

ORDINANCE NO. 3763

AN ORDINANCE ESTABLISHING A POLICY REGARDING CITY OWNED SOCIAL MEDIA SITES

WHEREAS, it is important that the City inform citizens as to what is occurring especially when it pertains to their personal safety, and,

WHEREAS, Facebook and social medial assist the City in solving crimes, and,

WHEREAS, social media sites owned by the City are moderated online discussions and not a public forum and that while participation is encouraged, participants must be mindful that comments should be courteous and civil.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of New Castle that the following should be the policy utilized by the City of New Castle with regard to social media sites owned and/or controlled by it:

I. Comments or posts made by the public to any social media page under the control of the City of New Castle will be monitored and while they will not be removed based on their opinion or viewpoint, the City reserves the right to remove comments that include:

- Comments unrelated to the purpose and topical scope of the pate.
- Obscenities.
- Personal identifying information or sensitive personal information.
- Incitement to imminent lawless action.
- Speech presenting a grave and imminent threat.
- Fighting words.
- True threats.
- Fraud.
- Defamation (libel/slander).
- Solicitations to commit, or speech integral to, criminal conduct.
- Information that could reasonably compromise public safety.
- Promotion or advertisement in favor of, or in opposition to political campaign or candidate.
- Apparent spam.
- Content posted by automatic software programs (i.e., "bots").
- Information which may interfere or compromise current investigations, police tactics and the safety of police staff and officers.
- Copyrighted material (if posted without the copyright holder's consent).

The City may take steps to remove a comment if it falls within one of the foregoing categories. The City hereby informs the public that by posting or commenting the user agrees to these terms of use. If a social media user's comment is removed, the moderator will notify the user by social media messenger that the comment was removed and the reason for its removal. The user participates at his/her own risk, and recognizes that by posting on this page, the user is personally responsible for his/her comments and any information provided.

The City disclaims liability for advertisements, videos, promoted content, or comments posted by visitors to this page. The responsibility for external content of comments rest solely with the organization or individuals providing them. Any inclusion or

exclusion of content or comments does not imply endorsement or opposition by the City of New Castle or any of its employees or officers.

II. For Police Department and Fire Department social media pages:

Social media sites for Police and Fire agencies are not replacements for 911 emergency calling systems. For emergency calls, 911 should be utilized. Non-emergency calls for the New Castle Fire Department should be directed to 765-521-3910 and non-emergency calls to the New Castle Police Department should be directed to 765-529-4890.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS ____ DAY OF _____, 2016.

Greg York, Presiding
Officer, Common Council, City
of New Castle, Indiana

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ATTEST:

Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2016.

Greg York, Mayor of the City
Of New Castle, Indiana