

RESOLUTION 2009-4

A RESOLUTION ADOPTING AN IDENTITY THEFT POLICY AND DECLARING AN EMERGENCY

WHEREAS, the Federal Fair and Accurate Credit Transaction Act of 2003, an amendment to the Fair Credit Reporting Act, has established rules requiring identity theft protection to be promulgated by creditor institutions; and

WHEREAS, these rules are administered by the Federal Trade Commission; and

WHEREAS, the Federal Trade Commission has determined that any business, including municipal utilities and other municipal departments are to be treated as creditor institutions in the event the municipality does not require payment in advance for utilities being provided; and

WHEREAS, the rules adopted by the Federal Trade Commission initially required compliance by November 1, 2008, and were subsequently amended to reflect a compliance by May 1, 2009; and

WHEREAS, the Council of the Village of Hiram has determined that an Identity Theft Policy is in the best interest of the municipality and its citizens.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Hiram, Portage County, Ohio, two thirds or more of the members thereto concurring that:

SECTION 1: The Identity Theft Policy attached hereto as Exhibit "A" and incorporated herein by reference, is hereby established by the Council of Hiram to govern all utility and credit transactions with the Village.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all the deliberations of the 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 including Section 121.22 of the Revised Code of the State of Ohio.

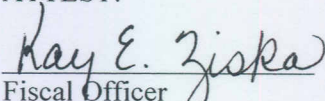
SECTION 3: This Resolution is hereby declared to be an emergency measure, effective immediately upon its passage, for the preservation of the public health, safety and welfare within the whole of the Village and to comply with the Federal Trade Commission deadline that an Identity Theft Policy must be in place by May 1, 2009.

First Reading - March 10, 2009

Second Reading, passed as an Emergency - April 14, 2009

  
Mayor Lou Bertrand

ATTEST:

  
Fiscal Officer

Approved as to form:

  
Solicitor

I Kay E. Ziska, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2009-4 has been duly posted in the required 5 places.

4/16/09 Kay E. Ziska  
Date Fiscal Officer, Village of Hiram