

**TOWN OF GALENA
ORDINANCE NO. 2026-05**

**AN ORDINANCE OF THE TOWN OF GALENA ESTABLISHING STANDARDS,
GOVERNANCE, AND RESTRICTIONS FOR THE USE OF ARTIFICIAL
INTELLIGENCE SYSTEMS IN MUNICIPAL OPERATIONS.**

WHEREAS, Section 501 of the Town Charter provides that the Council shall have the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or the Town Charter as it may deem necessary for the good government of the Town; for the protection and preservation of the Town's property, rights, and privileges; for the preservation of peace and good order, for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors of the Town; and

WHEREAS, the Town recognizes that Artificial Intelligence (“AI”) systems may enhance the efficiency, accessibility, and quality of municipal services when deployed responsibly; and

WHEREAS, the Town further recognizes the need to ensure that such systems are implemented in a manner that is transparent, equitable, privacy-protective, and accountable; and

WHEREAS, the Mayor and Council find it to be in the best interest of the Town to establish standards and governance for the procurement, deployment, and use of AI systems; and

WHEREAS, the Town recognizes the significant benefits of responsible artificial intelligence use by licensed professional service providers, including attorneys and engineers, who are ethically encouraged and professionally obligated to leverage AI tools to improve the quality, efficiency, and accessibility of services provided to the Town; and

WHEREAS, the Town does not intend this Ordinance to unduly restrict or regulate the incidental or assistive use of general-purpose AI tools by such contractors or vendors when performing services under contract with the Town, provided the licensed professional retains full responsibility, oversight, and accountability for all work product delivered to the Town and complies with applicable professional ethical standards; and

WHEREAS, the Town Charter in Section 308 provides that no ordinance shall be passed at the meeting at which it is introduced, and at any regular or special meeting of the Council held not less than six (6) nor more than sixty (60) days after the meeting at which an ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date, but in cases of emergency, the above requirement may be suspended by the affirmative votes of four (4) members of the Council, and every ordinance, unless it be

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passed as an emergency ordinance, shall become effective at the expiration of twenty (20) calendar days following approval by the Mayor or passage by the Council over the Mayor's veto; and

WHEREAS, the Town Charter in Section 308 further provides that after enactment that a fair summary of each ordinance shall be published at least twice (2) in a newspaper or newspapers having general circulation in the municipality and that an emergency ordinance shall become effective on the date specified in the ordinance, but no ordinance shall become effective until approved by the Mayor or passed over the Mayor's veto by the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF GALENA, MARYLAND, that on this 1 day of June, 2026, that the following Article be codified within the Code of the Town of Galena, and is hereby adopted, amended, and enacted to be read as follows:

* * *

CHAPTER 7. ADMINISTRATION OF GOVERNMENT

* * *

ARTICLE VII. ARTIFICIAL INTELLIGENCE

SECTION 7-20. PURPOSE; SCOPE; DEFINITIONS.

A. **PURPOSE.** THIS ARTICLE ESTABLISHES STANDARDS FOR THE TOWN'S USE OF ARTIFICIAL INTELLIGENCE SYSTEMS TO ENSURE TRANSPARENCY, ACCOUNTABILITY, PROTECTION OF INDIVIDUAL RIGHTS, AND CONSISTENCY WITH THE PUBLIC HEALTH, SAFETY, AND WELFARE.

B. **SCOPE.** THIS ARTICLE SHALL APPLY TO ALL TOWN DEPARTMENTS, AGENCIES, BOARDS, COMMISSIONS, EMPLOYEES, CONTRACTORS, AND VENDORS THAT PROCURE, DEPLOY, OR OPERATE ARTIFICIAL INTELLIGENCE SYSTEMS ON BEHALF OF THE TOWN AS DEDICATED MUNICIPAL SYSTEMS OR FOR DIRECT TOWN DECISION-MAKING OR OPERATIONS. NOTWITHSTANDING THE FOREGOING, THIS ARTICLE SHALL NOT APPLY TO THE INTERNAL OR ASSISTIVE USE OF GENERAL-PURPOSE ARTIFICIAL INTELLIGENCE TOOLS BY LICENSED PROFESSIONAL CONTRACTORS OR VENDORS (SUCH AS ATTORNEYS, ENGINEERS, ARCHITECTS, ACCOUNTANTS, OR OTHER PROFESSIONALS SUBJECT TO STATE LICENSING AND ETHICAL RULES) IN THE ORDINARY COURSE OF PERFORMING CONTRACTED PROFESSIONAL SERVICES FOR THE TOWN, PROVIDED THAT (I) THE PROFESSIONAL RETAINS FULL RESPONSIBILITY AND MEANINGFUL HUMAN

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OVERSIGHT FOR ALL OUTPUTS AND WORK PRODUCT, (II) SUCH USE COMPLIES WITH THE PROFESSIONAL'S APPLICABLE ETHICAL STANDARDS, AND (III) THE AI TOOL IS NOT SPECIFICALLY PROCURED OR DEPLOYED BY THE TOWN AS A MUNICIPAL SYSTEM.

C. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE, THE FOLLOWING TERMS SHALL HAVE THE MEANINGS INDICATED:

ARTIFICIAL INTELLIGENCE SYSTEM – ANY SOFTWARE, MODEL, OR ALGORITHM USED TO PERFORM PREDICTION, CLASSIFICATION, PATTERN RECOGNITION, RECOMMENDATION, OR DECISION-SUPPORT FUNCTIONS.

HIGH-RISK AI SYSTEM – ANY SYSTEM THAT MATERIALLY AFFECTS PUBLIC SAFETY, ENFORCEMENT, ELIGIBILITY, OR INDIVIDUAL RIGHTS.

AUTOMATED DECISION SYSTEM – A SYSTEM THAT MAKES OR MATERIALLY INFORMS DECISIONS WITHOUT FULL HUMAN REVIEW.

SECTION 7-21. USE; TRANSPARENCY; OVERSIGHT.

A. GENERAL STANDARD. ARTIFICIAL INTELLIGENCE SYSTEMS MAY BE USED BY THE TOWN ONLY WHERE SUCH USE IS CONSISTENT WITH THIS ARTICLE AND SUBJECT TO MEANINGFUL HUMAN OVERSIGHT.

B. HUMAN OVERSIGHT. NO ARTIFICIAL INTELLIGENCE SYSTEM SHALL SERVE AS THE SOLE BASIS FOR ANY DECISION AFFECTING INDIVIDUAL RIGHTS, ELIGIBILITY, ENFORCEMENT, OR ACCESS TO SERVICES. TOWN PERSONNEL SHALL RETAIN AUTHORITY TO REVIEW, OVERRIDE, AND EXPLAIN ALL SUCH DECISIONS. FOR PURPOSES OF THIS SUBSECTION, THE REVIEW AND APPROVAL BY A LICENSED PROFESSIONAL CONTRACTOR OR VENDOR OF AI-ASSISTED WORK PRODUCT DELIVERED UNDER CONTRACT SHALL CONSTITUTE MEANINGFUL HUMAN OVERSIGHT.

C. NOTICE. WHERE AN ARTIFICIAL INTELLIGENCE SYSTEM MATERIALLY AFFECTS A DECISION CONCERNING AN INDIVIDUAL, THE TOWN SHALL PROVIDE NOTICE THAT SUCH SYSTEM WAS USED AND SHALL INFORM THE INDIVIDUAL OF THE RIGHT TO REQUEST HUMAN REVIEW.

D. REGISTRY AND REPORTING. THE TOWN ADMINISTRATOR SHALL MAINTAIN A CURRENT INVENTORY OF ARTIFICIAL INTELLIGENCE SYSTEMS IN USE BY THE TOWN AND SHALL PERIODICALLY REPORT TO THE MAYOR AND COUNCIL

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REGARDING THEIR USE, PERFORMANCE, AND ANY IDENTIFIED ISSUES.

SECTION 7-22. DATA PRACTICES; SECURITY; ACCOUNTABILITY.

A. DATA USE. ARTIFICIAL INTELLIGENCE SYSTEMS SHALL UTILIZE ONLY DATA REASONABLY NECESSARY FOR THEIR INTENDED PURPOSE AND SHALL COMPLY WITH ALL APPLICABLE LAWS AND TOWN POLICIES REGARDING DATA PROTECTION AND PRIVACY.

B. VENDOR REQUIREMENTS. ANY VENDOR PROVIDING DEDICATED ARTIFICIAL INTELLIGENCE SYSTEMS OR SOFTWARE SPECIFICALLY FOR MUNICIPAL USE SHALL DISCLOSE SYSTEM CAPABILITIES, LIMITATIONS, KNOWN RISKS, AND DATA PRACTICES, AND SHALL COMPLY WITH CONTRACTUAL REQUIREMENTS ESTABLISHED BY THE TOWN.

C. SECURITY AND INCIDENT REPORTING. VENDORS SHALL PROMPTLY NOTIFY THE TOWN OF ANY DATA BREACH, SYSTEM FAILURE, OR IDENTIFIED VULNERABILITY AND SHALL TAKE IMMEDIATE CORRECTIVE ACTION.

D. AUDIT AUTHORITY. THE TOWN RESERVES THE RIGHT TO AUDIT ANY ARTIFICIAL INTELLIGENCE SYSTEM AND TO REQUIRE MODIFICATION, SUSPENSION, OR DISCONTINUATION WHERE NECESSARY TO PROTECT THE PUBLIC INTEREST.

SECTION 7-23. PROHIBITED AND RESTRICTED USES.

A. PROHIBITED USES. UNLESS EXPRESSLY AUTHORIZED BY FUTURE ORDINANCE, THE FOLLOWING USES ARE PROHIBITED:

- (1) REAL-TIME FACIAL RECOGNITION FOR SURVEILLANCE PURPOSES;
- (2) SOCIAL SCORING SYSTEMS;
- (3) FULLY AUTOMATED DECISION-MAKING WITHOUT HUMAN OVERSIGHT;
- (4) PREDICTIVE POLICING OR SIMILAR SYSTEMS TARGETING INDIVIDUALS.

B. RESTRICTED USES. USE OF ARTIFICIAL INTELLIGENCE SYSTEMS INVOLVING PUBLIC SAFETY FUNCTIONS, SENSITIVE DATA, OR OTHER ELEVATED RISK FACTORS MAY BE PERMITTED ONLY UPON APPROVAL OF THE MAYOR AND COUNCIL AND SUBJECT TO SUCH CONDITIONS AS THEY MAY IMPOSE.

C. ENFORCEMENT. ANY USE IN VIOLATION OF THIS ARTICLE SHALL BE SUBJECT TO IMMEDIATE SUSPENSION PENDING REVIEW BY THE TOWN ADMINISTRATOR.

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SECTION 7-24. ADMINISTRATION.

THE TOWN ADMINISTRATOR SHALL BE RESPONSIBLE FOR IMPLEMENTATION OF THIS ARTICLE, INCLUDING REVIEW OF PROPOSED SYSTEMS, COORDINATION WITH VENDORS, AND INVESTIGATION OF COMPLAINTS OR CONCERNS ARISING FROM THE USE OF ARTIFICIAL INTELLIGENCE SYSTEMS.

SECTION 7-25. PENALTIES.

A. EMPLOYEES WHO VIOLATE THIS ARTICLE MAY BE DISCIPLINED IN ACCORDANCE WITH ANY EXISTING EMPLOYEE HANDBOOK OR PERSONNEL POLICY REGARDING MALFEASANCE, FAILURE TO PERFORM DUTIES OR INSUBORDINATION.

B. ELECTED OFFICIALS MAY BE CENSURED BY THE COUNCIL FOR VIOLATING OR FAILING TO FOLLOW THE REQUIREMENTS OF THIS ARTICLE.

SECTION 7-26. SEVERABILITY.

IF ANY PROVISION OF THIS ARTICLE IS HELD INVALID, SUCH INVALIDITY SHALL NOT AFFECT THE REMAINING PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

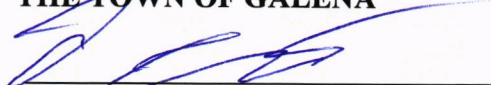
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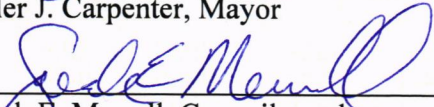
AND BE IT FURTHER ORDAINED AND ENACTED, that a fair summary of this ordinance shall be published at twice (2) after the date of passage in a newspaper or newspapers having general circulation in the Town.

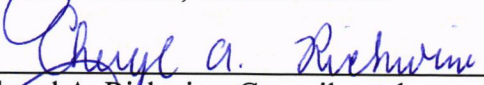
HAVING BEEN DULY ADOPTED on the 1 day of June, 2026 to be effective at the expiration of twenty (20) calendar days following approval on the 21 day of June 2026, we hereby affix our signatures. Following adoption, a fair summary of this Ordinance will be published at least twice (2) in a newspaper having circulation in the area.

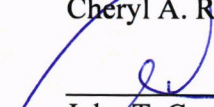
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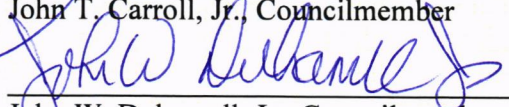
THE TOWN OF GALENA


Tyler J. Carpenter, Mayor

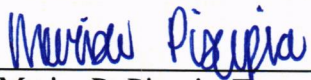

Sarah E. Merrell, Councilmember


Cheryl A. Richwine, Councilmember

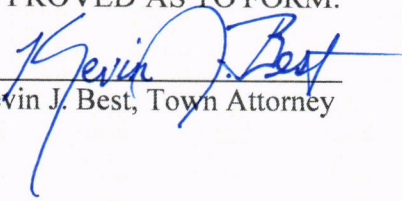

John T. Carroll, Jr., Councilmember


John W. Duhamell, Jr., Councilmember

ATTEST:


Marisa R. Pisapia, Town Administrator

APPROVED AS TO FORM:


Kevin J. Best, Town Attorney

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