

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading <u>  X  </u>	Waiver 3-Reading Rule <u>  X  </u>
ORDINANCE NO: 2025-11-19	Yes <u>      </u>	Second Reading <u>      </u>	Yes <u>      </u>
INTRODUCED BY <u>      </u>	No <u>      </u>	Third Reading <u>      </u>	No <u>      </u>

**AN ORDINANCE ESTABLISHING A CYBERSECURITY POLICY FOR THE VILLAGE OF BOSTON HEIGHTS, OHIO, PURSUANT TO SECTION 9.64 OF THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Village of Boston Heights recognizes the growing threat posed by cyberattacks, ransomware, and data breaches to public entities; and

**WHEREAS**, the Ohio General Assembly has enacted Section 9.64 of the Ohio Revised Code, effective September 30, 2025, requiring each political subdivision to adopt a cybersecurity program consistent with nationally recognized best practices; and

**WHEREAS**, the Council of the Village of Boston Heights finds it necessary and in the best interest of the public health, safety, and welfare to adopt a formal cybersecurity policy to protect Village information systems, networks, and data.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Boston Heights, Summit County, Ohio, as follows:

**Section 1.** This Ordinance establishes a comprehensive cybersecurity policy to safeguard the Village’s data, information technology systems, and digital infrastructure, ensuring confidentiality, integrity, and availability in accordance with Section 9.64 of the Ohio Revised Code.

**Section 2.** As used in this Ordinance:

- (a) **“Cybersecurity Incident”** means any event as defined in Ohio Revised Code §9.64(A)(1) that results in a substantial loss of confidentiality, integrity, or availability of the Village’s information systems or data, or unauthorized access to those systems or networks.
- (b) **“Ransomware Incident”** means any malicious cybersecurity incident as defined in Ohio Revised Code §9.64(A)(3) involving unauthorized access to or encryption of the Village’s systems or data, accompanied by a ransom demand.
- (c) **“Political Subdivision”** means the Village of Boston Heights, a municipal corporation organized under the laws of the State of Ohio.

**Section 3.** The Village administration shall establish and maintain a cybersecurity program consistent with generally accepted best practices, including the **National Institute of Standards and Technology (NIST) Cybersecurity Framework** and the **Center for Internet Security (CIS) Controls**. The program shall include, but not be limited to, the following components:

- (a) **Risk Identification and Assessment**
  - 1. Identify and evaluate critical Village systems and data assets.
  - 2. Assess vulnerabilities and prioritize cybersecurity risks annually.
- (b) **Impact Analysis**
  - 1. Evaluate the potential impact of cybersecurity breaches on operations, finances, and public services.
  - 2. Establish recovery time objectives for essential functions.
- (c) **Threat Detection and Monitoring**
  - 1. Implement intrusion detection systems, antivirus protections, and network monitoring.
  - 2. Regularly update and patch systems to mitigate known vulnerabilities.
- (d) **Incident Response and Containment**
  - 1. Establish an **Incident Response Team (IRT)** composed of the Village Administrator, Police Chief, IT consultant, and Clerk-Treasurer.
  - 2. Maintain written procedures for detecting, reporting, analyzing, containing, and recovering from cybersecurity incidents.
  - 3. Secure and preserve evidence for potential law enforcement or regulatory review.
- (e) **System Recovery and Post-Incident Review**
  - 1. Restore critical systems and services as quickly as practicable.
  - 2. Conduct post-incident analyses to improve system resilience.
  - 3. Update the cybersecurity plan as needed based on lessons learned.
- (f) **Employee Training and Awareness**
  - 1. All Village employees and officials shall receive annual cybersecurity training appropriate to their duties. Training may be satisfied through programs provided by the **State of Ohio** or the **Ohio Persistent Cyber Initiative (OPCI)**.

**Section 4.** In accordance with Ohio Revised Code §9.64(B), the Village shall not pay or otherwise comply with a ransom demand resulting from a ransomware incident unless the **Village Council** formally approves the payment or compliance through a **resolution or ordinance** that specifically states why such payment or compliance is in the best interest of the Village and documents the alternatives considered.

**Section 5.** Following any cybersecurity or ransomware incident, the Village Office Administrator or designee shall comply with the reporting requirements of Ohio Revised Code Section 9.64, as amended, and:

1. Notify the **Executive Director of the Division of Homeland Security (Ohio Department of Public Safety)** as soon as possible, but not later than **seven (7) days** after discovery of the incident; and
2. Notify the **Auditor of State** in a manner prescribed by that office, as soon as possible, but not later than **thirty (30) days** after discovery of the incident.

**Section 6.** All records, documents, and reports related to the Village's cybersecurity program and incident reports are exempt from disclosure under **Ohio Revised Code §9.64(E)** and are not public records under **§149.43**. Any record identifying cybersecurity-related software, hardware, goods, or services under consideration or in use by the Village is a **security record** under **§149.433** and shall be protected accordingly.

**Section 7.** The cybersecurity policy shall be reviewed annually by the Village Administrator or designee and updated as needed to reflect emerging threats, changes in technology, or guidance from the State of Ohio.

**Section 8.** That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

**Section 9.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code

**Section 10.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Village, to ensure the Village's compliance with state law and protection against cybersecurity threats. Therefore, this Ordinance shall take effect and be in force immediately upon passage.

PASSED:



DAVID MACCARONE, PRESIDENT PRO TEM

ATTEST:

I, Scott Varney, Fiscal Officer and Clerk of the Council for the Village of Boston Heights, Summit County, Ohio, do hereby certify that the foregoing **Ordinance 2025-11-19** duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this **12<sup>th</sup> day of November, 2025**.



SCOTT VARNEY, FISCAL OFFICER

