

CITY OF SEBASTOPOL ADMINISTRATIVE POLICY NO. 29

City Web Site Usage Policy

Introduction

The purpose of the City of Sebastopol's website is to advance the public's health, safety, and welfare by providing information for and interacting with the citizens, businesses, and visitors of Sebastopol. This includes promoting tourism and economic development within the City and region.

Content on the City's website originates from, and is stored on, several possible information sources including:

- Content written and stored on the City's site.
- Embedded content stored on a third party site and streaming on the City's site which may, or may not, have been placed on the third party site by City staff.
- Data driven content that is programmed via API and pushed from a third party site and pulled by the City's site to stream on the City's site.
- Submitted form data that is stored on the City's site, as well as email routed to the correct recipient and stored on an email server, until such time as it is deleted by either automation or City staff.

The City has gone to great lengths (outlined below) to vet the information sources and storage methods providing this content prior to allowing it visibility on the City's site. While the City attempts to maintain the City websites' information as accurate and timely, the City 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 the City's site or on a site linked to by the City's site. Materials on the City websites have been compiled from a variety of sources, and are subject to change without notice from the City as a result of updates and corrections.

The public is always encouraged, especially in times of emergency, to further vet information where the City's site is not the first hand source. This document will outline some, though is not limited to, these basic instances of the City's release of liability as incurred due to timeliness and accuracy of third party content displayed on the City's site.

Neither the City of Sebastopol website, nor the third party content sources on such website nor the external links listed on such website constitute a forum for expressive activity by members of the public unless clearly specified as such. Rather, the purpose of the Sebastopol's website, its displayed content and external links is to provide information about City services, officials, and attractions and to promote the public's health, safety, and welfare. While the City

encourages the public to use the City websites to access information and resources, the City expressly reserves the right to impose certain restrictions on the use of its websites including, but not limited to, the limiting of content to certain City related topics. The City is not responsible for, does not endorse, and cannot assure the accuracy of information either put on the website by third party origins nor on these outside websites. (See Disclaimer of Endorsement below.)

Disclaimer of Endorsement

The information posted on the Sebastopol's website includes hypertext links to, as well as various forms of onsite embedding / streaming of information created, stored and/or maintained by other public and/or private organizations. Sebastopol provides these links and streamed content solely for users of the City's website information and convenience.

- When users select a link to an outside website, they are leaving the Sebastopol website and are subject to the privacy and security policies of the owners/sponsors of the external website.
- The City of Sebastopol does not control or guarantee the accuracy, relevance, timeliness, or completeness of information featured by, stored on, or originating from, a third party / outside source;
- The City does not endorse or recommend any third party website, product, or services, unless otherwise noted;
- The City of Sebastopol does not authorize the use of copyrighted materials contained in linked websites. Users must request such authorization from the sponsor of the linked website; and
- The City of Sebastopol is not responsible for transmissions users receive from linked websites.

Outbound Linking

This linking policy is declaratory of the Sebastopol's existing administrative practice regarding the establishment of links from and to its website. For purposes of this policy, an "external" or "outbound link" is a hyperlink from the City's website to a website maintained by another party.

Every request by a person or entity to have the City provide a link from its website to the requesting party's website must undergo review to determine its relevance and appropriateness to the City website's mission. The City Manager, or his designee, will review the merits of the requested link, keeping in mind the criteria and examples listed below, to determine whether the link serves the overall purpose of the City's website. The decision of the City Manager 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 City Manager or his or her designee directs the City to include or exclude the content or link. A request will not be denied because of a viewpoint espoused by the person or entity.

Furthermore, the following criteria will be used in considering requests for links from the City of Sebastopol's website.

At its discretion, the City may provide outbound links to external sites that fall into one of the following categories:

- Sponsored by governmental and educational institutions;
- Maintained by organizations in a contractual relationship with, funded or created by the City of Sebastopol;
- Corporations, foundations, associations, etc. with a purpose statement devoting itself to assisting the City of Sebastopol;
- Non-profit, non-partisan, apolitical neighborhood associations within the City;
- Websites of nonprofit organizations that assist people in finding housing or other human and/or social services in Sebastopol;
- Non-profit organizations providing employment, non-elective health care, and other services to City residents;
- Non-profit organizations providing the public with information or access to the arts, humanities, culture, or education;
- Private or public utilities that serve Sebastopol residents or businesses;
- Non-profit Sebastopol business development organizations;
- Organizations partnering with Sebastopol to meet the City's strategic or operational goals;
- That provide government-related information and/or services in a way that is not available on an official government website; and
- Tourism and convention information related to Sebastopol and the Sonoma County Region, including major tourist attractions in the region.

The City's website will not provide links to sites (including, but not limited to):

- Promoting or exhibiting hate, bias, discrimination, pornography, libelous, or otherwise defamatory content;
- Associated with, sponsored by, or serving a candidate for elected office, any political party or organization supporting or seeking to defeat any candidate for elective office, or any ballot proposal;
- Associated with political organizations or other organizations advocating a position on a local, state, or federal issue;
- Furthering the agenda of a political organization or candidate running for office;
- Furthering the non-charitable agenda of a labor union; or
- That are individual or personal homepages.

The City's on-line business directory

Businesses that have a current and valid City of Sebastopol business license, have filled out the required form to be included on the City website's business directory and submitted said form to the City will be included on the business directory. The business directory will allow for the

business's website address, however, the City will not provide an active link to the website. The City reserves the right to decline to include a business on the directory if said business is in violation of any federal, state or local law or ordinance.

Linkage to Commercial Websites with Advertising

Certain private commercial websites maintain and display information which provide a public or community service, or other ancillary static or interactive information to aid the public, 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 websites may include advertising or promotional material in the information display. Although the City neither supports nor endorses entities advertised or promoted on such websites, it recognizes that a public benefit is served by providing the underlying information to assist City residents. Accordingly, links to such websites which contain this information, but also display commercial advertising or promotional material, may be included within the City website when the City Manager or his designee has made a good faith determination that:

- The City's independent replication of the information targeted for linkage is infeasible due to financial or other considerations; and
- No non-commercial website provides the information targeted for linkage; and
- The information targeted for linkage greatly enhances the usefulness of the City's website and services it provides.

Location and Appearance of Links

The City reserves the right to determine how and where external links will appear on its website; i.e. what page the link appears on and where the link is placed on the page.

Links to the City of Sebastopol's Website

Advance permission to link to the City's website is not necessary. However, the party linking to the City's website should be aware that its subpages may change at any time without notice. Entities and individuals linking to the City's website shall not capture pages within frames, present the City's website content as its own, or otherwise misrepresent this website's content or misinform users about the origin or ownership of its content. Any link to the City's website should be a full forward link that passes the client browser to the City's website unencumbered. The link should open in a new and separate tab from the City's website in which case a user can "x out" or "close" that tab and still have the City's site open. If opened in the same tab then the web browser's "back" button should return the visitor to the originating site if the visitor wishes to back out.

Embedded and Streaming 3rd Party Content

With the increase of mobile and digital information-based technology, the public is best served by the efficiency of platforms of shared/common information. The City of Sebastopol strives to be an inclusive and technologically progressive government body, working to engage citizens with contemporary and accessible means of participation. The City's website, and general online presence, is one of the key ways that this promise is delivered to the public. While the exact best practices of services, apps and providers therein evolve and change with technological standards and mainstream adoption of them into daily our daily lives, the standards by which they are vetted remain unwavering.

Regardless, it is essential to define sources of third party information used on the site or in conjunction with the site in order to further the City's online presence. Here is a list, modified periodically as appropriate, of current third party sources and the boundaries of the City's control of the informational content contained:

Video Streaming & Embedding – Generally done with either LiveStream or Youtube and sometimes Facebook Live, these videos are content within the control of the City while they are shot and stored locally. They moment they are uploaded to the servers of these services, the liability of secure storage and bandwidth capacity for broad public access is transferred to the LiveStream, Youtube, Facebook or other video hosting provider at the moment of upload. While a proprietary video player may be embedded on the City's site, or an outbound link to the City's channel on that service provided within the City's site content, the City can't control the security measures or speed and performance of those providers.

Text Data Streams & Feeds – Weather updates are posted to the City's website via a weather service API, currently weatherunderground.com. This is an embedded piece of code that, much like an email inbox, shows the most recent information pushed out and pulled onto the City's site. This means that what is shown on the City's website may not be the most up to date and may differ from what is on the actual weather service. For example, at the time of writing this the City's site says it is 54 degrees but the actual weather service site shows 56.3. If a user of the City's site needs to make timely or important decisions, especially those relating to safety, based on the weather then they are advised to do further research than the reporting from the weather widget on the City's website.

Law Enforcement – The City's and County's law enforcement uses the messaging service Nixle, to provide the public with opt-in messaging via SMS updates from the City. The City's website does not stream these updates, but it does link out to the Local channel on the Nixle site. While the City does endorse this as a source of public information, the City does not control the storage of this information upon upload, nor does it control the quality of Nixle's timely and accurate delivery of information to subscribers.

Social Platforms as Public Participation

The City presently engages in, and encourages the public to, periodically respond to specific items for feedback via social media platforms such as Facebook and Twitter in order to further the accessibility of the opportunity for public comment beyond the traditional one live meeting. While the City can control what it posts on these forums, it cannot control the comments posted by public participants. Anything on the City's Facebook or Twitter page not posted by the City's official account is not necessarily representative of the City's view and can only be verified as a facet of public opinion, not fact. Any content posted on Facebook or Twitter is property of Facebook or Twitter as stated in their user agreements.

Contact Form Submission

The City's website offers contact with City staff via email and online form. As with any electronically submitted communication, the City cannot guarantee the complete security and privacy of communications. Privileged information is submitted via these methods at the sender's own risk. Online form submissions are stored on the website server for an undefined period of time as back up in the event that email notices are lost during transmission. Email does not have a 100% delivery rate to the intended recipient. While only designated City staff have access to form submissions, these staff members may include more than the message's intended audience. Once submitted, this message is property of the City.

Additionally, these are not necessarily expedited methods of communication. Email and online contact forms are not recommended in matters of urgency. During matters of urgency, the public is encouraged to either call the City or if a matter of health and safety to please contact the 911. The City's website and online methods of communication are never a replacement for 911.

Privacy.

The City is sensitive to the privacy interests of the users of the City websites and believes that the protection of those interests is an important responsibility. The City strives to protect online personal information in the same manner that the City protects citizen and business information obtained through other means. The following information explains the City's policy regarding any personal information supplied when using the City websites. On certain occasions, the City websites may request a user's email address or other personal information for purposes of correspondence or for City business. The City shall not share email addresses or personal information with any third party, except as required by applicable federal or state laws. Notwithstanding the foregoing, during the course of a credit card transaction through the

City websites, the information is transmitted to a third party processor via a secure connection. The City will not share this information with any other third party unless required to do so by applicable law.

The City may use the personal data provided through the City websites to send information about City services and upcoming civic activities. However, the City will neither sell nor knowingly provide personal information for any other direct mail activities, except as required by applicable laws.

Aggregate reports may be generated about visitors to the City websites. These reports do not contain any personally identifiable information. Cookies or technologies may transfer information from the City's website to a user's hard disk for record-keeping purposes and make the internet more useful by storing information about your preferences on a particular site.

Hacking & Unsanctioned Access

The City takes matters of online security seriously. It can be assumed that general website content, not of third party origins as described above, are written, reviewed and published by only approved City Staff and remain in control of said staff during the life-cycle of this content. In the event of an unsanctioned and unlawful access to the website administration, the City will release a statement of clarification on any incorrect content showing signs of tampering. Equally, unsanctioned or unlawful access to any of the above mentioned, or other, online services or accounts the City uses to further its website content and / or web presence will be handled thusly.

The City of Sebastopol has zero tolerance for hacking and online fraud. Hacking is a federal crime, and due to the interconnectedness of information has the potential for limitless public impact. In the event of such a breach, the offending party, or parties, will be prosecuted and held liable to the full extent of the law for both their crime and any unfortunate events resulting from fraudulent online impersonation of City Staff.

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 City. All service marks and trademarks mentioned herein are the property of their respective owners. The City retains copyright on the City Seal, all text, graphic images, and other content, unless otherwise noted.

Notice to the City.

Communications through the City websites, by e-mail or otherwise, shall in no way be deemed to constitute legal notice to the City 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 City or any of its agencies, officers, employees, agents, or representatives. No communication through the City websites shall be deemed to constitute legal or official notice for any purpose.

Errors, Omissions, Warranty, Damages.

The City is neither responsible nor liable for any viruses or other contamination of a user's system due to access of the City websites, nor for any delays, inaccuracies, errors or omissions arising out of the user's access of the City websites or with respect to the material contained on the City websites, including without limitation, any material posted on the City websites. The City 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 City is not responsible for any special, indirect, incidental or consequential damages that may arise from the use of, or the inability to use, the City websites and/or the materials contained on the City websites, whether the materials contained on the City websites are provided by the City or a third party.

Dated: April 10, 2017

Approved:



Larry McLaughlin

City Manager