

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 09-77

INTRODUCED BY: Mayor Stefanik

AN ORDINANCE ADOPTING A RED FLAG POLICY AND ESTABLISHING AN IDENTITY THEFT PREVENTION PROGRAM FOR THE DEPARTMENT OF WASTE WATER TREATMENT, AND DECLARING AN EMERGENCY

WHEREAS: Pursuant to federal law the Federal Trade Commission (the "FTC") adopted so-called "Red Flag Rules," 16 CFR § 681.2, requiring "creditors" to adopt an Identity Theft Prevention Program to detect, prevent and mitigate incidents of identity; and

WHEREAS: For purposes of the Red Flag Rules, a creditor is defined as a person or entity that extends, renews or continues credit, which includes deferring payment for goods and services; and

WHEREAS: The Red Flag Rules include utility companies in the definition of creditor; and

WHEREAS: The City of North Royalton (the "City") is a creditor under the Red Flag Rules by virtue of providing waste water treatment services and deferring payment for said services through periodic billing; and

WHEREAS: In order to be in compliance with federal law and to help protect the citizens of North Royalton against identity theft, this Council hereby adopts the City of North Royalton Identity Theft Prevention Program for the Department of Waste Water Treatment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The City of North Royalton hereby adopts the Identity Theft Prevention Program for the Department of Waste Water Treatment attached hereto as "Exhibit A" and incorporated as if fully rewritten.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to adopt the Identity Theft Prevention Program for the Department of Waste Water Treatment to be in compliance with federal law and to help protect the citizens of North Royalton against identity theft.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Vincent A. Gentile
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: July 21, 2009

DATE APPROVED: July 22, 2009

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading July 21, 2009

YEAS: Gentile, Nickell, Petrusky, Willey,
Farrell, Antoskiewicz, Kasaris

NAYS: none