ORDINANCE C-51-26

AN ORDINANCE TO ENACT SECTION 525.16 OF THE CODIFIED ORDINANCES OF THE CITY OF GROVE CITY, OHIO, TITLED UNAUTHORIZED USE OR DISCLOSURE OF AUTOMATED LICENSE-PLATE-READER SYSTEM OR DATA

WHEREAS, the City uses automated license-plate-reader technology, including the system commonly known as "Flock Safety," solely to support legitimate law-enforcement and public-safety activities; and

WHEREAS, automated license-plate-reader information may reveal the location or movement of vehicles and therefore requires safeguards against personal, political, commercial, discriminatory, retaliatory, or other unauthorized use; and

WHEREAS, the Mayor and City Council finds that knowing misuse of such a system or its nonpublic data constitutes a serious breach of public trust and should be subject to criminal penalties.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Section 525.16 of the Codified Ordinances of the City of Grove City is hereby enacted to read as follows:

525.16 UNAUTHORIZED USE OR DISCLOSURE OF AUTOMATED LICENSE-PLATE-READER SYSTEM OR DATA.

(a) Definitions.

As used in this section:

(1) "Automated license-plate-reader system" or "ALPR system" means any camera, hardware, software, database, network, or related technology used by or on behalf of the City to photograph, scan, identify, record, collect, retain, search, analyze, or share motor-vehicle license-plate information or associated vehicle information. The term includes any system or service provided under the name "Flock Safety," and any successor or substantially similar system.

(2) "ALPR data" means any image, license-plate number, date, time, location, vehicle characteristic, alert, search result, hot-list entry, report, audit record, or other information collected, generated, maintained, accessed, or obtained through an ALPR system.

(3) "Official police business" means a use that:

A. Is directly related to a specific and legitimate law-enforcement, criminal-investigative, missing-person, public-safety, evidentiary, system-security, training, maintenance, compliance, or auditing purpose;

B. Is within the scope of the user's employment, office, contractual duties, or other written authorization;

C. Complies with applicable law, court order, City ordinance, departmental policy, and any governing data-use agreement; and

D. Is documented in the manner required by departmental policy.

"Official police business" does not include a use motivated by personal curiosity, private benefit, political activity, retaliation, harassment, discrimination, immigration enforcement when prohibited by City policy, or any purpose unrelated to the authorized duties of the user.

(4) "Use" includes accessing, searching, querying, viewing, copying, downloading, photographing, recording, analyzing, altering, transmitting, publishing, disclosing, disseminating, retaining, or permitting another person to access an ALPR system or ALPR data.

(b) Prohibited conduct.

No person shall knowingly:

(1) Use an ALPR system or ALPR data for a purpose other than official police business;

(2) Access or search an ALPR system without authorization or beyond the scope of the person's authorization;

(3) disclose, distribute, transfer, publish, or otherwise provide nonpublic ALPR data to any person or entity except as required or expressly authorized for official police business or by law;

(4) Enter or cause information to be entered into an ALPR alert list, hot list, watch list, or similar function for a purpose other than official police business;

(5) Allow another person to use the person's account, credentials, or authorized access, or use another person's account or credentials, to access an ALPR system;

(6) Conceal an unauthorized use, falsify the stated reason for a search, or alter, disable, destroy, or circumvent an audit log or other access-control measure; or

(7) Direct, solicit, aid, or knowingly permit another person to engage in conduct prohibited by this section.

(c) Applicability.

This section applies to every City officer, employee, law-enforcement officer, contractor, vendor, agent, task-force participant, or other person who is provided access to an ALPR system or who obtains custody or control of nonpublic ALPR data through the person's employment, office, contractual relationship, or official duties.

(d) Exceptions.

This section does not prohibit:

(1) A disclosure required by a valid court order, subpoena, warrant, the Ohio Public Records Act, or other applicable law;

(2) A use expressly authorized in writing by the Chief of Police, or the Chief's designee, that otherwise qualifies as official police business;

(3) Authorized maintenance, cybersecurity testing, auditing, legal review, records administration, or training using data reasonably necessary for that purpose; or

(4) The lawful use of information independently obtained from a public record, public court proceeding, or source other than unauthorized access to or disclosure from the City's ALPR system.

(e) Penalty.

Whoever violates this section is guilty of unauthorized use of an automated license-plate-reader system or data, a misdemeanor of the first degree. Each unauthorized access, search, disclosure, transmission, or other use undertaken for a separate purpose constitutes a separate offense.

(f) Other remedies.

A prosecution under this section does not preclude disciplinary action, termination of access, termination of employment or contract, restitution, civil remedies, or prosecution under any other applicable law. No person shall be punished more than once under this section for the same act.

(g) Construction.

Nothing in this section shall be construed to:

(1) Authorize access to or use of an ALPR system or ALPR data that is otherwise prohibited;

(2) Limit any right of access arising under state or federal public-records law;

(3) Impair any constitutionally protected activity; or

(4) Require disclosure of information exempt from disclosure under applicable law.

SECTION 2. The Chief of Police shall maintain written policies governing authorization, permissible uses, data sharing, retention, security, training, supervisory review, and periodic auditing of the City's ALPR system. Those policies shall require each search to be associated with a documented official purpose or case, incident, alert, or service number when one exists.

SECTION 3. This Ordinance shall take effect at the earliest opportunity allowed by law.

Ted A. Berry, President of Council

Richard L. Stage, Mayor

Tami K. Kelly, MMC, Clerk of Council

Stephen J. Smith, Director of Law

Passed: 10-05-2026

Effective: 11-05-2026

Attest:

I certify that this ordinance is correct as to form.