

ORDINANCE 2007-1

WARREN COUNTY BOARD OF COMMISSIONERS

AN ORDINANCE PRESCRIBING CONDITIONS FOR USE OF
PUBLIC RECORDS IN AN ELECTRONIC DATA STORAGE SYSTEM

WHEREAS, IC 5-14-3-3(d) prescribes that a public agency which maintains or contracts for the maintenance of public records in an electronic data storage system shall make reasonable efforts to provide to a person making a request a copy of all disclosable data contained in the records on paper, disk, tape, drum, or any other method of electronic retrieval if the medium requested is compatible with the agency's data storage system; and

WHEREAS, IC 5-14-3-3(e) grants a political subdivision the power to enact an ordinance prescribing the conditions under which a person who receives information on disk or tape or in any electronic format under IC 5-14-3-3(d) may or may not use the information for commercial purposes; and

WHEREAS, it is in the best interest of the citizens of Warren County that the Warren County Board of Commissioners prescribe the conditions under which a person who receives information on disk or tape or in any electronic format under IC 5-14-3-3(d) may or may not use that information for commercial purposes.

BE IT AND IT IS HEREBY ORDAINED by the Warren County Board of Commissioners that:

1. A person who receives information on disk or tape or in any electronic format under IC 5-14-3-3(d) may not use the information for commercial purposes; and

2. Specifically, a person who receives information on a disk or tape or in any electronic format under IC 5-14-3-3(d) is prohibited from: (a) selling that information; (b) advertising that information; (c) soliciting the purchase of merchandise, goods, or services with that information; or (d) selling, loaning, giving away or otherwise delivering the information

obtained by the request to any other person for these purposes;
and

3. Use of information received under IC 5-14-3-3(d) in connection with the preparation or publication of news, for non-profit activities, or for academic research is not prohibited;
and

4. A person who uses information in a manner contrary to this ordinance may be prohibited by the Warren County Board of commissioners from obtaining a copy of any further data under subsection (d) and may be subject to a fine of up to \$2,500.00.

5. This ordinance does not apply to an electronic map.

This ordinance passed and adopted this 2nd day of April, 2007.

BOARD OF COMMISSIONERS
WARREN COUNTY, INDIANA

Thomas A. Hetrick
Thomas A. Hetrick

Roy F. Wesley
Roy F. Wesley

Steven C. Eberly
Steven C. Eberly

ATTEST:

Michelle Hetrick
Auditor of Warren County