

ORDINANCE NO. 2009-01-329

AN ORDINANCE REQUIRING CITY COMPUTERS TO
BE KEPT AT CITY HALL DURING NORMAL BUSINESS HOURS, DECLARING AN
EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, the City of Tontitown, Arkansas, has various records and documents stored on computers, including laptop computers; and

WHEREAS, the City Council of Tontitown, Arkansas, has determined it is in the best interest of the citizens of Tontitown for computers containing such records to be kept at City Hall during normal business hours so that the records are readily available;

THEREFORE, BE IT ORDAINED BY THE CITY OF TONTITOWN, ARKANSAS, AS FOLLOWS:

SECTION 1: Section 32.09 of the Code of Ordinances of the City of Tontitown, Arkansas is hereby created and shall read as follows:

Section 32.09 City Computers to be Kept at City Hall

- (A) Except as specifically provided in this Section, all computers, including laptop computers, owned or leased by the City shall be kept at City Hall during normal business hours.
- (B) City owned or leased laptop computers may be checked out for use by a City Official or employee at a location other than City Hall only under the following conditions:
 - (1) The computer may not remain away from City Hall for a period greater than forty- eight (48) hours.
 - (2) The City Official or employee is using the computer strictly for City business;
 - (3) The City Official or employee is using the computer on a trip for City business which requires the City Official or employee to travel to a location more than one hundred (100) miles from City Hall or to stay overnight at a location other than the City Official's or employee's residence; and

- (4) The City Official or Employee has checked out the computer with the City Administrative Assistant on a form prepared by the Recorder/Treasurer for that purpose which records: the serial number of the computer, the person checking out the computer, the destination and purpose for which the computer is being taken, the time and date it was checked out, the estimated time and date of its return, the actual time and date of return, and the signature of the person checking out the computer and returning the computer.
- (C) This Section shall not prevent a computer from being taken offsite for service or repair. However, when a computer is taken for service or repair it shall be checked out in accordance with the procedure provided for in this Section.
 - (D) This Section shall not apply to, or be interpreted to prevent, the offsite backup or archiving of electronic information.
 - (E) This Section shall not prevent a City Official or employee from taking a laptop computer home to work on City business after hours, provided that
 - (1) The computer is checked-out in accordance with the procedure provided in this Section;
 - (2) The computer is checked out after normal business hours and returned before normal business hours the following business day; and
 - (3) In the case of a City employee, the employee is authorized by his or her direct supervisor to check out the computer.

SECTION 2: Any Ordinance or part thereof inconsistent with this Ordinance is hereby repealed.

SECTION 3: Emergency Clause. The City Council hereby declares an emergency to exist in that, currently, City records on City computers are not readily available for City business or the inspection of citizens. As a result, City business may be interrupted and the City may also be prevented from complying with applicable statutes relating to public inspection of records. Therefore, this Ordinance, being necessary for the preservation of the public health, safety, welfare and peace, shall be in immediate force and effect from the date of its passage and approval.

PASSED AND APPROVED this 6th day of January, 2009.

Joseph E. Se...
Mayor

Attest: Amy B. Pianaalto
Recorder/Treasurer

Sponsor: _____

Roll Call

Shall the Ordinance Pass:

	Yea	Nay
Alderman David Bolinger	<u>✓</u>	<u> </u> Ward 1, Position 1
Alderman Henry Piazza	<u>✓</u>	<u> </u> Ward 1, Position 2
Alderman Arthur Penzo	<u>✓</u>	<u> </u> Ward 2, Position 1
Alderman Bobby Pinalto	<u>✓</u>	<u> </u> Ward 2, Position 2
Alderman Julie Bowling	<u>✓</u>	<u> </u> Ward 3, Position 1
Alderman Ken Robertson	<u>✓</u>	<u> </u> Ward 3, Position 2
Mayor Joe Edgmon	<u> </u>	<u>✓</u>
TOTALS	<u>6</u>	<u>1</u>