

RESOLUTION NO. 15-23

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, ADOPTING A POLICY RELATED TO THE USE OF SOCIAL MEDIA SITES, SOCIAL NETWORKING SITES, AND THE TOWN'S WEBSITE; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Town Council recognizes the value in using social media sites, social networking sites, and the Town's website to broaden communication regarding government services and facilitate greater citizen engagement;

WHEREAS, the Town Council finds that social media should be used prudently to facilitate accurate, timely, and appropriate public information;

WHEREAS, the purpose of the Town's Social Media Policy is to set forth the Town's goals, policies, and procedures relating to the Town's presence on social media sites and to regulate employees who are responsible for maintaining the Town's presence on social media;

WHEREAS, public comments may be allowed on the Town's social media sites regarding particular areas of public concern, provided users of the sites adhere to the Town's rules and regulations regarding posting prohibited content; and

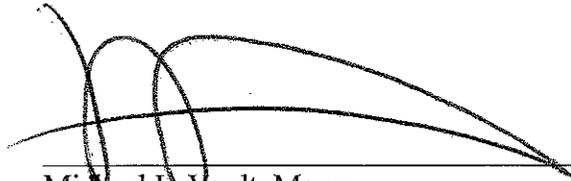
WHEREAS, the Town Council has determined that the adoption of the policy attached hereto is in the best interests of the Town of Youngtown and its employees.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the Town of Youngtown, Arizona, adopts the Town of Youngtown Social Media Policy, attached as Exhibit "A" and incorporated by reference in this Resolution.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions in conflict with the provisions of this Resolution are hereby repealed. All policies in conflict with the provisions of this Resolution are hereby repealed and superseded by this Resolution.

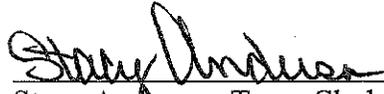
BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Youngtown, Arizona this 3rd day of September, 2015.



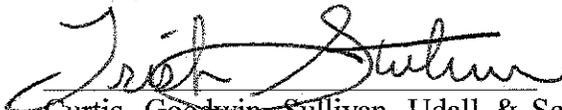
Michael DeVault, Mayor

ATTEST:



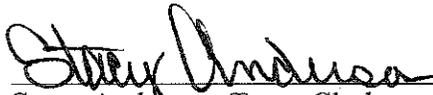
Stacy Anderson, Town Clerk
Town of Youngtown

APPROVED AS TO FORM:



Curtis, Goodwin, Sullivan, Udall & Schwab,
P.L.C., Town Attorneys
By Kelly Schwab

I hereby certify the above foregoing Resolution No. 15-23 was duly passed by the Council of the Town of Youngtown, Arizona, at a regular meeting held on September 3, 2015, and that quorum was present thereat and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 1 Council members were absent or excused.



Stacy Anderson, Town Clerk
Town of Youngtown

EXHIBIT A

TOWN OF YOUNGTOWN SOCIAL MEDIA POLICY

This policy outlines the protocol and procedures for use of social media sites, social networking sites, and the Town website to publicize official town services and events. In addition, this policy addresses the responsibilities of individual employees and town officials with regard to social media and the use of Town resources, as well as responsibilities related to public records. Finally, this policy establishes guidelines for the public to follow in posting public comments on the Town's social media or social networking sites and the Town website.

1. DEFINITIONS:

- 1.1 **Social Media.** Social media is defined as the various online technology tools that enable people to communicate easily, via the internet, to share information and resources. Social media includes, but is not limited to, social networks, blogs, video sharing, podcasts, wikis, message boards and online forums. The technology for social media includes picture sharing, wall postings, electronic mail, instant messaging, and music sharing. Examples include, but are not limited to, Facebook, YouTube, LinkedIn, Twitter, Flickr, Nixle, Pinterest and news media comment sharing.
- 1.2 **Social Networking.** Social networking is defined as the practice of expanding the number of one's business contacts by making connections through web-based applications. Social networking relates to the use of internet-based applications to promote such connections and the sharing of information.
- 1.3 **Town Website.** The Town's website is defined as any website maintained by or for the benefit of the Town.
- 1.4 **Comments.** As used in this policy, comments on social media or networking sites include information, articles, pictures, videos or any other form of communicative content posted on a Town social media site by a member of the public.

2. FIRST AMENDMENT RIGHTS AND LIMITATIONS:

- 2.1 **Town Employees.** Town employees have rights of freedom of speech, religion, and assembly under the First Amendment. The Town may impose certain restraints on job-related speech by an employee and on workplace speech. Employees shall not disclose, through social media, social networking or the Town website, confidential information of the Town or other information obtained as part of their job duties. If an employee believes that information is a matter of public concern, the employee should consult with the Town Manager prior to disclosure. All communications with the media by Town employees in their official capacity must be pre-approved by the Town Manager or his/her designee.

2.2 **Members of the Public.** The Town of Youngtown's social media sites, social networking sites, and the Town website are intended to serve as a means of communication between Town departments and members of the public. Where the Town of Youngtown invites the public to post comments on one of its social media sites, such as in the Community Voice section of the Town's website, the Prohibited Content guidelines in Section 6.2 shall apply to ensure that comments are related to the topic area presented and not obscene, profane, or otherwise prohibited. All comments posted to the Town's social media sites may be monitored.

3. **ADMINISTRATION OF SOCIAL MEDIA SITES, SOCIAL NETWORKING SITES, AND THE TOWN WEBSITE:**

The Town Manager's Office shall be the Town's official spokesperson for the Town's social media sites, social networking sites, and the Town website and, in that capacity, shall maintain the Town's official web presence including, but not limited to, any websites sponsored by the Town or any of the Town's Departments.

3.1 The Town Manager's Office shall administer security and monitoring measures for the Town's social media sites, social networking sites, and the Town website.

3.2 Department directors, managers, supervisors, and employees shall be responsible for assuring compliance with the provisions of this section.

4. **NO EXPECTATION OF PRIVACY:**

The Town reserves the right to use software and other available tools to monitor verbal and written communication, or discussions about the Town or its employees anywhere on the Internet, including blogs, other public social networking sites, and open communications.

5. **PUBLIC RECORDS:**

Any Town employee who manages the use of social media is responsible for preserving public records and maintaining them in accordance with A.R.S. § 39-101 and Town procedures. Such employees should coordinate with the Town Clerk, as the official custodian of Town records.

6. **USE OF SOCIAL MEDIA SITES, SOCIAL NETWORKING SITES, AND THE TOWN WEBSITE:**

6.1 **Employee Guidelines.**

6.1.1 Employee blogging or personal/private use of social media sites shall not disrupt or distract from the work environment.

Excessive or disruptive use of employee blogging or personal/private use of social media or social networking sites may result in disciplinary action, up to and including termination.

6.1.2 Employees shall not attribute personal statements, opinions, or beliefs to the Town of Youngtown when engaging in blogging or social networking for personal/private use. Employees shall not use Town logos, trademarks, photographs, or videos in their personal use of social media or social networking. Employees assume all risks relating to the use of social media and social networking, and the Town may require immediate removal of, and impose discipline for, material that is disruptive to the workplace or impairs the mission of the Town.

6.1.3 Employees are prohibited from disclosing confidential information or information that could breach the security of the Town or the Town's computer network.

6.1.4 Use of social media sites and participating in social networking by any Town Department or employee when representing the Town shall first be approved by the Town Manager's Office.

6.1.5 Use of social media of a business nature, such as LinkedIn, or a members-only site maintained by a professional organization approved by the Town may be permitted for professional use by Town Employees or Departments.

6.1.6 All requests for using third-party websites and services to advertise Town business, events, or services shall first be submitted to the Town Manager for review and approval. All Town-related content posted on third-party websites shall comply with Town web standards. Video may only be posted on outside sources (such as YouTube) by or with the consent of the Town Manager's Office. Content posted on any third-party website shall include a clear statement that any reuse, reproduction or alteration of the content is prohibited.

6.2 **Comments by the Public.**

6.2.1 The "Prohibited Content Notice" in Section 6.2.2 shall be displayed to users or made available by hyperlink on each social media site, social networking site, or Town website that permits public comments.

6.2.2 "PROHIBITED CONTENT NOTICE: The Town of Youngtown encourages your comments, concerns and questions

regarding any of the topics on this page but will remove the following types of posts:

- Off-topic comments.
- Comments that promote, foster, or perpetuate 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, sexual orientation or any other basis protected by state or federal law.
- Profane language or content.
- Obscene or sexual content or links to obscene or sexual content.
- Conduct or encouragement of illegal activity.
- Information that may compromise the safety or security of the public or public systems or employees.
- Content that violates a legal ownership interest of any other party.

The public comments expressed on this site do not reflect the opinions or position of the Town of Youngtown, its officers, or its employees. If you have any questions or would like to report a comment in violation please contact the Town Clerk.”

6.2.3 The Town reserves the right to restrict or remove any content that is deemed in violation of the Prohibited Content Notice or any applicable law.

6.2.4 Any participants on the Town’s social media sites, social networking sites, or the Town website who are in continual violation of the posting/commenting guidelines may be permanently removed from the Town’s site.

6.2.5 Any content removed based on these guidelines must be retained, including the time, date and identity of the poster when available in accordance with the Town’s retention policy.

7. **TOWN WEBSITE:**

All content posted to the Town website shall receive prior approval from the Town Manager’s Office and be posted in compliance the following policies.

- 7.1 The Town of Youngtown shall maintain only one official website. Its web address is <http://www.youngtownaz.org/> and Town departments may have pages on the website.
- 7.2 The purpose of the Town website is to provide the residents of Youngtown and the general public with information about the Town of Youngtown, its governance, and public events.
 - 7.2.1 The Town Manager will work with the Town Clerk to post agenda, minutes, and supporting documentation for all meetings of public bodies of the Town including, but not limited to, the Common Council of the Town of Youngtown.
 - 7.2.2 The Town is not responsible for the reliability, accuracy or functionality of links to third-party websites that it posts on the Town website.
- 7.3 The Town website will contain accurate and timely information regarding the Town of Youngtown.
 - 7.3.1 Department heads are responsible for ensuring that they provide the Town Manager with appropriate updates to maintain accurate information about their department on the Town website.
 - 7.3.2 In the event an error is discovered in a posting, a prompt correction must be issued on the Town website, noting the error and the correct information.

8. **SUSPENSION OF SERVICES:**

The Town of Youngtown reserves the right to temporarily or permanently suspend access to Town social media sites, social networking sites, or the Town website at any time.