Requesting Access to WMFR Records

The custodian of records for WMFR is Deputy Chief of Administration Don Lombardi, West Metro Fire Protection District, 433 S. Allison Parkway, Lakewood, CO 80226. FAX: 303-989-6725, email: Dlombardi@westmetrofire.org.

1. This form should only be used to submit records requests to West Metro Fire Rescue (WMFR).
2. Complete and date this request form and deliver it in person during regular business hours or by mail, fax or electronically to the appropriate custodian of the record requested. Your request is not considered filed until the appropriate custodian of the record requested has received a completed request form. If you submit the request form to any other officer or employee of the WMFR, that officer or employee may not have the authority to accept your request form on behalf of WMFR and your request will be directed to the custodian. The three-business day response time will not commence until the custodian reviews the request to determine if it is complete.
3. If you submit a request for access to records to someone other than the custodian, do not complete the WMFR request form, or attempt to make a request for access by telephone or fax; the Open Public Records Act and its deadlines, restrictions and remedies will not apply to your request.
4. The fees for duplication of a record in printed form are listed on the front of this form. We will notify you of any special charges, special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by check or money order payable to West Metro Fire Rescue.
5. If it is necessary for the records custodian to contact you concerning your request, providing identifying information, such as your name, address and telephone number or an e-mail address is required. Where contact is not necessary, anonymous requests are permitted; except that anonymous requests for personal information are not honored.
6. ***You may be charged a 50% or other deposit when a request for copies exceeds $25.*** The WMFR custodian will contact you and advise you of any deposit requirements. Anonymous requests, when permitted, require a deposit of 100% of estimated fees. You agree to pay the balance due upon delivery of the records.
7. WMFR must notify you that it grants or denies a request for access to records within seven business days after the custodian of the record requested receives the request, provided that the record is currently available and not in storage. If the record requested is not currently available or is in storage, the custodian will advise you within three business days when the record can be made available and the estimated cost. You may agree with the custodian to extend the time for making records available, or granting or denying your request.
8. You may be denied access to a record if your request would substantially disrupt WMFR operations and the custodian is unable to reach a reasonable solution with you.
9. If WMFR is unable to comply with your request for access to a record, the custodian will indicate the reasons for denial on the request form and send you a signed and dated copy.
10. If the custodian of the record requested fails to respond to you within seven business days of receiving a request form, the failure to respond will be considered a denial of your request.
11. If your request for access to a WMFR record has been denied or unfilled within the time permitted by law, you have a right to challenge the decision by WMFR to deny access. Submit challenges in writing to Deputy Chief of Administration D. Lombardi, 433 S. Allison Parkway, Lakewood, CO 80226. The applicant may request a written statement of the grounds for the denial; apply to the District Court for a hearing where the custodian must show cause for denying inspection. If the applicant obtains the records through the court proceedings, the court can award attorney's fees.

Generally, the following are **not** open records:

- Any records of the investigations conducted by any fire marshal, sheriff, prosecuting attorney, or police department, or any records of the intelligence information or security procedures of said individuals, or files compiled for any other law enforcement purpose.
- Test questions, scoring keys and other examination data pertaining to administration of a licensed examination, employment examination or academic examination. Written promotional examinations and the scores and results shall be available for inspection, but not copying, by the person in interest after conducting and grading the examination.
- The contents of real estate appraisals relative to the acquisition of property or any interest in property for public use, until such time as title to the property has been transferred.
- Medical, mental health, sociological and scholastic achievement data.
- Personnel files except that such files are available to the person in interest and the person's supervisor. Employment contracts, salary amounts and benefits received are generally available. Employee home addresses and home telephone numbers are not open records.
- Letters of reference.
- Trade secret, privileged information and confidential commercial, financial, geological or geophysical data.
- Library and museum material contributed by private persons who have requested such material not be disclosed.
- Addresses and phone numbers of students.

- Library user records.
- Addresses, telephone numbers and personal financial information of users of public utilities, public facilities or recreational or cultural services.
- Sexual harassment complaints or investigations.
- Applications for an executive position by a non-finalist.
- Work product materials.
- Deliberative process privileged materials
- Any record that would cause substantial injury to the public if disclosed [see CRS § 24-72-204(3)(a)(XIII)].