



# CITY OF APPLETON

## SOCIAL MEDIA POLICY

### OVERVIEW:

The City of Appleton uses social media platforms to communicate and engage with our community. We believe in the rights, benefits, and responsibilities that come with using social media, and we ask that you consider the impact your comments and interactions may have on others as you engage with the City and fellow users on these platforms.

### SCOPE:

The external policy governs both 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 community. The City cannot prevent, and is not responsible for, content placed by others, including offensive or disagreeable content. This means that the City will not moderate content on its social media platforms for vulgarity, profanity, hate speech, controversial, or other offensive language.

While the City cannot moderate all user-generated content for language or tone, please be aware that some content may not be considered "free speech" and the associated protections under the U.S. and Wisconsin Constitutions will not apply. Therefore, the City reserves the right to delete or hide any comments, posts, replies, reviews, photos, links, or any other content that include any of the following:

- Spam, advertising, or promotional links to a business, service, or product
- Malware, viruses, security threats to the City network, or spamming with an overwhelming surge of messages ("flooding").
- Promoting, advocating, or perpetuating illegal activity
- Direct threats as defined by law
- Obscene content with no constitutional protection (such as graphic depictions)
- Illegal activity, including copyright/trademark infringements and defamatory comments

### AGREEMENT

By posting any comments or materials on the City's social media platforms, you grant the City permission to reproduce, distribute, publish, edit, modify, and use your submissions in any form or media for any purpose.

All comments on City social media should be considered public records and are retained accordingly. Activity on City of Appleton Government social media is subject to public disclosure under the Public Records Laws of the State of Wisconsin (Wis. Stat. ss. 19.31-19.39).

Your participation is at your own risk, and you take personal responsibility for your comments, username, and any information provided. **Furthermore, you agree to indemnify, defend, and hold harmless the City of Appleton, its officers, agents and employees, against any and all damages, losses, liabilities, judgments, costs, or expenses (including attorney's fees**

and costs) arising out of any claims by a third party related to any comments or materials you have posted.

#### **ADDITIONAL PROVISIONS**

Content posted on City of Appleton social media channels by anyone other than employees of the City of Appleton does not reflect the opinions or position of the City of Appleton or its elected officials or employees.

Social media website pages are not the primary method of communication with the City, and 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, and no comments or posts on this page 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 staff.

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. Nor does the City 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.

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 Appleton.

#### **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 on this site is intended as legal advice.*