

**THE CITY OF KANKAKEE
KANKAKEE COUNTY, ILLINOIS**

ORDINANCE

NUMBER 2019- 70

**AN ORDINANCE AMENDING THE SOCIAL MEDIA POLICY
FOR THE CITY OF KANKAKEE**

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Aldermen

**CITY OF KANKAKEE
KANKAKEE COUNTY, ILLINOIS**

ORDINANCE NO. 2019 - 70

**AN ORDINANCE AMENDING THE SOCIAL MEDIA POLICY
FOR THE CITY OF KANKAKEE**

WHEREAS, the City of Kankakee has previously passed an Ordinance to establish a Social Media Policy by Ordinance 18- 36; and

WHEREAS, a Social Media Policy is essential to the City of Kankakee to disseminate information from the City and about the City to its residents; and

WHEREAS, Social Media benefits the residents and the City of Kankakee with greater transparency and greater public participation; and

WHEREAS, as Social Media continues to develop, the Social Media Policy must be modified from time to time; and

WHEREAS, the Mayor and City Council of the City of Kankakee deem it to be in the best interest of said City that said ordinance shall be further amended.

NOW THEREFORE BE IT ORDAINED, by the Mayor and the City Council of the City of Kankakee, Kankakee County, Illinois that Ordinance 2018-36 shall be and hereby is amended to read as follows:

I. PURPOSE

The City of Kankakee endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes this City's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

The intended purpose behind establishing City of Kankakee Social Media sites is to disseminate information from the City and about the City, to its residents.

Nothing in this policy shall be applied to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. The City of Kankakee encourages. This includes speech and expression protected under state or federal constitutions as well as labor laws or other applicable laws

II. GENERAL POLICY

- A. Social media provides a new and potentially valuable means of assisting the City and its personnel in meeting community outreach, problem-solving, investigative, prevention, and related objectives.
- B. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The City also recognizes the role that these tools play in the personal lives of some City personnel. The personal use of social media can have a bearing on City personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by City personnel.

III. DEFINITIONS

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for “Weblog”.

Post: Content an individual share on a social media site or the act of publishing content on a site.

Profile: Information that a user provides about himself or herself on a social networking site.

Site: The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.

Social Media: A category of Internet-based resources that integrate user-generated content and user participation. It includes, but is not limited to, all web-based applications (“Apps”) that permit the sharing and collaboration of information via internet communities, social networking sites (i.e. Facebook, Linked-In, Instagram), microblogging sites (i.e. Twitter, Nixle), photo- and video-sharing sites (i.e. Flickr, YouTube), wikis (i.e. Wikipedia), blogs, news sites, (i.e. Digg, Reddit) and other similar web-based applications.

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts, responses, reactions, comments or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

TST: City of Kankakee Technical Services Team.

User: The user of the City of Kankakee website or any of its authorized site or any information or data made available through the sites. Users may not create a false identity, misrepresent their identity or use or attempt to use another’s identity.

User Comment: The content of user speech posted to or transmitted via the City of Kankakee website or any of its authorized sites.

Web 2.0: The second generation of the World Wide Web focused on shareable, user generated content, rather than static web sites. Some use this term interchangeably with social media.

Wiki: Web site(s) that can be edited collaboratively.

Personnel: Any City employee, public employee, City volunteer, City intern, City elected official, or any person performing City functions.

IV. SOCIAL MEDIA SITE POLICY

A. City of Kankakee Sanctioned Presence on Social Media Sites

1. Public Forum Strategy

- a. City Social media sites shall include a statement that clearly specifies that they are maintained by the City of Kankakee and that they follow the City’s Social Media Policy.
- b. The City Social media sites shall clearly specify the Privacy Policy, the Disclaimer, the Comment Policy and the Reporting/Removal of Unauthorized Comments.
- c. The City Social Media sites shall clearly specify that the Website and hosting support is by the City of Kankakee Technical Services Team (“TST”). Questions regarding the website can be sent to support@citykankakee-il.gov.
- d. Where possible, the site(s) should link to the City's official website for forms, documents, online services and other information necessary to conduct business with the City of Kankakee.
- e. Social media site(s) shall be designed for the target audience(s) such as residents, youth or potential businesses and employees.
- f. Limited Public Forum. The City's social media accounts and sites are limited public forums. The City does not make its social media

accounts available for general public discourse, but rather reserves and limits the topics that may be discussed on the social media accounts.

2. Procedure

- a. All City's social media sites and apps shall be approved by the City Communications Office or their designee.
- b. Social media sites shall clearly indicate they are maintained by the City of Kankakee and shall have City contact information prominently displayed.
- c. TST will monitor content on City Social Media sites to ensure adherence to both the City's Social Media Policy and the interest and goals of the City of Kankakee.
- d. The City reserves the right to restrict or remove any content that is deemed in violation of this Social Media Policy or any applicable law. Any User Content removed based on these guidelines must be retained by TST or a reasonable period of time, including the time, date and identity of the poster, when available.
- e. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.
 - i. Content is subject to public records laws. Relevant records retention schedules apply to social media content.
 - ii. Where possible, Content will be managed, stored, and retrieved to comply with open records laws and e-discovery laws and policies.
- f. Where possible, Social media sites should state that the opinions expressed by visitors to the site(s) do not reflect the opinions of the City.
 - i. Sites shall clearly indicate that posted comments will be monitored and that the City reserves the right to remove obscenities, off-topic comments, and personal attacks.
 - ii. Sites shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

B. Social Media Site/Page Usage

1. Social media can be used for community outreach and engagement by:
 - a. Providing crime prevention and health tips;
 - b. Offering online incident reporting opportunities;
 - c. Sharing mapping and data;
 - d. Soliciting tips to improve City services or crime prevention;
 - e. Press releases on City updates, projects, awards and community partners and community events;
 - f. City initiatives;
 - g. Community Outreach to inform residents on economic and development issues;
 - h. Special promotions and marketing tools;
 - i. Meetings, agendas, and other announcements;
 - j. Other community outreach and engagement opportunities as deemed relevant by the City.

2. Social media can be used to make time-sensitive notifications related to:
 - a. Road closures;
 - b. City events or community events;
 - c. Weather emergencies;
 - d. Missing or endangered persons;
 - e. Health emergencies;
 - f. Monthly observances;
 - g. Other time-sensitive notifications as deemed relevant by the City.

3. City personnel representing the City *via* social media outlets shall do the following:
 - a. Conduct themselves at all times as representatives of the City and, accordingly, shall adhere to all City standards of conduct and observe conventionally accepted protocols and proper decorum.
 - b. Identify themselves as City personnel.
 - c. Not make statements about the guilt or innocence of any individual or group, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to employee training, activities, or work-related assignments without express written permission.
 - d. Not conduct political activities or private business.
 - e. Personnel shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

V. COMMENT POLICY

- A. The City of Kankakee website and the City of Kankakee Social Medias sites shall be the primary sites available for User Comment.
- B. The City of Kankakee reserves the right to remove and/or investigate User Comment posted to or transmitted via the City of Kankakee website, social media sites, email or any of its authorized third-party software applications as well as any other actions which the City of Kankakee determines, in its sole judgment, to be inappropriate, offensive, illegal or might violate the rights, harm or threaten the safety of others or otherwise violate this Policy. The following is a partial list of the kind of User Comment that is prohibited from transmission through the City of Kankakee's online services:
 1. Comments unrelated to the business, purpose and topical scope of the City site;
 2. Threats, personal attacks, harassment or advocating the harassment of another person;
 3. Content that defames or is potentially libelous of any person or organization;

4. Content that contains hate speech or promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
5. Profane, obscene, sexual or pornographic content or language and/or links to such content;
6. Content which contains or encourages violence or the violation of any federal, state or local law. Content that is in violation of Illinois Stalking (720 ILCS 5/12-7.3 *et seq.*), Cyberstalking (720 ILCS 5/12-7.5 *et seq.*), Threatening a Public Official, (720 ILCS 5/12-9 *et seq.*), Disorderly Conduct (720 ILCS 5/26-1 *et seq.*) laws or any other similar law;
7. Impersonating any person or entity or falsely misrepresenting your affiliation with any other person or entity;
8. Promoting or providing information that is false or misleading;
9. Solicitations of commerce including but not limited to, advertising of any non-government related event, or business or product for sale;
10. Behavior invasive of another person's or entity's privacy. Content containing personal identifiable information, such as an address, phone number, social security number or other sensitive information;
11. Information which may interfere with or compromise current investigations, police tactics and the safety or security of public safety staff and/or the public or electronic systems;
12. Promotion or advertisement in favor of, or in opposition to a political campaign, ballot measure or candidate;
13. Distribution of copyrighted photographs, music, video, graphics or other content without the express permission of the copyright holder; and
14. Taking any action which disrupts the operation of the Service, including Cyber Attacks: Malware, Phishing, Spam, Viruses, Man-in-the middle attach (MithM), Denial-of-service attack (DoS), Structured Query Language (SQL), Zero-day exploit or any other form of Cyber Attack.

C. A comment posted by a member of the public on any City of Kankakee Social Media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City of Kankakee,

nor do such comments necessarily reflect the opinions or policies of the City of Kankakee.

- D. The Technical Services Team shall monitor the Social Media sites for comments requesting responses from the City and for comments in violation of this policy.
- E. City of Kankakee reserves the rights to modify its Comment policy at any time and will notify the public by posting an amendment to the Privacy Policy on the website. Such modifications will become effective on the day they are posted.

VI. REPORTING/REMOVAL OF UNAUTHORIZED COMMENTS

- A. The City requires that the Technical Services Team immediately notify the City Communications Office if there is any posted material that may be inappropriate, that violates this Policy, any City policy, any federal, state or local law, or that potentially infringes the copyrights or other rights of any persons. The City Communications Office will investigate and respond to all reports of potential violations of this Policy.
- B. Any content removed based on these guidelines must be retained by the Technical Services Team for a reasonable period of time, including the time, date and identity of the poster, when available. Upon removal of content, whenever possible, the Technical Services Team shall notify the commenter that their response has been deemed inappropriate and removed due to inconsistency with the City's content requirements.
- C. The City of Kankakee reserves the right to remove comments on the City of Kankakee Social Media sites or apps of any individual who violates the City of Kankakee's Social Media Policy, at any time and without prior notice.
- D. Comments on the City of Kankakee Social Media sites or apps that violate any federal, state or local law shall be referred to the appropriate law enforcement agency.
- E. Comments on the City of Kankakee Social Media sites or apps that violate any terms of service/use of any of the Social Media Sites used by the City shall be referred to the appropriate Social Media Site.
 - 1. All User comments posted to any City of Kankakee Twitter sites are bound by Twitter's Terms of Service, located at <https://twitter.com/tos>. The City of Kankakee reserves the right to report any violation of Twitter's Terms of Service to Twitter with the intent of Twitter taking appropriate and reasonable responsive action. The City of Kankakee has no control over Twitter's policy or the modifications to it, which may include removal of

User comment and/or blocking Users from using the City Twitter sites for certain violations of Twitter policies.

2. All User comments posted to any City of Kankakee Instagram sites are bound by Instagram's Terms of Use, located at <https://help.instagram.com>. The City of Kankakee reserves the right to report any violation of Instagram's Terms of Use to Instagram with the intent of Instagram taking appropriate and reasonable responsive action. The City of Kankakee has no control over Instagram's policy or the modifications to it, which may include removal of User comment and/or blocking Users from using the City Instagram sites for certain violations of Instagram policies.
3. All User comments posted to any City of Kankakee LinkedIn sites are bound by LinkedIn User Agreement, located at <https://linkedin.com/legal/user-agreement>. The City of Kankakee reserves the right to report any violation of LinkedIn User Agreement, to LinkedIn with the intent of Twitter taking appropriate and reasonable responsive action. The City of Kankakee has no control over LinkedIn's policy or the modifications to it, which may include removal of User comment and/or blocking Users from using the City LinkedIn sites for certain violations of LinkedIn policies.
4. All User comments posted to the *Neighbors* app by Ring are bound by Ring's Terms of Service, located at <https://shop.ring.com/pages/terms>. The City of Kankakee reserves the right to report any violation of Ring's Terms of Service to Ring with the intent of Ring taking appropriate and reasonable responsive action. The City of Kankakee has no control over Ring's policy or the modifications to it, which may include removal of User comment and/or locking Users from using the City Instagram sites for certain violations of Instagram policies.

- F. Should the City join any Social Media site or utilize an application not specifically delineated in this Policy, all User comments posted to the City of Kankakee Social Media site or App will bound by the Terms of Service, Terms of Use or other User Agreement ("Terms") of that Site or App. The City reserves the right to report any violation of the Terms, to the Site or App with the intent of the Site or App taking appropriate and reasonable responsive action. The City of Kankakee has no control over the Site or App's Terms or the modifications to it, which may include removal of User comment and/or blocking Users from using the City's sites or Apps for certain violations of the Terms.

VII. DISCLAIMER

A. Disclaimer Language shall be posted on City of Kankakee Social Media Sites:

THIS WEBSITE IS MADE AVAILABLE FOR GENERAL REFERENCE ONLY AND MAY NOT REFLECT OFFICIAL POSITIONS OF THE CITY OF KANKAKEE. IT IS UNDERSTOOD THAT THE INFORMATION CONTAINED ON THIS WEBSITE IS BEING USED SOLELY AT THE USER'S OWN RISK.

The City of Kankakee website and Social Media sites are created to provide the public with information about City government programs, services, projects, issues, activities and events. By using this website or any information or data made available through this website, the user, agrees to all the conditions stated in the following paragraphs. Any information submitted via Kankakee's website may be considered a public record and may be subject to disclosure to third parties. The City reserves the right to amend these terms at any time and without further notice.

Neither the City of Kankakee, nor any department, officer nor employee of the City of Kankakee warrants the accuracy, reliability or timeliness of any information on this website and may not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Information on this website is not verified and may be incorrect or not current. Any person or entity that relies on any information obtained from this website does so at his/her own risk.

The City of Kankakee, its departments, officers and employees do not assume any responsibility or liability in connection with the use or misuse of any material, data or information provided on this site and expressly disclaim any and all warranties, whether express, implied or statutory, including but not limited to express and implied warranties of merchantability or fitness for a particular purpose.

City of Kankakee retains copyright protection on all text, graphic images, design, sound, and other content on its websites and social media sites. This means that the user may not: distribute the text or graphics to others without the express permission of the City of Kankakee; "mirror" this information on their server without the City's permission; or modify or re-use the text or graphics on this system. The user may print copies of the information for their own personal use and reference this server from your own documents. Commercial use of the materials is prohibited without advance permission from the City of Kankakee or citing the City of Kankakee as its source. To inquire about obtaining permission to use any materials from the City's website, contact the City Communication Office. The City of Kankakee reserves all rights.

Communications made through the City of Kankakee's website and social media sites in no way constitute a legal or official notice to the City of Kankakee or its departments or any official or employee of the City of Kankakee for any purpose.

These terms should not be construed as legal advice. These terms are not presented as a complete or accurate recitation of any or all applicable regulations. The use or misuse of any material, data, or information provided on this site may have implications under Federal, State, and local laws that are frequently amended and are at times subject to interpretation. You should seek appropriate legal or other professional advice to address specific facts and circumstances.

VIII. ON-LINE PRIVACY POLICY

Policy Language shall be posted on City of Kankakee Social Media Sites:

A. Policy

1. The City Social Media sites shall clearly specify that the Website and hosting support is by the City of Kankakee Technical Services Team ("TST"). Questions regarding the website can be sent to support@citykankakee-il.gov.
2. This is the City of Kankakee Illinois online privacy policy. This policy applies only to activities The City of Kankakee engages in on its website and does not apply to City of Kankakee activities that are "offline" or unrelated to the website. City of Kankakee collects certain anonymous data regarding the usage of the website. This information does not personally identify users, by itself or in combination with other information, and is gathered to improve the performance of the website. The anonymous data collected by the City of Kankakee website can include information such as the type of browser you are using, your IP address and the length of the visit to the website.
3. You may also be asked to provide personally identifiable information on the City of Kankakee website, which may include your name, address, telephone number, credit card number, and e-mail address.
4. This information can be gathered when feedback or e-mails are sent to City of Kankakee or when you register for services or inquires. In all such cases, you have the option of providing us with personally identifiable information.

B. Cookies

1. Cookies are small bits of data that are deposited on a user's hard drive. The City of Kankakee website utilizes Cookies and IP addresses for certain functions. Most browsers permit users to decline to accept cookies,

although the default setting is typically to accept them. You may choose to decline the Cookies, but certain functions of the website may not be accessible to you.

C. Analytics and Personalization

1. The services contained in this section enable City of Kankakee to monitor and analyze web traffic and can be used to keep track of User behavior. Google Analytics is a web analysis service provided by Google Inc. (“Google”). Google utilizes the Data collected to track and examine the use of this Application, to prepare reports on its activities and share them with other Google services. Google may use the Data collected to contextualize and personalize the ads of its own advertising network.

D. Use and Disclosure of Information

1. City of Kankakee does not sell personally identifiable information, such as your name or e-mail address to outside sources. Additionally, if you provide City of Kankakee with content for publishing or feedback, we may publish your username or other identifying data. City of Kankakee may also disclose personally identifiable information in order to respond to a subpoena, court order or other such request. City of Kankakee may also provide such personally identifiable information in response to a law enforcement agency's request or as otherwise required by law, including in response to a subpoena or court order.

E. Other Websites

1. City of Kankakee is not responsible for the privacy policies of websites to which it links. If you provide any information to such third parties different rules regarding the collection and use of your personal information may apply. We strongly suggest you review such third party's privacy policies before providing any data to them.

F. Security

1. City of Kankakee takes appropriate steps to ensure data privacy and security including through various hardware and software methodologies. However, City of Kankakee cannot guarantee the security of any information that is disclosed online.

G. Children

1. City of Kankakee does not knowingly collect personal information from children under the age of 13. Do not send any information about yourself to

us - including information like your name, address or email address. Since address. Since information regarding children under the age of 13 is not collected. In general, we do not knowingly collect personally identifiable information from children under 13. If, in limited circumstances, we do knowingly collect personally identifiable information from a child under the age of 13, we make a special effort to encourage children under the age of 13 to consult with their parents before furnishing any personal data.

H. Public Records

1. The Illinois Freedom of Information Act (“Act”) provides that information received by the City on the Website becomes public record, subject to disclosure under the Act. Users who communicate through this Website are advised that all communications are public and cannot be held in confidence. The City captures some user and browser information on the Website and may analyze the server logs to generate traffic reports that may list user origination address. E-mail directed to the City, its officers or employees may be retained as part of the public record, and these communications will be available through the Act requests, also found on the City Website. Because of the public information nature of this Website, the User should make no assumption of privacy of any kind.

I. Other

1. City of Kankakee does research on our visitors' demographics, interests and behavior based on the information you provide to us including upon registration, from our server log files or from surveys. We do this to better understand and serve our visitors. This research is compiled and analyzed on an aggregated basis.

J. Corrections and Updates

1. If you wish to suggest or update any information our website has, please send e-mail to support@citykankakee-il.gov

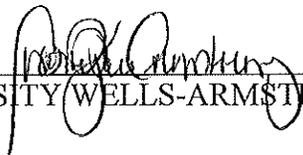
K. Modification of the Privacy Policy

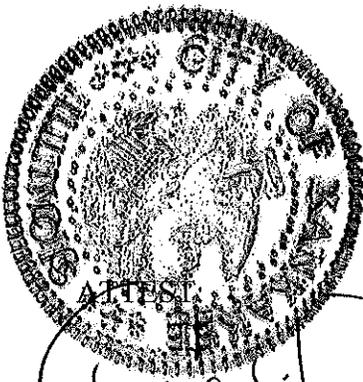
1. City of Kankakee reserves the rights to modify its privacy policy at any time and will notify you by posting an amendment to the privacy policy on the website. Such modifications will become effective on the day they are posted.

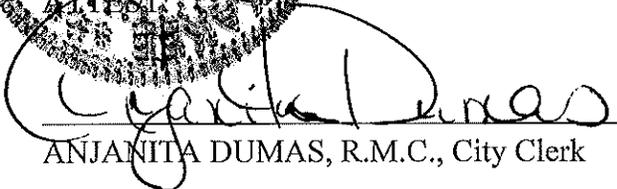
ADOPTED by the Mayor and City Council of the City of Kankakee, Kankakee County, Illinois this 2nd day of December, 2019, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
PRUDE	X			
MALONE-MARSHALL	X			
O'BRIEN	X			
GALL	X			
CRAWFORD	X			
OSENGA	X			
SWANSON	X			
FAFORD	X			
TALL	X			
LEWIS	X			
CURTIS	X			
COBBS	X			
TETTER	X			
BROWN	X			
MAYOR WELLS-ARMSTRONG				
TOTAL	14	0		

APPROVED by the Mayor of the City of Kankakee, Kankakee County, Illinois on this 2nd day of December, 2019.


 CHASITY WELLS-ARMSTRONG, Mayor




 ANJANITA DUMAS, R.M.C., City Clerk