

Ordinance O-2122-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADDING ARTICLE VI TO CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN TO ALLOW THE USE OF CONSENSUAL, AUTHORIZED ELECTRONIC SIGNATURES AND ELECTRONIC RECORDS THAT COMPLY WITH THE REQUIREMENTS OF THE OKLAHOMA UNIFORM ELECTRONIC TRANSACTION ACT AND CITY POLICY IN CITY TRANSACTIONS AND COMMUNICATIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. THAT Article VI of Chapter 2 of the Code of Ordinances of the City of Norman shall be added to read as follows:

Sec. 6-101. Definitions.

Unless otherwise stated in this article, the terms defined in the Oklahoma Uniform Electronic Transactions Act (“OUETA”) (12A O.S., Section 15-101 et seq.) apply.

Sec. 6-102. Scope.

- (a) The City of Norman may utilize and accept all electronic signatures (“e-signatures”) and electronic records (“e-records”) that comply with the requirements of the OUETA, City of Norman administrative policies and procedures, and other applicable state and federal laws.
- (b) The use of e-signatures and e-records is acceptable for:
 - (1) Any transaction or communication with the City of Norman where both parties have agreed to conduct the transaction or communication electronically;
 - (2) Any City of Norman policies, laws, regulations, and rules that require a signature or written record;
 - (3) Any other situation where the OUETA, City of Norman’s administrative policies and procedures, and other applicable state and federal law allow the use of e-signatures and e-records.

Sec. 6-103. Purpose

This section is intended to enable the City of Norman to use e-signatures and e-records to the fullest extent allowed by law and the City of Norman’s administrative policies and procedures.

Sec. 6-104. Limitations.

- (a) Use of e-signatures and e-records must be consistent with the City of Norman's administrative policies and procedures, which may be designated and amended at any time by the City Manager or the City Manager's designee.
- (b) Use of e-signatures and e-records by the City of Norman or its agents that is not consistent with this section and City of Norman's administrative policies and procedures will render such contract, record, or other document invalid as not fully and properly executed by the City of Norman.
- (c) Authority to sign or execute contracts, records, or other documents via e-signature may be delegated by the City Manager and other city department heads to designated city staff members. Delegation of e-signature authority must be memorialized in writing, including, but not limited to, memorandum, city form, e-mail, or a delegation process recorded within e-signature software.
- (d) Any unauthorized electronic signing of any contract, record, or other document, will render such contract, record, or other document invalid as not fully and properly executed by the City of Norman.

§ 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day

NOT ADOPTED this _____ day

of _____, 2021.

of _____, 2021.

(Mayor)

(Mayor)

ATTEST:

(City Clerk)

