ORDINANCE No. 2016-223
CITY OF SHOREACRES, TEXAS

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SHOREACRES ENDING THE USE OF A CITY ONLINE MESSAGE BOARD IN COMPLIANCE WITH TEXAS GOVERNMENT CODE SEC. 551.006; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

* * * * *

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

That, the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct; and,

That the Shoreacres City Code is hereby amended by amending section 2-261 to read as follows:

Sec. 2-261. City Online Message Board.

(1) Definitions

    (a) "Online message board" shall mean a commonly used free of charge message board software system capable of running on the city's official website.

    (b) "Governing Body" shall have the same meaning as in Texas Local Government Code Sec. 22.031(b).

    (c) "Users" shall mean all members of the governing body and city staff members authorized by the Mayor.

    (d) "Administrator" shall mean the person or persons designated by the governing body to maintain the city's website.

(2) Except as required by this section, the city shall maintain and operate its online message board in compliance with Texas Government Code Sec. 551.006.

(3) Access and administration

    (a) The administrator shall be responsible for the installation and maintenance of the message board. Maintenance shall include software updates, administering user accounts, and archiving messages. User accounts shall require passwords. User passwords shall only be stored in an encrypted format within the message board software. The administrator shall not modify or delete any posted messages by any user except to archive them as provided within this section.

    (b) Users shall have message board read and write privileges until October 25, 2016. Users shall be denied modification and delete privileges to all

messages posted. Users shall ensure that no one has access to their account other than the user assigned to the account.

(c) The public shall have read only access to all messages posted by users on the message board.

(4) All posted messages shall remain visible to the public for a period of no less than 30 days [12 months] from the creation of the message. All messages on the online message board shall be archived on November 25, 2016, and maintained for a period of six years.

(5) Users shall not post messages where the content may be construed to violate any section of city code.

(6) The online message board and Internet application shall be removed from the city's official website and the Internet on November 25, 2016.

* * * *

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the 13th day of October 2016.

(CITY SEAL)

_____
Kimberly Sanford, Mayor

ATTEST:

_____
David K. Stall, CFM, TEM
City Secretary

M/2		Yea	Nay	N/V	Absent
	K. Sanford	☐	☐	☒	☐
M	R. Bowles	☒	☐	☐	☐
	R. Hoskins	☐	☐	☐	☒
	D. Jennings	☐	☒	☐	☐
Z	J. McKown	☒	☐	☐	☐
	N. Schnell	☐	☐	☐	☒

Passed / Failed _____ 10.13.16

David Stall, City Secretary - Date