



TOWN OF MOUNTAIN VILLAGE
455 MOUNTAIN VILLAGE BLVD, SUITE A
MOUNTAIN VILLAGE, CO 81435
PHONE 970-369-6406 FAX 970-728-4342
EMAIL MVCLERK@MTNVILLAGE.ORG

OPEN RECORDS POLICY

Purpose

- To establish general policies and procedures for providing access to public records maintained by the Town of Mountain Village.
- To establish reasonable and standardized fees for record requests.

Policy

In accordance with the Colorado Open Records Act (Act), the Town of Mountain Village shall make all public records open for inspection by any person at reasonable times, except as otherwise specifically provided by law.

- Records shall be made available for public inspection and copying within three (3) business days of a request.
- If extenuating circumstances exist, this time frame may be extended to seven (7) business days.

What is a Public Record?

“Public records” means and includes all *writings* made, maintained, or kept by the state, any agency, institution, a nonprofit corporation incorporated pursuant to Section 23-5-121(2), C.R.S., or political subdivision of the state, or that are described in Section 29-1-902, C.R.S., and held by any local government-financed entity for use in the exercise of functions required or authorized by law or administrative rule involving the receipt or expenditure of public funds.

“Writings” means and includes all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics. “Writings” includes digitally stored data, including without limitation electronic mail messages, but does not include computer software.

- Most documents prepared in the normal course of Town business are open records and subject to disclosure.
- Documents that include sensitive personnel, legal, financial, law enforcement or customer records, documents created as part of the deliberative process, and certain copyrighted materials may not be subject to public disclosure. Some examples would include personnel files and attorney client communications.

Important note: When in doubt about whether or not a requested record is subject to disclosure, please consult with the Town Clerk or the Town Attorney. *Failure* to disclose a public record is a violation of the Act. *In addition*, release of a record that is not subject to public disclosure is also a violation of the Act.