



Subject/Title  
**Open Data Policy**

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Date Effective  
**January 1, 2015**

Revision Date Effective

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Code Number  
**I&T 1**

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**City Manager**

**Innovation & Technology**  
**Responsible Key Business**

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### **Objective and Scope:**

To provide guidelines to City of Charlotte departments and City employees in the distribution of open data and the implementation of open data projects.

This policy applies to all City departments, employees, or others working on behalf of the City who are responsible for implementing open data related activities.

### **Definitions:**

Data – a value or set of values that represents a specific concept or concepts. Data becomes information when analyzed and possibly combined with other data in order to extract meaning and provide context.

Open data – data made public and provided in a convenient, modifiable form such that there are no unnecessary technological obstacles to the use of the data. For purposes of this policy, open data is machine readable, available in bulk, and provided in an open format such as a .CSV file. Charlotte’s open data is generated and maintained by the City, openly shared, and available to the public in accordance with public records laws.

Portal – a means, usually a technology application, for transmitting open data for use, reuse, and redistribution.

Restricted data – all data that the City is restricted from disclosing under state or federal law; and all data that the City is permitted to withhold from disclosure under state or federal law and has elected to withhold from disclosure.

### **Policy:**

- A. Departments are encouraged to provide open data through the City’s portal in order to achieve the following:
- 1) Transparency and accountability in local government activities;
  - 2) Civic engagement;
  - 3) Confidence in City management and governance of data; and
  - 4) Ability of third parties to leverage government data through application and service development that may bolster economic development, commerce, investment, and civic engagement.

B. Departments must comply with the City’s Restricted Data Policy (ADM 13). The Restricted Data Policy establishes requirements for the protection of data the City is required or permitted to withhold from disclosure under state or federal law. Departments disseminating data through an open data portal must ensure that access to restricted data is blocked.

Examples of restricted data include:

- 1) Trade secrets (which may include vendor software, technical specifications or other intellectual property);
- 2) Proprietary information such as license agreements or fees, copyrights, patents, etc.
- 3) Personal identifying information as defined by NCGS 132-1.10;
- 4) Information contained in the City’s personnel files as provided by NCGS 160A-168, except for certain categories of information that must be disclosed;
- 5) Information relating to criminal investigations conducted by the City and records of criminal intelligence information compiled by the City;
- 6) Billing information of customers compiled and maintained in connection with the City providing utility services;
- 7) Sensitive security information as defined for Protection of Sensitive Security Information in Title 49 Code of Federal Regulations (CFR) Part 1520 regarding Homeland Security;
- 8) Building plans of City-owned buildings or infrastructure;
- 9) Local tax records of the City that contain information about a taxpayer’s income or receipts;
- 10) The security features of the City’s electronic data processing systems, information technology systems, telecommunications networks, or electronic security systems as provided by NCGS 132-6.1; and
- 11) Any data collected from a person applying for financial or other types of assistance including, but not limited to, their income and bank accounts, etc.

C. Departments must also ensure that disseminated data, and all tools used to disseminate it, adhere to all standing City policies and standards, as well as applicable laws. Examples of applicable policies, standards and laws include:

- 1) Communications standards – All data and tools used to disseminate open data must maintain corporate standards in the use of City logos.
- 2) Good practices – Management of an open data portal shall meet good practices for maintaining data, such as timely and consistent publication.
- 3) Web policy – All sites must adhere to City web policy concerning linking, privacy and accessibility guidelines for individuals with disabilities.
- 4) Political activity – Any open data or open data tool shall not contain any political information or be used for political activities by City employees.
- 5) Internet security policies – The sites will comply with City policies and procedures for information security.
- 6) Conduct – City policies, rules, regulations and standards of conduct apply to employees that engage in open data activities while conducting City business.

**Subject/Title**  
**Open Data Policy**

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**Code Number** I&T 1 **Page** 3 **of** 3

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- 7) Privacy – Use of open data shall comply with the privacy policy contained on the City’s website and use all privacy protection laws to protect the employee and citizen privacy and the confidential information the City maintains.
- 8) Other laws – Open data and related tools such as websites and portals shall adhere to all copyright, public records, retention, fair use and financial disclosure laws and other laws as applicable.
- 9) Third party citations – Citations of vendors, suppliers, clients, citizens, coworkers or other stakeholders may not be provided without their explicit permission.

**Department Responsibilities:**

A. Innovation & Technology – the City Manager has delegated oversight of the City’s open data policy to the Department of Innovation & Technology, which shall:

- 1) Maintain the City’s open data portal.
- 2) Consult with departments annually to determine what additional departmental data sets would be added to the open data portal.
- 3) Advise departments on best practices for open data-related projects and the requirements of this policy.
- 4) Assist in the implementation of open data projects.
- 5) Enforce this policy.

B. All other departments shall:

- 1) Work with the Department of Innovation & Technology to determine what additional departmental data sets would be added to the open data portal, by taking the following actions:
  - a. Determine what data may be relevant to the public.
  - b. Provide the name and contact information for a primary contact or data steward for each open data set.
  - c. Determine how the data will be processed and prepared for publishing.
  - d. Provide an implementation schedule that includes an estimated timeframe for publishing each dataset, a process for managing site data, methods for posting information, and frequency of data updates.