



# City of Albuquerque

## Office of the City Clerk

Timothy Keller, Mayor

Ethan Watson, City Clerk

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### 2024 NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

By law, under the Inspection of Public Records Act, NMSA 1978, 14-2-1 to -12 (1947, as amended through 2023), every person has the right to inspect public records maintained by the City of Albuquerque. The Act also makes compliance with requests to inspect public records an integral part of the routine duties of the officers and employees of the City of Albuquerque. It is the responsibility of the City to make public records available for inspection.

Requests to inspect public records should be submitted to the Office of the City Clerk, 600 2<sup>nd</sup> Street NW, Plaza del Sol Building 7<sup>th</sup> Floor, Albuquerque, New Mexico 87102, (505)924-3650 or e-mail: [cityclerk@cabq.gov](mailto:cityclerk@cabq.gov) or online at [nextrequest.cabq.gov](http://nextrequest.cabq.gov).

A person seeking to inspect public records may submit a request to the City Clerk orally or in writing. However, the procedures and penalties prescribed by the Act apply only to written requests. A written request must contain sufficient contact information for the person making the request, including a name and either a mailing or email address, or a telephone number. The request must describe the records sought in sufficient detail to enable the records custodian to identify and locate the requested records.

The City will provide a copy of a public record in an electronic format if the record is available in an electronic format and an electronic copy is specifically requested. However, the City will provide the electronic record in the file format in which it exists at the time of the request.

The City must permit inspection immediately or as soon as practicable, but no later than fifteen (15) calendar days after the records custodian receives the inspection request. If inspection is not permitted within three (3) business days, the person making the request will receive a written response explaining when the records will be available for inspection or when the City will respond to the request. If any of the records sought are not available for public inspection, the person making the request is entitled to a written response from the records custodian explaining the reasons inspection has been denied. The written denial shall be delivered or mailed within fifteen (15) calendar days after the records custodian received the request for inspection. If the custodian determines that a written request is excessively burdensome or broad, an additional reasonable period of time shall be allowed to comply with the request.

Due to a significant number of uncollected requests, the City will make records responsive to public records requests available for sixty days. If the records are not collected during that time period, the copies will be destroyed or returned to the relevant department. The requester may then submit a new request.

The City may charge a reasonable fee for copying public records in paper form and providing public data pursuant to Section 14-2-9(C) and (D), and Section 14-3-18. The fee for paper copies is \$1.00 per page as authorized by NMSA 1978 § 14-2-9(C)(2). The City may charge the actual costs associated with downloading electronic records to a disk or storage device, as well as for the actual costs associated with transmitting copies by mail, facsimile, or via other methods. NMSA 1978 § 14-2-9(C)(3) and (4). The fee for a CD or DVD is \$6.75. The actual costs of other electronic storage media will vary. The City may also charge reasonable fees in the case of the sale of data for the cost of materials, personnel

time, access time, and the use of the City's computer network. The fees for sale of data may vary. A person requesting copies will be provided a receipt upon request for the payment of any copies of public records.

### **IPRA Fee Waiver Policy**

#### **A. Eligibility.**

1. An applicant is presumed indigent if the applicant is the current recipient of aid from a state or federally administered public assistance program such as Temporary Assistance for Needy Families (TANF), General Assistance (GA), Supplemental Security Income (SSI), Disability Security Income (DSI), Department of Health, Case Management Service (DHMS), Food Stamps, Medicaid, or public assisted housing.
2. Even if an applicant cannot establish indigency, the Clerk may grant a waiver, if in the Clerk's discretion, the applicant is not reasonably able to pay fees or costs.
3. The waiver only applies to the first twenty dollars (\$20.00) of the total fee.

**B. Procedure.** An applicant seeking a waiver shall file with the Clerk an affidavit of indigency on a form prescribed by the City Clerk's Office.

**C. Limitations.** An applicant is not eligible for a waiver if

1. the applicant has previously received a waiver of fees twice during the same calendar year, or
2. the applicant requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the applicant to make the request.

# AFFIDAVIT OF INDIGENCY

## GENERAL INFORMATION

The Office of the City Clerk charges fees for processing public records requests consistent with the New Mexico Inspection of Public Records Act, NMSA 1978, §§ 14-2-1 et seq. ("IPRA").

A waiver of the first \$20.00 will be applied to the fee if a requester submits this affidavit stating they are indigent and receiving public assistance, or if not receiving public assistance, states facts showing an inability to pay the cost due to indigence. A applicant is not eligible for a waiver if (1) the individual has previously received a waiver of fees twice during the same calendar year, or (2) the individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request.

## RETURN TO

Office of the City Clerk  
Attn: IPRA Division  
P.O. Box 1293  
Albuquerque, NM 87103

Email: [cityclerkipra@cabq.gov](mailto:cityclerkipra@cabq.gov)

Phone: (505) 924-3650

## REQUESTER'S INFORMATION

Requester's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Are you receiving public assistance? Yes  No

If you are not receiving public assistance and are still unable to pay the fee related to request, please explain why.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are you making this request for records in conjunction with any outside parties who are offering or providing you payment or other remuneration to make the request? Yes  No

Requestor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## NOTARY USE ONLY

Signed and sworn before me in:

County: \_\_\_\_\_

State: \_\_\_\_\_

Date: \_\_\_\_\_

Notary's Signature: \_\_\_\_\_

Notary's Stamp: \_\_\_\_\_