

RECORD OF RESOLUTIONS

Resolution No. 3-2026

Passed: January 27, 2026

A RESOLUTION ADOPTING AND AUTHORIZING THE IMPLEMENTATION OF THE CITY'S CYBERSECURITY PROGRAM PURSUANT TO OHIO REVISED CODE SECTION 9.64.

WHEREAS, pursuant to Ohio Revised Code Section 9.64 (the "Cybersecurity Law"), enacted through Ohio House Bill 96, effective September 30, 2025, the City is required to adopt and maintain a cybersecurity program (the "Cybersecurity Program"), that safeguards its data and information technology ("IT") systems to ensure confidentiality, availability, and integrity of its IT systems; and

WHEREAS, the Cybersecurity Law requires that the Cybersecurity Program be consistent with generally accepted best practices for cybersecurity, such as those best practices established by the National Institute of Standards and Technology ("NIST") Cybersecurity Framework and the Center for Internet Security ("CIS") Cybersecurity Best Practices; and

WHEREAS, pursuant to Ohio Revised Code Section 9.64(C), the City's Cybersecurity Program may include, but is not limited to: (1) identifying and addressing the critical functions and cybersecurity risks of the City; (2) identifying the potential impacts of a cybersecurity breach; (3) specifying mechanisms to detect potential threats and cybersecurity events; (4) specifying procedures for the City to establish certain communication channels, analyze incidents, and take actions to contain cybersecurity incidents; (5) establishing procedures for the repair of infrastructure impacted by any cybersecurity incident, as well as the maintenance of security after a cybersecurity incident; and (6) establishing cybersecurity training requirements for all City employees, including the frequency, duration, and details of the training, which shall correspond to the duties of each City employee; and

WHEREAS, the City of West Carrollton recognizes that cybersecurity is essential to protecting municipal operations, sensitive data, and public services; and

WHEREAS, pursuant to Ohio Revised Code Section 9.64(E), all documents, records, and reports related to the City's Cybersecurity Program, as well as any cybersecurity incident or ransomware incident involving the City, are not public records and shall not be disclosed to the public; and

WHEREAS, pursuant to Ohio Revised Code Section 9.64(F), any records of the City identifying cybersecurity-related software, hardware, goods, and services, that are being considered for procurement, have been procured, or are being used by the City, including vendor names, product names, project names, and project descriptions are a security record pursuant to Ohio Revised Code Section 149.433 and, therefore, are not public records pursuant to Ohio Revised Code Section 149.43; and

WHEREAS, Council has determined that it is in the best interest of the City to approve implementation of the City of West Carrollton Cybersecurity Program as proposed.

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NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON, OHIO:

Section 1: Council hereby authorizes the adoption and implementation of the City's Cybersecurity Program developed in compliance with Ohio Revised Code 9.64, as the City's Cybersecurity Program.

Section 2: Council hereby authorizes the City Manager to approve and implement future amendments, updates, and technical revisions to the City of West Carrollton Cybersecurity Program, provided that such amendments, updates, and revisions remain consistent with Ohio Revised Code Section 9.64 and any other applicable laws. This administrative authority applies to governance, policies, procedures, and technical standards only and does not, by itself, authorize any purchase, contract, or financial commitment. Any expenditure, contract, or financial transaction that would otherwise require Council approval under the City Charter or Codified Ordinances shall continue to follow those normal requirements, including separate Council action where required. Nothing in this section shall be construed to authorize payment of any ransom or other consideration in response to a ransomware incident without a separate resolution or ordinance of Council that complies with Ohio Revised Code Section 9.64(B).

Section 3: Pursuant to Ohio Revised Code Section 9.64(E), all documents, records, and reports related to the City's Cybersecurity Program, as well as any cybersecurity incident or ransomware incident involving the City, are not public records and shall not be disclosed to the public.

Section 4: Pursuant to Ohio Revised Code Section 9.64(F), any records of the City identifying cybersecurity-related software, hardware, goods, and services, that are being considered for procurement, have been procured, or are being used by the City, including vendor names, product names, project names, and project descriptions are a security record pursuant to Ohio Revised Code Section 149.433 and, therefore, are not public records pursuant to Ohio Revised Code Section 149.43.

Section 5: In the event the City experiences any ransomware incident, Council will require all ransomware payments to be approved via separate resolution or ordinance, explicitly stating the justification and public interest.

Section 6: It is 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 deliberations of this 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 Ohio Revised Code.


Section 7: This resolution shall be in full force and effect from and after its date of passage.

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Mayor

Attest: 
Clerk of Council

Effective Date: January 27, 2026