

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO: 1484

AN ORDINANCE AMENDING TOWN ORDINANCE NO. 1417, BEING: "AN ORDINANCE AMENDING TOWN ORDINANCE NO. 1164, BEING, 'AN ORDINANCE ESTABLISHING REGULATIONS FOR THE UTILIZATION OF COMPUTERS, COMPUTER SOFTWARE, AND INTERNET ACCESS ON TOWN OF ST. JOHN PREMISES.'", REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH, AND ALL MATTERS RELATED HERETO.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, previously adopted Town Ordinance No. 1417, which amended Town 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. 1417, which amended Town Ordinance No. 1164, pertaining to the usage of computers, computer software and internet access within the Town of St. John premises, including review of the duties and responsibilities of the Town's System Analyst and the position of Director of I.T.; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, is aware that the Town Director of I.T. has become deceased, and that the employment position is not presently filled, necessitating an amendment to the provisions of Town Ordinance No. 1417, which amended Town Ordinance No. 1164, regarding the usage of computers, computer software, and internet access, as well as adjusting duties and responsibilities of the Town's System Analyst, as well as the Town Director of I.T.; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, having reviewed the provisions of Town Ordinance No. 1417, amending Town Ordinance No. 1164, and being duly advised in the provisions therein, as well as the present circumstances of the Town whereby the Town Director of I.T. is not presently filled, now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of St. John that further amendments to Town Ordinance No. 1417, which amended Town Ordinance No. 1164, regarding the usage of computers, computer software, and internet access for the Town of St. John, are appropriate.

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

SECTION ONE: That **SECTION ONE** of Town Ordinance No. 1164, as amended by Town Ordinance No. 1417, 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 the prior approval of the Town Manager. The development and/or implementation of technology management plans, policies and procedures shall meet the Town's informational needs as recommended by the Town Manager, 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 **SECTION TWO** of Town Ordinance No. 1164, as amended by Town Ordinance No. 1417, be, and the same is 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 Manager. No evaluation, freeware, shareware, or any other type of software shall be loaded without prior approval of the Town Manager and the Town Council."

SECTION THREE: That **SECTION THREE** of Town Ordinance No. 1164, as amended by Town Ordinance No. 1417, 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 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 Manager is granted."

SECTION FOUR: That **SECTION FOUR** of Town Ordinance No. 1164, as amended by Town Ordinance No. 1417, 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 Manager, unless for Town business and previous approval 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 Manager."

SECTION FIVE: That **SECTION FIVE** of Town Ordinance No. 1164, as amended by Town Ordinance No. 1417, 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 Manager and 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.*, as amended from time to time.”

SECTION SIX: That **SECTION SEVEN** of Town Ordinance No. 1164, as amended by Town Ordinance No. 1417, 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 Manager 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 Manager.”

SECTION SEVEN: That **SECTION EIGHT** of Town Ordinance No. 1164, as amended by Town Ordinance No. 1417, 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 Manager 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 Town Manager. The Town Manager 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 Town Manger 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 Manger prior to loading any of such changes into the systems.”

SECTION EIGHT: That **SECTION NINE** of Town Ordinance No. 1417, be, and the same is hereby replaced to read and provide as follows, namely:

“**SECTION NINE:** All computers, computer software, computer hardware and computer related equipment shall be researched and purchased by the Town Manager, with the approval of the Town Council, and become the property of the Town of St. John, Lake County, Indiana.

SECTION NINE: 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. That all remaining terms and provisions of Town Ordinance No. 1417, which amended Town Ordinance No. 1164, not amended herein are hereby ratified and reaffirmed.

SECTION TEN: 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.

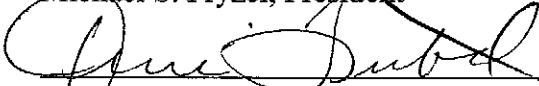
SECTION ELEVEN: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana.

ALL OF WHICH IS PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, THIS 10th DAY OF December, 2008.

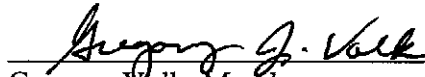
TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL




Michael S. Fryzel, President



Jerri A. Teibel, Vice-President



Gregory Volk, Member




Mark Barenie, Member



Michael S. Forbes, Member

ATTEST



Sherry P. Sary, Clerk-Treasurer