

# Town of Bennett Social Media Terms and Conditions for Users



welcome neighbors.

## PURPOSE

Because many of our citizens and other stakeholders utilize social media for news and communications, the Town of Bennett has developed its own social media accounts, which help us inform the public about our work and mission.

The Town of Bennett is interested in assuring the accuracy and consistency of information associated with our social media sites. We also respect the First Amendment to the U.S. Constitution and the constitutional right to freedom of speech. These terms and conditions establish guidelines for the public's use of social media that balance these values.

## DEFINITIONS

1. "Social media" means digital content created by us and communicated on platforms that allow sharing, commenting, and engagement from the public. Examples of social media accounts we may use are Facebook, Twitter, Instagram, YouTube and NextDoor.
2. "Comments" include any digital content, information, links, images, videos or any other form of communicative content posted in reply or response to a social media account operated by us.
3. "User" means a member of the public who views or interacts with one or more of our social media accounts.

## GENERAL GUIDELINES

1. These terms and conditions apply to all our social media sites. Where possible, a link to these terms and conditions will be made available as a hyperlink or posted as text somewhere on our social media account(s).
2. Users of Town social media sites participate at their own risk, taking personal responsibility for their comments, username, and any information provided. Except for comments by an account administrator, any comment posted on a Town social media site is the opinion of the poster only and does not necessarily reflect the opinions or policies of the Town.
3. Users should know that social media posts we make, comments and replies to those posts and any direct or private messages sent to us may be public records subject to applicable public records release.
4. Our social media accounts are not monitored 24/7, and no one should utilize our social media accounts to seek emergency services. Anyone in need of emergency help should call 9-1-1.
5. Our social media sites should not be used for any official communications to the Town (e.g., reporting crimes or dangerous conditions, giving notice required by ordinance or by state statute). Official communications should be directed to the appropriate Town department for response. Posts made on the Town's social media sites concerning public business or quasi-judicial matters will not be added to a public meeting packet or public hearing record.
6. We do not guarantee we will respond to comments or messages sent on our social media accounts.
7. The Town does not endorse campaign-related posts of any kind, including links to any sites that are associated with, sponsored by, or serve a candidate for elected office, any political party, or organization supporting or seeking to defeat any candidate for elective office or ballot proposal.

## EXPECTATIONS

1. The leaders of the Town of Bennett believe that honest, civil and productive discussions provide the best environment for citizens to understand the work of their government and participate in constructive engagement.
2. We ask users to consider that our social media feeds may be viewed by children and other impressionable people. Please avoid profanity, personal attacks, bullying or the use of incorrect information.

## CONTENT MODERATION

1. **Limited Public Forum.** Our social media accounts are created and maintained as limited public forums under the case law pertaining to the First Amendment to the U.S. Constitution. We invite members of the public to view and, where possible, provide comments or other engagement on our social media accounts. However, the Town reserves the right to hide and/or delete comments that violate these Terms and Conditions or are not protected speech under the First Amendment and relevant case law. Generally, we will not hide and/or delete comments solely because they are critical of the Town of Bennett or its officials.
2. **Prohibited Content.** The Town does NOT allow and will remove from its social media sites comments/materials that display any of the following content:
  - a. Comments directly advocating violence or illegal activity;
  - b. Comments containing obscenity, which is defined as sexually explicit and/or pornographic content that is patently offensive, appeals to prurient interest, and lacks serious literary, artistic, political, or scientific value;
  - c. Comments that promote, foster, perpetuate or advocate illegal discrimination based on race, age, religion, gender, gender identity, national origin, disability, sexual orientation, veteran status or any other legally protected class;
  - d. Comments containing links to malware and/or malicious content that affects the normal functioning of a computer system, server, or browser;
  - e. Duplicate comments posted repeatedly within a short period of time;
  - f. Comments containing actual defamation against a person, either as determined by a court or comments that are patently defamatory by easily discovered facts;
  - g. Comments that contain images or other content that violate the intellectual property or copyright rights of someone else, if the owner of that property notifies us that the property was posted in a comment on our social media account(s); and/or
  - h. Comments that contain a hyperlink to any website other than those controlled by the Town of Bennett. This will be done without regard to the viewpoint of the comment containing such a link or the content of the site to which the link redirects.
3. **Blocking or Banning a User.** When we determine that a user has violated these terms and conditions on three or more occasions within a twelve-month rolling period, we may block or ban the offending user from the social media account where the violations occurred. If we block or ban a user, we will (a) reasonably attempt to notify the user; (b) describe the violation(s); and (c) explain the appeal process.
4. **Retention.** When a comment containing any of the above content is posted to our social media account(s), a copy or electronic record of that content may be retained or archived pursuant to our records retention policy, along with a brief description of the reason the specific content

was deleted. Once documented, the content will be removed, where possible, from our social media account(s). The Town of Bennett utilizes ArchiveSocial for records retention pertaining to the Town's social media accounts.

5. **Right of Appeal.** If our staff hides or deletes a user's comment or bans or blocks a user's access pursuant to these terms and conditions, the user has the right to appeal that decision by sending an email or letter to the Town Attorney, 207 Muegge Way, Bennett, CO 80102, [bennett@bennett.co.us](mailto:bennett@bennett.co.us), within five business days of the Town's action. Your appeal should provide as much detail as possible. Upon receipt of an appeal, our attorney will determine whether the Town's decision was permissible. If the appeal is successful, the comment may (if possible) be restored for public view, the user may be permitted to repost the comment, or the user's access should be restored. The user will be notified of the outcome of the appeal.