



## City of Henderson Open Data Policy

### I. Policy

It is the policy of the City of Henderson, Nevada (hereafter, “the City”) to define the departmental participation expectations and governance principles of the City’s Open Data Program and its platform.

In accordance with the policy, the City is committed to proactively releasing all publishable City data, and accompanying metadata, in fully accessible formats to the broadest range of users to use for varying purposes.

### II. Purpose

The purpose of this Open Data Policy is: 1) to improve citizen participation and experience with the City’s operations, decision-making processes, and community resources; 2) to improve the City’s understanding of key citizen priorities, efficiency through evidence-based decision-making, and responsiveness through greater transparency; 3) to build upon the City’s Public Records Policy by minimizing limitations on the disclosure of public information while appropriately safeguarding public safety, and lawful privacy, confidentiality, intellectual property and security interests; 4) to encourage economic opportunity and innovative uses of the City’s publishable data by departments, the public, companies, and other partners that benefit from the knowledge created by Open Data; and 5) to ensure that procedures for data sharing with other local governments and agencies are efficient and facilitate the optimal deployment and quality of services to citizens.

### III. Definitions

As used in this Open Data Policy, these terms shall have the following meaning unless it is apparent from the context that a different meaning is intended:

- A. “Data” means statistical, factual, quantitative, or qualitative non-confidential information that is maintained or created by, for or on behalf of the City. This definition is inclusive of software source code developed or maintained by, for or on behalf of the City.
- B. “Dataset” means a named collection of related records, with the collection containing data organized or formatted in a specific or prescribed way, often in tabular form.



- C. “Department” refers to all departments, divisions, boards, commissions, agencies, and internal and external organizations responsible for providing and disseminating data.
- D. “Open data” means data that is available online, in an open format, with no legal encumbrances on use or reuse and is available for all to access and download in full without fees [or a requirement of registration]. “Legal encumbrance” includes federal and state intellectual property protections and other legal limitations on how or under what conditions a dataset may be used. This definition is also inclusive of any software source code made available online (“open source software”) and data that is shared with local government partners and other agencies for the purpose of enhancing service delivery to citizens.
- E. “Open format” means any widely accepted, nonproprietary, platform-independent, machine-readable data format, which permits automated processing of such data and facilitates analysis and search capabilities.
- F. “Confidential information” means any dataset or portion thereof to which a department may deny access under federal or state law, rule or regulation, including, but not limited to, the Nevada Public Records Act, Nevada Revised Statutes, Nevada Administrative Code, Health Insurance Portability and Accountability Act.
- G. “Publishable data” means data which is not confidential or sensitive, has been prepared and deemed proper for release to the public. Data shall not be publishable data if making such data available on the Open Data Platform would violate statute or regulation (e.g. disclosure that would constitute an unwarranted invasion of personal privacy), endanger the public health, safety, or welfare, hinder the operation of government (including criminal and civil investigations) or impose an undue financial, operational, or administrative burden on the City.
- H. “Sensitive information” means any data which, if published by the City online, could raise privacy, confidentiality, intellectual property or security concerns or have the potential to jeopardize public health, safety or welfare to an extent that is greater than the potential public benefit of publishing that data.

#### IV. Open Data Program

- A. The City commits to research, develop, and implement practices that will allow it to:
  - 1. Proactively release all publishable City data, making it freely available in appropriately varied and useful open formats, using an open license with no



- restrictions on use or reuse, and fully accessible to the broadest range of users to use for varying purposes;
2. Publish high quality, updated data with documentation (metadata) and permanence to encourage maximum use;
  3. Establish and maintain an open data web platform that provides a central location for published City data;
  4. Provide or support access to free, historical archives of all City data released to the Open Data Platform;
  5. Investigate the effectiveness of datasets made available through the Open Data Program by connecting open data efforts to the City's policy and programmatic priorities;
  6. Encourage electronic methods of data collection to avoid inefficiencies of paper-based filing systems and make real-time disclosures possible;
  7. Minimize limitations on the disclosure of public information while appropriately safeguarding confidential and sensitive information; and
  8. Support and encourage innovative uses of the City's publishable data by departments, the public, and other partners.
  9. Share data with local government partners and other relevant state and federal agencies that supports the optimal delivery and quality of services to citizens.
- B. The research, development, and implementation of these practices shall be overseen by the Open Data Steering Committee and the City Manager's Office of the City of Henderson (CMO).
- C. The requirements of this policy shall apply to all City departments, divisions, boards, commissions, agencies, and internal and external organizations responsible for providing and disseminating data ("Department"), including the records of third-party contractors that create or acquire information, records, or data on behalf of a Department.
- D. Appropriate efforts will be made to provide funding toward the achievement of the goals of this program.



## V. Governance

- A. Implementation of the Open Data Program will be overseen by the Open Data Steering Committee and the CMO, who will work with the City's departments and agencies to:
1. For each Department with database modification privileges, identify a lead open data coordinator who will be responsible for managing that department's participation in the Open Data Program;
  2. Oversee the creation of a comprehensive inventory of datasets with consistent metadata held by each City department which is published to the open data web platform and is regularly updated;
  3. Develop and implement a process for determining the relative level of risk and public benefit associated with potentially sensitive, non-confidential information to determine whether and how to publish it;
  4. Develop and implement a process for prioritizing the release of datasets which takes into account new and existing signals of interest from the public (such as the frequency of public records requests), the City's policy and programmatic priorities, existing opportunities for data use in the public interest, and cost;
  5. Proactively consult with members of the public, department staff, journalists, researchers, and other stakeholders to identify the datasets which will have the greatest benefit to City residents if published in a high-quality manner;
  6. Establish processes and technical requirements for publishing datasets to the open data web platform, including processes for providing a file layout appropriate to each data set and ensuring that datasets are high quality, up-to-date, are in use-appropriate formats, and exclude confidential and sensitive information;
  7. Ensure that appropriate metadata is incorporated with each dataset, including platform-wide attributes and a standard metadata taxonomy to facilitate data use, including unique standardized identifiers across datasets, where possible;
  8. Develop and oversee a routinely updated, public timeline for new dataset publication;



9. Make recommendations for historical document inclusion and define a schedule for approved historical document publication; and
10. Ensure that published datasets are available for bulk download and/or available via public application programming interfaces (APIs) without legal encumbrance.
11. Collaborate with local government partners and other agencies in designing and implementing efficient data sharing processes and procedures that support the optimal management and delivery of high-quality services to citizens.

- B. To increase and improve the use of the City's open data, the Open Data Steering Committee will actively encourage department and public participation by providing regular opportunities for feedback and collaboration.

#### VI. Open Data Web Platform

- A. The City will [create and] maintain a publicly available location on the City's website or in another suitable online location where the confluence of the City's published data will be available for download.
- B. Published datasets shall be placed into the public domain. Dedicating datasets to the public domain means that there are no restrictions or requirements placed on the use of these datasets. Each published dataset should be associated with contact information for the appropriate manager of that dataset.
- C. The Open Data Platform and all public data published on the platform shall be subject to terms of use developed by the Open Data Steering Committee and the CMO. Such terms of use shall be posted on the Open Data Platform. The City shall reserve the right to discontinue the availability of content on the Open Data Platform at any time and for any reason. This policy does not create an obligation to populate any class of data to the City's Open Data Platform.
- D. Data made available on the Open Data Platform shall be provided as a public service, on an "as is" basis. Although the City will strive to ensure that such public data are accurate, the City shall make no warranty, representation or guaranty of any type as to the content, accuracy, timeliness, completeness or fitness for any particular purpose or use of any public data provided on such platform; nor shall any such warranty be implied, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. The



City shall assume no liability for any other act identified in any disclaimer of liability or indemnification provision or any other provision outlined in the Terms of Use required under subsection (C) of this section. The City shall assume no liability for any virus or other damage to any computer that might occur during or as a result of accessing such platform or the public data therein regardless of how caused.

## VII. Open Data Report and Review

- A. Within one year of the effective date of this policy, and thereafter no later than September 30 of each year, the Open Data Steering Committee shall publish an annual Open Data Report. The report shall include an assessment of progress towards achievement of the goals of the City's Open Data Program, a study of how the City's open data work has furthered or will further the City's policy and programmatic priorities, an assessment of the current scope of department compliance and a description and publication timeline for datasets envisioned to be published by the City in the following year.
- B. During the review and reporting period, the Open Data Steering Committee should also make suggestions for improving the City's open data management processes to ensure that the City continues to move towards the achievement of the policy's goals.