

**POLICY GUIDELINES
EXTERNAL ACCESS TO WEB-BASED
INTEGRATED PROPERTY INFORMATION:
CLERK AND RECORDER
TREASURER (TAX)
DEPARTMENT OF REVENUE (CAMA)
MAPPING**

STATEMENT OF PURPOSE

Missoula County has compiled in format suitable for Internet access to a number of different property records. While all these records are public records, access to the records has required persons wishing to review them to come to the Courthouse during business hours and manually search through multiple files to obtain the information. This information in its Internet format can be searched by a variety of methods in seconds from any location with Internet access at any time of the day or night.

It is the purpose of this policy to balance the demands of individual privacy against the merits of expanded public disclosure of this information through Internet access.

In making this determination and balancing these competing rights, we have taken into account the fact that citizens who purchase property have no real choice but to record their interest in real property and that this information in many cases is information which individuals believe is being disclosed only for the limited purpose of protecting their interest in the property.

While expectations of privacy in this information are difficult to quantify, we believe that many people have an expectation of privacy in their home addresses. This expectation and desire for personal privacy is reflected in the number of telephone listings which do not include an address and of persons

asking not to be listed in the City Directory. The willingness of society to accept at least some level of privacy protection for home addresses in the possession of government is reflected by MCA § 2-6-109 which prohibits the sale or distribution of mailing lists by government agencies for the purpose of protecting individual privacy and MCA § 13-2-122(2) which provides for nondisclosure of the addresses of law enforcement personnel and their families on voter registration lists.

Based on the determination that demands of individual privacy outweigh the merits of expanded public disclosure through the Internet of individual residential addresses, the Commissioners adopt the following guidelines for public Internet access to the County's web-based integrated property information.

1. The ability to search the database by name will be limited to external users, which are established professions or businesses which traditionally have had access to all or part of the integrated data. These professions and businesses include:

- Title Companies
- Lenders
- Attorneys
- Realtors
- Engineers
- Surveyors

Under the following conditions, these traditional users will be given a password in order to access the data using a name search:

- Proof of Legitimacy: Business License/Professional License
- Fee for Service
- Signing of Use Agreement (Contract) which provides that use will be for only legitimate business purposes, which limits disclosure to third parties of addresses obtained through the use of the system, and which incorporates the provisions of MCA § 2-6-109 prohibiting the use of the database to generate mailing lists.

2. All other users will have the ability to search the database by taxpayer (SUID) number, by geo-code, and by checking on a particular parcel. While the individual parcel search method will give owner names and property addresses, we feel that the practice is essentially the electronic equivalent of going door to door and that the threat to individual privacy is substantially less than that posed by allowing a name search of all parcels in the database.

3. Nothing in this policy limits persons from accessing existing records in the traditional manner by inspecting such records in the Office where they are maintained or from preparing a mailing list from such original documents as permitted by MCA § 2-6-109.

4. This policy will be reviewed and updated by the Board as required to meet changing conditions and expectations.

DATED this ____ day of December, 2000.

BOARD OF COUNTY COMMISSIONERS
MISSOULA COUNTY

ATTEST:

Clerk and Recorder

Bill Carey, Chair
Missoula County Commissioner

Michael Kennedy
Missoula County Commissioner

APPROVED AS TO FORM
AND CONTENT:

Barbara Evans
Missoula County Commissioners

Deputy County Attorney