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26-ORD-495

October 30, 2026

In re: AJ Spaulding/Fern Creek Fire Protection District

Summary: The Fern Creek Fire Protection District ("the District") violated the Open Records Act ("the Act") when it failed to timely respond to a request under the Act.

Open Records Decision

On September 13, 2026, AJ Spaulding ("the Appellant") submitted a request to the District for six categories of records related to "responses at 8700 Old Bardstown Road, Louisville, Kentucky 40291, for the period January 1, 2025, through the present." On October 2, 2026, the Appellant initiated this appeal, having received no response from the District.

When a public agency receives a request for public records, that agency must decide within five business days "whether to comply with the request" and notify the requester, in writing, "of its decision." KRS 61.880(1). Here, the Appellant submitted his request to the District, but still had not received a response almost three weeks later. On appeal, the District does not dispute the Appellant's claim or otherwise assert that it issued a timely response to his request.[1] As a result, the District violated the Act.

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court under KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Under KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

[1] The District states that it has now provided the Appellant with the requested records.

Russell Coleman
Attorney General

/s/ Zachary M. Zimmerer
Zachary M. Zimmerer
Assistant Attorney General

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Distributed to:

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