

ORDINANCE NO. 2025-082

AN ORDINANCE AUTHORIZING AN ELECTRONIC SIGNATURE  
POLICY FOR THE CITY OF MADISON

WHEREAS, pursuant to the Uniform Electronic Transactions Act (UETA), governing bodies of Alabama municipalities may determine by ordinance whether and to what extent their executive, legislative, or judicial agencies, departments, boards, commissions, authorities, institutions, or instrumentalities will send and accept electronic records and electronic signatures, as well as create, generate, communicate, store, process, use, and rely upon them (Code of Alabama §8-1A-18); and

WHEREAS, the City of Madison has given due consideration to security and desires to specify: (1) the manner and format in which the electronic records shall be created, generated, sent, communicated, received, and stored and the systems established for those purposes; (2) if electronic records must be signed by electronic means, the type of electronic signature required, the manner and format in which the electronic signature shall be affixed to the electronic record, and the identity of, or criteria that shall be met by, any third party used by a person filing a document to facilitate the process; and (3) control processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records;

BE IT HEREBY ORDAINED by the City Council of the City of Madison, Alabama, as follows:

1. **Acceptance of Electronic Signatures.** The City may accept electronic signatures and store electronic records of duly approved contracts, liability waivers, employment hiring documents, properly approved and budgeted purchase orders, and other general City documents pursuant to the terms of this Ordinance and the UETA.
2. **Conditions for Accepting Electronic Signatures on Contracts or Grant Agreements:** The Mayor may execute and the City Clerk may attest City Council-approved City contracts and grant agreements via electronic signature if all of the following conditions apply:
  - a. The terms of the contract or grant agreement allow or require the use of electronic signatures.
  - b. The City Clerk attests the Mayor's signature via the same method the Mayor uses to sign or by witnessing and attesting a printed copy of the document, which shall be kept in the City Clerk's office in accordance with the timelines specified in the State's Records Disposition Authority.

- c. The IT Department approves the method of electronic signature and verifies the security of the method of electronic storage.
  - d. The Finance Director and City Attorney review and approve in writing of any planned electronic signatures and conditions with respect to said signatures prior to City Council approval.
3. **Conditions for Accepting Electronic Signatures on General Documents:** The City will accept electronically signed liability waivers, employment hiring documents, properly approved and budgeted purchase orders, and other general documents (“General Documents”) as valid municipal records and/or obligations if all of the following conditions apply.
  - a. The Mayor and relevant Department Head approve of the form, storage, and manner of verification of signature.
  - b. The IT Department approves a manner of verification of the electronic signatures for the type of document proposed for electronic signature and makes any storage or security provisions necessary for the electronic documents.
  - c. The City Clerk’s Office verifies that electronic and/or paper copies of said records are stored in accordance with the State’s Records Disposition Authority.
4. **Validity of Electronic Signatures & Enforceability of the UETA:** In accordance with the UETA, the City of Madison acknowledges the following:
  - a. A record or signature may not be denied legal effect or enforceability solely because it is in electronic form.
  - b. A contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation.
  - c. If a law requires a record to be in writing, an electronic record satisfies the law.
  - d. If a law requires a signature, an electronic signature satisfies the law.
  - e. The City of Madison further acknowledges the enforceability of all other provisions of the UETA.
  - f. For signatures specified in Sections 1-3 of this Ordinance and pursuant to said conditions, any form of electronic signature including but not limited to signatures via facsimile, scanning, or electronic mail, may substitute for the original signature and shall have the same effect as the original signature.

**READ, PASSED, AND ADOPTED** at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this \_\_\_\_ day of March 2025.

This Ordinance shall become effective immediately upon its adoption and proper publication as required by law, and it shall be published as a new Article II, Section 51, of the Madison City Code.

The provisions of this Ordinance are intended to be severable, and if any one or more thereof should be held invalid by a court of competent jurisdiction for any reason, the rest shall nevertheless stand and be fully effective.

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*John D. Seifert, II, City Council President*  
City of Madison, Alabama

**ATTEST:**

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*Lisa D. Thomas, City Clerk-Treasurer*  
City of Madison, Alabama

**APPROVED** this \_\_\_ day of March 2025.

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*Paul Finley, Mayor*  
City of Madison, Alabama