

 Municipality of Anchorage Policy & Procedure	P&P No. 52-08	Page 1 of 9
	Effective Date: August 13, 2026	
	Supersedes No.: 52-08	First Published: May 27, 1988
Subject: Public Access to Records		Approved by: 

1. PURPOSE

Establish the policy and procedure (P&P) for facilitating the right of the public to access public records.

2. POLICY

It is the policy of the municipality to provide the fullest and most rapid public access to public records so that the right of the people to remain informed is protected.

3. ORGANIZATIONS AFFECTED

All executive branch municipal agencies subject to the requirements of Anchorage Municipal Code (AMC) 3.90. Legislative branch municipal agencies and the Anchorage School District are separately empowered by AMC 3.90.050A to adopt their own P&Ps.

4. REFERENCES

- a. AMC Chapter 3.90 Public record disclosures
- b. Alaska Statute (AS) and any other provision of law that allows withholding additional information, including, but not limited to:
 - i. AS 12.61.110 Confidentiality of victim and witness addresses and telephone numbers
 - ii. AS 12.61.140 Disclosure of victim's name
 - iii. Alaska Statutes 45.48 Personal Information Protection Act

5. DEFINITIONS

In addition to the definitions provided in AMC 3.90, the following terms and definitions are provided:

- a. Public Record Request Coordinator – oversees processing of public records requests for an agency and serves as a point of contact between the agency and the Records and Information Management Program and the Municipal Attorney's Office to facilitate the processing of public records requests.

6. RESPONSIBILITIES

As provided in AMC 3.90, the public may request access to public records from Municipal agencies holding legal custody of the records. In administering AMC 3.90, each municipal agency shall:

- a. appoint a Public Record Request Coordinator: Public records requests are sent to and processed by municipal agencies. Each agency must have a Coordinator to take lead on ensuring proper administration of public records requests in the agency and serve as a

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point of contact between the agency and the Records and Information Management Program and the Municipal Attorney's Office to facilitate the processing of public records requests;

- b. process public records requests as required in Code and this Policy: All municipal agencies shall, consistent with the orderly conduct of municipal business, make a good faith and diligent effort to provide a rapid and intelligible response to reasonable requests for inspection of public records by following the procedures and deadlines for processing public records requests contained in AMC 3.90. This Policy and Procedure is intended to explain and supplement Code, not replace it; Code shall govern instead of any inconsistent provision of this Policy and Procedure. Nothing in this Policy and Procedure creates any rights, procedural or substantive, that are enforceable in law or equity by any person against the Municipality or any of its officers, employees, or agents;
- c. use the required system(s): All agencies shall use a unified system or systems for processing public records requests as mandated by the Municipal Manager, such as JustFOIA or GovQA, unless granted a waiver of this requirement by the Municipal Manager or designee for particular classes of records or requests. Absent such a waiver, all agencies shall strongly encourage requesters to use the public facing portal of a unified system for processing public records requests. Absent a waiver, if an agency receives a public records request outside of that portal, and the requester demonstrates that the requester is not actually able to use the portal, the agency shall input the request into that portal for processing and tracking purposes. Agencies shall use the portal to track and preserve public record requests and correspondence between agencies and requesters; and
- d. seek guidance as needed: The Records and Information Management Program and the Municipal Attorney's Office are available to consult with agencies as needed to help agencies properly process public records requests.

7. PROCEDURES WHEN PROCESSING A PUBLIC RECORDS REQUEST

- a. Redirect to the appropriate agency: Agencies contacted in error regarding other agencies' records shall, if they reasonably know the agency that would have responsive records, redirect the request to the appropriate agency holding legal custody of the requested record. In such circumstances the requester shall not be charged an additional filing fee, and the agency receiving the redirected request shall calculate the initial response deadline from the date the agency received the redirected request. Only the agency that is the legal custodian, as assigned by the Record Retention Schedule, shall provide records to the public. Contact the Records and Information Management Program for assistance, as needed.
- b. Send the initial response: After the requester has paid any required filing fee as provided in Section 8 below, the municipal agency shall acknowledge every request within two working days of receipt by: explaining why the request is not reasonable and offering to help narrow the request to reasonable proportions; fulfilling the request; or providing the classification and associated deadline to the requester.
 - i. Immediate fulfillment of request: If the request can be fulfilled within two working days, consistent with all other agency priorities and resource constraints, the request should be fulfilled on that timeline.

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- ii. Notice to cure: The requester should provide the agency with what the requester knows of the requested record's title, date or origin, and subject matter. Agencies shall work with requesters to help clarify or narrow requests to reasonable proportions. The agency shall decline to process a request that is unduly vague, overbroad, or seek records the production of which would be unduly burdensome, if the requester does not work with the agency to appropriately narrow the request. A notice to cure shall state that the request cannot be processed and response timelines will not begin to run until the request is cured, and that a failure to cure will result in denial.
- iii. Acknowledgment and notice of deadline based on complexity classification: If the agency has a request of reasonable proportions that it has not fulfilled within two working days of receipt of such a reasonable request, the agency shall classify the request as either simple, intermediate, or complex depending on the considerations in AMC 3.90.060B, such as the estimated amount of time to completion or the need to consult with legal counsel.
 1. A simple request is estimated to take less than 3 hours to fulfill and not require legal advice.
 2. An intermediate request is estimated to take more than three hours or require legal advice.
 3. A complex request is one that is anticipated to require particular complexity in searching, locating, redacting, or transmitting records or may require extensive legal analysis.
- iv. Requests should first be classified based on an initial estimate and without first performing substantial work—the agency is making an educated guess, not a promise. After initially classifying the request as simple, intermediate, or complex, the agency shall send a written notice to the requester within 2 days of receipt of the reasonable request notifying the requester of:
 1. Deadlines: The applicable deadlines for the request under AMC 3.90.060D:
 - (a) Simple: Simple requests generally to be fulfilled within 10 working days of receipt of request.
 - (b) Intermediate: Intermediate requests generally to be fulfilled within 20 working days of receipt of request.
 - (c) Complex: Complex requests generally to be fulfilled within 45 working days of receipt of request.
 - (d) Doubled: All the deadlines above are doubled for requests involving audio or video, and for commercial requests as defined in AMC 3.90.060D.1.d.iii. Additional provisions doubling deadlines for certain requests regarding the Anchorage Police Department are located at AMC 3.90.060D.1.d.i.
 - (e) Agreements and production schedules: Instead of the time periods identified above, a municipal agency may respond to a records request on a different time period than is agreed to by the requester. Or the agency may issue a production schedule as its response, providing for rolling production of records as they are processed (for example, a first group of records to be

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released on a specified date, a second group of records to be released on a second date, etc.).

2. Narrowing: The opportunity to further narrow their request to reduce its complexity (and thus shorten the deadline).
 3. Reclassifying: The fact that the agency may re-classify the request to a higher or lower level of complexity as the complexity (or lack thereof) becomes clearer while working to fulfill the request.
 4. Time excluded: The fact that certain periods of time are excluded from calculating the deadline, such as time spent waiting for a requester to cure a deficient request, time waiting for a requester to sign any necessary releases, or the time before a requester pays any necessary up-front fees. See AMC 3.90.060D.2.
- iv. When request cannot be acknowledged on time: If the agency cannot provide notice or acknowledgement within two working days, the agency must provide an explanation to the requester and a reasonable estimate of when the notice will be provided.
 - v. Consider reasonable steps to preserve records known to be responsive and subject to destruction before processing: Agencies processing requests for audio or visual recordings from municipal security cameras are, in light of the short timelines on which such recordings are generally overwritten, directed by AMC 3.90.040R.2 to make reasonable efforts under the circumstances to preserve the recording, consistent with workload and other deadlines and duties. Agencies should consider making similar reasonable efforts, consistent with workload and other deadlines and duties, to preserve other types of requested records if the person processing the request knows of the existence of responsive records that are in danger of being overwritten or destroyed before a request is completely processed.
- c. Process the request:
 - i. Conduct a reasonable search for responsive records: If the requested record cannot be located or furnished immediately, a reasonable and diligent search shall be made. A reasonable search is one that identifies the systems of records reasonably likely to contain a well-described public record and makes reasonable efforts to search such systems of records for responsive documents, such as by using keywords to conduct an electronic search or looking in specific known places likely to contain a requested record. Under well-developed case law, a reasonable search does not need to be a completely exhaustive search. Failing to identify a responsive record that later turns out to have existed is not necessarily an indication that the search was not designed and conducted reasonably. Employees should use efforts reasonably targeted under the circumstances to locate the requested records. Employees should not expand the scope of a records request beyond what the requester actually requested.
 - ii. Do not create new records: An agency is not required to—and generally should not—create a new record, compile or summarize existing public records, or manipulate its data to create new public records, in response to a public records request. Running a standard query/report/export function against an existing electronic database and disclosing the results (as appropriately redacted) is the production of an existing record, not creation of a new one.

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- iii. Make appropriate redactions: After conducting a reasonable search, agencies shall analyze responsive records to determine whether the entire record or any portion of a record is exempt from disclosure under AMC 3.90.040 or any other provision of law. Consult with the Municipal Attorney's Office as necessary. If there are common types of information that an agency routinely redacts or withholds, or advice from counsel on withholding certain types of information held by an agency, the agency may create a document summarizing those common redactions to facilitate processing of records requests by the agency in the future.
- iv. Record why redactions were made: When making redactions or withholding entire records, indicate to the recipient the basis on which redactions or withholdings were made. This should not be a burdensome process, and this requirement can be satisfied with a short, written statement that redactions on specified pages were made pursuant to a specific paragraph in AMC 3.90.040 (or any other available legal basis for withholding), or by placing a withholding paragraph letter next to a redaction. If further details are necessary to explain the basis for a redaction or withholding, provide that explanation in the most efficient manner possible.
- v. Extensions: When necessary, an agency may extend the applicable deadline for final response by 10 additional workdays, per extension, by sending a notice of extension to the requester before the expiration of the response deadline if the conditions in AMC 3.90.060D.4 are met. For example, extensions are available under that provision where a request involves voluminous records, staffing or other resource constraints that make faster production impracticable, or there is continued need to consult with legal counsel or other officers or employees who are currently absent. The notice shall state the reason an extension is necessary and state the new deadline, as extended. The agency shall proceed to process what it can of the records request during the extension period and provide a rolling production of all portions as it processes them. The agency may grant itself additional extensions only upon continued good faith and diligent efforts and only so long as the grounds for the extension continue to exist. An agency giving itself a second or subsequent extension shall inform the requester of the new deadline and of the requester's right to appeal the extension under AMC 3.90.090.
- vi. Pre-release review: Before providing any responsive records or denying a request, the agency shall give the proposed response to the Municipal Manager or designee for review and approval before release. The Municipal Manager may designate others to perform this review and can allow sub-designation to a level appropriate to the volume of record requests in each agency. The Municipal Manager or designee may, in those officials' discretion, also require an agency to send a proposed response for pre-release review by the Municipal Attorney's Office. Adequate time must be given for pre-release review before the expiration of any applicable deadline. If it is necessary to provide adequate time for such review, the agency shall issue an extension if the grounds for extension under AMC 3.90.060D.4 are met or shall be reclassified to a higher level of complexity if that is necessary to facilitate legal review. As with other extensions or reclassifications, if the agency takes those actions the agency shall provide the required notice to the requester.
- vii. Mandatory payment of remaining fees and costs before release: Before releasing records to the requester, the agency shall require payment of the balance of any remaining mandatory fees and costs as provided in Section 8 below.

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- viii. Written responses: After complying with all of the required procedures, the agency shall give the requester a written response and any public records to which the requester is entitled (including the brief justification for any redactions or withholdings described above in paragraph iv) before the applicable deadline (including deadlines as extended). Agencies processing requests should be aware that failing to provide a response by the applicable deadline is deemed a denial of the request that is immediately appealable. The written response must state that the redaction or withholding of any records may be appealed as provided in AMC 3.90.090 and explain where to submit a notice of appeal.
- ix. Electronic transmission of copies of public records: Records shall be made available in an electronic format via a unified system for processing public records to the greatest extent feasible. Any transmission for records outside that system shall be documented in that system. Physical copies of records or storage media shall be provided only if the requester demonstrates that the requester is actually unable to access the online unified system for public records, or if physical transmission is less burdensome for the agency. The agency shall preserve original records and provide only copies to the requester.

8. FEES AND COSTS

a. Procedure

- i. Charge required fees and costs: Agencies shall ensure the proper payment of required fees and costs as provided in AMC 3.90.050 using the fee and cost table set out below.
- ii. Mandatory filing fee: All agencies shall charge the administrative filing fee set out in Section 8.b for all requests. Payment shall be required for acceptance of the request.
- iii. Mandatory fees for employee time: Except as otherwise provided here, all agencies shall also charge a fee for employee time spent processing public records, including employee time spent searching for, retrieving, making permissible redactions to, and copying and transmitting records (or providing for inspection of records) in the amount set out in Section 8.b below.
 - 1. No fee for executive and attorney time: No fee shall be charged for attorney or other executive personnel time.
 - 2. No fee for employee time under 3 hours: No fee shall be charged for employee time where the time to process a single request is less than or equal to three hours. But where such time exceeds three hours, the agency shall charge the full fee (including for the first three hours).
- iv. Mandatory costs: The agency shall charge the cost associated with printing, copying, scanning, or otherwise transmitting certain records as provided below in Section 8.b.
- v. Mandatory advance payment of estimated fees and costs: Before processing the request, agencies shall reasonably estimate the amount of time likely to be required to fulfill a request and any corresponding fees as well as costs for processing the request, and agencies shall require pre-payment of half of the estimated fees and costs before proceeding to process the request. In notifying the requester of the requirement to pre-pay half of the anticipated fees and costs before the request will be processed, the agency shall tell the requester the basis for the estimate as well as

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the ability to appeal the estimate under AMC 3.90.090A. The explanation for the basis of the estimate should not take much time and, for a standard request, should simply be a statement of the number of hours you think fulfillment will take in your experience processing similar requests. If the estimated fee is high, or if other unusual circumstances are present, it is better to give a somewhat more detailed explanation, such as the breadth of the request, the need to search across large numbers of systems of records, the need to review a large number of anticipated responsive records for any necessary redactions, etc. If the requesting party does not pay the required advance payment, the search process shall not begin.

- vi. Mandatory advance payment of any unpaid balance on previously assessed fees and costs: If the requester has unpaid balances for previously assessed fees and costs for processing previous public records requests, the agency shall require full payment of such unpaid fees and costs before processing a new request.
- vii. Mandatory payment of balance of actual fees and costs before disclosure: After completing the search, redaction, and preparation for production of records, any chargeable employee time above and beyond what the requester has already paid in any required advance payment shall be paid before records shall be produced.
- viii. Mandatory refund of overpayments: If any pre-payment of the estimated fees and costs ends up exceeding the actual fees and costs after processing the request, the excess shall be promptly refunded to the payer.
- ix. Waiving fees in certain circumstances:
 - 1. Indigency: An agency shall waive the filing fee and fee for employee time upon request if the agency determines based on an affidavit from the requester regarding income and assets and any other relevant information that the requester is an indigent individual who is unable to pay any requested fee, the time to fulfill the request is estimated to be 5 hours or less, and the individual requesting the waiver has not received a fee waiver within the last 30 days.
 - 2. Public interest: After consulting with the Municipal Attorney's Office, an agency may reduce or waive a fee if doing so is in the public interest under AMC 3.90.050D.2. Waiver may be in the public interest if the request is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial or personal interest of the requester. To the greatest extent practicable, fee reductions and waivers shall be uniformly applied among persons who are similarly situated.
 - 3. Efficiency: An agency may waive a fee if doing so increases efficiency (such as when calculating and processing payment would exceed the value of the likely fee). This can include an agency establishing a number of pages of production below which will not charge printing, scanning, or copying costs where the small size of the cost would make recovery inefficient. This can also include an agency declining to require pre-payment of half of the estimated fee before processing the request, if the agency determines that the amount of the estimated half-fee is so low that the administrative burden to the Municipality of collecting the half-fee in advance is not worth the added effort, provided that the agency recovers the full actual fee and cost before providing any responsive records absent a determination that the full amount is so small that recovery would also be inefficient.

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b. Table of fees and costs:

Type	Charge
Administrative filing fee (no exceptions)	\$6 per request*
* Note for future revisions: Code allows this amount to be adjusted by P&P based on the cumulative percent change in the Anchorage Consumer Price Index for All Urban Consumers (CPI-U) since February 17, 2026, when this ordinance was first enacted setting the default amount of \$6, or since the filing fee was last adjusted. No adjustment has yet been made since February 17, 2026.	
Employee time fees (excluding any executive or attorney time, and not charging fees for any employee time if total time for production is less than or equal to 3 hours but otherwise charging fees for employee time, including the first 3 hours, if the time for completion is longer than three hours)	\$60 per hour**
**Note for future revisions: This rate was calculated in July 2026 using two methods that yielded approximately the same value: (1) Analyzing the actual hourly cost of all 115 non-executive, non-attorney employees who process public records requests in JustFOIA and GovQA by taking the mid-point between: \$48.15, which is the median hourly factored wage rate for that group; and \$73.89, which is the median hourly actual cost to the MOA for that group, including the factored wage rate as well as employer portion of health insurance premium and retirement; resulting in a mid-point of \$61.02 per hour; and (2) Adjusting the previous rate of \$40 per hour, set in AMCR 3.90 in 2010, with BLS data on Anchorage wage inflation since then, resulting in a value of \$59.72 per hour.	
Costs	
Electronic transmission through the mandated unified system for processing public records requests, email, or other approved online file transfer system with little or no marginal cost to the MOA	No charge
Standard physical paper: Printing, scanning, or copying costs for standard-sized, type, and format physical paper	\$0.30 per page***
***Note for future revision: this charge was maintained in the August 2026 revision to this P&P without revision from the charge imposed in former AMCR 3.90, as last revised by AO 2010-81(S-1) in December 2010.	

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	Physical media (such as CDs, DVDs, USB drives, etc.)	The actual cost of the physical media
	Non-standard items: Printing, scanning, or copying costs for nonstandard size, type, or format records (such as large format printing)	The actual cost of copying, scanning, printing, or otherwise reproducing the record

9. TRANSITION RULE

The Municipality's public records ordinance was significantly revised in AO 2026-19, as amended and enacted on February 17, 2026. Under Section 11 of that ordinance, those changes go into effect on August 16, 2026. All requests received before August 16, 2026, shall be processed according to the public records ordinance, fee schedule, and Policy and Procedure in effect at the time such requests were submitted. The revised ordinance and the revised Policy and Procedure set out here shall apply to all requests submitted on or after August 16, 2026.

10. ANNUAL REVIEW DATE/LEAD REVIEW AGENCY

The Records Management Governance Committee, as assisted by the Records and Information Management Program and the Municipal Attorney's Office, will review this document each year for the needed revisions.

11. REVIEW HISTORY

List of review and/or edits for the previous 10 years.

<u>Review Date</u>	<u>Reviewing Agency</u>	<u>Review/Reissuance</u>
05/27/1988	Information Technology	Drafted and issued.
09/21/1991	Information Technology	Edited and reissued.
08/16/2026	Municipal Attorney's Office	Significantly revised and reissued.