the Council finds that maintaining the index required by RCW 42.56.070(3) would be unduly burdensome for these reasons and hereby formally orders that such an index does not have to be maintained as allowed under RCW 42.56.070(4) so long as all other City indexes are available for public inspection and copying in conformity with applicable law.

Section 3. The City Clerk is appointed as the City's Public Records Officer and the contact information is provided in the attached Rules.

Section 4. The Clerk is directed to publish this Resolution and the Rules in the Seattle Times, post and maintain the Rules on the City's website and otherwise post, prominently display or publish the Rules as required by law and make the Rules available for inspection and copying at the City's central office.

Passed by majority vote of the Kirkland City Council in open meeting this 18th day of September, 2007.

Signed in authentication thereof this 18th day of September, 2007.

/s/James L. Lauinger
Mayor

Attest:

/s/Kathi Anderson
City Clerk

PUBLIC RECORDS ACT RULES

PRA Rule 010. Authority and purpose.

(1) **Authority.** RCW 42.56.070(1) requires each agency to make available for inspection and copying nonexempt public records in accordance with published rules. The Public Records Act (“the Act”) defines public record to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the agency. RCW 42.56.070(2) requires each agency to set forth "for informational purposes" every law, in addition to the Act, that exempts or prohibits the disclosure of public records held by that agency.

(2) **Purpose of Rules.** The purpose of these rules is to establish the procedures the City of Kirkland (“the City”) will follow in order to provide full access to public records, fullest assistance to inquirers and the most timely possible action as required by RCW 42.56.100, mindful of the further requirements therein stated that the rules must also protect the records from damage or disorganization and prevent excessive interference with other essential functions of the City. These rules provide information to persons wishing to request access to public records of the City and establish processes for both requestors and City staff that are designed to best assist members of the public in obtaining such access.

(3) **Purpose of Act.** The purpose of the Act is to provide the public full access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of the efficient administration of government. The Act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the Act, the City will be guided by the provisions of the Act describing its purposes and interpretation.

(4) **Act not applicable.** Court files and judges' files are not subject to the Act. Access to these records is governed by court rules and the common law.

(5) **Amendment of the Rules.** By authorization of the City Council in the Resolution approving these rules, the City Manager is authorized to amend the Rules as necessary to remain in compliance with evolving law governing the handling of public records requests and to update the Rules as facts may require.

PRA Rule 020. Agency description—Contact information—Public records officer.

(1) **Agency description.** The City provides the services of a non-charter code city, including but not limited to, building and plans inspection, court, parks and recreation, planning and community development, public safety and public works services, which are supported and supplemented by financial, administrative and legal services. The City's central office is located at 123 Fifth Avenue, Kirkland, WA 98033.

The general course and method by which the City's operations are channeled and determined is through laws adopted and direction given by the City Council and other competent authority in conformity with all applicable city, state and federal law, which is thereafter implemented by the City Manager, Department Directors and their designees in conformity with the requirements of those same laws. The City's rules of

procedure are set forth in those same laws or in rules adopted pursuant to authority granted to others as provided in those laws. The City's substantive rules of general applicability that were adopted as authorized by law, as well as the statements of general policy or interpretations of general applicability formulated and adopted by the City are contained in the Kirkland Municipal Code, or in rules, regulations and interpretations authorized to be adopted or issued in those laws or under federal or state law.

The City has the following field offices at the following addresses:

Municipal Court	11515 NE 118 th Street, Kirkland, WA 98034
Fire Stations	
Station 21	9816 Forbes Creek Drive, Kirkland, WA 98033
Station 22	6602 108 th Avenue NE, Kirkland WA 98033
Station 24	8411 NE 141 st Street, Bothell 98011
Station 25	12033 76 th Place NE, Kirkland, WA 98034
Station 26	9930 124 th Avenue NE, Kirkland, WA 98033
Station 27	11210 NE 132 nd Street, Kirkland, WA 98034
HR and Parks & Comm. Svcs.	505 Market Street, Kirkland, WA 98033
North Kirkland Comm. Ctr.	12421 103 rd Avenue NE, Kirkland, WA 98033
Peter Kirk Community Center	352 Kirkland Avenue, Kirkland, WA 98033
Prosecuting Attorney	121 Third Avenue, Kirkland, WA 98033
Facilities	13013 NE 65 th Street, Kirkland, WA 98033
Fleet Management	904 8 th Street, Kirkland, WA 98033
Maintenance Center	915 8 th Street, Kirkland, WA 98033

(2) **Contact Information-Public Records Officer.** Any person wishing to request access to public records of the City, or seeking assistance in making such a request, should follow the procedures set forth in these Rules and contact the following Public Records Officer of the City to submit such a request or to obtain assistance in making such a request:

Kathi Anderson, City Clerk
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033
(425) 587-3190
(425) 5857-3198
Kander@ci.kirkland.wa.us

Information is also available at the City's web site at www.ci.kirkland.wa.us.

PRA Rule 030. Availability of public records.

(1) **Availability.** Public records are available for inspection and copying during normal business hours of the City, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays. Inspection of records shall occur at the central offices of the City unless another location is approved by the Public Records Officer or designee ("the PRO").

(2) **Records index.** By the resolution approving these rules, the Kirkland City Council issued a formal order which found that maintaining an index was unduly burdensome. This finding was based on the fact that the City is comprised of ten departments, their divisions and subdivisions, serving over 45,000 citizens, which maintain separate databases and/or record keeping systems for the indexing of records and information. Because these records are diverse, complex and stored in multiple locations and in multiple computer systems and databases, it is unduly burdensome to maintain a central index of records.

(3) **Organization of records.** The City will maintain its records in a reasonably organized manner. While committed to fully comply with the Act and these Rules, the City must also take reasonable actions to protect records from damage and disorganization and prevent excessive interference with other essential functions of the City. A requestor shall not take City records from City offices without the permission of the PRO. A variety of records are available on the City's web site at www.ci.kirkland.wa.us. Requestors are encouraged to view the documents available on the web site prior to submitting a records request.

(4) **Making a request for public records.**

(a) Any person wishing to inspect or copy public records of the City should make the request in writing on the City's request form, or by letter, fax, or e-mail addressed to the Public Records Officer and including the following information:

Name of requestor;

Address of requestor;

Other contact information, including telephone number and any e-mail address;

Identification of the public records adequate for the PRO to locate the records; and

The date and time of day of the request.

(b) If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements with the PRO to pay for copies of the records as provided in .070 below.

(c) A form is available for use by requestors at the office of the Public Records Officer and on-line at www.ci.kirkland.wa.us.

(d) The PRO may accept requests for public records that contain the above information by telephone or in person. If the PRO accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing. The confirmation will be deemed the correct statement of the scope of the request unless the requestor responds with a different statement of the scope.

(e) Records requests may only encompass existing records. They cannot be used to obtain copies of records not yet in existence or in the possession of the City.

PRA Rule 040. Processing of public records requests.

(1) **Providing "fullest assistance."** Mindful of the requirements of RCW 42.56.100, to the extent reasonably possible, the PRO will process requests in the order allowing the most requests to be processed in the most efficient manner. In an effort to better understand the request and provide all responsive records, the PRO can inquire about the purpose for the request but the requestor is not required to answer except to establish whether inspection and copying would violate RCW 42.56.070(9) (see .040(5) below) or other statute which exempts or prohibits disclosure of specific information or records to certain persons.

(2) **Acknowledging receipt of request.** Within five business days of receipt of the request, not including the day the request was received as provided by RCW 1.12.040, the PRO will do one or more of the following:

(a) Make the records available for inspection or copying;

(b) If copies are requested and payment or payment of a deposit is made as provided in .070 below, or terms of payment are agreed upon, send the copies to the requestor;

(c) Provide a reasonable estimate of any additional time needed to respond to the request and a date by which the records will be disclosed in whole or in part depending on whether the records are being provided in installments. The factors used to estimate the additional time needed must be based upon criteria that can be articulated and may be presented in the response estimating the additional time needed. However, additional time is only allowed under the following circumstances:

(i) to request clarification from the requestor if the request is unclear or does not sufficiently identify the requested records. Such clarification may be requested and provided by telephone. If the clarification is made by telephone, the PRO will confirm the scope of the clarification in writing. The confirmation will be deemed the correct statement of the scope of the request unless the requestor responds with a different statement of the scope;

(ii) to locate and assemble the information requested;

(iii) to notify third persons or agencies in the event the requested records contain information that may affect rights of others and may be exempt from disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request or a statement of the request if no written request was received; or

(iv) to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request; or

(d) deny the request in conformity with subsection (5) below.

(3) **Consequences of failure to respond.** If the PRO does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the Public Records Officer to determine the reason for the failure to respond.

(4) **Records exempt from disclosure.** Some records are exempt from disclosure, in whole or in part. If a record is exempt from disclosure and should be withheld, the PRO will state the specific exemption and provide a brief explanation of how the exemption applies to the record being withheld. This explanation should be sufficient to enable the requestor to make a threshold determination of whether the claimed exemption is proper. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the PRO will redact the exempt portions, provide the non-exempt portions, and indicate to the requestor why portions of the record are being redacted. (For the purposes of these Rules, redact means the exempt information will be covered in some manner and then the record will be photocopied and the photocopy then disclosed.)

The City is also prohibited by statute from disclosing lists of individuals for commercial purposes. Therefore, if a request is received for any type of list of individuals, an inquiry as to whether the requestor intends to use the list for commercial purposes must be answered before the list can be provided. If the answer is that it will be used for such purposes, the list cannot be disclosed.

(5) **Inspection of records.**

(a) Consistent with other demands, the City shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the City to copy, if any, and provide payment for those copies.

(b) The requestor must claim or review the assembled records within thirty days of the PRO's notification to him or her that the records are available for inspection or copying. The PRO will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the PRO to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the PRO may close the request and re-file the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

(6) **Providing records in installments.** When the request is for a large number of records, the PRO may provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within thirty days, the requestor fails to inspect the entire set of records or one or more of the installments, the PRO may stop searching for the remaining records and close the request.

(7) **Closing withdrawn or abandoned request.** When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the PRO will close the request and so inform the requestor.

(8) **Later discovered documents.** If, after the PRO has informed the requestor that he or she has provided all available records, the PRO becomes aware of additional responsive documents existing at the time of the request that had not been provided previously, he or she will promptly inform the requestor of the additional documents and provide them on an expedited basis.

(9) **Identifiable record.** A requestor must request an "identifiable record" or "class of records" before an agency must respond to it. An "identifiable record" is one that agency staff can reasonably locate. The Act does not allow a requestor to search through agency files for records which cannot be reasonably identified or described to the agency.

(10) **Requests for information or non-existent records.** Requests for information are not public records requests. An agency is not required to conduct legal research for a requestor. An agency is not required to create records to respond to a request.

PRA Rule 050. Processing of public records requests–Electronic records.

(1) **Requesting electronic records.** The process for requesting electronic public records is the same as for requesting paper public records.

(2) **Providing electronic records.** If public records are requested in an electronic format, the public records officer will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the agency and is generally commercially available, or in a format that is reasonably translatable from the format in which the agency keeps the record. Costs for providing electronic records are governed by Section .070 below.

(3) **Customized access to databases.** With the consent of the requestor, the City may provide customized access under RCW 43.105.280 if the record is not reasonably locatable or not reasonably translatable into the format requested. The City may charge a fee consistent with RCW 43.105.280 for such customized access.

(4) **Retaining electronic copies.** Because an electronic record is usually more susceptible to manipulation and alteration than a paper record, the City will keep, when feasible, an electronic copy of the electronic records it provides to a requestor to be able to show the exact records it provided if necessary.

PRA Rule 060. Exemptions provided by other statutes.

(1) **Exemptions.** The Act provides that a number of records are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Requestors should be aware of the following exemptions, outside the Act, that may restrict the availability of some records held by the City for inspection and copying:

RCW 2.64.111 Documents regarding discipline/retirement of judges

RCW 2.64.113 Confidentiality - violations

RCW 4.24.550 Information on sex offenders to public

RCW 5.60.060 Privileged communications
RCW 5.60.070 Court-ordered mediation records
RCW 7.68.140 Victims' compensation claims
RCW 7.69A.030(4) Child victims and witnesses – protection of identity
RCW 7.69A.050 Rights of child victims and witnesses – addresses
RCW 7.75.050 Records of Dispute Resolution Centers
RCW 9.51.050 Disclosing transaction of grand jury
RCW 9.51.060 Disclosure of grand jury deposition
RCW 9.02.100 Reproductive privacy
RCW 9A.82.170 Financial institution records – wrongful disclosure
RCW 10.27.090 Grand jury testimony/evidence
RCW 10.27.160 Grand jury reports – release to public only by judicial order
RCW 10.29.030 Organized crime special inquiry judge
RCW 10.29.090 Records of special inquiry judge proceedings
RCW 10.52.100 Records identifying child victim of sexual assault
RCW 10.77.210 Records of persons committed for criminal insanity
RCW 10.97.040 Criminal history information released must include disposition
RCW 10.97.050 Conviction and criminal history information
RCW 10.97.060 Deletion of certain criminal history record information, conditions
RCW 10.97.070 Disclosure of identity of suspect to victim
RCW 10.97.080 Inspection of criminal record by subject
RCW 13.32A.090 Crisis residential centers notice to parent about child
RCW 13.34.115 Court dependency proceedings
RCW 13.40.217 Juveniles adjudicated of sex offenses – release of information
RCW 13.50.010 Maintenance of and access to juvenile records
RCW 13.50.050 Juvenile offenders
RCW 13.50.100 Juvenile/children records not relating to offenses
RCW 13.60.020 Missing children information
RCW 13.70.090 Citizen juvenile review board – confidentiality
RCW 18.04.405 Confidentiality of information gained by CPA
RCW 18.19.060 Notification to clients by counselors
RCW 18.19.180 Confidential communications with counselors
RCW 19.215.020 Destruction of personal health and financial information
RCW 19.215.030 Compliance with federal rules
RCW 26.04.175 Name and address of domestic violence victim in marriage records
RCW 26.12.170 Reports of child abuse/neglect with courts
RCW 26.23.050 Child support orders
RCW 26.23.120 Child support records
RCW 26.26.041 Uniform Parentage Act – protection of participants
RCW 26.26.450 Confidentiality of genetic testing
RCW 26.33.330 Sealed court adoption records
RCW 26.33.340 Agency adoption records
RCW 26.33.343 Access to adoption records by confidential intermediary
RCW 26.33.345 Release of name of court for adoption or relinquishment

RCW 26.33.380 Adoption – identity of birth parents confidential
RCW 26.44.010 Privacy of reports on child abuse and neglect
RCW 26.44.020(19) Unfounded allegations of child abuse or neglect
RCW 26.44.030 Reports of child abuse/neglect
RCW 26.44.125 Right to review and amend abuse finding – confidentiality
RCW 27.53.070 Records identifying the location of archaeological sites
RCW 29A.08.720 Voter registration records – place of registration confidential
RCW 29A.08.710 Voter registration records – certain information exempt
RCW Chapter 40.14 Preservation and destruction of public records
RCW 42.23.070(4) Municipal officer disclosure of confidential information prohibited
RCW 42.41.030(7) Identity of local government whistleblower
RCW 42.41.045 Non-disclosure of protected information (whistleblower)
RCW 46.52.080 Traffic accident reports – confidentiality
RCW 46.52.083 Traffic accident reports – available to interested parties
RCW 46.52.120 Traffic crimes and infractions – confidential use by police and courts
RCW 46.52.130(2) Abstract of driving record
RCW 48.62.101 Local government insurance transactions – access to information
RCW 50.13.060 Access to employment security records by local government agencies
RCW 50.13.100 Disclosure of non-identifiable information or with consent
RCW 51.28.070 Worker’s compensation records
RCW 51.36.060 Physician information on injured workers
RCW 60.70.040 No duty to disclose record of common law lien
RCW 68.50.105 Autopsy reports
RCW 68.50.320 Dental identification records – available to law enforcement agencies
RCW Chapter 70.02 Medical records – access and disclosure – entire chapter
RCW 70.05.170 Child mortality reviews by local health departments
RCW 70.24.022 Public health agency info. regarding sexually transmitted disease investigations - confidential
RCW 70.24.024 Transcripts and records of hearings regarding sexually transmitted diseases
RCW 70.24.105 HIV/STD records
RCW 70.28.020 Local health department TB records – confidential
RCW 70.48.100 Jail records and booking photos
RCW 70.58.055 Birth certificates – certain information confidential
RCW 70.58.104 Vital records, research confidentiality safeguards
RCW 70.96A.150 Alcohol and drug abuse treatment programs
RCW 70.123.075 Client records of domestic violence programs
RCW 70.125.065 Records of rape crisis centers in discovery
RCW 71.05.390 Information about mental health consumers
RCW 71.05.395 Ch. 70.02 RCW applies to mental health records
RCW 71.05.400 Information to next of kin or representative
RCW 71.05.425 Notice of release or transfer of committed person after offense dismissal
RCW 71.05.427 Information that can be released
RCW 71.05.430 Statistical data
RCW 71.05.440 Penalties for unauthorized release of information
RCW 71.05.445 Release of mental health information to Dept. of Corrections

RCW 71.05.620 Authorization requirements and access to court records
 RCW 71.05.630 Release of mental health treatment records
 RCW 71.05.640 Access to treatment records
 RCW 71.05.650 Accounting of disclosures
 RCW 71.24.035(5)(g) Mental health information system
 RCW 71.34.200 Mental health treatment of minors
 RCW 71.34.210 Court records for minors related to mental health treatment
 RCW 71.34.225 Release of mental health services information
 RCW 71A.14.070 Records regarding developmental disability
 RCW 72.09.345 Notice to public about sex offenders
 RCW 72.09.585(3) Disclosure of inmate records to local agencies
 RCW 74.04.060 Applicants and recipients of public assistance
 RCW 74.04.520 Food stamp program confidentiality
 RCW 74.09.900 Medical assistance
 RCW 74.13.121 Financial information of adoptive parents
 RCW 74.13.280 Children in out-of-home placements
 RCW 74.20.280 Child support enforcement – local agency cooperation, information
 RCW 74.34.095 Abuse of vulnerable adults - confidentiality of investigations and reports
 RCW 82.32.330 Disclosure of tax information
 RCW 84.36.389 Confidential income data in property tax records held by assessor
 RCW 84.40.020 Confidential income data supplied to assessor regarding real property
 20 USC § 1232g Family Education Rights and Privacy Act
 42 USC 290dd-2 Confidentiality of Substance Abuse Records
 42 USC 405(c)(2)(vii)(I) Limits on Use and Disclosure of Social Security Numbers.
 42 USC 654(26) State Plans for Child Support
 42 USC 671(a)(8) State Plans for Foster Care and Adoption Assistance
 42 USC 1396a(7) State Plans for Medical Assistance
 7 CFR 272.1(c) Food Stamp Applicants and Recipients
 34 CFR 361.38 State Vocational Rehabilitation Services Programs
 42 CFR Part 2 (2.1 - 2.67) Confidentiality of Alcohol and Drug Abuse Patient Records
 42 CFR 431.300 - 307 Safeguarding Information on Applicants and Recipients of Medical Assistance
 42 CFR 483.420 Client Protections for Intermediate Care Facilities for the Mentally Retarded
 42 CFR 5106a(b)(2)(A) Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
 45 CFR 160-164 HIPAA Privacy Rule

PRA Rule 070. Costs of providing copies of public records.

(1) **Costs for copies.** There is no fee for inspecting public records. A requestor may obtain standard black and white or color copies for fifteen cents per page as provided under RCW 42.56.070(8) and 42.56.120. For records in other forms, the City will charge the actual cost it pays for the medium used to record the record or records provided. Those mediums include, but are not limited to, tapes, floppy disks, CDs, DVDs and paper that costs more than fifteen cents per page. The statements providing those costs are the invoices paid to obtain them and are available for public inspection and copying.

Before beginning to make copies, the PRO may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The PRO may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The PRO will not charge sales tax when it makes copies of public records but if the records are sent to a third party for copying, that third party may charge sales tax and the requestor will be responsible for payment of that tax as well as the third party's actual charges for copies.

(2) **Costs of mailing.** The City may also charge actual costs of mailing, including the cost of the shipping container.

(3) **Payment.** Payment may be made by cash, check, debit card, credit card, or money order made payable to the City.

(4) **Other copying charges.** The Act generally governs copying charges for public records, but several specific statutes govern charges for particular kinds of records. The following non-exhaustive list provides some examples: RCW 46.52.085 (charges for traffic accident reports); RCW 10.97.100 (copies of criminal histories) and RCW 70.58.107 (charges for birth certificates). The City will charge the amount authorized pursuant to these other statutes rather than as provided under the Act.

(5) **Use of outside vendor.** An agency is not required to copy records at its own facilities. An agency can send the project to a commercial copying center and bill the requestor for the amount charged by the vendor. An agency can arrange with the requestor to pay the vendor directly. An agency cannot charge the default fifteen cents per page when its cost at a copying vendor is less.

PRA Rule 080. Review of denials of public records requests.

(1) **Petition for internal administrative review of denial of access.** Any person who objects to the initial denial or partial denial of a records request may petition in writing (including e-mail) to the Public Records Officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the PRO denying the request.

(2) **Consideration of petition for review.** The PRO shall promptly provide the petition and any other relevant information to the City official designated by the City to conduct the review. That person will immediately consider the petition and either affirm or reverse the denial within two business days following the City's receipt of the petition, or within such other time as the City and the requestor mutually agree.

(3) **Judicial review.** Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.