

**RECORDS REQUEST INFORMATION
UTAH GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT**

<p>This form is meant to comply with the minimum statutory requirements for access to government records. The details of these statutory requirements are found in Chapter 63G-2, Utah Code Annotated. The provisions of the Government Records Access and Management Act (GRAMA) are lengthy and complicated. This summary is only meant to provide some highlights. (References in parentheses are to sections of the Utah Code Annotated.)</p>	<p>Protected Documents – Generally trade secrets, financial and commercial information for companies, test questions, appraisals for future property transactions, investigations, litigation documents not available through discovery, privileged communications from the agency’s attorney, drafts, minutes and notes of closed meetings, and other documents that may compromise a legitimate state or private interest. (§63G-2-304).</p>
<p>Intent: GRAMA is intended, among other goals, to promote the public’s right of easy and reasonable access to unrestricted public records and to favor public access when, in the application of the law, countervailing interests are of equal weight. (§63G-2-102)</p>	<p>Business Confidentiality: If a record provided by a business to an agency is desired to be protected, the business must provide a claim of confidentiality and state the reasons for the restricted access. The agency can still classify the record as public if it notifies the business. (§63G-2-308).</p>
<p>Access: Every person is entitled to review and obtain copies of any public document. (§63G-2-201(1)).</p>	<p>Not a record: temporary drafts, privately owned documents; calendars and notes; etc. (§63G-2-103(18))</p>
<p>Time: A request for record access or copies shall be responded to as soon as reasonably possible – no later than 10 business days, or 5 business days if a request benefits the public rather than the requesting individual. (§63G-2-204(3)(a)).</p>	<p>Denial: If access is denied, the agency shall provide a notice of denial, including a description of the record or portion of record to which access is denied, citation to the statute allowing the denial, and a description of the process to appeal. (§63G-2-205(2)).</p>
<p>Charge to Copy a Record: Records can be inspected free of charge. (§63G-2-201(1)). A reasonable charge can be assessed for copies if that charge is adopted by official policy. (§63G-2-203(1)). The actual cost to compile a record in a form other than that normally maintained may be charged. (§63G-2-203(2)). No charge can be assessed for the time taken to review a record to determine if it is public or for inspecting the record. (§63G-2-203(5)). No charge is to be made if the record directly relates to a persons legal rights and that person cannot afford to pay the fee. (§63G-2-203(4)).</p>	<p>Destruction: If access to a record is denied, that record is not to be destroyed or given to another agency before the appeal period has passed. (§63G-2-205(3)).</p> <p>Other agencies: Non-public records can be provided to another government agency if that agency enforces, litigates or investigates civil, criminal or administrative law and in other instances. (§63G-2-206(1)).</p>
<p>Charge for Compiling a Record: The Utah Courts have held that no charge for compilation of a record is to be made without previous notice of the charge. An agency may assess fees if the request involves extracting materials from a larger document or source and compiling them in a different form. If feasible and reasonable to do so, the agency should offer to allow the requestor to compile the record himself. If the agency compiles the record as a preferred way to provide it, rather than from necessity, no charge is to be made.</p>	<p>Appeals: Allowed within 30 days of a denial of access or other determination adverse to the applicant. The applicant or anyone else who is aggrieved by the denial (such as the media) can file a notice of appeal to the Chief Administrative Officer of the Government Entity. (§63G-2-401). An appeal of a final local or agency GRAMA decision can be requested of the state records committee or the district court. (§63G-2-402).</p>
<p>Public Documents – Every document is public unless private, controlled or protected: (§63G-2-201(2))</p>	<p>Penalties: It is a class B misdemeanor to knowingly disclose records that should not be disclosed, or to gain access to records that should not be disclosed by false pretenses, bribery, or theft, or to intentionally refuse to release a record which is legally required to be released. (§63G-2-801)</p>
<p>Private Documents – Generally relate to individuals and their private interests, such as eligibility for benefits, medical history, employment, library circulation, etc. (§63G-2-302).</p>	<p>Attorneys’ Fees: Can be ordered against the agency if a person who appeals a denial of access substantially prevails in legal action. (§63G-2-801)</p>
<p>Controlled Documents – mainly medical records of individuals shared to a limited audience. (§63G-2-303)</p>	<p>Information: Utah State Archives Records Committee (801) 538.3012 or State Agency Counsel Division, Office of the Attorney General (801) 366.0353.</p>

Return completed Records Request to:

Riverdale City

**4600 South Weber River Drive
Riverdale, UT 84405
(801) 394-5541
(801) 399-5784 (fax)**