

ORDINANCE NO. 2009 - 19

AN ORDINANCE RESTRICTING  
COMMERCIAL REPRODUCTION OF ELECTRONIC DATA

WHEREAS, the purpose of this Ordinance is to restrict commercial use and reproduction of electronic data furnished by Huntington County; and

WHEREAS, the Board of Commissioners of Huntington County deem it in the best interests of Huntington County to restrict the commercial use of electronic data which it supplies to the public.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Huntington County, Indiana, as follows:

1. Effective December 1, 2009, pursuant to the provisions of I.C. 5-14-3-3(e), a person who makes a request pursuant to I.C. 5-14-3-3 and receives information from Huntington County on disk or tape may not use such information for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods or services; or sell, loan, give away, or otherwise deliver such information obtained by the request to any other person for these purposes. For purposes of this Ordinance, the term "disk or tape" shall include any form of electronic transmission of information requested where such information does not require manual re-entry by the recipient (e.g., e-mailing information on attached file).

2. The above prohibition shall not apply to a request for electronic data to be used in connection with the preparation or publication of news, for nonprofit activities, or for academic research.

3. The Huntington County Computer Department or GIS Department may enforce


the provisions of this Ordinance by issuance of a written citation to those persons charged with its violation. Any person issued a written notice of violation of this Ordinance shall, within ten (10) days, pay the penalty described below to the Huntington County Ordinance Violations Bureau in the Huntington County Clerk's office. That the penalties not paid within the prescribed period shall be referred to the county attorney for prosecution.

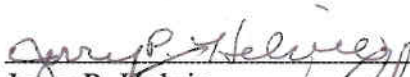
4. Any person who violates any provision of this Ordinance shall be deemed to have committed an ordinance violation and, upon conviction, shall be fined not more than One Thousand Dollars (\$1,000.00).

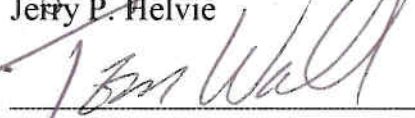
5. Any person in violation of this Ordinance shall be liable to Huntington County for any expenses and costs.


Dated this 23rd day of November, 2009.

BOARD OF COMMISSIONERS OF  
HUNTINGTON COUNTY, INDIANA

  
Kathryn Branham

  
Jerry P. Helvie

  
Tom Wall

ATTEST:  
  
Kathy Juillerat, Huntington County Auditor