

RESOLUTION NO 09-16

A RESOLUTION ESTABLISHING A PRIVACY POLICY FOR THE CITY OF BELLEVUE COMMUNICATIONS UTILITY

WHEREAS, the City of Bellevue owns and operates a telecommunication utility, and

WHEREAS, the operation of this utility requires that we receive customer information,
and

WHEREAS, it is advisable to adopt a policy governing the collection of customer
information.

NOW, THEREFORE BE IT RESOLVED that the following City of Bellevue Communications
Utility Privacy Policy is adopted.

City of Bellevue Communications Utility Privacy Policy

1. Applicability and Collection of Information

This policy is applicable to customers of the Municipal Communications Utility of the City of Bellevue, Iowa (BELLEVUE).

BELLEVUE collects personal information from customers for the purpose and to the extent necessary to enable provision of services and secure payment for services.

The collection of personally identifiable customer information shall be limited to name, social security number, service address, billing address, personal telephone numbers, business telephone numbers, emergency contact information, employer, BELLEVUE account number, bank account number, credit card number, installation information, billings, payments, deposits, complaints, service records and equipment records. BELLEVUE shall take reasonable precautions to prevent unauthorized access to this information in full compliance with the Fair and Accurate Credit Transactions Act of 2003.

Personal information we collect will be maintained as long as it is needed to serve the purpose for which it was collected. Generally, customer records will be maintained for no more than five years after service is discontinued.

2. Disclosure of Information

- A. Except as described in this policy, the disclosure of personally identifiable customer information to a third party shall only occur if the customer provides written or electronic consent in advance.
- B. Customer records may be available to employees or agents of BELLEVUE to market, provide, or audit communications services, to measure viewership and customer satisfaction, to settle disputes, and to provide customers with information concerning communications related products.

- C. Information may be provided to contractors acting on behalf of BELLEVUE for the purpose of installing or repairing services.
- D. Information may be released to collection services if required to collect past due bills.
- E. BELLEVUE may be required to disclose information or provide documents, including e-mails or other documents subscribers have stored on our network, in order to comply with a request from a law enforcement agency or a court order. The disclosure of information shall be limited as follows:
 - 1. City of Bellevue, Jackson County, State of Iowa and any subdivision or agency thereof: Disclosure of name, address and forwarding address only. Any other information will be provided only upon the receipt of a subpoena or court order (other information may include phone number or Social Security Number).
 - 2. Law enforcement agencies and emergency responders: Disclosure of name, address, phone numbers, and emergency contacts will be made upon a bona fide request. Bona fide means that BELLEVUE is certain of the source of the request. Any other information will be provided only upon the receipt of a subpoena or court order (other information may include SSN). These agencies include the FBI, Police, Fire Department and similar entities.

3. Records Inspection by Customers

By providing adequate personal identification, a customer may review his account information and inspect personally identifiable customer information during office hours. Customers shall have the right to correct any inaccurate information in their account records.

4. Remedy for Improper Disclosure of Information about Cable TV Service Subscribers

BELLEVUE complies with the cable TV privacy rules established by the Federal Communications Commission. A customer who believes BELLEVUE has disclosed information in violation of these rules may file suit in United States District Court.

5. Internet and E-mail Privacy Practices

- A. BELLEVUE does not monitor the content of information packets passing over our network or information stored on our network.
- B. BELLEVUE does not monitor the content of e-mail passing over our network, and respects the privacy of users' e-mail.
- C. BELLEVUE cautions users that electronic communication, including e-mail, is not completely private on any network.
- D. A limited number of BELLEVUE employees have access to individual e-mail accounts for the purpose of providing technical support and assistance. BELLEVUE treats requests for assistance (for example, calls to our technical support Help Desk) as implied consent to inspect e-mail. Inspection is limited to that necessary to provide the requested assistance. Additionally, e-mail

messages are typically routed through many external systems outside of BELLEVUE's control. BELLEVUE accepts no liability for the actions of other providers.

- E. BELLEVUE may access customer e-mail accounts or inspect information packets in order to investigate a report of network abuse or a condition on the network that indicates possible abuse.
- F. If BELLEVUE is required by court order, subpoena or similar law enforcement action to provide customer e-mails or other information customers have stored on the network, staff members may review the materials to determine whether or not they are covered by the order.

Passed and approved this _____ day of _____, 2016.

Loras Herrig, City Administrator

Christopher J. Roling, Mayor