

THE SWANCREEK TOWNSHIP WEBSITE AND SOCIAL MEDIA POLICY

Resolution 135-20

Adopted August 3, 2020, Amended September 14, 2020

Township Website Policy

1. **Purpose.** The purpose of this Policy is to establish regulations for the development, operation, and administration of the Township's website. It is also intended to ensure that the Township's websites remain non-public forums and a vehicle for obtaining and disseminating certain limited information related to Township business. Moreover, the Township has a legitimate public interest in providing accurate and appropriate information that is limited to Township - related business and wants to ensure that it has the ability to limit the use and control of the same.
2. The purposes of the Township websites are as follows:
 - a. To provide a convenient and information-rich resource for residents, visitors, businesses, non-profit organizations, other public agencies, and schools to obtain and disseminate specific information related to Township government.
 - b. To provide information and resources that contribute to the health, safety and welfare of the public.
 - c. To employ technology designed to improve customer service and communication relating to issues of interest within the Township and surrounding area.
 - d. To contribute to the improvement of Township services, foster economic development, and enhance the sense of community within the Township.
 - e. To establish and strengthen long-term partnerships between the Township and individuals and entities in the public and private sectors.
 - f. To allow users to conduct Township business transactions such as recreation registration, licensing and permit activities.
3. **Policy.** The Township shall operate and maintain the Township websites as provided in this Policy.
4. **Definitions.** The following definitions shall apply to this Policy:
 - a. "Township websites" mean the official Swancreek Township website available at <https://swancreektwp.org/> and

any additional domain name(s) that the Township acquires for official Township use.

- b. “Cookies” means files on the user’s computer that enable a website to recognize the user on subsequent visits and possibly track the user’s Internet use between visits.
- c. “External Website” means a website maintained by a third party, and not by the Township.
- d. “External Link” is a hyperlink from the Township websites to a website maintained by a third party.
- e. “Security Measures” means practices for protection of physical configuration and environment, software, information-handling processes, and user practices.
- f. “User” or “Users” means an individual or individuals who access the Township webpages through the Internet.

5. **Non-Public Forum Status.** The Township’s website is a non-public forum. While the Township encourages the public to use the Township websites to access information and resources, the Township expressly reserves the right to impose certain restrictions on the use of its website including, but not limited to, the limiting of content to certain Township-related topics. Township websites are reserved for the exclusive control of the Township for the purposes of one-way communication to users. Township website shall not nor are they intended to be used to facilitate a general debate or the free exchange of ideas. This non-public forum status does not extend to Township-supported public comment platforms that are run and facilitated by a private, non-partisan companies with the express purpose of engaging the public. However, the Township’s support of public comment platforms, does not change the non-public forum status of the Township’s websites and is not intended to create a designated public forum.
6. **Authority of the Township Trustees.** The Township Trustees or their designee shall have the authority and responsibility for the implementation of this Policy. This Policy will be posted on the Township websites for review by the public at any time.
7. **Privacy.** The Township is sensitive to the privacy interests of the users of the Township websites and believes that the protection of those interests is an important responsibility. The Township’s goal in collecting personal information online is to provide the user with the most personalized and effective service possible. By understanding the user’s needs and preferences, the Township may provide users with improved service. The Township strives to protect online personal information in the same manner that the Township protects citizen and business information

obtained through other means. The following information explains the Township's policy regarding any personal information supplied when using the Township websites.

- a. On certain occasions, the Township websites may request a user's email address for purposes of correspondence or for Township business. The Township shall not share email addresses with anyone outside the Township, nor disclose user information to any third party, except as required by applicable federal or state laws, including but not limited to the Public Records Act and/or as required in a court action.
- b. The Township may use the personal data provided through the Township websites to send information about Township services and upcoming civic activities. However, the Township will neither sell nor knowingly provide personal information for any other direct mail activities, except as required by applicable laws, including the Public Records Act and discovery in a civil law suit.
- c. The Township does not guarantee, nor does it represent, that such comments, suggestions or questions submitted by email to the Township or to Township officials or employees will remain private or confidential and no expectation of privacy is created by such communications. Similar to mailed or delivered comments, comments received via e-mail, posted on Social Media, or posted by means of an online public comment platform may become subject to public disclosure under the Public Records Act and/or part of the discovery procedure in a civil lawsuit or other legal proceeding.
- d. The Township will not intentionally release any information about the collection of Internet Protocol (IP) addresses to any third party except as required by applicable federal or state law. The Township websites may archive web server log files in order to create aggregate statistical reports, detect errors at the Web site, and for security reasons. To the extent that the Township maintains web log files, such files shall be deleted according to a regular schedule established by the Township's designated department.
- e. Aggregate reports may be generated about visitors to the Township websites. These reports do not contain any personally identifiable information.
- f. The Township does not use persistent reoccurring Cookies, nor share unauthorized information with other third-party entities.

8. **Security.** The Township websites apply security measures to protect the loss, misuse and alteration of the information under the Township's control. From time to time, security measures may be upgraded or otherwise modified to meet changing needs. While the Township endeavors to keep secure all information it receives via the Township websites, the Township cannot guarantee the security of the information.
9. **External Links.** The Township has a legitimate interest in limiting persons or organizations that might be linked to the Township websites. The Township may exercise discretion to ensure that the links to the Township websites are consistent with the purpose of the Township websites, as set forth in Section 1.
 - a. Each proposed External Link on the Township websites shall be reviewed to determine its relevance and appropriateness to the purpose of the Township websites. The Township Trustees or his or her designee shall review the merits of the proposed External Link based upon the criteria set forth below. The Township Trustees or his or her designee shall also determine whether the External Link serves the purpose of the Township websites, as set forth in Section 1. A proposal for an External Link will not be denied based on the viewpoint espoused by the individual or entity.
 - b. When the below criteria do not provide clear guidance, the Township Trustees or his or her designee reserves the right to make a decision based on the general intent of the criteria outlined below and what he or she believes is in the best interest of the Township.
 - c. The Township shall use the following criteria in considering proposals for External Links from the Township websites:
 - i. Sponsored by governmental and public educational institutions.
 - ii. Sponsored by nonprofit organizations that perform the following services: assist persons in locating housing, housing discrimination assistance, or homeownership; assist people in finding employment or training opportunities; provide non-elective healthcare, and other human and social services; provide information or access to the arts, humanities, culture or education; improve neighborhoods; provide information or resources for neighborhood revitalization, code enforcement and/or crime prevention; enhance business development and economic development opportunities locally and regionally.
 - iii. Sponsored by organizations partnering with the Township to meet the Township's strategic or operational goals.
 - iv. Sponsored by private organizations which provide government-related information and/or services in a way that is not available on an official government website, as set forth in Subsection (e).

- v. Sponsored by professional associations affiliated with local government.
 - vi. Sponsored by private or public utilities that service Township residents or businesses specifically to assist individuals relocating to the Township.
- d. The Township websites will not provide External Links to websites that:
- i. Promote or exhibit hate, bias, discrimination, pornography, libelous or otherwise defamatory content.
 - ii. Have a primary purpose of furthering the agenda of a political organization or a candidate running for office, or defeating any candidate for elective office.
 - iii. Violate any of the Township's equal opportunity policies.
 - iv. Consist of personal home pages operated by individuals.
- e. The Township may provide External Links to certain private commercial sites that maintain and display government-related information which fulfills the purposes of the Township websites as set forth in Section 1, and which is not generally available through a governmental agency due to the cost of compiling, maintaining and/or displaying such information. To support the cost of compilation and maintenance of this information, these private commercial sites may include advertising or promotional material in the information display. Accordingly, External Links to such sites which contain this information, but also display commercial advertising or promotional material, may be included within the Township websites when the Township Trustees or his or her designee has made a good faith determination that:
- i. The Township's independent replication of the information targeted for linkage is infeasible due to financial or other considerations;
 - ii. No non-commercial site provides the information targeted for linkage; and,
 - iii. The information targeted for linkage greatly enhances the usefulness of the Township websites and services it provides.
- f. The Township reserves the right to determine how and where External Links will appear on the Township websites.
10. **Application for External Link.** To request the addition of an External Link to the Township websites, the applicant shall send the relevant URL address, website description and

purpose, brief statement as to how the proposed website fulfills the noted criteria called forth above.

11. **Disclaimer of External Links and External Websites.** The information posted on the Township websites includes hypertext External Links to information created and maintained by other public and/or private organizations. The Township provides these links solely for the user's information and convenience.
 - a. When the user selects an External Link to an External Website, the user leaves the Township websites and is subject to the privacy and security policies of the owners/sponsors of the External Website.
 - b. The Township does not control or guarantee the accuracy, relevance, timeliness or completeness of information contained on an External Website accessed through the Township websites by External Link.
 - c. The Township does not endorse or recommend any third-party website, product, service, view, or opinion.
 - d. The Township does not authorize the use of copyrighted materials contained on External Websites.
 - e. The Township is not responsible for transmissions from External Websites.
12. **Final Decision.** The decision to post or not post content and/or links on the Township websites resides solely with the Township Trustees or his or her designee. The decision of the Township Trustees or his or her designee is final and binding. Under no circumstances will individuals or entities be entitled to compensation or damages in the event that the Township Trustees or his or her designee directs the Township to include or exclude the content or link.
13. **Links to the Swancreek Township Website.** As a courtesy, notice of any link to the Township websites is requested, but is not a requirement under this Policy. However, the party linking to the Township websites should be aware that its subpages may change at any time without notice. Individuals and entities linking to the Township websites shall not capture pages within frames, present the Township websites content as its own, or otherwise misrepresent the Township websites content or misinform users about the origin or ownership of its content. Any link to the Township website should be a full forward link that passes the user's browser to the Township websites unencumbered. The web browser's "back" button should return the user to the originating site if the user wishes to back out.
14. **Posting of Events.** Information regarding community events may be posted on the Township website, so long as the posting of such information is consistent with the purpose of the Township website, as set forth in Section 1, and meets the criteria for External Links, as set forth in Section 8. While the Township Trustees or his or her designee may consider suggestions of events to post on the Township website, the decision of the Township Trustees or his or her designee is final and binding.

15. **Accessibility.** The Township website is intended to be accessible to people with disabilities. Requests for reasonable accommodations relating to equal access to communication, or other issues relating to Township Website accessibility, should be directed to:

Township of Swancreek
 5565 Co Rd D
 Delta OH 43515
 Office.mail2@swancreektwp.rg

16. **No Warranty or Representation.** The Township's web server(s) are maintained to provide public access to Township information via the Internet. The Township's web services and the content of its web servers and databases are updated on a continual basis. While the Township attempts to maintain the Township websites' information as accurate and timely, the Township does not warrant or make representations or endorsements as to the quality, content, accuracy, or completeness of the information, text, graphics, hyperlinks, and other items contained on its server or any other server. Materials on the Township websites have been compiled from a variety of sources, and are subject to change without notice from the Township as a result of updates and corrections.
17. **Service Marks, Trademarks and Copyright.** To the extent allowed by the Public Records Act and otherwise legally permissible, commercial use of web materials is prohibited without the written permission of the Township. All service marks and trademarks mentioned herein are the property of their respective owners. The Township retains copyright on the Township Seal, Township Logo, all text, graphic images, and other content, unless otherwise noted. No person or entity may use the Township Seal or Township Logo without approval of the Township Trustees or his or her designee. No person or entity shall engage in any of the following conduct without written permission from the Township Trustees or his or her designee: a) modify and or use the text, images or other Township websites content from a web server, b) distribute the Township's web content, and c) "mirror" the Township's information on a non-Township server.

Material made available via Swancreek Township website are property of the Township of Swancreek and intended for informational purposes only. Any re-use, transmission, duplication, or distribution of any material found on an official Township of Swancreek website must be clearly attributed to the Township of Swancreek. Commercial uses of copyrighted materials found on a Township website is expressly prohibited without express written consent of the Township of Swancreek. Any and all trademarked or copyrighted logos or taglines may not be used for any non- governmental purpose.

18. **Notice to the Township.** Communications through the Township websites, by e-mail or otherwise, shall in no way be deemed to constitute legal notice to the Township of Swancreek or any of its agencies, officers, employees, agents, attorneys, or representatives, with respect to any existing or potential claim or cause of action against the Township or any of its agencies, officers, employees, agents, or representatives. No communication through the Township websites shall be deemed to constitute legal or official notice for any purpose.

19. **Errors, Omissions, Warranty, Damages.** The Township of Swancreek is neither responsible nor liable for any viruses or other contamination of a user's system due to access of the Township websites, nor for any delays, inaccuracies, errors or omissions arising out of the user's access of the Township websites or with respect to the material contained on the Township websites, including without limitation, any material posted on the Township websites. The Township websites and all materials contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The Township is not responsible for any special, indirect, incidental or consequential damages that may arise from the use of, or the inability to use, the Township websites and/or the materials contained on the Township websites, whether the materials contained on the Township websites are provided by the Township of Swancreek or a third party.
20. **Indemnification.** To the extent permitted by applicable law, by using the Township websites, the user agrees to defend, indemnify, and hold harmless the Township of Swancreek, its agencies, officers, employees, representatives, and agents from and against all claims and expenses, including attorney's fees, arising out of the user's use of the Township websites or materials and information contained on the Township websites.

Social Media Policy

Resolution 162-20 C

1. **Purpose.** This Policy establishes guidelines for the establishment and use by the Township of Swancreek (the "Township") of Social Media as a means of conveying information about the Township and its events and activities to its citizens.
 - a. The Township of Swancreek has an overriding interest and expectation in deciding what is "spoken" on behalf of the Township through the use of Social Media.
 - b. For purposes of this policy, the terms "Social Media" and "Social Media Sites" are understood to be content created by individuals, organizations and/or entities, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples of Social Media that may be used by the Township include, but are not limited to Facebook, blogs, RSS, YouTube Twitter, LinkedIn, Google+, Instagram, Pinterest, Next door, and Flickr. For purposes of this Policy, "comments" include information, articles, pictures, videos or any other form of communicative content posted on Social Media Sites.
2. **General Policy.** The establishment and use by any Township department of Township Social Media sites are subject to approval by the Township Trustees or his/her designees. Use of Social Media shall be administered by Township of Swancreek Public Information Office staff and any Department-designated coordinator, as described in this Policy. In approving the use of a Township Social Media site, the Township of Swancreek Public Information Office staff, in coordination with any Department as may be necessary, shall establish guidelines for the use of the site, including but not limited to the following information:

- a. The purpose of the site, which may include the dissemination of general information about the Township or the dissemination of information regarding a specific Township Department or Township Activity, Event or Project.
 - b. What Township department will be directly responsible for monitoring of, and creation of content on, the site.
 - i. Township Social Media Sites should make clear that they are maintained by the Township of Swancreek and that they follow this Social Media Policy.
 - ii. To the extent possible, the use of Social Media will link back to the Township's website for forms, documents, online services and other information necessary to conduct business with or utilize the services of the Township.
 - iii. The Township of Swancreek's website at <https://swancreektwp.org/> will remain the Township's primary and predominant Internet presence.
 - iv. This Policy may be revised at any time.
 - c. The Township of Swancreek shall not be responsible for person accounts created by Township staff or officials
3. **Comment Policy.** As a public entity, the Township must abide by certain standards to serve all its constituents in a civil and unbiased manner.
- a. The intended purpose behind establishing a Social Media presence is to disseminate information to residents of the Township of Swancreek.
 - b. Comments containing any of the following inappropriate forms of content shall not be permitted and are subject to removal and/or restriction by the Township's Public Information Office:
 - i. Comments not related to the business of the Township, including random or unintelligible comments;
 - ii. Violent, or pornographic content and/or language;
 - iii. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, sexual orientation, gender, or national origin;
 - iv. Threaten or defame any person or organization;
 - v. Content that is hateful or incites violence;
 - vi. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
 - vii. Conduct in violation of any federal, state or local law;
 - viii. Encouragement of illegal activity;
 - ix. Information that may tend to compromise the safety or security of the public or public systems; or
 - x. Content that violates a legal ownership interest, such as a copyright, of any party.

- xi. Comments in support of or in opposition to political campaigns or ballot measures.
 - xii. Repetitive or duplicative posts by single or multiple users.
- c. The above listed inappropriate forms of content shall not be permitted and are subject to removal and/or restriction on public comment forums, such as “OpenGov,” (i.e., Open Township Hall). These Township-supported platforms are intended to encourage active dialogue but are closely monitored for civility and do not create a designated public forum. Such platforms are run by private, non-partisan companies. Participation is strictly voluntary.
- d. All users of a Township of Swancreek social media site are also subject to the site’s own privacy policy. The Township of Swancreek has no control over a third-party site’s privacy policy page unless otherwise stated. The Township of Swancreek has no control over content, commercial advertisements or other postings produced by the Social Media site that appear on the Township of Swancreek Social Media site as part of the site’s environment.
- e. The Township of Swancreek operates and maintains its Social Media sites as a public service to provide information about Township programs, services, projects, issues, events and activities. The Township of Swancreek assumes no liabilities for any inaccuracies these Social Media sites may contain and does not guarantee that the Social Media sites will be uninterrupted, permanent or error-free.
- f. Although posts and comments are encouraged on the Township of Swancreek Social Media sites that allow posts, these sites are limited public forums and moderated by Township Staff. All posted content (comments, links, photos, etc.) must be related to discussion of Township programs, services, projects, issues, events, and activities.
- g. Any content removed based on these guidelines must be retained by the Public Information Office for a reasonable period of time, including the time, date, and identity of the poster, when available.
 - i. A comment posted by a member of the public on the Social Media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the Township of Swancreek or the Department, nor do such comments necessarily reflect the opinions or policies of the Township of Swancreek or the Department.
 - ii. The Township reserves the right to deny access to the Social Media site for any individual, who violates this Policy, at any time and without prior notice.
 - iii. The Department responsible for the implementation of the Social Media site shall monitor the respective site for comments requesting responses from the Township and for comments in violation of this policy.

- iv. When a Township of Swancreek employee comments or responds to a comment, in his/her capacity as a Township of Swancreek employee, said comments or responses shall be made only from an official account established by the Township for such purposes. No Township of Swancreek employee making comments or responses in his or her capacity as a Township of Swancreek employee shall share personal information about himself or herself, or other Township employees.
- v. All posts and comments are public records subject to public disclosure under the Public Records Act and Proposition 59.

4. **Use of Social Media Sites to Disseminate and/or Gather Information Regarding a Specific Township Department or Township Activity/Event/Project.**

In addition to the general provisions of this Policy, the following provisions shall apply to the Township's use of Social Media to establish an internet presence relating to a particular Department or Township Activity/Event/Project:

- a. A Department-designated coordinator will monitor content on Department-specific or Township Activity/Event/Project-specific Social Media sites to ensure adherence to this Policy.
- b. The Department-designated coordinator will advise the Public Information Office staff of any concerns regarding content or comments. The Public Information Office will advise the Department-designated coordinator whether or not the content or comment should be removed.
- c. The Township reserves the right to restrict or remove any content that is deemed in violation of this Policy or any applicable law. Any content removed based on these guidelines must be retained by the Department's coordinator for a reasonable period of time, including the time, date and identity of the poster, when available. The Department shall follow any applicable requirements of the Township's document retention policy for retaining content.
- d. The Township's content requirements must be displayed to users or made available by hyperlink.
- e. The Social Media pages shall adhere to applicable federal, state, and local laws, regulations, and policies.
- f. Comments on topics or issues not relating to the Department or the Township Activity/Event/Project that is the subject of a particular Social Media page may be removed.
- g. Employees representing the Township government on the respective Social Media page must conduct themselves at all times as a representative of the Township and in accordance with all Township policies.


- h. Communications made through the Township of Swancreek Social Media sites in no way constitute a legal notices or official notice or comment to the Township of Swancreek. To comment about a specific Township project or program, please contact the appropriate department.

5. Copyright Policy

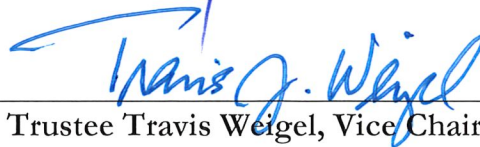
Material made available via official Township of Swancreek Social Media sites is the property of the Township of Swancreek and intended for informational purposes only. Any re-use, transmission, duplication, or distribution of any material found on an official Township of Swancreek Social Media site must be clearly attributed to the Township of Swancreek. Commercial uses of copyrighted materials found on Township of Swancreek Social Media sites is expressly prohibited without express written consent of the Township of Swancreek. Any and all trademarked or copyrighted logos or taglines may not be used for any non-governmental purpose.

Records for the Township of Swancreek's social media sites and websites must be copied or otherwise captured and maintained with related records. Non-record content consisting of duplicate information which is maintained in other department recordkeeping systems (original recordkeeping copy is maintained in accordance with its records disposition schedule), and transitory records do not need to be archived and may be deleted when no longer needed.

Swancreek Township Board of Trustees



Trustee Rick Kazmierczak, Chairman



Trustee Travis Weigel, Vice Chairman



Trustee Gene Wilson