CITY OF BARBOURMEADE
ORDINANCE No. 3
Series 2024

AN ORDINANCE ESTABLISHING SOCIAL MEDIA USAGE POLICY FOR CITY OF BARBOURMEADE OFFICIALS AND EMPLOYEES

WHEREAS, the use of social media is an important way for people to interact and convey information, but there can be inappropriate and misleading posts and uses of social media that are not constructive and in the best interest of the City of Barbourmeade government; and

WHEREAS, the Mayor of the City of Barbourmeade finds that there is a need for the city to approve a social media policy, consistent with other policies currently in use by other governmental agencies, for the purpose of encouraging the constructive and positive use of social media for city government communications,

NOW THEREFORE, be it ordained by the City of Barbourmeade

SECTION 1: The following ordinance is adopted by the City of Barbourmeade Commission:

1. The City of Barbourmeade does hereby adopt a policy regarding the use of social media for the city's communication of city information. The policy governs the use, administration, management, monitoring and retention of the city's social media content. This policy is also applicable to any city website. The purpose of this policy is to establish general standards and responsibilities when city employees and elected officials are communicating about the City of Barbourmeade using social media, to ensure that social media is being used appropriately and in compliance with the city's policies.

2. It is the policy of the City of Barbourmeade to use social media to provide information and resources to the residents of the city and to provide another convenient point of contact between the city and its citizens. The City of Barbourmeade shall use of social media to share information, reinforce messages, and provide an opportunity to distribute information quickly and efficiently to a large audience. It is not the policy of the City of Barbourmeade to create a public forum on any social media platforms, or city websites, for political discussions, debate, or public comment.

3. The city recognizes the role that these tools play in the lives of city government and the individuals that serve the city and acknowledges that its employees have the right under the state and federal constitutions to speak out on matters of public concern not related to their official duties. This policy is not intended to interfere with any city employee or official's right to freedom of speech. However, the city does have the right to establish minimal and reasonable restrictions on the use of social media by city officials and employees to encourage constructive and positive use of social media for city

government communications.

4. All uses of social media on behalf of the city, or in any manner that represents the city or constitute communication by the city, must comply with the following standards:
    a. No employee or city official may establish, use, or terminate an official City of Barbourmeade social media identity, account, profile, page, or site without the approval of the applicable department head or the mayor.
    b. The mayor shall designate persons who are authorized to post social media content on the city's social media accounts and no other person(s) shall post content without prior authorization from the mayor.
    c. No information, link, or other materials or communications may be posted on a departmental social media account that is not related to the mission, services, and business objectives of the City of Barbourmeade.
    d. Social media accounts established by the city are to be used for city business or informational purposes only. Communications and postings that are not related to a city or department business purpose are prohibited.
    e. Any posts dealing with political or legislative initiatives or issues must be specifically approved by the mayor prior to posting.

5. The City of Barbourmeade considers the activities and uses of social media listed below to be unacceptable. The city reserves the right to delete any information posted on city's social media sites that is unacceptable. This list is not exhaustive. Questions about particular uses of social media or particular social media content should be directed to the City Clerk who will forward the question to the Mayor for a decision. Unacceptable uses of social media include:
    a. Using social media in a manner that does not comply with federal, state, and local laws and regulations, and with city policies.
    b. Using social media in a manner that violates the copyright, trade or other intellectual property rights of any person or entity, or otherwise violates their legal ownership interests.
    c. Ethnic slurs, profanity, personal insults, material that is harassing, defamatory, fraudulent, or discriminatory or other content or communications that would not be acceptable in the city workplace under city or department policy or practice.
    d. Obscene, indecent, or profane language, pictures, or videos.
    e. Fraudulent, deceptive, or misleading information.
    f. Comments not related to the posted topic for the city social media page or post.
    g. Multiple, successive, off-topic posts by a single user or repetitive posts copied and pasted by multiple users or spam.
    h. Promotion or endorsement of commercial services and products.
    i. Violates the terms of contracts governing the use of any social media content, including, but not limited to, software and other intellectual property licenses.
    j. Displays sexually explicit images, cartoons, jokes, messages, or other material in violation of the city's sexual harassment policy.
    k. Expressions of support, or in opposition to, a political party or candidate before or

during an election period.

l. Contains confidential or "for official use only" information or information that compromises the security of city networks or information systems. Such "for official use only" or confidential information includes, but is not limited to, information that is protected under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), being Pub. Law No. 104-191, or other federal, state, or local laws and regulations (except as permitted under such laws and regulations) as well as Social Security numbers and other personally identifiable information.

6. The City of Barbourmeade may allow submittals or posts to an official city site if the content does not violate the social media policy and it is in keeping with the city's stated purpose of providing public information. However, users may not post their own content without prior approval of the city. Reproduced or borrowed content that violates third party rights will be hidden. Users should have no expectation of privacy when posting to a city site. Comments made to these sites are reviewed and while city employees will not edit comments, a comment may be hidden if it violates the city's social media policy.

7. The City Clerk shall maintain a list of all official City of Barbourmeade social media accounts including, at a minimum, the following information:
   a. The name, hosting site, Internet address, date of inception for the account and a statement of the purpose and scope of the department's use of the account.
   b. All usernames, passwords, and other log-in credentials for the account.
   c. All authorized persons having access to and/or responsibility for the account.
   d. The administrative contacts and contact information for the account.
   e. The city shall ensure that all city social media accounts and social media content are periodically reviewed for compliance with this policy and that the information is kept secure.
   f. Social media content is subject to the records retention and destruction schedule established by the state law whether or not the social media is currently posted on the department's site(s).

8. City officials, including members of boards and Commissions can maintain a personal presence on social media. However, to be considered personal, there can be no mention and discussion of City of Barbourmeade business. Any mention or discussion of city business potentially changes the nature of the page, required record keeping in accordance with the Kentucky Department of Library and Archives retention schedule and subjecting the entire page to open records requests.
   a. Elected or appointed city officials who want to interact with the community on social media in their role as a city official are required to maintain a separate account. City officials will notify the City Clerk of any official pages utilized. The City Clerk will maintain an updated list of official pages of city officials.
   b. City Officials shall conduct themselves professionally and as a representative of the city.

c. Elected city official's pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure. Additionally, guidelines, if any, shall be conspicuously posted on the page.
d. No comments shall be deleted unless in violation of posted guidelines. Deleted comments shall be provided to the City Clerk and must be saved for one year.
e. City Officials shall not conduct city business through their social media sites. If receiving a specific request from a citizen, the city official shall state: "Thank you for your question. Please email me at (official city email address, not a personal email) or contact me at (phone number). I look forward to speaking with you."
f. City Officials shall maintain an official email address and shall provide the email address to the City Clerk. This must be a separate account from their personal email account.
g. Officials should refrain from using personal e-mail to conduct any city business.
h. The city shall retain emails according to the Kentucky Department of Library and Archives schedule for email. City Officials shall direct any record keeping questions to the City Clerk.

SECTION 2:

This Ordinance shall take effect upon its passage and approval by the Commission of the City of Hollow Creek, Kentucky and by publication or distribution as required by law.

First Reading The 16th day of December 2024

Second Reading The 19th day of December 2024

Passed and approved this the 19th day of December 2024

/s/ Bryan Coomer, Mayor

ATTEST:
/s/ Edie Greenburg, City Clerk

Those in Favor 4

Rob Longshore-not present

Those Opposed 0