

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1164

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE UTILIZATION OF COMPUTERS, COMPUTER SOFTWARE, AND INTERNET ACCESS ON TOWN OF ST. JOHN PREMISES.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, owns a considerable number of computers and computer-related equipment ("hardware"), as well as programs ("software"); and

WHEREAS, the term "hardware" shall be as defined herein and shall include all computer-related equipment including, but not necessarily limited to, any wireless or wired devices that can be utilized in computing, telecommunications, computer-to-computer transfers, or Internet access; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, believes that it is in the best interest of the citizens of the Town of St. John, Lake County, Indiana, that the Town Council regulate the utilization of computers and software on Town premises; and

WHEREAS, the regulation of computers and software on Town premises shall also include electronic access of Town computers from any geographic source; and

WHEREAS, the Internet has become a viable tool for many businesses as well as governmental organizations, and the Town Council believes that it is in the best interest of the citizens of the Town of St. John, Lake County, Indiana, that the Town Council regulate Internet access by Town employees on Town time; and

WHEREAS, it is intended by this Ordinance and these regulations that they apply and extend to any such use or access without regard to whether the use is executed on Town time, on a scheduled day off, or after normal business hours if Town property is involved; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined, after a thorough review, that only computers purchased or controlled by the Town of St. John (including those granted from other governmental agencies and/or organizations) should be placed in use and operation on Town premises; that no employee, appointed official, elected official, and contractors and other professionals hired by the Town should bring onto Town property and/or utilize and/or install any software

without the prior written approval of the Town's Network Administrator/Systems Analyst; and that Internet access shall be only allowed and authorized when so authorized by the Town's Network Administrator/Systems Analyst in writing and in no respect for any other reason than on official Town business.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, as follows:

SECTION ONE: The only computers and/or computer-related equipment that shall be authorized for utilization in the Town of St. John by its Town employees are those items of computer "hardware" that the Town has purchased, leased or ultimately controls as granted from other governmental agencies or organizations and no employee shall place in use on Town premises any other computers or computer hardware on Town premises without the prior written approval of the Town's Network Administrator/Systems Analyst. The term "Town premises" as utilized herein shall include the electronic access of Town computers from any geographic source.

SECTION TWO: No employee shall bring onto Town premises and/or install and/or utilize any computer software not owned or purchased by the Town without the prior written approval of the Town's Network Administrator/Systems Analyst. No evaluation, freeware or shareware software shall be loaded without notifying the Office of the Town's Network Administrator/Systems Analyst.

SECTION THREE: Internet access of any nature or type shall be prohibited by all Town employees without the prior written approval of the Town Council, and in such event, access shall only be allowed for official Town or Town departmental business and configured by the Town's Network Administrator/Systems Analyst. Likewise, Town computer hardware and software use shall be strictly limited to official Town or departmental business, unless prior written approval of the Town Council is granted.

SECTION FOUR: The downloading of files, images, or application programs from the Internet is expressly prohibited without prior written approval of the Town's Network Administrator/Systems Analyst. Additionally, the installation of data or databases that did not originate from the Town's hardware or software is strictly prohibited without the prior written approval of the Town's Network Administrator/Systems Analyst.

SECTION FIVE: The transmission of confidential Town records, databases, and software from the Town's computer systems is strictly prohibited without the prior written approval of the Town Council and after consultation with the Clerk-Treasurer. Public Town computer records shall remain available through the Office of the Clerk-Treasurer consistent with the provisions of the Indiana Access to Public Records law, I.C. 5-14-3-1 et seq.

SECTION SIX: This ordinance shall apply to all Town employees, appointed officials, elected officials, and contractors and other professionals hired by the Town of St. John.

SECTION SEVEN: The connection or re-configuration of Town computer hardware or the Town computer network and the installation and use of dial up access services, is prohibited without the prior written approval of the Town's Network Administrator/Systems Analyst.

SECTION EIGHT: All Town software shall be delivered from the vendor from whom it was obtained to the Office of the Town's Network Administrator/Systems Analyst prior to installation, duplication, loading, or copying by any vendor, employee, or contractor of the Town. All original electronic format of software (CD-ROMs, Diskettes, Tapes, Zip Disks) shall be stored in the Office of the Town's Network Administrator/Systems Analyst. Pass words utilized for administration or access to source codes, databases, applications, etc., must be provided to the Office of the Town's Network Administrator/Systems Analyst. (They shall be sealed and stored for emergency purposes). No changes to existing source codes can be applied to any Town computer hardware, equipment, or software without notifying the Town's Network Administrator/Systems Analyst prior to loading any of such changes into the systems.

SECTION NINE: The Town Council of the Town of St. John hereby reserves the right to install and utilize software or services intended to monitor Internet use through Town computer systems, including the WEB sites visited, time expended on Internet use, and files and programs downloaded. The Town will for these purposes conduct periodic and unscheduled audits of the Town's computer hardware and software from time to time.

SECTION TEN: All existing ordinances or parts thereof, in conflict with the provisions of this ordinance, are hereby deemed null, void, and of no legal affect and are specifically repealed.

SECTION ELEVEN: If any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance.

SECTION TWELVE: This ordinance shall take effect and be in full force and effect from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana.

SECTION THIRTEEN: The Town Council of the Town of St. John, Lake County, Indiana, declares an emergency and that this ordinance shall be in full force and effect from and after its passage by the Town Council pursuant to law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 10th day of April 2000.

TOWN COUNCIL, TOWN OF ST. JOHN,
LAKE COUNTY, INDIANA

Kathleen J. Willman
KATHLEEN J. WILLMAN

Kristie L. Aldridge
KRISTIE L. ALDRIDGE

Jerome J. Rudy
JEROME J. RUDY

ATTEST:

Judith L. Companik
JUDITH L. COMPANIK
Clerk-Treasurer