

CITY OF BOULDER  
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POLICIES AND PROCEDURES

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Open Data Policy

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LAST REVISED: 04/24/2017

  
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**I. POLICY**

This policy has been developed to support the City of Boulder's commitment to the principles of open government, including transparency, civic engagement and innovation through open and accessible data. For this purpose, the City of Boulder will freely share with constituents, businesses and other jurisdictions the greatest amount of data possible while addressing confidentiality, privacy, and security concerns. Open government is not a solitary initiative, but rather a philosophy to be adopted citywide and throughout all levels of government.

**II. PURPOSE**

Government belongs to the people and open government supports this by promoting the public's right to understand and participate in government. Government has the responsibility to provide relevant and appropriate data and constituents have the opportunity to freely review and utilize the data.

**A. Defining Open Data**

Open data is machine-readable data that is free of charge and anyone is free to use, reuse, and redistribute it. It is available online, in an open format, with no legal encumbrances on use or reuse, and is available for all to access and download in full without fees. "Legal encumbrance" as used here, includes federal copyright protections and other, non-statutory legal limitations on how or under what conditions data may be used. Attribution and sharing may be required, but open data is otherwise free of restrictions.

**B. Benefits of Open Data**

Open data is beneficial to the City of Boulder and its constituents in the following ways:

1. Open data allows the City of Boulder to increase civic engagement by working with residents and soliciting their ideas, input and creative energy.
2. Open data allows the City of Boulder to use technology to foster open, transparent and accessible government.
3. By sharing data freely, the City of Boulder seeks to develop opportunities for economic development, commerce and increased investment in Boulder and the surrounding region.
4. Publishing structured standardized data in machine-readable formats creates new opportunities for information from different sources to be combined and visualized in new and unexpected ways, for niche markets to be identified and developed, and for constituents to browse, interpret and draw attention to trends or issues with greater efficiency.
5. The adoption of open standards improves transparency, access to public information, and coordination and efficiencies among agencies and partner organizations across the public, non-profit and private sectors.
6. The City of Boulder seeks to encourage the local technology and startup communities to develop software applications and tools to collect, organize and share public data in new and innovative ways.

### **III. SCOPE**

All public data and datasets collected by the City of Boulder shall be open to the extent permitted by law. Access to all data shall be subject to and consistent with the city's Access to Public Records policy, the City's document retention policy, and governing state and federal law, including the Colorado Open Records Act, § 24-72-201, et. seq. All existing city data and datasets will be considered open unless the data or datasets are sensitive or protected information or otherwise exempt from disclosure pursuant to the City's Access to Open Records Policy.

This policy applies to public data generated, received, collected or stored by or on behalf of the City of Boulder that is non-proprietary, and which has been prepared for release to the public.

Nothing in this policy shall be deemed to prohibit a department from voluntarily disclosing information not otherwise defined as public data nor shall it be deemed to prohibit a department from making such voluntarily disclosed information accessible through the open data catalog. However, such information may not be made public if to do so would violate applicable laws or the City's Access to Open Records Policy.

This policy applies to all City of Boulder departments, offices, administrative units, commissions, boards, advisory committees or other divisions of the City, including the

records of third parties that create or acquire information, records, or data on behalf of the City if such records are identified as belonging to the City.

#### **IV. DEFINITIONS**

**Constituent** – An individual who is represented in a government by officials for whom he or she votes.

**Data** – Up-to-date statistical or factual information (1) in alphanumeric form reflected in a list, table, graph, chart or other non-narrative form, that can be digitally transmitted or processed; and (2) regularly created or maintained by, or on behalf of, and owned by a city department related to the mission of that department. Data in this context does not include Word documents, whether draft or final, emails, working papers, or documents with similar purpose.

**Data Catalog** – A central online repository where all open data is stored.

**Dataset** – A collection of related data that is composed of separate elements that can be manipulated as a unit.

**Metadata** – Data that provides information about other data that accurately describes a dataset including, but not limited to, title, description, tags, date the data was last updated, frequency of publication, format, field names and explanations, departmental origin and contact information.

**Open Format** – Any widely accepted, nonproprietary, platform-independent, machine-readable data format, which permits automated processing of such data and facilitates analysis and search capabilities.

**Protected Information** – Any dataset or portion thereof to which the City may deny access pursuant to established City policy, the Boulder Revised Municipal Code, City Charter, Federal or State law, privacy laws, copyright, patent, trademark, confidentiality agreement or any other law, rule, regulation or common law privilege. “Protected information” includes data that the City is prohibited from disclosing by operation of law.

**Public Data** – All non-proprietary data generated or received by the City of Boulder which is not protected or sensitive and which has been prepared for release to the public.

**Sensitive Information** – Any data which, if published by the City online, could raise privacy, confidentiality, proprietary or security concerns or have the potential to jeopardize public health, safety, welfare, or cultural or natural resources to an extent that is greater than the potential public benefit of publishing that data.

## **V. GOVERNANCE**

### **A. Program Oversight**

Responsibility for oversight of the City's open data program is shared between IT and the City Manager's Office.

### **B. Open Data Manager Responsibilities**

The City shall appoint an Open Data Manager who shall be responsible for managing all aspects of open data including establishing and managing the Open Data Team.

### **C. Open Data Team Responsibilities**

The Open Data Team shall be composed of departmental representatives. The Open Data Team will be responsible for:

1. Developing and executing an annual open data plan
2. Developing and maintaining processes and procedures for executing this policy, as well as for addressing privacy, security concerns and regulations that establish controls for information.
3. Coordinating the implementation of this policy and attendant processes and procedures.

### **D. Departmental Responsibilities**

Each department director will assign Data Stewards based on their open data administration needs and resource availability. Through the representation of their Data Stewards, each department will be responsible for:

1. Fostering an environment that encourages open data and collaboration with other city departments and government agencies.
2. Ensuring their public data inventory is updated as often as necessary, but at a minimum of twice yearly.
3. Ensuring their public data catalog is updated as often as is necessary to preserve the integrity and usefulness of the datasets to the extent that the department regularly maintains or updates the public dataset, but no less than once yearly.

### **E. Data Steward Responsibilities**

Data Stewards are responsible for maintaining the department's public data inventory, assisting with access to datasets targeted for publication to the open data catalog and for updating their department's existing public data at a minimum of once yearly or more frequently when determined appropriate.

## **VI. OPEN DATA LEGAL POLICY**

- 1. Public datasets made available in the open data catalog are provided for informational purposes. The city does not warranty the completeness, accuracy, content or fitness for any particular purpose or use of any public dataset made available in the open data catalog, nor are any such warranties to be implied or inferred with respect to the public datasets furnished therein.**
- 2. The city is not liable for any deficiencies in the completeness, accuracy, content or fitness for any particular purpose or use of any public dataset, or application utilizing such dataset, provided by any third party.**

## **VII. CONSTRUCTION AND INTERPRETATION**

Employees who have questions concerning the interpretation or application of this policy should contact the IT department director.

## **VIII. EXCEPTIONS/CHANGE**

This policy supersedes all previous policies covering the same or similar topics. Only the City Manager, Chief Innovation and Analytics Officer or the Information Technology Director may grant any exception to this policy. This policy may be reviewed and changed at any time.