Open Data Policy
City of Irving

1. **PURPOSE:** The City of Irving is committed to fostering open, transparent, and accessible city government, and recognizes that by sharing data freely, the city will generate opportunities for economic development, commerce, and civic engagements. The city also recognizes that providing timely access to city data, will improve transparency, public access to information, and coordination between city departments, residents, visitors, businesses, and other stakeholders.

2. **SCOPE:** The policy only pertains to public data chosen for open data release. Creation of this policy does not create an obligation to populate any class of data to the city's Open Data Program.

3. **OBJECTIVES:** The city commits to develop and implement practices that will allow it to:

   a. Proactively release certain city data, making it freely available in appropriately varied and useful common 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;

   b. Publish high-quality, updated data to encourage maximum use;

   c. Provide or support access to free, historical archives of released city data;

   d. Measure the effectiveness of datasets made available through the Open Data Program by connecting open data efforts to the city's programmatic priorities;

   e. Appropriately safeguard confidential, protected, and sensitive information; and

   f. Support innovative uses of the city's publishable data.

The development and implementation of these practices shall be overseen by the city manager or designee.

Warranty: Public datasets made available on the internet are provided as a public service and for informational purposes. The city does not warrant the completeness, accuracy, content or fitness for any particular purpose or use of any public dataset made available on the web portal, nor are any such warranties to be implied or inferred with respect to the public datasets furnished therein. The city expressly disclaims all implied warranties of merchantability and of fitness for a particular purpose. Users of the website are responsible for checking the accuracy, completeness, currency and/or suitability of all information themselves. Under no circumstances shall the city or its employees be liable for any direct, indirect, incidental, special, punitive, or consequential damages that result in any way from use of the site, or sites to which it links, or from reliance on or use of information provided on or through the site, or that result from deletion of files, delays in

operation or transmission of data, or any failure of performance of the site. The city is not liable for any deficiencies in the completeness, accuracy, content or fitness for any particular purpose or use of any public dataset, or application utilizing such dataset, provided by any third party. The use of the data or information contained on the site shall be at the sole risk of the party using such data or information. This directive shall not be construed to create a private right of action to enforce its provisions. Failure to comply with this policy shall not result in liability to the city.

4. **DEFINITIONS:**

   Data: statistical, factual, quantitative, or qualitative information that is maintained or created by or on behalf of a city department.

   Open Data: data that is available online, in a common 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 copyright protections and other, non-statutory legal limitations on how or under what conditions a dataset may be used.

   Dataset: a named collection of related records, with the collection containing data organized or formatted in a specific or prescribed way, often in tabular form.

   Public Dataset: a comprehensive collection of interrelated data that is available for inspection by the public in accordance with any provision of law and is maintained on a computer system by, or on behalf of, the city.

   Protected Information: any dataset or portion thereof to which the city may deny access pursuant to the Texas Public Information Act (TPIA) or other applicable law.

   Sensitive Information: any data which, if published by the city online, could raise privacy, confidentiality or security concerns or have the potential to jeopardize public health, safety or welfare.

   Publishable Data: data that is not confidential, protected, or sensitive and has been prepared for release to the public. Such term shall not include:
   a. Any portion of such dataset to which the city may deny access pursuant to law enforcement or any other provision of a federal or state law, rule or regulation, or local law;
   b. Any dataset that contains a significant amount of data to which the city may deny access pursuant to law enforcement or any other provision of a federal or state law, rule, or regulation or local law and where removing such data would impose undue financial or administrative burden;

c. Data that reflects the internal deliberative process of the city, including but not limited to negotiating positions, future procurements, or pending or reasonably anticipated legal or administrative proceedings;

d. Data stored on an city-owned personal computing device, or data stored on a portion of a network that has been exclusively assigned to a city employee or a single city-owned or controlled computing device;

e. Materials subject to copyright, patent, trademark, confidentiality agreements, or trade secret protection;

f. Proprietary applications, computer code, software, operating systems or similar materials; or

g. Employment records, internal employee-related directories or lists, and facilities data, information technology, and other data related to city administration.

5. **IMPLEMENTATION PROCEDURES:**

Central Online Location for Published Data

a. The city will create and maintain a publicly available location on the city's website or in another suitable online location where the city's published data will be available in the public domain.

b. Each published dataset should be associated with contact information for the appropriate department as well as with a file layout or data dictionary that provides information about field labels and values.

Open Data Report and Review

c. Within one year of the effective date of this policy, and thereafter no later than December 31 of each year, the city manager or designee 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, an assessment of how the city's open data work has furthered or will further the city's priorities, and a description and publication timeline for datasets envisioned to be published by the city in the following year.

d. During the review and reporting period, the city manager or designee should also make suggestions for improving the city's open data management processes to ensure the city continues to move toward the achievement of the policy's goals.

Open Data Availability

e. Public datasets that the city makes available on the internet shall be accessible through a web portal that is linked to cityofirving.org or any successor website maintained by, or on behalf of, the City of Irving.

f. The city will make reasonable efforts to make such public datasets available in a common format.

g. Such public datasets may be updated periodically to preserve the integrity and usefulness of the datasets.

h. Such public datasets shall be made available without any registration requirement, license requirement, or restrictions on their use.

*OPEN DATA as used in this section shall not include measures required to ensure access to public datasets, to protect the single website housing public datasets from unlawful abuse or attempts to damage or impair use of the website, or to analyze the types of data being used to improve service delivery. Such public datasets shall be accessible to external search.

6. **RESPONSIBILITIES:** Implementation of an open data program will be overseen by the city manager or the city manager's designee, who will work with the individual departments to:

a. Oversee the creation of a comprehensive inventory of datasets held by each city department to be published to the central open data location and ensure it is regularly updated according to a published schedule;

b. Develop and implement a process for determining the relative level of risk and public benefit associated with potentially sensitive, non-protected information to make a determination about whether and how to publish it;

c. 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 priorities, existing opportunities for data use in the public interest, and cost;

d. Proactively consult with members of the public, city staff and other stakeholders to identify beneficial datasets;

e. Establish processes for publishing datasets to the central open data location, including processes for ensuring that datasets are in common formats and exclude confidential, protected, and sensitive information;

f. Develop and oversee a routinely updated, public timeline for new dataset publication;

g. Make recommendations for historical document inclusion, define a schedule for approved historical document publication;

h. Ensure that published datasets are available for download without legal encumbrance.

In order to increase and improve use of the city's open data, the city manager or designee will actively encourage city staff and public participation through providing regular opportunities for feedback and collaboration.