

CITY OF HARRISON, IDAHO  
RESOLUTION NO.2026-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARRISON, IDAHO, ADOPTING SEPARATE FEE SCHEDULES FOR PUBLIC RECORDS REQUESTS SUBMITTED BY RESIDENTS AND NONRESIDENTS PURSUANT TO THE IDAHO PUBLIC RECORDS ACT; PROVIDING FOR THE RECOVERY OF ACTUAL COSTS; PROVIDING FOR ITEMIZED STATEMENTS AND ADVANCE PAYMENT; PROVIDING FOR ADMINISTRATION OF THE FEE SCHEDULES; REPEALING CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Idaho Public Records Act, Idaho Code Title 74, Chapter 1, provides that every person has the right to examine and copy public records except as otherwise expressly provided by statute; and

WHEREAS, Idaho Code § 74-102(10) authorizes public agencies to establish fees for certain labor and copying costs incurred in responding to public records requests; and

WHEREAS, Idaho Code § 74-102(10)(c) authorizes a public agency to establish separate copying fee schedules for requests submitted by residents and requests submitted by persons who are not residents; and

WHEREAS, Idaho Code § 74-102(10)(g) authorizes a public agency to charge fees for labor and copying costs associated with locating and copying documents requested by persons who are not residents or employees of residents, provided such fees do not exceed the actual costs incurred by the public agency; and

WHEREAS, Idaho Code § 74-102(10)(h) requires statements of fees to be itemized and requires separately adopted fees applicable to nonresidents to be separately identified; and

WHEREAS, the City Council finds it appropriate and in the public interest to adopt separate fee schedules for resident and nonresident public records requests consistent with Idaho law so that the City may recover costs authorized by statute while preserving the public's right of access to public records;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HARRISON, IDAHO, AS FOLLOWS:

SECTION 1. DEFINITIONS.

For purposes of this Resolution:

A. "City" means the City of Harrison, Idaho.

B. "Public Records Act" means the Idaho Public Records Act, Idaho Code Title 74, Chapter 1, as presently enacted or subsequently amended.

C. "Resident" shall have the meaning provided in Idaho Code § 74-101(15), as presently enacted or subsequently amended.

D. "Resident Request" means a public records request submitted by a requester qualifying as a resident under Idaho Code § 74-101(15), or by such other person entitled by Idaho Code § 74-102 to treatment under the resident fee provisions.

E. "Nonresident Request" means a public records request submitted by a person who is not a resident and who is not otherwise entitled under Idaho Code § 74-102 to treatment under the resident fee provisions.

F. "Actual Cost" means the actual labor, copying, reproduction, conversion, media, postage, delivery, or other cost that the City is legally authorized to recover under Idaho Code § 74-102.

## SECTION 2. DECLARATION OF RESIDENCY.

As authorized by Idaho Code § 74-102(4), the City may require a public records requester to provide the requester's name, mailing address, email address, telephone number, and a written declaration attesting or affirming under oath whether the requester is a resident.

The applicable fee schedule shall be determined from the requester's declaration of residency and the requirements of Idaho Code Title 74, Chapter 1.

## SECTION 3. RESIDENT PUBLIC RECORDS FEE SCHEDULE.

The City hereby adopts the Resident Public Records Fee Schedule attached to this Resolution as Exhibit "A" and incorporated herein by reference.

Except where another fee is authorized or prescribed by Idaho law:

A. No fee shall be charged to a resident for the first two (2) hours of labor incurred in responding to a public records request.

B. No fee shall be charged to a resident for the first one hundred (100) pages of paper records requested.

C. When fees are authorized under Idaho Code § 74-102(10), copying fees charged to a resident shall not exceed the City's actual cost of copying the record.

D. Labor fees charged to a resident shall not exceed the reasonable labor costs necessarily incurred in responding to the request and shall be calculated in accordance with Idaho Code § 74-102(10)(e).

E. Staff labor shall be charged at the hourly pay rate of the lowest paid administrative staff employee or public official of the City who is necessary and qualified to process the request.

F. If attorney review or redaction is necessary, attorney labor shall be charged only as permitted by Idaho Code § 74-102(10)(e).

G. No fee shall be charged to a resident who satisfies all requirements for waiver of fees under Idaho Code § 74-102(10)(f).

#### SECTION 4. NONRESIDENT PUBLIC RECORDS FEE SCHEDULE.

The City hereby adopts the Nonresident Public Records Fee Schedule attached to this Resolution as Exhibit “B” and incorporated herein by reference.

For a request submitted by a person who is not a resident or an employee of a resident:

- A. The City may charge for labor and copying costs incurred in locating, reviewing, preparing, redacting, copying, reproducing, and providing responsive public records beginning with the first unit of labor or copying, to the extent authorized by Idaho Code § 74-102.
- B. Fees charged under the Nonresident Public Records Fee Schedule shall not exceed the City's actual costs.
- C. The City may charge additional fees for duplication or production of electronic or analogous records to the extent authorized by Idaho Code § 74-102(10)(d).
- D. The nonresident fee schedule shall be administered uniformly to similarly situated nonresident requesters and in accordance with applicable law.

#### SECTION 5. ITEMIZED FEE STATEMENTS.

Any statement of fees issued by the City shall be itemized as required by Idaho Code § 74-102(10)(h), including, as applicable:

1. The per-page cost for copies;
2. The hourly rate of each employee or attorney whose time is charged;
3. The actual amount of compensable time spent responding to the request;
4. Reproduction, media, conversion, postage, delivery, or other authorized actual costs; and
5. Any separate fee imposed pursuant to the Nonresident Public Records Fee Schedule.

No lump-sum fee shall be assigned to a public records request.

#### SECTION 6. ADVANCE PAYMENT.

Pursuant to Idaho Code § 74-102(12), the City's public records custodian may require advance payment of estimated fees before undertaking or completing work for which a fee is authorized.

After completing the request, the City shall calculate the actual authorized costs incurred. The City shall return any advance payment exceeding the actual amount properly chargeable to the requester.

#### SECTION 7. AGGREGATED REQUESTS.

Requests may be aggregated for purposes of determining authorized fees when the requirements of Idaho Code § 74-102(11) are satisfied. Unrelated requests from the same requester shall not be aggregated solely for purposes of imposing fees.

#### SECTION 8. ADMINISTRATION.

The City Clerk, designated public records custodian, or their designee is authorized to administer this Resolution and the attached fee schedules in accordance with Idaho Code Title 74, Chapter 1.

If the Idaho Public Records Act is amended after adoption of this Resolution, this Resolution and its fee schedules shall be interpreted and administered consistently with the then-current requirements of Idaho law.

#### SECTION 9. SUPERSEDING PRIOR RESOLUTIONS.

Any prior resolution or portion thereof establishing public records request fees that conflicts with this Resolution, is hereby repealed or superseded to the extent of such conflict.

#### SECTION 10. EFFECTIVE DATE.

This Resolution shall take effect immediately upon its passage and approval.

PASSED AND APPROVED by the Mayor and City Council of the City of Harrison, Idaho, this 8<sup>th</sup> day of September 2026.

CITY OF HARRISON, IDAHO

By: Wanda Irish  
Wanda Irish, Mayor

ATTEST:

Miriah Pfeiffer  
Miriah Pfeiffer, City Clerk

## **EXHIBIT A**

### **RESIDENT PUBLIC RECORDS REQUEST FEE SCHEDULE**

The following fees apply to a requester qualifying for treatment as a resident under Idaho Code §§ 74-101 and 74-102, except where another fee is authorized or prescribed by law.

| <b>Category</b>                                                                                                                       | <b>Amount</b>                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Staff labor — first 2 person-hours                                                                                                    | No charge                                                                                                                         |
| Staff labor — authorized time exceeding first 2 person-hours                                                                          | Hourly pay rate of the lowest-paid City administrative employee or public official necessary and qualified to process the request |
| Attorney review/redaction                                                                                                             | Hourly rate of City attorney                                                                                                      |
| Standard paper copies — pages 1 through 100                                                                                           | No charge                                                                                                                         |
| Standard black-and-white paper copies — page 101 and thereafter                                                                       | \$.25 per page                                                                                                                    |
| Standard color paper copies — page 101 and thereafter                                                                                 | \$.50 per page, not to exceed actual cost                                                                                         |
| Oversized documents, maps, plans, photographs, or specialty reproduction                                                              | Actual cost                                                                                                                       |
| Electronic records supplied in existing electronic format by email/download, when no compensable labor or conversion cost is incurred | No copying charge                                                                                                                 |
| CD, DVD, flash drive, or other physical electronic media                                                                              | Actual cost of media and authorized duplication costs                                                                             |
| Conversion of an existing electronic record to another electronic format when requested and authorized by law                         | Actual City or third-party conversion cost                                                                                        |
| Outside copying/reproduction service                                                                                                  | Actual cost                                                                                                                       |
| Postage/shipping/delivery requested by requester                                                                                      | Actual cost                                                                                                                       |
| Certified copies                                                                                                                      | Fee prescribed by applicable law, if any                                                                                          |

Resident fees remain subject to the statutory fee-waiver requirements of Idaho Code § 74-102(10)(f). The City shall separately identify the fees imposed pursuant to this schedule and shall provide the itemization required by Idaho Code § 74-102(10)(h).

## **EXHIBIT B**

### **NONRESIDENT PUBLIC RECORDS REQUEST FEE SCHEDULE**

The following fees apply to a requester who is not a resident or an employee of a resident for purposes of Idaho Code § 74-102. Fees shall not exceed the City's actual costs.

| <b>Category</b>                                                                          | <b>Amount</b>                                                                                            |
|------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Staff labor — beginning with first increment of compensable time                         | Actual cost to City based upon employee compensation attributable to the work, not to exceed actual cost |
| Necessary attorney review/redaction — beginning with first increment of compensable time | Actual cost to City, not to exceed actual cost                                                           |
| Standard black-and-white paper copies — beginning with first page                        | \$.25 per page, not to exceed actual cost                                                                |
| Standard color paper copies — beginning with first page                                  | \$.50 per page, not to exceed actual cost                                                                |
| Oversized documents, maps, plans, photographs, or specialty reproduction                 | Actual cost                                                                                              |
| Electronic records supplied in existing electronic format                                | Actual labor and duplication costs incurred by City, if any                                              |
| CD, DVD, flash drive, or other physical electronic media                                 | Actual media and duplication cost                                                                        |
| Conversion of an existing electronic record to another electronic format                 | Actual City or third-party conversion cost                                                               |
| Outside copying/reproduction service                                                     | Actual cost                                                                                              |
| Postage/shipping/delivery                                                                | Actual cost                                                                                              |
| Certified copies                                                                         | Fee prescribed by applicable law, if any                                                                 |

For each nonresident request, the City shall separately identify the fees imposed pursuant to this schedule and shall provide the itemization required by Idaho Code § 74-102(10)(h).