



POLICY AND PROCEDURE MEMO

SUBJECT:

SOCIAL MEDIA

NO. 5.002

DATE: 4-28-10 Approved JS
8-1-13 Approved

D. W. Fritzsche
CITY MANAGER

I. OVERVIEW

The City of Rochester and its various Departments, employees, and official representatives (hereafter "City") have established a presence in the social media space to better interact and communicate with residents, businesses, and other interested parties.

The following constitutes the Agreement which governs your use of the online channels maintained by the City. Your use of any of the City's online channels constitutes your acceptance of the terms of this Agreement.

The Agreement's terms are necessarily broad, but in simple language:

By interacting with the City on any of the City's online channels, you agree to conduct yourself in a dignified and professional manner, as you would in person at any official City meeting, function, office, or event. Behavior which would not be permitted or tolerated in person at an official City meeting, function, office, or event will not be tolerated on the City's online channels.

The City is not responsible and shall have no liability to you, with respect to any content posted by others, including defamatory, offensive or illicit content that violates the terms of this Agreement. Offending parties may be barred from posting at the City's discretion, and may be reported to the administrators of third-party channels – Facebook, Twitter, etc. – for further disciplinary action.

II. CURRENT CITY POLICIES

Your activity on the City online channels shall comply with existing City provisions, including (but not limited to):

- o Rochester City Charter
- o General Ordinances of the City of Rochester
- o Laws, policies, procedures, regulations, and requirements adopted and/or enforced by the City and its Departments, employees, and official representatives.



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III. THIRD-PARTY POLICIES

Your activity on City online channels shall comply with the policies of third-party platforms on which the City establishes a presence including (but not limited to):

- Facebook Statement of Rights and Responsibilities
- Twitter Terms of Service

IV. OFFICIAL/EMERGENCY REPORTING

The City has established a presence in the social media space to better interact and communicate with residents, businesses, and other interested parties. However, this does not create an additional means to conduct official City business or address emergency situations.

If you have official City business to conduct (for example, to report a pothole to the Public Works Department), please contact the relevant Department directly, or consult their online channels for the proper means to proceed.

Though it may seem unnecessary and obvious to some, this statement must also be made: If you are faced with an emergency, don't use any of the City's online channels to report it. Instead, dial 911 immediately.

V. PRIVACY

All content posted on the City's online channels becomes public information. The City does not gather, collect, or store any personal information about you or your activity on any online channels, other than what you voluntarily share directly on the City's online channels.

You agree not to post content that infringes on the rights of privacy – personal, financial, proprietary, medical, legal, or otherwise – of any person business, entity, or organization on the City's online channels.

VI. COPYRIGHT/FAIRUSE/FINANCIAL DISCLOSURE/LEGAL PROCEDURES

You certify that the content you post on the City's online channels does not infringe on the intellectual property rights of any person, business, entity, or



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organization. This includes compliance with relevant federal, state, and local copyright, patent, trademark, fair use, and financial disclosure laws. You also agree not to disclose any information which would materially affect legal proceedings or pending litigation.

VII. LIABILITY/DISCLAIMER

The City does not necessarily endorse, recommend, verify or agree with the content posted on its online channels. You agree that if anyone brings a claim against the City related to your actions on the City's online channels, you will indemnify and hold the City harmless from and against all damages, losses, and expenses of any kind (including reasonable legal fees and costs) related to such claim.

The City makes no warranty, express or implied, including the warranties of merchantability and fitness for a particular purpose, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any content posted by others on the City's online channels.

VIII. REMOVAL OF CONTENT

The City expects users to conduct themselves in an appropriate, diplomatic manner. As such, the following types of content will be removed if posted on any of the City's online channels:

- Profane content
- Inflammatory, antagonistic or threatening content (e.g., "cyber-bullying")
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation
- Sexual content or links to sexual content
- Solicitations of commerce
- Conduct or encouragement of illegal activity
- Information that may tend to compromise the safety or security of the public or public systems
- Content that violates a legal ownership interest of any other party



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IX. POLITICAL ACTIVITY

Certain positions in the City are filled through municipal election or appointment. Additionally, certain measures may be added to the municipal ballot by the City Council in its official capacity. The City recognizes that campaigning and other political activities may affect how these positions are filled, and the success or defeat of various ballot measures.

The online channels maintained by the City are designed to support the day-to-day work of City government and its various functions, and are not designed or intended to conduct, promote, or endorse political activity or electioneering of any sort.

As such, content posted which supports or opposes

- 1) The candidacy of any person for election or appointment to a City position
- 2) Political campaigns or ballot measures, or
- 3) Any political organization, will be removed from the City's online channels

Please note: This statement should not be construed as being intended as a restriction on the free speech of City constituents. The City welcomes all feedback on its activities, and encourages lively discussion and engagement on issues of relevance to the City, its residents, businesses, and other interested parties. Rather, the City's online channels should be considered as an extension of physical City property, where political activity is limited by statute.

X. ACCESSIBILITY

The City aims to make public information available to all people, regardless of ability. In making use of online social media platforms; such as, Facebook and Twitter, the City encourages users to refer to these resources to ensure accessibility:

- a. Browser accessibility information from Internet Explorer, Firefox, and others
- b. Accessibility & Assistive Technology on Facebook



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- c. Applications which extend the accessibility of Twitter, such as Accessible Twitter

If you have any concerns about the accessibility of public information, please contact (NAME) IN THE (CITY DEPARTMENT) at (PHONE or E-MAIL ADDRESS).

XI. RECORDS RETENTION

The City desires to be an open and transparent government that endeavors to keep the spirit and letter of RSA 91-A, "The Right to Know Law". Public Records are defined in RSA 91-A and refer to documents in the City's paper and electronic files.

Regarding the City's online channels, the content posted on these platforms is public and accessible freely by all, and archived by these platforms. Furthermore, the content is indexed by Internet search engines and searchable by you at any time.

If for any reason this content is lost, removed or otherwise deleted, the City maintains a backup copy of the content, which may be made available to you per request through each individual Department with a presence on any online channels.

-END OF PROCEDURE-