

CITY OF MONTICELLO

ORDINANCE 2026-02

AN ORDINANCE ESTABLISHING A CITY DATA PRIVACY PROGRAM IN COMPLIANCE WITH THE UTAH GOVERNMENT DATA PRIVACY ACT (U.C.A. § 63A-19-101, et seq.)

WHEREAS, the Utah Legislature has enacted the Government Data Privacy Act (GDPA), Utah Code Annotated § 63A-19-101 et seq., to protect the privacy and security of personal data handled by governmental entities and ensure transparency and accountability;

WHEREAS, it is in the best interest of Monticello City and its citizens to comply with the GDPA by establishing a robust data privacy program;

NOW, THEREFORE, BE IT ORDAINED by the City of Monticello City Council as follows:

Section 1. Purpose

The purpose of this ordinance is to formally initiate and establish a data privacy program in accordance with the GDPA requirements to protect personal data, ensure transparency, and promote public trust.

Section 2. Appointment of Chief Administrative Officer (CAO)

The City of Monticello City Council hereby appoints Kaeden Kulow as the Chief Administrative Officer responsible for oversight and implementation of the City's data privacy program. The CAO shall:

1. Oversee compliance with GDPA;
2. Implement and maintain privacy policies.

Section 3. Appointment of Chief Privacy Officer (CPO)

The City of Monticello City Council hereby appoints Melissa Gill as the Chief Privacy Officer responsible for implementation of the City's data Privacy Program. The CPO shall:

1. Review specific government privacy practices as referred to by the Commission, the Chief Administrative Officer and the State of Utah;
2. Review and provide recommendations regarding consent mechanisms used by governmental entities to collect personal information;
3. Review and provide recommendations regarding policies and procedures to the Commission;
4. Provide a Staff Training Program regarding privacy, policy changes and overall security.

Section 4. Adoption of Privacy Policies and Notices

Monticello City hereby adopts and will implement comprehensive privacy policies and notices to clearly outline how personal data is collected, used, stored, protected, and managed by the City.

Section 5. Privacy Impact Assessments (PIAs)

The CPO shall initiate and oversee Privacy Impact Assessments for all existing and new high-risk processing activities involving personal data to identify and mitigate privacy risks.

Section 6. Staff Training

Mandatory initial and ongoing training will be provided for all City employees who handle personal data to ensure understanding of the GDPR and compliance with privacy practices.

Section 7. Reporting and Accountability

The CAO and CPO shall ensure regular reporting of compliance efforts and results to the Monticello City Council. Documentation shall be maintained and provided upon request to the Utah Office of Data Privacy.

Section 8. Monticello City Responsibilities to the Citizens

The CAO and CPO will watch and review any approved software purchases by the departments throughout the City operations. Software that collects private data will be presented to the City Council to see if there is a need for a public hearing with our citizens who will determine if we should use that specific software that collects private data.


Section 9. Software Contracts

Prior to contracts being executed or renewed for any software used by departments, these contracts and renewals will first be reviewed by the CAO, CPO and City Attorney to ensure that the City Data remains private and that any data remains in complete ownership by the City. This review will also require language added that will discourage/prohibit third party use of that data unless consent is provided by the City Council.

Section 10. Effective Date

This ordinance shall become effective immediately upon passage and approval.

PASSED, ADOPTED, AND APPROVED by the Monticello City Council, Monticello, Utah, this 13th day of January 2026.


Kevin Dunn, Mayor

ATTEST:

Melissa Gill

Melissa Gill CMC, UCC, Recorder

APPROVED AS TO FORM:

Jayne Blakesley

Jayne Blakesley, City Attorney

