RESOLUTION PROHIBITING VIEWING OF PORNOGRAPHY ON TOWN NETWORKS AND DEVICES

WHEREAS, NCGS §143-805, effective October 1, 2024, prohibits local governments and other public agencies from allowing an employee, elected official, or appointee of that public agency to view pornography on their networks or a device owned, leased, maintained or otherwise controlled by that public agency; and

WHEREAS, NCGS §143-805 requires all public agencies to adopt a policy governing the use of its network and devices owned, leased, maintained, or otherwise controlled by that public agency.

NOW, THEREFORE, BE IT RESOLVED that the following policies shall apply in the Town of Atlantic Beach:

1. No employee of the Town, elected official, or Town appointee shall view pornography on any computer network owned, leased, maintained, or otherwise controlled by the Town, whether on a Town-owned and maintained device or a privately owned or controlled device.

2. No employee, elected official, or appointee of the Town shall view pornography on a device owned, leased, maintained, or otherwise controlled by the Town.

3. This policy shall not apply to investigation, law enforcement training, or actions related to law enforcement purposes; identifying potential security or cyber security threats, establishing, testing, and maintaining firewalls, protocols, and otherwise implementation of this policy; or other exceptions as specifically outlined in NCGS §143-805(d).

4. Each year, and no later than August 1, the Town Administrative Services Director shall report information required in NCGS §143-805 to the State Chief Information Officer. The information shall include the number of incidences of unauthorized viewing or attempted viewing of pornography on the public network, who viewed the unauthorized viewing, and the devices in which it occurred.

5. Any employee, elected official, or appointee of the Town who has saved pornography to a device owned, leased, maintained, or otherwise controlled by the Town shall remove, delete, or uninstall the pornography no later than January 1, 2025.

6. Any employee of the Town who violates any provision of this policy shall be subject to disciplinary action under the Town's Personnel Policy.

7. Any appointee of the Town who violates the provision of this policy shall be subject to removal by the Town Board.

8. Any elected official who violates any provision of this policy shall be subject to censure proceedings.

Approved by Council October 28, 2024.

Danny Navey
Mayor

ATTEST:

Katrina Tyer
Town Clerk