



Text File

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Committee: Committee on Innovation,
Performance and Asset Management

Status: Passed Finally

Ordinance providing for the general acceptance and authorization by the City of Pittsburgh of electronic signatures pursuant to the Electronic Transactions Act, 73 P.S. §§ 2260.101, *et al*, by amending the City of Pittsburgh Code of Ordinances at Title I: Administrative, Article VII: Procedures, to include new Chapter ~~172~~ **169A** Electronic Signatures.

WHEREAS, the Commonwealth of Pennsylvania provides, pursuant to the Electronic Transactions Act (the "ETA"), that "[e]ach governmental agency in this Commonwealth shall determine whether and the extent to which it will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use and rely upon electronic records and electronic signatures[,]" 73 P.S. § 2260.502, and

WHEREAS, "governmental agency" is defined in the ETA as including "political subdivisions", 73 P.S. § 2260.103, thereby extending applicability to the City of Pittsburgh ("City"), and

WHEREAS, the City of Pittsburgh Code of Ordinance currently contains various and scattered references to specifically required consents, executions, and signatures at times designated as electronic, hand-written, or unspecified, and

WHEREAS, the City has conducted internal reviews and research to determine the ability of the City to accept and receive electronic signatures, and

WHEREAS, the continued reliance on purely handwritten signatures presents considerable administrative hardship to maintaining versatility and efficiency in City processes and transactions, and

WHEREAS the City of Pittsburgh now wishes to provide, by ordinance, a general acceptance and authorization for use and acceptance of electronic signature.

THEREFORE, The Council of the City of Pittsburgh hereby enacts as follows:

Section 1: The City of Pittsburgh Code of Ordinances shall be amended at Title I: Administrative, Article VII: Procedures; to include the following new Chapter ~~172~~ **169A**: - Electronic Signatures:

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(a) In any written communication, consent, execution, contract, resolution, ordinance, application, or

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- publication by or with the City, in which a signature is required or used, the Mayor or the Mayor's designee may generally or specifically authorize the use or acceptance of an electronic signature by any party.
- (b) The Director of the ~~Department~~ **Office** of Management and Budget, in conjunction with the Director of the Department of Innovation and Performance shall promulgate regulations for use and acceptance of electronic signatures by the City of Pittsburgh.
- (c) The City of Pittsburgh's regulations for use and acceptance of electronic signatures must ensure that all technological resources and vendors utilized in conjunction with electronic signatures provide commercially reasonable means of security, integrity, and authentication of electronic signatures and all data associated therewith.
- (d) For purposes of the City of Pittsburgh Code of Ordinances, where a hand-written or ink signature is specified, the use of an electronic signature compliant with this Chapter ~~172~~ **169A** shall have the same force and effect as the use of a manual signature using ink applied to paper.
- (e) This Chapter ~~172~~ **169A** shall not be construed to conflict with any applicable state or federal law requiring use of a specific form of signature.