

ORDINANCE NO. 1118

AN ORDINANCE PROTECTIVE OF CUSTOMER RECORDS OF CITY OF FAIRFIELD UTILITY CUSTOMERS, MORE PARTICULARLY "PRIVATE CUSTOMER INFORMATION."

BE IT ORDAINED BY THE CITY COUNCIL OF FAIRFIELD, IOWA, THAT:

SECTION 1. Purpose. That part of Ordinance 1053 codified as Fairfield Municipal Code Chapter 14.04.030 Rules and Regulations adopted by the Utilities Committee concerning the City waterworks system, its use, and its charges for every person, firm, or corporation, who is supplied water through the City waterworks system is updated to comply with Chapter 1010 of the acts of the 2012 Iowa Legislature, Senate File 2058, and Codified as Iowa Code Sec 357A.11A and Code Section 388.9A, to assume the privacy of such customer accounts.

SECTION 2. Amendment. Fairfield Municipal Code Chapter 14.04.030 Rules and Regulations, as well as Chapter 14.04.240 Water Rates and Charges and User Fees, inclusive of connections, disconnects, and shut offs, is **HEREBY AMENDED BY INSERTION** of the following at the end of 14.04.030:

"City Personnel shall maintain account security, including customer identity safeguards, so as to treat Private Customer Account Information, as information that is private and not subject to disclosure as public records and shall do so consistent with Chapter 1010 of the Acts of the 2012 General Assembly of the State of Iowa, which provide:

"NEW SECTION. 357A.11A Customer records.

Notwithstanding section 22.2, subsection 1, public records of a district, which shall not be examined as of right, include private customer information. Except as required pursuant to chapter 476, "*private customer information*" includes information identifying a specific customer and any record of a customer account, including internet-based customer account information."

"NEW SECTION. 388.9A. Customer records.

Notwithstanding section 22.2, subsection 1, public records of a city utility or combined utility system, or a city enterprise or combined city enterprise as defined in section 384.80, which shall not be examined as of right, include private customer information. Except as required pursuant to chapter 476, "*private customer information*" includes information identifying a specific customer and any record of a customer account, including internet-based customer account information."

SECTION 3. Implementation. Immediately upon adoption and publication of the herein Ordinance, City Utilities personnel shall implement procedures to safeguard private customer information, including procedures to access information, including customer identification protocols and security measures reasonably calculated to assure such protected information is, except as provided by state statute, only available to identified private customers.

SECTION 4. Severability. If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the

Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 5: Effective Date. This Ordinance shall, after its final passage, approval and publication as provided by law, be in full force and effect.

Passed and Approved by the Council on the 14th day of April, 2014.

CITY OF FAIRFIELD, IOWA



Ed Malloy, Mayor City of Fairfield

ATTEST:



Joy Clerk, City Clerk

The foregoing Ordinance No. 1118 having come before the City Council of Fairfield, Iowa on the 14th day of April 2014, having been moved by Councilperson Hamilton and seconded by Councilperson Ledger-Kalen is adopted by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Rasmussen	<u>X</u>	_____	_____	_____
Revolinski	<u>X</u>	_____	_____	_____
Hammes	<u>X</u>	_____	_____	_____
Halley	<u>X</u>	_____	_____	_____
Hamilton	<u>X</u>	_____	_____	_____
Ledger-Kalen	<u>X</u>	_____	_____	_____
Flournoy	<u>X</u>	_____	_____	_____