

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO.: 1417

AN ORDINANCE AMENDING ORDINANCE NO. 1164, BEING, "AN ORDINANCE ESTABLISHING REGULATIONS FOR THE UTILIZATION OF COMPUTERS, COMPUTER SOFTWARE, AND INTERNET ACCESS ON TOWN OF ST. JOHN PREMISES.", AND REPEALING ALL TOWN COSE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, on April 10, 2000, did adopt Ordinance No. 1164 regulating the usage of computers, computer software, and internet access for the Town of St. John, Lake County, Indiana; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the provisions of Town Ordinance No. 1164 pertaining to the usage of computers, computer software, and Internet access within the Town of St. John premises; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined that revisions are required to update the regulations regarding the usage of computers, computer software, and internet access and to adjust the duties and responsibilities of the Town's System Analyst and to implement a position for a Director of I.T. to be named in the future; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, recognizes the special needs of the sworn officers of the St. John Police Department and that they may be exempt from portions of this ordinance by virtue of expressed direction by the Police Department regulations or by the expressed direction of the Town Council; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, having reviewed the provisions of the Town Ordinance No. 1164, now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of St. John that amendments of said Town Ordinance No. 1164 are appropriate.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined that revisions are required to establish regulations regarding the purchase of computers, computer hardware, computer software and, and any all computer related equipment

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That Town Ordinance No. 1164, Section 1., be and the same is hereby replaced to read and provide as follows, namely:

"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 without prior approval of the Town Director of Information Technology (I.T.) or the systems Analyst. The development and/or implementation of technology management plans, policies and procedures shall meet the Town's informational needs as recommended by the Town Director of Information Technology (I.T.) or the Systems Analyst and approved by the Town Council. The term "Town premises", as utilized herein, shall include the electronic access of Town computers from any geographic source."

SECTION TWO: That Ordinance No. 1164, Section 2., be, and the same hereby replaced to read and provide as follows, namely:

"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 Director of Information Technology (I.T.) or the Systems Analyst. No evaluation, freeware, shareware, or any other type of software shall be loaded without prior approval of the Town Director of Information Technology (I.T.), the Systems Analyst, or the Town Council."

SECTION THREE: That Town Ordinance no. 1164, Section 3., be, and the same is hereby replaced to read and provide as follows, namely:

"SECTION THREE: All Town employees are authorized to access the Internet through the Town authorized Internet Service Provider, provided that said access shall only be allowed for official Town or Town departmental business. The use of instant messaging programs, internet chat rooms and streaming audio and video are strictly prohibited. The "E-mail system" shall be utilized exclusively for Town related issues and any attachments shall be limited to a maximum of ten (10) megabytes. All attached files that exceed this size, shall be automatically forwarded to a central e-mail address for content review. Likewise, Town computer hardware and software use shall be strictly limited to official Town or departmental business, unless prior written approval of the Town Director of Information Technology (I.T.), the Systems Analyst, or the Town Council."

SECTION FOUR: That Town Ordinance No. 1164, Section 4., be, and the same is hereby replaced to read and provide as follows, namely:

"SECTION FOUR: The downloading of files, images, or application programs from the Internet is expressly prohibited without prior written approval of the Town Director of Information Technology (I.T.), the Systems Analyst, or Town Council, unless for Town business and previous approval is received for similar request. 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 Director of Information Technology (I.T.), the Systems Analyst, or the Town Council."

SECTION FIVE: That Town Ordinance No. 1164, Section 5., be, and the same is hereby replaced to read and provide as follows, namely:

"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 Director of Information Technology (I.T.), the Systems Analyst, or the Town Council. 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*, Town Ordinance No. 1286 and the Town's Schedule of Electronic Data Fees, as amended from time to time."

SECTION SIX: That Town Ordinance No. 1164, Section 7., be, and the same is hereby replaced to read and provide as follows, namely:

"SECTION SEVEN: The connection or re-configuration of Town computer hardware and/or the Town computer network shall only be authorized by the Town's Director of Information Technology (I.T.), the Systems Analyst, or Town Council and solely utilized through the Town authorized Internet Service Provider. This shall include, but is not limited to, all network and telecommunications hardware, electronic imaging, vendor software and applications developed in-house or by contracted personnel and used or stored on Town owned equipment. No dial-up connections will be allowed without prior written approval of the Town Director of Information Technology (I.T.), the Systems Analyst, or the Town Council.

SECTION SEVEN: That Town Ordinance No. 1164, Section 8., be, and the same is hereby replaced to read and provide as follows, namely:

"SECTION EIGHT: All Town software shall be delivered from the vendor from whom it was obtained to the Office of the Town Director of Information Technology (I.T.) or the 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, etc.) shall be stored in the Office of the Director of Information Technology (I.T.) or the Systems Analyst. The Director of Information Technology or the Systems Analyst shall verify that all software with associated licenses is properly obtained and in proper use. Passwords utilized for administration or access to source codes, databases, applications, etc., must be provided to the Office of the Director of Information Technology (I.T.) or the Systems Analyst, with a copy maintained in the Office of the Clerk-Treasurer. (They shall be sealed and stored for emergency purposes). No changes to existing source codes shall be applied to any Town computer hardware, equipment, or software without notifying the Town Director of Information Technology (I.T.), the Systems Analyst, or the Town Council, prior to loading any such changes into the systems."

SECTION EIGHT: That Town Ordinance No. 1164, Section 9., be, and the same is hereby replaced to read and provide as follows, namely:

"SECTION NINE: The Town Council of the Town of St. John, Lake County, Indiana 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, file usage and programs downloaded. For the purpose of determining use violations, the Town will conduct periodic, random and/or unscheduled monitoring and auditing of the Town's computer hardware and software from time to time without knowledge or permission of the user(s)."

SECTION NINE: All computers, computer software, computer hardware and computer related equipment shall be researched and purchased by the Town Director of Information Technology (I.T.) or the Systems Analyst, with the approval of the Council, and become the property of the Town of St. John, Lake County, Indiana.

SECTION TEN: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, 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.

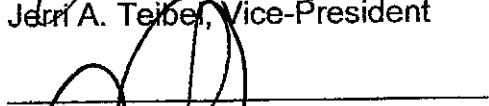
SECTION TWELVE: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana.


ALL OF WHICH IS PASSED AND ADOPTED THIS 22nd DAY OF June, 2006,
BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

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

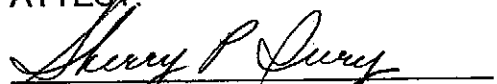

Michael S. Fryzel, President


Jerri A. Teibel, Vice-President


Mark Barenie, Member


Charles E. Pearson, Member

Gregory J. Volk, Member

ATTEST:

Sherry P. Sury, Clerk-Treasurer