

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING THE BRIGHTON MUNICIPAL CODE SECTION 1-27-30, (h) RELATED TO PUBLIC ACCESS TO RECORDS MAINTAINED IN SPECIFIED DIGITAL FORMATS; AND SETTING FORTH DETAILS IN RELATION THERETO.

ORDINANCE NO. 2268

INTRODUCED BY: Edwards

WHEREAS, in 2017 the Colorado General Assembly amended C.R.S. §24-72-203 by the addition of a new subsection 3.5 specifying the requirements for providing public records maintained in searchable or sortable digital formats; and

WHEREAS, subsection 3.5 clarifies the circumstances and under which the custodian of a public digital record is required to produce the record, and the acceptable format of such record; and

WHEREAS, the City Council finds that amending Section 1-27-30(h) of the Brighton Municipal Code related to rules and regulations related to public records to comply with the recent amendments to C.R.S.. §24-72-203(3.5) is in the interest of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. Section 1-27-30(h), **Public Records**, Rules and Regulations is hereby repealed and reenacted to read as follows:

Sec. 1-27-30(h) Rules and Regulations

*Data and/or records will be provided ~~only~~ in the format they currently exist **as provided in C.R.S. §24-72-203(3.5).** If the record is stored in a digital format that is neither searchable nor sortable, the custodian shall provide a copy of the record in a digital format. If the record is stored in a digital format that is searchable but not sortable, the custodian shall provide a copy of the record in a searchable format. If the record is stored in a digital format that is sortable, the custodian shall provide a copy of the record in a sortable format. Data will not be manipulated and provided in custom formats. To the extent possible, and within the technical knowledge/limitations of the City Clerk's office or the office of the keeper of the records, electronic data will be provided pursuant to the fees established below.*

Section 2. **Purpose.** The purpose of this Ordinance is to provide for the health, safety and welfare of the people.

Section 3. **Repeal.** Existing or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED THIS 3rd DAY OF October, 2017.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, City Attorney

Published in the *Standard Blade*
First Publication: October 11, 2017

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 17th DAY OF October, 2017.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Standard Blade*
Final Publication: October 25, 2017