

City of Willoughby Hills

ORDINANCE NO. 2018-8

AN ORDINANCE AMENDING PART ONE ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 167 – INTERNET, COMPUTER USAGE AND EMAIL OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, on November 9, 2006, Council adopted Ordinance No. 2006-58 establishing policies for the use of City-operated media and the City’s communications with the public; and

WHEREAS, since the passage of Ordinance No. 2006-58, changes have ben made regarding the City’s official website address as well as email addresses for all City employees; and

WHEREAS, Council finds and determines that fiscal interest of the public is best served by the establishment of guidelines for the preparation and distribution of a City newsletter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. The existing Chapter 167 – Internet, Computer Usage, and Email of the Codified Ordinances of the City of Willoughby Hills is hereby amended to read and provide in its entirety as follows:

“Chapter 167
Internet, Computer Usage and E-Mail Communication Practices

- 167.01 City’s official website; employee e-mail addresses
- 167.02 Policy adopted.
- 167.03 Newsletter.

167.01 CITY’S OFFICIAL WEBSITE; EMPLOYEE E-MAIL ADDRESSES.

(a) Council hereby directs the Mayor to ~~immediately obtain and implement~~ maintain the website address of ~~www.WilloughbyHills.GOV~~ www.willoughbyhills-oh.gov, for the City’s official website.

(b) Council hereby directs the Mayor to ~~issue and implement~~ maintain the e-mail addresses for all City employees and affiliates with the above suffix (e.g. ~~xxx@WilloughbyHills.Gov~~ xxx@willoughbyhills-oh.gov).

(c) ~~Council hereby directs the Mayor to modify the City’s website so the new web address, described in Section 1 (above), is its primary means of access and provide automatic re-direction service to users attempting to access the original address (www.WilloughbyHills.net).~~

(d) ~~As soon as reasonably possible, and not longer than 30 days from the effective date of this ordinance,~~ The Mayor shall replace all web pages, forms, and documents disseminated to the public or used in the transaction of City business that refer to any e-mail or website address other than the official addresses described in Sections 1 and 2.

167.02 POLICY ADOPTED.

Council hereby directs the Mayor to develop and disseminate an “Internet, Computer Usage, and Email Policy” that shall be applicable to all users of City-owned computer equipment. The policy ~~is to~~ **may be modified and shall** be adopted by Council **by ordinance**, and **the policy** shall incorporate the recommendations set forth by the State Auditor for similar practices. **After the policy is adopted, it shall** ~~and is to~~ be implemented by the Office of the Mayor **and all City Department Heads**. ~~If such policy is not developed, disseminated and implemented by January 1, 2007, Council will develop and disseminate such a policy by January 15, 2007. Said policy shall, at minimum, contain the following:~~

- ~~1. Official correspondence emanating from a City employee, or affiliate, shall be sent only from a City issued and authorized e-mail address as described in Section 2.~~
- ~~2. E-mail addresses not issued or authorized by the City shall not be used for the conveyance of official City communications.~~
- ~~3. All information sent or received by any portion of the City’s computer system, or to/from any City issued e-mail account shall be considered public information and property of the City. Information of this nature may be erased or deleted only in accordance with the City’s record retention policy.~~
- ~~4. No portion of the City’s computer systems shall be used to convey or access information and/or data for illegal or improper purposes.~~
- ~~5. During work hours, employees shall not use any portion of the City’s computer systems to convey or access information and/or data other than official City business.~~

167.03 MASS MAILINGS, NEWSLETTERS AND OTHER MASS COMMUNICATIONS TO CITY RESIDENTS FROM THE CITY.

(a) For the purpose of section, a “Mass Communication” is a mailing of a message, the emailing of a message, or other form of communication to two or more residents regarding matters of general interest, and not tailored to specific conditions shared by the recipients and by no other residents. A City-wide newsletter is one type of Mass Communication, but not the exhaustive list of that concept.

Council hereby finds and determines that the public interest is served by the preparation and distribution, at the expense of the General Fund, of a newsletter and other Mass Communications to City residences which contain references to, and descriptions of, City matters, with the following guidelines:

1. The newsletter may include information about City issues which are matters of record at the Lake County Board of Elections only upon the approval of a majority of the members of Council.

- 2. The newsletter shall not convey information regarding any issue in a manner which can be construed as an endorsement of the issue.
- 3. The newsletter shall not convey information regarding candidates who are running for office.

(b) Such newsletter shall not be published until it is approved, by motion made and adopted by a majority of the members of Council.

(c) No Mass Communication is to be made by the City to its residents without the prior approval of a majority of the members of Council.

SECTION 2. Ordinance No. 2006-58 and existing Chapter 167 of the Codified Ordinances of the City of Willoughby Hills are hereby repealed.

SECTION 3. The actions of this council concerning and relating to the passage of this legislation were conducted in lawful meetings of this council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 4. This Ordinance is declared to be an emergency measure in that the same provides for the immediate preservation of the public peace, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of a municipal department; to wit: to immediately provide current standards and practices to ensure timely and cost effective communication to the residents of the City; wherefore this Ordinance shall be in full force and take effect from and after its adoption and approval by the Mayor.

PASSED: February 4, 2018

Submitted to the Mayor for his approval on this 4 day of February, 2018

ATTEST:
Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Nancy E. Fellows
Nancy E. Fellows
President of Council

Approved by the Mayor
_____, 2018

Robert M. Weger
Robert M. Weger
Mayor

On February 21, 2018, Council received the Mayor's veto of Ordinance No. 2018-8. Thereupon, at the Regular Council Meeting of February 22, 2018, Council by a 6-1 vote, set aside the Mayor's veto and enacted Ordinance No. 2018-8.

Date: February 22, 2018

Attest:
Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Nancy E. Fellows
Nancy E. Fellows
Council President

{02517643-2}