

Data Use and Legal Responsibility by Users of Skagit County GIS Data

Limitations: Skagit County data is developed and maintained solely for County business functions, and use or interpretation of data by the Requestor or others is solely their responsibility. The County makes no warranty, expressed or implied, concerning the data's content, accuracy, currency or completeness, or concerning the results to be obtained from queries or use of the data. ALL DATA IS EXPRESSLY PROVIDED AS IS AND WITH ALL FAULTS. The County makes no warranty of fitness for a particular purpose, and no representation as to the quality of any data. Users of data are responsible for ensuring the accuracy, currency and other qualities of all products (including maps, reports, displays and analysis) produced from or in connection with Skagit County Geographic Information Services data. No employee or agent of Skagit County is authorized to waive or modify this paragraph. If a user of Skagit County data informs others that a product is based upon Skagit County's data, the County specifically requests and directs that the user also disclose the limitations contained in this paragraph. All users of Skagit County digital data shall credit Skagit County GIS as the data source.

Secondary Dissemination of Data: Most Skagit County projects are created from County created data sets or from data received from other agencies. Skagit County shall not supply any data that the County has received from other agencies due to license agreements and data currency issues. This includes data from agencies, such as, FEMA, Fish and Wildlife, DNR, USGS, or other agencies. The requestor shall obtain this information directly from the source. Requesters may disseminate Skagit County produced digital data provided that Skagit County GIS is credited as the data source and that the associated Skagit County metadata shall be included with the digital data.

Spatial Accuracy: Map data can be plotted or represented at various scales other than the original source of the data. The Requestor is responsible for adhering to industry standard mapping practices which specify that data utilized in a map or analysis, separately or in combination with other data, will be produced at the largest scale common to all data sets.

No County Liability: Skagit County shall not be liable to the Requester (or transferees or vendees of Requester) for damages of any kind, including lost profits, lost savings or any other incidental or consequential damages relating to the providing of the data or the use of it. The Requester shall have no remedy at law or equity against the County in case the data provided is inaccurate, incomplete or otherwise defective in any way. Skagit County is providing this information in good faith and shall be held harmless for any liability incurred. All digital map information is intended as a general geographic representation and should not be used for precise measurements or calculations.

Cost of Providing Digital Data: Many data sets are available at no cost via the Skagit County Web site. However, in the event that the requestor chooses to purchase data from the County, the requestor shall be charged the amount necessary to reimburse the agency for its actual costs (In accordance to RCW 42.56.120, relating to charges for copying). The cost is the actual cost to prepare the requested data files from the County GIS database. These costs will be paid by check or money order before data is delivered to the requestor. Checks shall be made out to Skagit County GIS.

Oversized Data Request and Equipment Damage: Skagit County has acquired large data sets that can not easily be disseminated through the County FTP site. In such cases, the GIS Department will arrange to accept a portable storage device from the Requestor and transfer data from the County system to the Requestors' storage device. If the Requestors' storage device is damaged, for any reason, the County shall not be held responsible for such damage. Skagit County is providing this service in good faith and the Requestor agrees not to hold the County liable for damage to data storage equipment or the data residing on the storage device.

Data Shift: The County will be shifting GIS data to improve the geographic accuracy. Any data the requestor builds on top of the County data may require adjustment. The Requestor assumes responsibility for aligning and registering data to the County data, if necessary.

I understand that deviation from any of the above requirements requires written permission from Skagit County Geographic Information Services. I have read the above information and understand its content:

Firm: _____ Authorized Agent: _____ Date: _____
(Print) (Print) (Print)

Signature: _____