

RESOLUTION 2014-01

Social Media Policy

A RESOLUTION OF THE COMMISSIONERS OF ST. MICHAELS ADOPTING A POLICY REGULATING THE ESTABLISHMENT, USE, AND MAINTENANCE OF THE TOWN OF ST. MICHAELS' SOCIAL MEDIA SITES AS A MEANS OF DISSEMINATING INFORMATION FROM AND ABOUT THE TOWN.

RECITALS

WHEREAS, the Commissioners of the Town of St. Michaels (the "Commissioners") recognize the increasing role social media sites, such as Facebook, Twitter, Instagram, and YouTube, play in today's society and in the lives of the citizens of the Town of St. Michaels (the "Town"); and

WHEREAS, the Commissioners further recognize that the Town's use of social media sites for the purpose of disseminating information from and about the Town has the potential to benefit the Town and its government and citizens; and

WHEREAS, the Commissioners are desirous of adopting a policy regulating the establishment, use, and maintenance of Town social media sites to ensure that information from and about the Town is properly disseminated in the best interests of the Town and its government and citizens; and

WHEREAS, the Town has an overriding interest and expectation in protecting the integrity of content posted on its social media sites and deciding who may "speak" and what is "spoken" on behalf of the Town and its municipal officers and employees on social media sites; and

WHEREAS, the Commissioners for the good and welfare of the community, deem it necessary and appropriate to adopt a policy regulating the establishment, use and maintenance of the Town's social media sites as a means of disseminating information from and about the Town in the form of a Resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMISSIONERS OF ST. MICHAELS:

1. Definitions

a. "Content" is defined as and includes information, articles, pictures, videos, and any other form of communication posted on any Town website or social media site.

b. "Social media" is defined as and includes content created by individuals, using accessible, expandable, and upgradable publishing technologies through and on the Internet. Examples of social media include Facebook, Twitter, YouTube, blogs, RSS, LinkedIn, and Instagram.

c. "Town social media sites" are defined as and include social media sites established and maintained by the Town and over which the Town has control of all content posted thereupon, except for advertisements and hyperlinks by the social media site's owners,

vendors, or partners. Town social media sites shall supplement, and not replace, the Town's required notices and standard methods of communication.

2. General Policy

a. No Town social media sites shall be established without the express authorization of the Commissioners. Unless otherwise specified by the Commissioners, the use of Town social media sites is limited to the Commissioners, the Town Clerk-Manager, the Communications Manager and the Assistant Town Clerks.

b. Unless otherwise specified by the Commissioners, all Town social media sites shall be administered by the Communications Manager and Assistant Town Clerks, under the supervision of the Town Clerk-Manager.

c. Town social media sites shall make clear that they are maintained by the Town and that they follow the Town's social media policy, as set forth herein, and bear the name and/or official logo of the Town.

d. Wherever possible, Town social media sites should link back to the official Town website for forms, documents, online services, and other information necessary to conduct business with the Town.

e. The Town Clerk-Manager and the Communications Manager shall monitor content on Town social media sites to ensure adherence to both this Resolution and the best interests of the Town.

f. The Town reserves the right to restrict or remove any content that is deemed in violation of this Resolution or any applicable law. Any content removed based on this Resolution shall be retained by the Town Clerk-Manager for a reasonable period of time, and shall include the time, date, and identity of the individual posting such content, if and when available.

g. The Town's social media policy, as set forth herein, must be displayed to users of the Town social media sites or made available via hyperlink.

h. The Town shall approach the use of social media tools as consistently as possible.

i. The Town's website shall remain the Town's primary and predominant Internet presence.

j. All Town social media sites shall adhere to applicable federal, State, and local laws, regulations, and policies.

k. Town social media sites are subject to the Maryland Public Information Act. Any content maintained in a social media format that is related to Town business, including a list of subscribers, posted communication, and communication submitted for posting may be a public record subject to public disclosure.

l. Town social media sites are subject to the Maryland Open Meetings Act. The Commissioners shall not respond to, “like,” “share,” “retweet,” or otherwise participate in any published postings, or use the site or any form of electronic communication to respond to, blog, or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the Commissioners that may reasonably be construed to violate the Maryland Open Meetings Act.

m. Content relative to topics or issues not within the jurisdictional purview of the Town may be removed.

n. Municipal officers and employees representing the Town via Town social media sites must conduct themselves at all times as a representative of the Town and in accordance with all Town laws, regulations, and policies. Any municipal officer or employee who fails to so conduct him/herself may be subject to applicable disciplinary action.

o. This Resolution is subject to revision by the Commissioners at any time.

3. Content Policy

a. As a governmental entity, the Town must abide by certain standards to serve all its constituents in a civil and unbiased manner.

b. The intended purpose behind establishing Town social media sites is to disseminate information from and about the Town.

c. Content consisting of any of the following shall not be permitted on Town social media sites and are subject to removal and/or restriction:

i. Content not related to the original topic, including content that is random or unintelligible;

ii. Profane, obscene, violent, or pornographic content and/or language;

iii. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin;

iv. Defamatory or personal attacks;

v. Threats to any person or organization;

vi. Content in support of, or in opposition to, any political campaigns or ballot measures;

vii. Solicitation of commerce, including but not limited to advertising of any business or product for sale;

viii. Content in violation of any federal, State, or local law;

ix. Encouragement of illegal activity;

- x. Information that may tend to compromise the safety or security of the public or public systems; or
 - xi. Content that violates a legal ownership interest, such as a copyright, of any party.
- d. The Town reserves the right to deny access to Town social media sites for any individual who violates any provision of this Resolution at any time and without prior notice.
- e. When a municipal officer or employee of the Town responds to content posted on a Town social media site in his/her official capacity, the municipal officer or employee's name and title shall be made available, and the municipal officer or employee shall not share personal information about himself/herself or other municipal officers or employees of the Town.
- f. All content posted on any Town social media site shall comply with the terms of use and other policies promulgated by the third party hosting such site. Nothing in this Resolution is intended to circumvent or substitute any such policy and users who post content on any Town social media site in violation of the same may be subject to action by the third party hosting such site, even if such content does not violate this Resolution.

4. Disclaimers

- a. Each and every member of the public accessing, browsing, and using any Town social media site accepts, without limitation or qualification, the terms and conditions set forth herein. Content posted by a member of the public on any Town social media site is the responsibility and opinion of the individual posting such content, and publication thereof does not imply endorsement of or agreement by, nor necessarily reflect the opinions or policies of, the Town, the Commissioners, or any other municipal officer or employee. By virtue of posting content on a Town social media site, the individual posting such content agrees that he/she has no expectation of privacy in the content provided.
- b. The Town assumes no liability for any inaccuracies the Town's social media sites may contain and does not guarantee that its social media sites will be uninterrupted, permanent, or error-free.
- c. The Town has no control over and does not endorse a third party site's policies or any content, advertisements, or other postings that appear on the Town's social media sites as part of the site's environment.
- d. Communications made through Town social media sites shall in no way constitute legal or official notice or comment to the Town. By way of example, and not limitation, a post or comment that requests public records shall not be considered to be a public records request under the Maryland

THIS RESOLUTION HAVING BEEN INTRODUCED AND PASSED by a yea and nay vote of
The Commissioners of St. Michaels on the 26th day of March, 2014.

Vlahovich	-	___yea___
Clark	-	___yea___
Borders	-	___yea___
Harrod	-	___yea___
Myers	-	___yea___

I HEREBY CERTIFY that the above Resolution was passed by a yea and nay vote of The
Commissioners of St. Michaels on the 26th day of March, 2014.

ATTEST:

THE COMMISSIONERS OF ST. MICHAELS

JEAN R. WEISMAN
Town Clerk/Manager

BY: _____(SEAL)
A. MICHAEL VLAHOVICH, President

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