

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS, AMENDING CHAPTER 1 “ADMINISTRATION”, ARTICLE 1-9 “RECORDS MANAGEMENT PROGRAM OF THE CITY OF COPPELL CODE OF ORDINANCES BY ADOPTING A NEW SECTION 1-9-14 “ELECTRONIC SIGNATURES” AUTHORIZING THE USAGE OF ELECTRONIC SIGNATURES FOR CITY DOCUMENTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Coppell, Texas (“City”) is a Home Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Chapter 51 of Texas Local Government Code and its Home Rule Charter; and

WHEREAS, electronic signature technology allows the City to collect and preserve signatures on documents quickly, securely, and efficiently; and

WHEREAS, the City Council of the City of Coppell believes that to accomplish the goal of having a safe, effective, and reliable technological environment the City must adopt regulations related to electronic signature usage.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS, THAT:

SECTION 1. The Code of Ordinances of the City of Coppell, Chapter 1 “Administration”, Article 1-9 “Records Management Program” is hereby amended by adding a new Section 1-9-14 “Electronic Signatures”, to read as follows:

“CHAPTER 1. ADMINISTRATION

ARTICLE 1-1

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ARTICLE 1-9 – RECORDS MANAGEMENT PROGRAM

Sec. 1-9-1. – Policy

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Sec. 1-9-14. - Electronic Signatures.

- A. Electronic signatures, an automated or digital function that replaces a handwritten signature with a system generated signature statement, and

electronic records can be utilized as a means for authentication of city documents, computer generated city documents and electronic city entries, among other execution of authentication uses. System generated electronic signatures used in accordance with this ordinance, state and federal law are considered legally binding as a means to identify the author of record for entries and confirm the content of the signatory or author. City departments and staff will be allowed to utilize electronic signatures in accordance with this ordinance, city policies, and state, and/or federal regulations regarding same.

B. The following list sets forth the acceptable usages of electronic signatures:

- (1) For city policies, ordinances, resolutions, laws, regulations, and rules requiring a signature;
- (2) For transactions where the parties agree to conduct the transaction electronically. Consent may be implied from the circumstances, except where information is required by law to be in paper or hardcopy form; and
- (3) When the electronic signature contains the elements required by law, if any.

C. The use of an electronic signature shall have the same force and effect as the use of an actual signature or manual signature if:

- (1) The signature is capable of verification;
- (2) The signature is under the sole control of the person using it; and
- (3) The signature is linked to the data in such a manner that it is readily ascertainable if the data is changed after the signature is applied.

D. The City Manager may determine the programs, protocols, and elements that are required for compliance with Subsection (c) of this ordinance.”

SECTION 2. That all provisions of the Code of Ordinances of the City of Coppel, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be held to be unconstitutional, illegal or invalid,

the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Coppel, Texas, this the _____ day of _____, 2020.

CITY OF COPPELL, TEXAS

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY