

AN ORDINANCE SETTING FORTH CYBERSECURITY REPORTING AND COMPLIANCE DEADLINES FOR THE VILLAGE OF WAYNESFIELD, AUGLAIZE COUNTY, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio passed HB 96 into law on June 30, 2025, which sets forth certain cybersecurity requirements for municipal corporations, which are not found in Ohio Revised Code 9.64; and

WHEREAS, the Village Council of the Village (the "Council") acknowledges the need to implement a cybersecurity program in conformance with Ohio law; and

WHEREAS, certain requirements related to incident reporting and ransomware payments contained within Ohio Revised Code Section 9.64 must be complied with prior to September 30, 2025; and

WHEREAS, the Village of Waynesfield, Ohio seeks to come into compliance with the immediate requirements of Ohio Revised Code Section 9.64, directing key personnel to begin collaborating on the remaining requirements of the bill which must be completed by July 1, 2026; and

WHEREAS, the Council deems this Ordinance to be an emergency measure for the reason that, due to the deadlines contained in Ohio Revised Code Section 9.64, Council could not pass this Ordinance as an ordinary measure and comply with the deadlines, further the need for implementation is acknowledged as a public requirement in order to safeguard the health, safety, and security of the Village and the public;

NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF WAYNESFIELD, AUGLAIZE COUNTY, OHIO, AT LEAST A MAJORITY THEROF CONCURRING THAT:

Section 1. For purposes of this Ordinance, the term "Ransomware Incident" shall have the same meaning assigned to it in Ohio Revised Code Section 9.64, and as amended.

Section 2. No employee or official of the Village is authorized to make a ransom payment using Village funds, due to a Ransomware Incident which has affected Village data, networks, devices, or any other Village property or information without first obtaining legislative approval from the Village Council, via resolutions or ordinance, to make said ransom payment and setting forth a justification for said payment.

Section 3. The term "Cybersecurity Incident" shall have the same meaning assigned to it by Ohio Revised Code Section 9.64, and as amended.

Section 4. All Village employees as a condition of their employment are required to monitor for Cybersecurity Incidents and report said incidents to the Ohio Department of Public Safety, via the Ohio Cyber Integration Center, within seven (7) days of any Cybersecurity Incident. Additionally, all Cybersecurity Incidents must be reported to the Auditor of State within thirty (30) days of any such Cybersecurity Incident. Employee reporting pursuant to this section shall be reported to the Village Administrator who shall oversee the fulfillment of these provisions.

Section 5: That the Village Administrator, in conjunction with the Village Solicitor, and the Village Information Technology ("IT") provider are hereby directed to coordinate to develop a comprehensive cybersecurity program for the Village, which is in compliance with Ohio Revised Code Section 9.64, and which shall be passed as legislation by the Village Council and come into effect no later than July 1, 2026, including implementing a cybersecurity training program which all Village employees and personnel will be required to participate in from time to time in accordance with Ohio Revised Code Section 9.64 and any applicable guidance issued under said statute.

Section 6. That, if in the opinion of the Village Administrator, the Village's current IT provider is incapable or unqualified to create such program, then the Village Administrator is authorized to solicit alternative IT providers for the design and implementation of said program.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 8: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the Village of Waynesfield, for the reason that the Village is legally obligated to pass this legislation immediately, and that the immediate implementation of said legislation is necessary for the cybersecurity of the Village, which is necessary to protect the health, safety, and well-being of the Village and its inhabitants, this Ordinance shall be in effect if it receives two thirds vote of all members of Village Council on the earliest date allowed by law.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect from the earliest period allowed by law.

VOTE

Emergency First reading

BALL: *Yes*

HUTSON: *Yes*

MILLER: *Yes*

WALTI: *Yes*

NICKLES: *Yes*

FOX: *Absent*

Passed in Council this 24 day of November, 2025.



Rodney Luma, Mayor

Attest: *Sarah Montgomery*
Sarah Montgomery, Fiscal Officer

Approved as to Form:



Daniel L. Bey, Esq., Village Solicitor