

AN ORDINANCE OF THE CITY OF KIRKLAND
RELATING TO DISCLOSURE OF PUBLIC RECORDS BY
INSPECTION AND COPYING, THE EXEMPTIONS
THEREFROM AND AMENDING SECTION 3.84.010 OF
THE KIRKLAND MUNICIPAL CODE.

Be it ordained by the City Council of
the City of Kirkland as follows:

Section 1. Section 3.84.010 Public
Records Inspection and Exemptions, is
hereby amended to read as follows:

3.84.010 Public Records Inspection
and Exemptions.

(a) All records and documents
maintained by the City are public
records and as such available for public
inspection and copying in accordance
with the procedures hereinafter set
forth; provided however, the following
are exempt from public inspection and
copying: all documents, records and
information exempt under RCW 42.17.310,
including but not by way of limitation:

(1) Personal information
and any files maintained for
prisoners;

(2) Personal information
and any files maintained for
city employees, appointees or
elected officials to the
extent the disclosure would
violate their right to
privacy;

(3) Information required
of any taxpayer or city
license holder in connection
with the assessment or
collection of any tax or
license fee if the disclosure
of the information to other
persons would violate the
taxpayer or licensee's right
to privacy or would result in
unfair competitive
disadvantage to such taxpayer
or license;

(4) Specific intelligence information and specific investigative files compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the non-disclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(5) Information revealing the identity of persons who file complaints with investigative, law enforcement, or penology agencies, if disclosure would endanger any person's life, physical safety, or property, or if the complainant has indicated a desire for nondisclosure;

(6) Test questions, scoring keys and other examination data used to administer license, employment or civil service examination;

(7) Except as provided by RCW Chapter 8.26, the contents of any real estate appraisals made for or by any agency, including the city, relative to the acquisition of property by the city until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the date of the appraisal;

(8) Valuable formulas, designs, drawings and research data obtained or produced by the city, its officers, employees and agents within five years of any request for disclosure thereof, when disclosure would produce private gain and public loss;

(9) Preliminary drafts, notes, recommendations and

intra-agency memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action;

(10) Records which are relevant to a controversy to which the city or any of its officers, employees or agents is a party, but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts;

(11) Any library record which could disclose the identity of a user of library materials;

(12) Lists of individuals requested for commercial purposes;

(13) Any public record access which the King County Superior Court has found would damage any person or vital governmental function;

(14) Residence address and telephone number of city employees or volunteers;

(15) Residence address and telephone number of city utility customers;

(16) Applications for employment, including name of applicant, resume, and other related material submitted with respect to an applicant;

(17) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(18) The residential addresses and residential telephone numbers of employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer

rosters, or mailing lists of employees or volunteers.

(19) The work and home addresses, other than the city of residence of a person shall remain undisclosed or be omitted from all documents made available for public review if that person requests in writing, under oath, that these addresses be kept private because disclosure would endanger his or her life, physical safety, or property. This provision does not in any way restrict the sharing or collection of information by state and local governmental agencies required for the daily administration of their duties. The secretary of state shall administer this provision and establish the procedures and rules that are necessary for its operation. An agency that has not been furnished with a request for confidentiality of address information is not liable for damages resulting from its disclosure of the information. For each person who submits a request under this subsection. A request shall be of no force or effect if the requester does not include a statement, along with or part of the request, designating the secretary of state as agent of the requester for purposes of service of process.

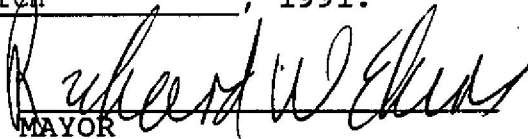
(b) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the non-disclosure of statistical information not

descriptive of any readily identifiable person or persons.

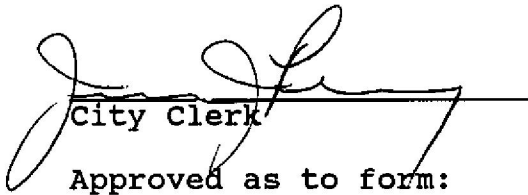
Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017 Kirkland Municipal Code in summary form attached to the original of this Ordinance and by this reference approved by the City Council, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 19th day of March, 1991.

Signed in authentication thereof this 19th day of March, 1991.


MAYOR

Attest:


City Clerk
Approved as to form:


City Attorney

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SUMMARY OF ORDINANCE 3249

AN ORDINANCE OF THE CITY OF KIRKLAND
RELATING TO DISCLOSURE OF PUBLIC RECORDS BY
INSPECTION AND COPYING, THE EXEMPTIONS
THEREFROM AND AMENDING SECTION 3.84.010 OF
THE KIRKLAND MUNICIPAL CODE.

Section 1. Amends Section 3.84.010
describing public records which are exempt
from inspection and copying, to include all
public documents, records and information
exempt from inspection and copying under
RCW 42.17.310 of the State Public
Disclosure Act.

Section 2. Authorizes publication of
the Ordinance by summary, which summary is
approved by the City Council pursuant to
Section 1.08.017 Kirkland Municipal Code
and establishes the effective date as five
days after publication of summary.

The full text of this Ordinance will
be mailed without charge to any person upon
request made to the City Clerk for the city
of Kirkland. The Ordinance was passed by
the Kirkland City Council at its regular
meeting on the 19th day of March,
1991.

I certify that the foregoing is a
summary of Ordinance 3249 approved by
the Kirkland City Council for summary
publication.



City Clerk

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