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| CITY OF SISTERS | |
| POLICY: SOCIAL MEDIA | NUMBER: CMO 104 |
| EFFECTIVE DATE: 12/11/19 | APPROVAL: CITY COUNCIL |

1. Purpose; Intent.

1.1 General Purpose. It is the policy of City of Sisters (“City”) to conduct its business in a manner that is fair, open, transparent, and consistent with applicable laws, and that fosters public confidence in City. In furtherance of this objective, City strives to timely and effectively provide information to City’s residents, interested parties, and the general public. Social media affords City an opportunity to reach a broader audience for purposes of communicating City business. The primary purpose of any City internet website and/or City-operated online platform, including, without limitation, City’s website and City social media site(s), is to provide news, announcements, and other public information concerning City business in addition to traditional distribution outlets. City finds that City’s use of social media furthers City’s goal of providing an open and transparent government.

1.2 Policy Intent. The purpose of this policy is to set forth terms and conditions applicable to the use and engagement of City-operated social media, websites, and other digital enhancement tools. In addition to the above-stated purposes, this policy is intended to guide the use of social media by City, City’s employees, and City’s appointed and/or elected officials. This policy applies to visitors of City’s website and City social media platforms. Notwithstanding anything contained in this policy to the contrary, it is City’s policy that City will use social media for purposes limited to City business, news, announcements, and other public information releases. To the extent this policy conflicts with any applicable law (as defined below), City will comply with the applicable law. Notwithstanding anything contained in this policy to the contrary, this policy does not create a public forum. For purposes of this policy, the term “law(s)” means all applicable federal, state, and/or local laws, rules, regulations, codes, and/or ordinances, including, without limitation, the Oregon Public Records Law (ORS 192.001-ORS 192.607).

2. Social Media – General. City recognizes that social media uses constantly changing technologies and formats, including, without limitation, blogs, photo-sharing, video-sharing, podcasts, social networking, and microblogs. For purposes of this policy, “social media” refers to activities that integrate technology, social interaction, and content creation, which may include, without limitation, Facebook, Twitter, YouTube, blogs, and other similar accounts; City social media sites include, without limitation, any site maintained by City for purposes of disseminating information related to City business.

3. City Social Media. City may use social media for any legitimate City business purposes, including, without limitation, reaching a broader audience and/or furthering City’s communication goals. City will use, operate, and maintain City social media sites in a manner consistent with all applicable laws, including, without limitation, this policy, and in a manner consistent with the messaging across City’s various media outlets.

3.1 Authority; Delegation. City’s city manager is authorized to establish, use, operate, manage, maintain, monitor, and/or administer any social media site for and on behalf of City. Subject to the provisions of this policy, the city manager has the authority to implement, administer, and manage this policy, including, without limitation, the authority to interpret this policy. The city manager may promulgate such rules, regulations, and/or policies as the city manager deems necessary or appropriate to effectuate the intent of this policy, including, without limitation, any policies necessary to ensure compliance with applicable law, and to protect the secure access to and proper use of City’s website and/or any City social media site. Notwithstanding the immediately preceding sentence, only personnel authorized by the city manager are permitted to access,

manage, and/or use City's website and/or social media accounts as the administrator on behalf of City. The city manager may delegate the city manager's duties and responsibilities under this policy as the city manager deems necessary and appropriate. For purposes of this policy, "city manager" means City's then appointed city manager and/or his or her designee(s).

3.2 Website. Notwithstanding anything contained in this policy to the contrary, City's website will remain City's primary internet presence. Whenever practicable, the city manager will ensure that (a) content posted on social media will be accessible on City's website (www.ci.sisters.or.us), and (b) content posted on social media contains links directing users back to City's website.

3.3 Content. City will provide social media content that is relevant, concise, and informative to City's audiences. All content posted on City's website and/or social media must be content neutral, non-controversial, non-discriminatory, and must represent City in a professional manner. Without otherwise limiting the generality of the immediately preceding sentence, content will not (a) include personal opinions of councilors, employees, and/or others authorized to manage City's social media, and/or (b) contain material prohibited under Section 4.3 of this policy.

3.4 Public Records. Notwithstanding anything contained in this policy to the contrary, City's social media and City's website (and all content and/or information contained therein) are subject to applicable laws and City's obligations under such laws. To the extent required under applicable law, City will preserve records required to be maintained pursuant to any applicable records retention schedule(s), for the required retention period, and in a format that preserves the integrity of the original record and is easily accessible.

4. Public Comments on City Social Media.

4.1 No Public Forum. Notwithstanding anything contained in this policy to the contrary, City's use of any social media is not intended (nor will be construed) to create a public forum. City finds it necessary and appropriate to adopt reasonable restrictions on the use of City social media sites. If any City social media site permits users to comment and/or otherwise post to the site, such comments and/or content are subject to this policy. Public comments are considered public information and are subject to monitoring, moderation, and disclosure to third parties. The views expressed in visitor comments reflect those comments of the author and do not reflect the official positions of City. Notwithstanding anything contained herein, City reserves the right to disable, disallow, and/or otherwise not permit public comments and/or posts on City's social media sites.

4.2 No Favoritism. To avoid any perception of City favoritism, City prohibits links to corporate, business, and/or otherwise commercial logos or direct links to vendor sites from City's social media sites. City may permit links to external sites of governmental agencies, public, non-profit, and educational institutions, and other non-commercial agencies if providing such link is consistent with City business.

4.3 Public Comments. If any City social media site permits visitors (users) to comment on and/or post on the website or social media site, the content of any comment and/or post must (a) comply with this policy, (b) be professional, content neutral, non-controversial, non-discriminatory, and (c) pertain to City business. Subject to Article I, section 8 of the Oregon Constitution, the First Amendment the United States Constitution, and other applicable laws, City prohibits any content on City's website and/or social media that includes any of the following material:

a. Tobacco; Alcohol; Firearms. Any material that promotes the sale and/or use of (1) tobacco and/or tobacco-related products, including, without limitation, cigars, cigarettes, vaping, and/or smokeless tobacco, (2) alcohol and/or alcohol-related products, and/or (3) firearms.

b. Obscene or Nudity. Any nudity, obscene matter, sexual conduct, sexual excitement, and/or sadomasochistic abuse as those terms are now, or may hereafter be, defined in Oregon Revised Statutes (ORS) 167.051 to ORS 167.100.

c. False or Misleading. Material that is, or that the user reasonably should have known is, false, fraudulent, misleading, deceptive, and/or would constitute a tort of defamation or invasion of privacy, or is libelous.

d. Intellectual Property. Any material that is an infringement of a copyright, trademark, and/or service mark.

e. Controlled Substances. Content, and/or any material contained therein, that promotes or encourages, or appears to promote or encourage, the sale and/or use of controlled substances.

f. Illegal Conduct. Content, and/or any material contained therein, that promotes or encourages, or appears to promote or encourage, illegal activities and/or conduct.

g. Offensive Material. Content that contains or portrays material that is so insulting, degrading, and/or offensive as to be reasonably foreseeable that it will incite and/or produce imminent lawless action in the form of retaliation, vandalism, and/or other breach of public safety, peace, and order.

h. Safety. Content that is reasonably foreseeable to have an adverse effect and/or impact on the health, safety, and/or welfare of, or create an unreasonable risk of harm to any person.

Notwithstanding anything contained herein, City reserves right to immediately remove, delete, modify, and/or report to an appropriate governmental agency (if applicable) any content that violates applicable law, including, without limitation, this policy.

4.4 Disclaimer. City social media sites will contain a message substantially in the form of the following:

“This site is created and maintained by City of Sisters (“City”) for purposes of providing announcements and information to the general public on topics relevant to City business. This site does not serve and/or create a public forum. City reserves the right to remove and/or delete content that (a) is unrelated to the original post, (b) is in support of or opposition to political campaigns or ballot measures, (c) contains profane language or content, (d) promotes, fosters, or perpetuates discrimination based upon any class protected under applicable federal, state, and/or local law, (e) contains inappropriate sexual content, (f) solicits commerce, (g) encourages illegal activity, (h) contains private and/or confidential information, (i) may compromise the safety or security of the public or public systems, (j) violates a legal ownership interest of another party, and/or (k) violates City’s social media policy, as amended. City reserves the right to determine which content is unacceptable and/or violates City’s social media policy. City also reserves the right to delete comments after they have been displayed for a period of one month or longer. Postings to this site may be subject to monitoring and disclosure under Oregon Public Records Law.”

4.5 Moderation of Comments. The city manager will monitor any comments on City social media. City employees will not engage in online dialogue and/or debate with visitors to and/or users of City social media. If necessary or appropriate, the city manager (or his or her designee) will refer users to City’s official website, respond to questions by providing basic information to clarify the original post if necessary or appropriate, and/or direct users to an appropriate City employee. Any post generating debate or controversy

should immediately be brought to the city manager's attention prior to posting a response on behalf of City. The city manager will review and respond in such a manner that the city manager deems appropriate.

5. Employee Use of Social Media. This policy is not intended to restrict or otherwise apply to a City employee's use of personal social media; provided, however, City employee use of social media must be consistent with this policy, as applicable, and the policies contained in City's First Amended and Restated Employee Handbook dated January 23, 2019 ("Employee Handbook"). Employees representing City through social media outlets must conduct themselves at all times in a manner consistent with this policy. Employees should be aware that personal use of social media is subject to the following limitations:

5.1 Subject to and in accordance with the Employee Handbook, Employees may not access personal social media accounts using City property (e.g., computers and phones) or during the employee's working hours. Employees must not use a City email account and/or password in conjunction with personal social media accounts.

5.2 Employee conduct on social media sites that violates the Employee Handbook, including, without limitation, those policies related to personal conduct, harassment, discrimination, and personal blogs and social networking, may result in disciplinary action up to and including termination.

5.3 Employees should never represent themselves as representing City unless acting in their official capacity as authorized by this policy and/or other City directive. Employees creating content related to City on personal social media outlets must clearly state that such content and/or viewpoint does not represent those of City, its employees, and/or its elected officials.

6. Councilor Use of Social Media.

6.1 A councilor's use of social media for City business must be consistent with all applicable laws, including, without limitation, ORS Chapter 192 and ORS Chapter 244. Councilors are solely responsible for ensuring compliance with the aforementioned laws and this policy when using social media. Without otherwise limiting the generality of the immediately preceding sentence, councilors will use social media in a professional manner and in such a manner that will not damage the reputation of City. Councilors may consider maintaining separate accounts representative of their capacity as councilors and/or candidates for elected office.

6.2 Notwithstanding anything contained in this policy to the contrary, this policy is not intended to restrict and/or otherwise apply to a city councilor's right to and/or use of personal social media. Councilors creating content on personal social media must clearly state that such content and/or viewpoint does not represent those of City, its employees, and/or its elected officials, and is posted (created) in the councilor's individual capacity.