

## **SOCIAL MEDIA POLICY CITY OF TWO RIVERS**

The City of Two Rivers intends to use social media platforms to communicate and engage with our community. We appreciate the rights, benefits, and responsibilities that come with using social media, and we ask you, as residents of the City and the wider Two Rivers community, to consider the impact your comments and interactions may have on individuals and businesses as you engage with the City and fellow users on these platforms.

### **SCOPE:**

This policy governs city-maintained social media channels and the individuals who engage with them.

### **GENERAL POLICY**

The City uses social media to communicate and engage with the public. The City cannot prevent, and is not responsible for, content placed by others, including offensive, malicious, false, disparaging or disagreeable content. This means that the City will not strictly moderate content on its social media platforms for vulgarity, profanity, hate speech, controversial, or other offensive language.

While the City cannot moderate all content posted by members of the public for language, information, or tone, please be aware that the City will moderate content to some extent. Not all content is “free speech”, so the associated protections under the U.S. and Wisconsin Constitutions will not apply. The City reserves the right to delete or hide any comments, posts, replies, reviews, photos, links, or any other content that is not protected by constitutional law, including, but not limited to, any of the following:

1. Conventional advertising, posting unrelated content as a form of advertisement, or other means of providing promotional links to a business, service, or product;
2. Malware, viruses, cyber security threats to the City network, or sending an overwhelming surge of messages;
3. Promoting, advocating, or perpetuating illegal activity;
4. Content that violates a legal ownership interest of any other party, such as copyright or trademark infringement;
5. Direct threats of unlawful actions to anyone; or
6. Obscene content.

7. A.I.-generated images, memes, or videos that include harassment, threats, or obscenity.

## **AGREEMENT**

By posting any comments or materials in response to any of the City's social media accounts, or by directly messaging or otherwise interacting with such accounts, you grant the City permission to reproduce, distribute, publish, and use your submissions in any form or media for any purpose. Any interactions with the City's social media accounts shall be considered a waiver of the user's right to privacy as to those interactions.

All comments on City social media will be considered public records and will be retained accordingly. Activity on City of Two Rivers social media accounts is subject to public disclosure under the Public Records Laws of the State of Wisconsin (Wis. Stat. §§ 19.31-19.39).

By posting, you are solely responsible and liable for all content you post, including comments and identifying information. This includes, but is not limited to, ensuring your posts do not violate any laws, including those pertaining to copyright infringement, trademark infringement, or defamation.

## **ADDITIONAL PROVISIONS**

Content posted on City of Two Rivers' social media accounts by anyone other than elected officials, employees, or agents of the City of Two Rivers does not reflect the opinions or position of the City of Two Rivers. Content posted by City officials or employees on their personal social media accounts does not reflect the views of the City. Content posted on official City of Two Rivers channels is presumed to represent the City's position unless otherwise noted..

Social media website pages are not the primary method of communication with the City. Any notices or requests for City services must be made via official communication methods identified on the City's website or by traditional methods of notification recognized by the City. No comments, messages, or posts on any of the City's social media accounts will be construed as providing notice to the City of any claim, deficiency, dangerous condition, request, or otherwise. Furthermore, the City's social media account monitoring varies and there should be no expectation of a response by City elected officials, employees, or other agents.

Each social media provider maintains a term of use agreement for users. All posts and comments on any City social media platform are bound by these terms and conditions. The City reserves the right to report any user violation under the terms and conditions. This Policy does not modify the terms and conditions established by the social media provider. The City does not assume any responsibility or liability for decisions made by the social media platform provider involving the conduct or absence of conduct by the social media provider or by the user.

Social media platforms may take action to remove or edit posts by users which might have otherwise been protected from City interference according to the US or Wisconsin Constitutions. The City takes no responsibility for such actions and will not interfere with any social media company's rights to take such actions.

The views, guidelines, and rules of the social media platform are those of the company that provides the platform and not those of the City of Two Rivers.

#### **SEVERABILITY**

If any section, portion, or provision of this Policy, or if the application of this Policy to any person or circumstances, is found invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Policy which can be given effect without the invalid or unconstitutional provision or application.

Nothing in this policy or elsewhere on the City's website or social media accounts is intended as legal advice.