



City of Phoenix

ADMINISTRATIVE REGULATION	A.R. NUMBER 1.86 Revised
	FUNCTION General Page 1 of 2
SUBJECT Legal Use of Software	EFFECTIVE DATE September 23, 2009
	REVIEW DATE

Purpose

The purpose of this Administrative Regulation (AR) is to protect the City of Phoenix (City) from software copyright infringement and ensure that all employees are following software license stipulations. This policy applies to all City personnel and regards the acquisition, reproduction, distribution, transmittal, and use of software on City computer devices and/or networks.

Questions regarding this AR should be directed to Information Technology Services (ITS).

Summary of Changes

This AR was last revised on January 10, 1994. In this current revision, the title has been changed from Software Management Administrative Regulation to Legal Use of Software. Additionally, sections regarding types of illegal software use and processes for providing proof of license have been deleted. This information is contained in the corresponding City of Phoenix IT Standard.

Overview

In all cases, software shall be used in accordance with the software license agreement, unless otherwise authorized in writing by the licensor. No employee shall make, use, accept, install, or download unauthorized copies of software. The City of Phoenix does not condone the unauthorized duplication of software.

All software is protected under U.S. copyright laws from the time of its creation. The City has licensed copies of computer software from a variety of publishers to help fulfill its mission. Unless otherwise provided in the software license terms, duplication of copyrighted software, except for backup and archival purposes is a violation of this A.R.

The City does not permit the use of software for which the City lacks the appropriate license. If you become aware of the use or distribution of unlicensed or unauthorized software in the City, notify your supervisor or the Chief Information Officer (CIO).

You may not loan or give to anyone any software licensed to the City.

You may not use or distribute personally owned software on the City's computers or networks. Such software threatens the integrity and security of the City's computers and networks.

You may not load new software without the prior approval of the Department Information Technology staff.

The Federal copyright law does not take into consideration intent – the law applies whether an individual knowingly or unknowingly makes or uses illegal software. Any City personnel with questions regarding licensing rights shall consult Department Information Technology staff or Information Technology Services prior to the installation and/or use of the software. Illegal copying or possession of illegal software may result in civil and criminal penalties, and also disciplinary action up to and including dismissal. Proof of license is required for all software. Examples of copyright violations and procedures for demonstrating proof of license are included in the corresponding City of Phoenix IT Standard.

Software License Plans

To protect the City from unauthorized use of licensed software, City departments and functions are required to develop and maintain a Department Software License Plan, per the corresponding City of Phoenix IT Standard. See: [IT Standards](#)

Each department is expected to develop, implement, and staff their program based on what is most suitable for the department.

The City Auditor Department will conduct periodic audits to ensure compliance with this policy. Departments may request further assistance or consulting support from their Departmental IT Staff, ITS, or other in-house computer service providers.

ED ZUERCHER, City Manager

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