

**TOWN OF KEYSTONE
Summit County, Colorado**

RESOLUTION 2025-02

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF KEYSTONE, COLORADO,
APPROVING AN AMENDED COLORADO OPEN RECORDS ACT POLICY**

WHEREAS, the Colorado Open Records Act (CORA), §24-72-201, et seq., C.R.S., declares it to be the public policy of the State of Colorado that all public records are open for inspection by any person at reasonable times (except as otherwise provided); and

WHEREAS, §24-72-203(1), C.R.S, permits the custodian of records to make such rules and regulations as to the inspection as are reasonably necessary for the protection of the records and the prevention of unnecessary interference with the custodian's regular duties; and

WHEREAS, the Town Council adopted with Resolution 2024-24, a CORA policy designating the Town Clerk as the official custodian of Town records and setting for the Town Clerk's rules and regulations for inspection of public records on February 13, 2024; and

WHEREAS, the Town Clerk desires to amend the CORA policy to require the public to fill out requests on a form provided by the Town and update the fee schedule for a public records request; and

WHEREAS, the Town Council desires to adopt the amended CORA policy.

Now, Therefore, be it Resolved by the Town Council of the Town of Keystone, Colorado, that:

Section 1. The Town Council adopted the Administrative Policy Regarding the Provision of Public Records Pursuant to the Colorado Open Records Act designating the Town Clerk as the official custodian of all records and identifying the Town Clerk's rules and regulations related to the inspection of records on February 13, 2024. Town Council approves amended administrative policy dated January 14, 2025. The amended policy is attached as Exhibit A.

Section 2. Effective Date. This resolution shall take effect upon its approval by the Town Council.

Town of Keystone
Resolution No. 2025-02
Page 2

ADOPTED by a vote of 7 in favor and 0 against, this 14th day of January 2025.

Signed by:
By: Kenneth D. Riley
FFCC105F18734F9
Kenneth D. Riley, Mayor

ATTEST:

Approved as to Form:

DocuSigned by:
By: Madeline Sielw
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Town Clerk

Signed by:
By: Jennifer Madsen
89751994A1B74EC...
Town Attorney

ADMINISTRATIVE POLICY REGARDING THE PROVISION OF PUBLIC RECORDS PURSUANT TO THE 'COLORADO OPEN RECORDS ACT'

Effective Date:

These rules and regulations were adopted by the Keystone Town Council on February 13, 2024, Resolution 2024-24. Amended on January 14, 2025, Resolution 2025-02.

Custodian of Public Records:

The Keystone Town Clerk is hereby designated as the official custodian of all records maintained by the Town of Keystone. The Town Clerk may, as deemed necessary, designate another person the duties required by these rules and regulations.

Town Clerk's Rules and Regulations

1. Public records of the Town of Keystone are open for inspection and copying in the office of the Town Clerk during regular business hours as required by the Colorado Open Records Act, C.R.S. §§ 24-72-201, et seq. ("CORA") and except as otherwise provided.
2. All requests to inspect and/or copy public records must be made in writing to the Town Clerk, on a form provided by the Town Clerk. Each request shall include specific information about the record being requested as well as the requestor's name, address, and contact information.
3. Any requested public record not in the care, custody or control of the Town is not subject to inspection under these rules and regulations. Additionally, the Town Clerk has no obligation to reconstruct or create any document to satisfy the request. The Town Clerk will respond to the requesting party of this fact.

4. If the public record requested is in the care, custody or control of the Town and such record is not in active use or is in storage and therefore is not readily available at the time the requesting party asks to examine it, the Town Clerk will set a date and hour at which time the record will be made available for inspection.
5. All original Town records shall remain in the possession, custody, and control of the Town Clerk at all times.
6. As required by law, the Town Clerk will redact any private, confidential, or otherwise protected information contained in a public record before releasing it to the requesting party.
7. The Town is not required to create a new public record or to create a different format than the existing one in response to a request.
8. Inspection of a public record will not be permitted if it is determined that the record is not permitted by any provision of the Colorado Open Records Act, 24-72-204(2)(a) and contrary to the public interest.
9. If the request is for a voluminous number of records and/or is likely to require more than one hour of time to complete the request, the Town Clerk may require the requesting party to make a reasonable deposit against the final cost of complying with the request. Once the deposit is filed, the Town Clerk will begin to fulfill the request.
10. The Town Clerk has three (3) working days in which to complete the request. If more time is needed, the Town Clerk may extend the time an additional seven (7) working days, for a total of ten (10) working days, to complete the request and will notify the requesting party of the additional time needed.
11. In calculating the due date, the Town Clerk applies the following guidelines:

- a. If a request is received after 5:00 p.m., it is considered received the next working day.
- b. In calculating the time to respond, the day the request is received is not counted.
- c. For broad, general requests, the timeframe for fulfilling a request may be put on hold while the Town Clerk attempts to clarify or narrow the request with the requestor.
- d. For requests that require a deposit or payment, the timeframe for completion of the request is put on hold until payment is received.

12. At the Town Clerk's discretion, requests with the same or similar search terms from one requestor will be consolidated as necessary, and the Town Clerk will notify the requestor of this decision. Each request will be handled in the order in which it is received. Once consolidated, the prescribed fee below will be charged for the staff time necessary to review and respond to the consolidated request.

Fees:

- 1. The first hour of research and retrieval is free. After the first hour, the rate for research and retrieval is \$41.37 and is pro-rated by the quarter of an hour.
- 2. Charges for copies of a public record is \$0.25/page.