

## COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 140184, AS AMENDED

Amending Chapter 33, Code of Ordinances, entitled “Geographical Information System” by deleting Chapter 33 in its entirety and enacting in lieu thereof a new Chapter 33 of like title, consisting of Sections 33-1 through 33-6 to change the procedures for the distribution and licensing of the City’s GIS.

WHEREAS, Ordinance No. 051282 created the current Chapter 33 entitled “Geographical Information System” (hereinafter “GIS”) for the City to develop, maintain, distribute and license a geographical information system; and

WHEREAS, the City has successfully licensed its GIS to many people; and

WHEREAS, the City has taken steps to increase availability to City data; and

WHEREAS, technology has established new ways in which to distribute and make useful certain items and information such as digital products; and

WHEREAS, establishment of a new means of distributing can render the City’s GIS more useful and efficient to users and less costly to the City; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 33, Code of Ordinances, entitled “Geographical Information System” is hereby amended by deleting Chapter 33 in its entirety and enacting in lieu thereof a new Chapter 33 of like title, consisting of Sections 33-1 through 33-6, said Chapter to read as follows:

### CHAPTER 33

#### GEOGRAPHICAL INFORMATION SYSTEM

##### **Sec. 33-1. Title**

This chapter may be known as the Geographical Information System Code.

##### **Sec. 33-2. Definitions.**

(a) *Disclaimer* means notice given via the City website, data portal, or downloaded data informing the potential user of the City’s GIS data of the City’s responsibility in the use of the data.

(b) *Geographical Information System* (or *GIS*) means a computerized, spatial coordinate mapping and relational data base technology which:

- (1) Captures, assembles, stores, converts, manages, analyzes, amalgamates and records, in a digital mode, all kinds and types of information and data;

- (2) Transforms such information and data into intelligence; and
- (3) Retrieves, presents and distributes that intelligence to a user for use in making the intelligent decisions necessary for sound management.

**Sec. 33-3 Development of GIS**

(a) *Purpose.* It is the intent of the City that the greatest amount of information useful to the City and its citizens should be included in the GIS. The City shall maintain and use the geographical information system for public purposes, such as, but not limited to, planning activities relating to private development, construction of public services, such as streets, sidewalks, water lines and sewer extensions, reapportionment of council districts and other public services.

(b) *Continuation of GIS development.* The City's work prior to the effective date of the chapter in the development of its GIS shall be considered part of the ongoing development of the City's GIS authorized by this chapter.

(c) *Required information.* The GIS shall include at a minimum, information relating to the following:

- (1) Property Ownership;
- (2) Assessed value;
- (3) Water and sewer easements; and
- (4) Subdivision plats

(d) *Additional information.* The GIS may also include any other information appropriate to presentation through a GIS, including but not limited to the following:

- (1) Zoning;
- (2) Building;
- (3) Development;
- (4) Geography;
- (5) Land Use;
- (6) Public facilities;
- (7) Population;
- (8) Council Districts and other political subdivisions;

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- (9) Utility Services;
- (10) Telecommunications and cable television services; or
- (11) Any other information conducive to presentation through a GIS that may serve a useful purpose to the City of its citizens.

### **Sec. 33-4. Distribution of GIS products and data.**

(a) *Distribution of GIS products.* Distribution of maps and other products of the GIS prepared in non-machine readable form shall be done so that the public can benefit from its investment in the GIS. The cost of the map or other product shall be a reasonable fee representing the cost to the City of time, equipment and personnel in the production of the map or other product.

(b) *Open access to underlying GIS data.* Unless properly made a closed record, information placed in the GIS should be available to the public in accordance with the Missouri Sunshine Law. Access to the information in a way by which a person could render the investment of the public in a GIS a special benefit to that person or others, and not to the public, will not be permitted. City will determine in its discretion, through its Chief Information Officer and directors of GIS data owning departments, which specific layers of the City GIS will be made available to the public via the City website and/or Open Data portal. Such data will be made available in a machine readable format as determined by the City.

(c) The Chief Information Officer may amend the terms, format, and type (layers) of GIS data available either through download or consulting services offered to potential users of the GIS when appropriate to protect the City's investment in the GIS.

### **Sec. 33-5. Price Schedule.**

(a) *Basic price schedule digital information.* Specified digital information will be available for download free of charge via the City website or Open Data portal in a single format.

(b) *Special services/Consulting fees.* Special requests for specific data, specific formats, or other value added services related to the GIS shall have the following fee schedule applied:

- (1) \$900 per square mile of data for available map layers
- (2) \$100 per Orthophoto (per square mile)
- (3) \$25 minimum fee to cover processing costs

(c) *Basic Price Schedule printed maps.* City may provide customized printed maps at a cost of \$20 per square foot of printed material.

(d) *Reductions in extraordinary circumstances.* Any rates contained in this section may be reduced by City if the City determines a further reduction in price is necessary to accomplish a significant public benefit outweighing the interest of the City to recover its GIS costs. If such a reduction occurs, the justification for the reduction will be shown on the documents recording the license agreement.

(e) *Cost of living adjustment.* Adjustment of fees. The Chief Information Officer shall have the authority to adjust the above-listed fees annually to reflect the change in the consumer price index (CPI) for all items/all urban consumers/Kansas City, Missouri, published by the United States Department of Labor, Bureau of Labor Statistics. The Chief Information Officer is also authorized to make cumulative adjustments for those years in which fees were not previously adjusted.

**Sec. 33-6. Limitation on use of fees**

Fees received by the City under this chapter will be used solely to recover the cost of materials and investments related to the City's GIS project.

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Approved as to form and legality:

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Joseph A. Guarino  
Assistant City Attorney