

ORDINANCE 20250107003

AN ORDINANCE OF THE CITY OF NIEDERWALD, TEXAS ADOPTING A POLICY FOR PREVENTING THE USE OF PROHIBITED TECHNOLOGY AND COVERED APPLICATIONS (PROHIBITING THE USE OF TIKTOK ON CITY OWNED DEVICES AND NETWORKS IN COMPLIANCE WITH THE “NO TIKTOK ON GOVERNMENT DEVICES ACT”) PER SB 1893.

WHEREAS, the Texas Legislature enacted the "No TikTok on Government Devices Act" as SB 1893, prohibiting the use of TikTok on state owned or controlled devices and networks to safeguard data and mitigate cybersecurity risks; and

WHEREAS, the City of Niederwald is committed to maintaining robust cybersecurity standards and safeguarding sensitive city information from potential unauthorized access; and

WHEREAS, banning TikTok on City-owned devices and networks supports the City's efforts to protect the privacy and security of its operations and data;

WHEREAS, the City of Niederwald Covered Applications and Prohibited Technology Policy (Exhibit A) will be reviewed annually and updated as required by state law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF NIEDERWALD, TEXAS:

Section 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are adopted by the City Council and made a part of hereof for all purposes.

Section 2. The City of Niederwald Covered Applications and Prohibited Technology Policy, which is attached as Exhibit A, is hereby adopted.

Section 3. The use or download of the TikTok application on any device owned, leased, or controlled by the City of Niederwald is hereby prohibited, including but not limited to smartphones, tablets, computers, and other devices capable of accessing the internet.

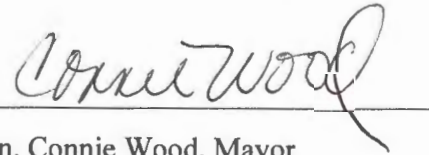
Section 4. City employees, contractors, and vendors are prohibited from accessing or using TikTok on City-owned networks or while conducting official City business on any device, whether personal or City-issued.

Section 5. The City Administrator is directed to ensure that all relevant employees and contractors are notified of this policy and the policy is reviewed annually and that appropriate technical measures are implemented to block TikTok access on City networks and devices.

Section 6. This ordinance shall take effect immediately upon its passage and adoption by the City Council of Niederwald.


Section 7. It is officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Government Code of the State of Texas.

PASSED, APPROVED, AND ADOPTED on this the 4th day of **JANUARY, 2025.**



Hon. Connie Wood, Mayor
City of Niederwald Texas

ATTEST:



Zach Cronsley, City Secretary

EXHIBIT A

Prohibited Applications Policy

A. Purpose

To implement an information technology approach focused on protecting the City's sensitive information and critical infrastructure as required by Chapter 620, Texas Government Code, from technology believed to pose a threat to governmental infrastructure, by prohibiting and preventing the download or use of prohibited technologies on any City-owned or issued electronic device.

B. Roles and Responsibilities

All City employees are expected to be familiar with and adhere to the terms of this policy and all sub-policies and procedures.

City employees are prohibited *on any City-issued, owned or leased devices*, from downloading, installing or using the social media service TikTok or any successor application or service developed, provided or owned by ByteDance Ltd., such as Tik Tok, or any subsidiary or any prohibited software/applications/developers listed on <https://dir.texas.gov/information-security/prohibited-technologies> or a social media application/service, as referenced in Section 620.005 Texas Government Code. City staff shall prohibit the use of TikTok by limiting network access to the application.

C. Exceptions

Exceptions to the ban on prohibited technologies, as required by state law, may only be approved by City Administrator:

- 1) When the use of prohibited technologies is required for a specific business need, such as enabling criminal investigations or for developing or implementing information security measures.
- 2) Any such exception must detail and include (1) the use of measures to mitigate risks to the security of city information during the use of the covered application; and (2) the documentation of those measures.
- 3) To the extent practicable, exception- based use should only be performed on devices that are not used for other city business and on non-city networks. Cameras and microphones should be disabled on devices for exception-based use.

D. Compliance

Compliance with this policy will be verified through various methods for City-owned, leased and issued devices, including but not limited to, IT/security system reports. Violations of this policy will result in coaching and repeat offenses may result in disciplinary action up to and including termination of employment.

E. Court Action

If the underlying statute, Texas Government Code §§620.001-.006, is declared unconstitutional, unenforceable, or vacated by a court of competent jurisdiction, this policy is void.