

# ***CITY OF DENTON***

## **POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE**

SECTION: GENERAL POLICIES/PROCEDURES/DIRECTIVES	REFERENCE NUMBER: 506.08
SUBJECT: TECHNOLOGY SERVICES	INITIAL EFFECTIVE DATE: 02/09/2015
TITLE: OPEN DATA	LAST REVISION DATE:

### **ADMINISTRATIVE DIRECTIVE**

The City of Denton is committed to fostering open, transparent, and accessible City government, and recognizes that by sharing data freely, the City will generate opportunities for economic development, commerce, and civic engagements for citizens. The City also recognizes that providing timely access to City data, will improve transparency, public access to information, and coordination between City entities, citizens and the private sector.

#### **I. DEFINITION**

"**City**" means an office, administration, department, division, bureau, board, commission, advisory committee or other governmental entity performing a governmental function of the City of Denton.

"**Data**" means final versions of statistical or factual information (1) in alphanumeric form reflected in a list, table, graph, chart or other non-narrative form, that can be digitally transmitted or processed; and (2) regularly created or maintained by or on behalf of and owned by the City that records a measurement, transaction, or activity related to the mission of the City. Such term shall not include information provided to an agency by other governmental entities, nor shall it include image files, such as designs, drawings, maps, photos, or scanned copies of original documents, provided that it shall include statistical or factual information about such image files and shall include geographic information system data. Nothing in this directive shall be deemed to prohibit an agency from voluntarily disclosing information not otherwise defined as "data" in this subdivision, nor shall it be deemed to prohibit an agency from making such voluntarily disclosed information accessible.

"**Public data set**" means a comprehensive collection of interrelated data that is available for inspection by the public in accordance with any provision of law and is maintained on a computer system by, or on behalf of the City. Such term shall not include:

(1) any portion of such data set to which an agency may deny access pursuant to law enforcement or any other provision of a federal or state law, rule or regulation, or local law;

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(2) any data set that contains a significant amount of data to which an agency may deny access pursuant to law enforcement or any other provision of a federal or state law, rule, or regulation or local law and where removing such data would impose undue financial or administrative burden;

(3) data that reflects the internal deliberative process of the City, including but not limited to negotiating positions, future procurements, or pending or reasonably anticipated legal or administrative proceedings;

(4) data stored on an City-owned personal computing device, or data stored on a portion of a network that has been exclusively assigned to a City employee or a single City owned or controlled computing device;

(5) materials subject to copyright, patent, trademark, confidentiality agreements, or trade secret protection;

(6) proprietary applications, computer code, software, operating systems or similar materials; or

(7) employment records, internal employee-related directories or lists, and facilities data, information technology, other data related to City administration.

**II.     OPEN DATA AVAILABILITY**

a. Public data sets that the City makes available on the Internet shall be accessible through a single web portal that is linked to Cityofdenton.com or any successor website maintained by, or on behalf of, the City of Denton.

b. The City will make reasonable efforts to make such public data sets available in a format that permits automated processing.

c. Such public data sets shall be updated as often as is necessary to preserve the integrity and usefulness of the data sets to the extent that the City regularly maintains or updates the public data set.

d. Such public data sets shall be made available without any registration requirement, license requirement, or restrictions on their use provided that the City may require a third party providing to the public any public data set, or application utilizing such data set, to explicitly identify the source and version of the public data set, and a description of any modifications made to such public data set. Registration requirements, license requirements, or restrictions

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as used in this section shall not include measures required to ensure access to public data sets, to protect the single web site housing public data sets from unlawful abuse or attempts to damage or impair use of the website, or to analyze the types of data being used to improve service delivery.

e. Such public data sets shall be accessible to external search capabilities.

**II. WARRANTY**

a. Public data sets made available on the web portal are provided for informational purposes. The City does not warranty the completeness, accuracy, content or fitness for any particular purpose or use of any public data set made available on the web portal, nor are any such warranties to be implied or inferred with respect to the public data sets furnished therein.

b. The City is not liable for any deficiencies in the completeness, accuracy, content or fitness for any particular purpose or use of any public data set, or application utilizing such data set, provided by any third party.

c. This directive shall not be construed to create a private right of action to enforce its provisions. Failure to comply with this policy shall not result in liability to the City.

**III. GOVERNANCE**

a. The web portal shall have a mechanism for suggesting additional public data sets to be posted. The requests will be reviewed and prioritized based on the amount of effort required to produce the public data set.

b. City staff may provide additional public data sets to be posted to the web portal.

c. No public data sets will be made available on the web portal without review and approval by City management.