

Introduced by: Cooper at the Request  
of the Borough Clerk  
Date: 01/07/20  
Hearing: 02/04/20  
Action: Enacted  
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2020-02**

**AN ORDINANCE AMENDING KPB 2.54.060 REGARDING RESPONSE TO  
REQUESTS FOR ACCESS TO PUBLIC RECORDS TO INCREASE TIME LIMITS  
FOR RESPONSE**

- WHEREAS,** current code requires the borough clerk or designee to notify the requestor that the requested record is exempt, cannot be located, or that the request is insufficient to describe the record sought within three days of the receiving the request; and
- WHEREAS,** the three day requirement is often not enough time for a record request to be processed and researched by the responding department or service area; and
- WHEREAS,** State of Alaska regulations provides for a 10 day time limit for responding to public record requests; and
- WHEREAS,** similarly Matanuska Susitna Borough code provides for response within 10 days of the request; and
- WHEREAS,** increasing the time for response will help alleviate the immediate administrative burden for borough departments and service areas; and
- WHEREAS,** the number of record requests processed by the borough continues to increase annually; and
- WHEREAS,** the process for internally searching paper records as well as electronic records is time intensive and involves multiple departments' personnel time; and
- WHEREAS,** increasing the time limit for response will not suppress public access to records or otherwise change the record request process;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That KPB 2.54.060 is hereby amended as follows:

**2.54.060. Response to request for access to public records.**

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B. Request for Records Exempt from Disclosure.

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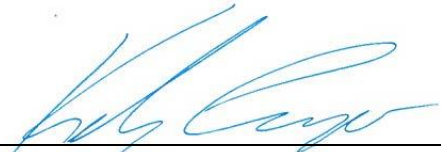
2. If the information requested is determined to be exempt from disclosure, the person requesting the information shall be advised in writing, stating the applicable law or rule of exemption, within [3] 10 working days of receiving the request; such writing shall be signed by the Borough Clerk or designee.

C. Requests Insufficient to Describe Record Sought. If the request is vague or so broad as to make it difficult to determine or identify the records of information requested, the employee shall so advise the requesting person within [3] 10 working days of receiving the request.


D. Records Cannot Be Located. If the records cannot be located in time to make a response within [3] 10 working days of the request, the requesting party shall be promptly so advised; if the requesting party still desires the information or records, a reasonable and diligent search shall be made for them.

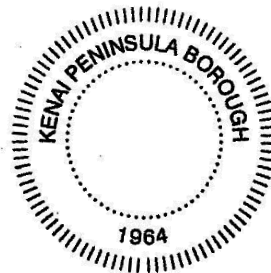
**SECTION 2.** That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 4TH DAY OF FEBRUARY, 2020.**

  
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Kelly Cooper, Assembly President

ATTEST:

  
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Johni Blankenship, MMC, Borough Clerk



- Yes: Bjorkman, Blakeley, Carpenter, Cox, Hibbert, Johnson, Smalley, Cooper
- No: None
- Absent: Dunne