

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WILDER, IDAHO, ESTABLISHING "THE WILDER COMMUNITY PRIVACY AND DATA SOVEREIGNTY ACT."

THIS MEASURE AMENDS THE WILDER CITY CODE TO PROTECT CITIZEN PRIVACY AND REGULATE MUNICIPAL SURVEILLANCE INFRASTRUCTURE THROUGH THE FOLLOWING PROVISIONS:

- **SECTION NO. 1: ENACTMENT**
 - **A: PURPOSE AND INTENT**
 - **B: DEFINITIONS**
 - **C: PROHIBITIONS ON AUTOMATED SURVEILLANCE**
 - **D: CATEGORICAL APPROVAL, OVERSIGHT, AND CAMERA POSITIONING**
 - **E: DATA SOVEREIGNTY AND ACCESS CONTROLS**
 - **F: ACCOUNTABILITY AND PUBLIC RECORDS**
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- **SECTION NO. 3: CODIFICATION**

RECEIVED
City Clerk
MAY 20 2026
at _____ AM/PM
City of Wilder
Idaho

WHEREAS, the citizens of Wilder find that automated surveillance and remote tracking of residents pose a fundamental threat to civil liberties and the rural character of our community; and

WHEREAS, it is the intent of this Act to eliminate the possibility of remote government spying within city limits; and

WHEREAS, the people of Wilder demand that the government remain transparent and accountable to its citizens regarding the use of surveillance technology;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Wilder, Canyon County, Idaho:

SECTION NO. 1. ENACTMENT

That a new Chapter of the Wilder City Code is hereby enacted to be placed within the Title deemed most appropriate by the City Clerk and City Attorney, to read as follows:

§ THE WILDER COMMUNITY PRIVACY AND DATA SOVEREIGNTY ACT

A. PURPOSE AND INTENT

The purpose of this Ordinance is to:

Abolish automated tracking systems, including Automated License Plate Readers (ALPR).

Ensure surveillance data remains under strict local ownership and control.

Ensure the City of Wilder maintains full ownership and possession of its surveillance data and equipment.

Eliminate the possibility of remote government spying within city limits

B. DEFINITIONS

As used in this Section, the following terms shall have the meanings set forth below:

Local Control Standard: A security framework ensuring City data is stored on City-owned hardware within city limits, protected by encryption, role-based access, and audit logs, without unauthorized third-party cloud access.

Real-Time Biometric Scanning: The automated, instantaneous identification or tracking of individuals in public spaces by processing live surveillance footage through algorithmic software, including but not limited to facial recognition, gait analysis, or automated crowd-surveillance technology.

Automated License Plate Reader (ALPR): Any system using cameras and algorithms to convert license plate images into computer-readable data for identifying or tracking vehicles.

Active Biometric Investigation: The after-the-fact analysis of historical, legally obtained digital images or video footage to identify a specific individual suspect post-incident, as distinguished from real-time biometric scanning of public spaces.

Covered Surveillance Technology: City-operated CCTV or IP-based camera systems used for monitoring City property or municipal utilities.

Official Business: Tasks documented as necessary for municipal utility maintenance, traffic studies, the investigation of a specific crime with an active case number, maintenance of the system and fulfillment of public records requests.

Network-Based Predictive Policing: Any software or algorithmic tool that uses networked data, historical crime patterns, or surveillance-generated metadata to predict criminal activity or to automate the dispatching of law enforcement based on such predictions.

Role-Based Access Control: A security method that restricts system access to authorized users based on their specific job responsibilities and "Official Business" duties.

Digital Audit Log: An unalterable, automated electronic record that captures every instance of data access, including the identity of the user, the date and time of access, and the specific business justification or case number.

Encrypted Connection: A secure method of transmitting data where the information is scrambled so it can only be read by the sender and the authorized receiver.

C. PROHIBITIONS ON AUTOMATED SURVEILLANCE

1. **City ALPR Prohibition:** The City of Wilder and its departments are prohibited from operating ALPR technology or using City resources to facilitate ALPR systems operated by other entities.
2. **Predictive Policing:** The installation of network-based predictive policing systems, such as "Flock Safety" or similar tracking databases, is prohibited within City jurisdiction.
3. **Prohibition on Information Pooling and Data Laundering:** The City of Wilder and its departments are prohibited from knowingly requesting, receiving, or utilizing surveillance data, tracking information, or biometric profiles obtained from third-party private entities or outside government agencies that were collected using technology prohibited by this Act.
4. **Facial Recognition and Biometric Tracking Restriction:** The City of Wilder and its departments are prohibited from operating or deploying real-time facial recognition or biometric scanning systems in public spaces. This restriction shall not prohibit active Biometric Investigation by law enforcement during the active investigation of a specific crime with an active case number, provided that the digital images or video footage being analyzed were legally obtained by the City through voluntary consent, a valid warrant, or other lawful means.

D. CATEGORICAL APPROVAL, OVERSIGHT, AND CAMERA POSITIONING

1. **Installation Approval:** The City Council shall review and approve all individual camera installations for covered surveillance technology. However, the Council may, at its discretion, elect to provide a categorical policy approval for groups of cameras that serve identical, non-investigative municipal functions (such as utility monitoring, traffic flow sensors, and infrastructure security).
2. **Camera Positioning and Scope:** All covered surveillance technology installations must be physically positioned, framed, and targeted to monitor only City property, municipal utilities, or critical city infrastructure. Covered surveillance technology must be placed and positioned exclusively for an official business purpose.
3. **Compliance Review:** The City of Wilder shall have ninety (90) days from the effective date of this ordinance to review all existing surveillance systems and bring them into full compliance with the approval and infrastructure requirements herein.
4. **Public Hearing:** Before approving or expanding a new category of surveillance technology, the Council must hold a public hearing in accordance with Idaho Open Meeting Law.

E. DATA SOVEREIGNTY AND ACCESS CONTROLS

1. **Compliance with Local Control Standard:** All covered surveillance technology and storage hardware must comply with the Local Control Standard as defined in Section B.
2. **Physical Location:** All data generated by City-operated surveillance must be stored on physical servers located within the City of Wilder.
3. **City Ownership of Infrastructure:** All covered surveillance technology and storage hardware must be owned outright by the City of Wilder.
4. **No Commercial Cloud Storage:** Covered surveillance data shall not be stored on third-party commercial cloud servers or multi-tenant databases.
5. **Access:** Access to surveillance data is restricted to authorized City personnel for Official Business via encrypted connections, role-based access control, and protected digital audit logs.
6. **Remote Access Ban:** Real-time remote monitoring by unauthorized external monitoring centers or via the public internet is prohibited, except as provided in Section G.

F. ACCOUNTABILITY AND PUBLIC RECORDS

1. **Access Logs:** The City shall maintain logs of every instance surveillance data is accessed, including the name of the individual and the official business purpose.
2. **Public Records Compliance:** All data and logs are subject to the Idaho Public Records Act (Idaho Code Title 74, Chapter 1). Redactions for privacy shall be applied according to state law.

G. SCOPE AND EXEMPTIONS

1. **Law Enforcement:** This Act does not restrict Law Enforcement Body-Worn or Dashboard Cameras.
2. **Legal Process Savings Clause:** The City may comply with all forms of valid legal process, including subpoenas, court orders, discovery obligations, and preservation letters.
3. **Emergency Use:** Prohibitions on remote access may be temporarily suspended during an immediate threat of death or serious physical injury, provided a public report is filed within 48 hours. Emergency use can be authorized by the Mayor or Chief of Police.

H. ENFORCEMENT

1. **Criminal Penalty:** A willful violation of this ordinance shall be a misdemeanor. This does not apply to violations that are unintentional, inadvertent, or undertaken in reasonable reliance on legal advice.
2. **Administrative Action:** Misuse of surveillance data by employees or contractors shall be addressed through City personnel policies or contract remedies. The City Council shall receive a quarterly compliance report summarizing any reported violations, the departments involved, and corrective actions taken.

I. RULE OF CONSTRUCTION

The provisions of this Act shall be liberally construed to give maximum effect to its purposes, with any ambiguity or conflict interpreted in favor of protecting individual privacy, preventing automated surveillance, and prohibiting the remote tracking of the people of Wilder.

J. SEVERABILITY

If any portion of this ordinance is found to be invalid by a court of law, the remaining portions shall remain in full force and effect. Insubstantial clerical, typographical, or scrivener's errors shall not invalidate this ordinance, and the City Clerk is authorized to correct such errors to conform to the clear intent of the enacting authority.

SECTION NO. 2. DIRECTING THE CITY CLERK.

The city clerk is directed to file this ordinance in the official records of the City and to provide this ordinance to the City's codifier for inclusion in and publication with the Wilder City Code. The city clerk is directed to publish this ordinance or a summary thereof.

SECTION NO. 3 CODIFICATION.

The city clerk and the city attorney shall cause the Code of the City of Wilder, Idaho, to be amended as provided by this ordinance, placing these provisions in the title, chapter, or section deemed most appropriate for public accessibility. They may number, renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.