



**Town of Port Deposit, Cecil County, Maryland
Resolution 01-2023**

PUBLIC SOCIAL MEDIA POLICY

A Resolution by the Mayor and Council of the Town of Port Deposit to adopt an amendment to the Port Deposit Code, Chapter II Administration, add new Section 2-7 Social Media Policy.

WHEREAS, the Mayor and Council have adopted the Port Deposit Code to establish rule and regulations for the Town of Port Deposit; and

WHEREAS, the Mayor and Council desire to amend the Port Deposit Code to add a new section 2-7 Social Media Policy to Chapter II Administration.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Port Deposit that the following shall be inserted in the Port Deposit Code, Chapter II Administration, NEW Section 2-7 Social Media Policy as follows:

2-7 PUBLIC SOCIAL MEDIA POLICY

2-7.1 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

CONTENT — Information, articles, pictures, videos, and any other form of communication posted on any Town social media site.

SOCIAL MEDIA — Content created by individuals, using accessible, expandable, and upgradable publishing technologies through and on the Internet. Examples of social media include Facebook, Twitter, YouTube, blogs, RSS, LinkedIn, and Instagram.

TOWN SOCIAL MEDIA SITES — Social media sites established and maintained by the Town and over which the Town has control of all content posted thereupon, except for advertisements and hyperlinks by the social media site's owners, vendors, or partners. Town social media sites shall supplement, and not replace, the Town's required notices and standard methods of communication.

2-7.2 General Provisions

- No Town social media site shall be established without the express authorization of the Mayor and Council. Unless otherwise specified by the Mayor and Council, the use of Town social media sites is limited to the Mayor, Councilmembers, Town Administrator, and other employees as designated by the Town Administrator.

- Unless otherwise specified by the Mayor and Council, all Town social media sites shall be administered by the Town Administrator and other employees as designated by and under the supervision of the Town Administrator.
- The Town Administrator and employees designated by the Town Administrator shall monitor content on Town social media sites to ensure adherence to this section, social media policy and the best interest of the Town.
- Town social media sites shall make clear that they are maintained by the Town and that they follow the Town's social media policy, as set forth herein, and bear the name and/or official logo of the Town.
- Wherever possible, Town social media sites should link back to the official Town website for forms, documents, online services, and other information necessary to conduct business with the Town.
- The Town reserves the right to restrict or remove any content that is deemed in violation of this chapter or any applicable law. Any content removed based on this chapter shall be retained by the Town's Administrative Assistant for a reasonable period of time, and shall include the time, date, and identity of the individual posting such content, if and when available.
- The Town's social media policy, as set forth herein, must be displayed to users of Town social media sites or made available via hyperlink.
- The Town shall approach the use of social media tools as consistently as possible.
- The Town's website shall remain the Town's primary and predominant Internet presence.
- All Town social media sites shall adhere to applicable federal, state, and local laws, regulations, and policies.
- Town social media sites are subject to the Maryland Public Information Act.¹ Any content maintained in a social media format that is related to Town business, including a list of subscribers, posted communication, and communication submitted for posting may be a public record subject to public disclosure.
- Town social media sites are subject to the Maryland Open Meetings Act.² Neither the Mayor nor any Councilmember shall respond to "like," "share," "retweet," or otherwise participate in any published postings, or use the site or any form of electronic communication to respond to, blog, or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the Mayor and Council that may reasonably be construed to violate the Maryland Open Meetings Act.
- Content relative to topics or issues not within the jurisdictional purview of the Town may be removed.
- Municipal officials and employees representing the Town via Town social media sites must always conduct themselves as a representative of the Town and in accordance with all Town laws, regulations, and policies. Any municipal official or employee who fails to so conduct him/herself may be subject to applicable disciplinary action.
- This chapter is subject to revision by the Mayor and Council at any time.

2-7.3 Content Policy

- As a governmental entity, the Town must abide by certain standards to serve all its constituents in a civil and unbiased manner.
- The intended purpose behind establishing Town social media sites is to disseminate information from and about the Town.
- Content consisting of any of the following shall not be permitted on Town social media sites and is subject to removal and/or restriction:
 - Content not related to the original topic, including content that is random or unintelligible;

¹ Note: See the State Government Article of the Annotated Code of Maryland, §10-611 et seq.

² Note: See the State Government Article of the Annotated Code of Maryland, §10-501 et seq.

- Profane, obscene, violent, or pornographic content and/or language;
 - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin;
 - Defamatory or personal attacks;
 - Threats to any person or organization;
 - Content in support of, or in opposition to, any political campaigns or ballot measures;
 - Solicitation of commerce, including but not limited to advertising of any business or product for sale;
 - Content in violation of any federal, state, or local law;
 - Encouragement of illegal activity;
 - Information that may tend to compromise the safety or security of the public or public systems; or
 - Content that violates a legal ownership interest, such as a copyright, of any party.
- The Town reserves the right to deny access to Town social media sites for any individual who violates any provision of this chapter at any time and without prior notice.
 - When a municipal officer or employee of the Town responds to content posted on a Town social media site in his/her official capacity, the municipal officer or employee's name and title shall be made available, and the municipal officer or employee shall not share personal information about himself/herself or other municipal officers or employees of the Town.
 - All content posted on any Town social media site shall comply with the terms of use and other policies promulgated by the third party hosting such site. Nothing in this chapter is intended to circumvent or substitute any such policy, and users who post content on any Town social media site in violation of the same may be subject to action by the third party hosting such site, even if such content does not violate this chapter.

2-7.4 Disclaimer

- Every member of the public accessing, browsing, and using any Town social media site accepts, without limitation or qualification, the terms and conditions set forth herein.
- Content posted by a member of the public on any Town social media site is the responsibility and opinion of the individual posting such content, and publication thereof does not imply endorsement of or agreement by, nor necessarily reflect the opinions or policies of, the Town, the Mayor and Council, or any other municipal officer or employee.
- By virtue of posting content on a Town social media site, the individual posting such content agrees that he/she has no expectation of privacy in the content provided.
- The Town assumes no liability for any inaccuracies the Town's social media sites may contain and does not guarantee that its social media sites will be uninterrupted. (Resolution 01-2023)

EFFECTIVE DATE: Resolution 01-2023 shall take effect immediately upon adoption by the Mayor and Council.

Adopted by the Mayor and Council this 7 day of March, 2023

RESOLUTION 01-2023
MAYOR AND COUNCIL of the
TOWN of PORT DEPOSIT, MARYLAND



Robert Kuhs, Mayor

ABSENT

Kevin Brown, Deputy Mayor

ATTEST:



Town Administrator



Daniel Berlin, Council



Thomas Knight, Council



Wayne Tome Jr., Council