

ORDINANCE #13-2020

**AN ORDINANCE ADOPTING A STANDARD OPERATING PROCEDURE (SOP)
FOR COMMUNITY USE OF SOCIAL NETWORKING SITES OF THE BOROUGH
OF CLAYTON AND A STANDARD OPERATING PROCEDURE (SOP) FOR
COMMUNITY NOTIFICATION AND COMMUNICATIONS SUPPORT**

BE IT ORDAINED, by the Mayor and Council of the Borough of Clayton, in the County of Gloucester, and State of New Jersey, that there is hereby established: (1) a new Standard Operating Procedure for Community Use of Social Networking Sites of the Borough of Clayton; and (2) a new Standard Operating Procedure for Community Notification and Communications Support.

Section 1. A “Standard Operating Procedure (“SOP”) for Community Use of Social Networking Sites of the Borough of Clayton” is hereby created for the Borough of Clayton to read as follows:

Purpose:

This policy establishes guidelines for the establishment and use by the Borough of Clayton social media sites (including but not limited to Facebook and Twitter) as a means of conveying Borough of Clayton (“Clayton”) information to its citizens.

The intended purpose behind establishing Borough of Clayton social media sites is to disseminate information from Clayton, about Clayton, to its citizens. The Borough of Clayton has an overriding interest and expectation in deciding what is communicated on behalf of the Borough on its social media sites.

For purposes of this policy, “social media” is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples of social media include the Borough of Clayton website, Facebook, blogs, MySpace, RSS, YouTube, Second Life, Twitter, LinkedIn, Delicious, Pinterest, Instagram and Flickr. For purposes of this policy, “comments” include information, articles, pictures, videos or any other form of communicative content posted on a Borough of Clayton social media site.

General Policy

1. The establishment and use by any Borough department of its social media sites are subject to approval by the Borough Administrator or his/her designees. All Borough of Clayton social media sites shall be administered by Borough of Clayton's Social Media Coordinator, Administrator and Assistant Administrator. All content must be approved by the Administrator or Assistant Administrator.
2. Clayton social media sites should make clear that they are maintained by the Borough of Clayton and that they follow Clayton's SOP for Community Use of Social Networking Sites of the Borough of Clayton.
3. Wherever possible, Clayton social media sites should link back to the official Borough of Clayton website for forms, documents, online services and other information necessary to conduct business with the Borough of Clayton.
4. The Borough Administrator or Assistant Administrator will monitor content on Clayton social media sites to ensure adherence to both the borough's Social Media Policy and the interest and goals of the Borough of Clayton.
5. The Borough of Clayton reserves the right to restrict or remove any content that is deemed in violation of this Social Media Policy or any applicable law. Any content removed based on these guidelines must be retained by the Borough Administrator for a reasonable period of time, including the time, date and identity of the poster, when available.
6. These guidelines must be displayed to users or made available by hyperlink.
7. The Borough of Clayton will approach the use of social media tools as consistently as possible.
8. The Borough of Clayton's website, claytonnj.com, will remain Clayton's primary and predominant internet presence.
9. All Clayton social media sites shall adhere to applicable federal, state and local laws, regulations and policies.
10. Clayton social media sites are subject to The Open Public Records Act (OPRA). Any content maintained in a social media format that is related to Clayton business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure.
11. Employees representing the Borough of Clayton via Clayton social media sites must conduct themselves at all times as representatives of Clayton and in accordance with all Clayton policies.

12. This Standard Operating Procedure may be revised at any time.

13. Comments on topics or issues not within the jurisdictional purview of the Borough of Clayton may be removed.

14. The Borough of Clayton does not endorse any links or advertisements that may show up on social media pages.

Comment Policy

The following guidelines shall constitute the Comment Policy for any Borough social networking sites which allow for comment:

1. As a public entity the Borough of Clayton must abide by certain standards to serve all its constituents in a civil and unbiased manner.

2. The Borough of Clayton social media sites are established to disseminate information about the Borough to its citizens. All content must comply with all Federal, State and Local regulations and laws. The Borough will permit its citizenry the ability to post comments on its sites. However, no comments will be allowed if they are of the content outlined below:

- a. Comments that promote, foster or perpetuate discrimination on the basis of race, creed, color, age, religion, gender, or national origin;
- b. Comments that are defamatory or are personal attacks;
- c. Comments not related to the original topic, including random or unintelligible comments; profane, obscene, violent, or pornographic content and/or language;
- d. Comments that are threats to any person or organization;
- e. Comments in support of, or in opposition to, any political campaigns or ballot measures;
- f. Comments that are solicitations of commerce, including but not limited to advertising of any business or product for sale;
- g. Comments that violate of any federal, state or local law;
- h. Comments that encourage illegal activity;
- i. Comments that provide 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;

- j. Comments that are deemed harassment or content which constitutes and/or facilitates stalking;
 - k. Comments that include content which violates the right to privacy;
 - l. Comments that encourage violence;
 - m. Comments that are repetitive;
 - n. Comments which may reasonably interfere with, inhibit, or compromise law enforcement investigations, police tactics, police responses to incidents and/or the safety of police staff and officers;
 - o. Comments or posts that contain any external links.
3. A comment posted by a member of the public on any Borough of Clayton 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 Borough of Clayton, nor do such comments necessarily reflect the opinions or policies of the Borough of Clayton.
4. The Borough of Clayton reserves the right to deny access to Borough of Clayton social media sites for any individual or group who violates the Borough of Clayton's Standard Operating Procedure for Community Use of Social Networking Sites of the Borough of Clayton at any time and without prior notice.
5. Comments posted to any Borough site will be monitored and inappropriate content as defined above will be removed as soon as possible and without prior notice. The Borough uses Facebook's automatic content filtering to restrict certain comments and any others deemed inappropriate by the Borough Administrator, Assistant Administrator or Social Media Coordinator will be removed.
6. Comments posted on the Borough's social media sites should not replace direct contact with the Clayton Police Department for police matters. Posting a comment is not the recommended/best way to contact the Police Department. Community on social media sites should never replace call 911 for emergencies.
7. The Social Media Coordinator, Borough Administrator or Assistant Administrator shall monitor the Borough's social media sites for comments requesting responses from the Clayton and for comments in violation of this policy.
8. When a Borough of Clayton employee responds to a comment, in his/her capacity as a Borough of Clayton employee, the employee's name and title should be made available, and the employee shall not share personal information about himself or herself, or other Clayton employees.

9. All comments posted to any Borough of Clayton Facebook site are bound by Facebook's Statement of Rights and Responsibilities and Community Standards, located at <http://www.facebook.com/terms.php>, and <http://www.facebook.com/communitystandards>, respectfully. The Borough of Clayton reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities and/or Community Standards to Facebook with the intent of Facebook taking appropriate and reasonable responsive action.

10. By posting or commenting on the Borough of Clayton social media platforms, any individual agrees to the Borough's terms of use.

11. Any individual's participation is voluntary and individuals are personally responsible for their comments, usernames and any information they provide therein.

12. Any individual posting comments to the Borough's Social Media sites agree to conform to the following:

a. Comments must be fair to and courteous of fellow citizens.

b. Comments of complaints or criticism must not include statements, photographs, and video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, or that disparage other residents, Borough volunteers, Borough employees, associates or suppliers of goods and services to the Borough, or that might constitute harassment or bullying.

Examples:

- Offensive posts meant to intentionally harm someone's reputation.
- Posts that could contribute to a hostile community environment on the basis of race, sex, disability, religion, or any other status protected by law or Clayton policies.
- Posts that contain language that is discriminatory, demeaning, or derogatory towards any individual or group.
- Posts that contain language that, in light of generally prevailing community standards, is likely to cause deep or widespread offense.
- Posts that contain language that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, family status, status with regards to public assistance, national origin, physical or mental disability or sexual orientation.

Section 2. A "Standard Operating Procedure ("SOP") for Community

Notification and Communications Support" is hereby created for the Borough of

Clayton to read as follows:

PURPOSE:

The purpose of this SOP is to outline criteria by which the Borough of Clayton (the Borough) will support nonprofit community, civic, social, and academic organizations and institutions' programs and events via its Marketing and Communications tools.

BACKGROUND:

On a regular basis, the Borough receives requests to utilize its Marketing and Communications tools, including Constant Contact email distributions, Facebook, and website, to promote local events, programs, activities, and more. In order to memorialize the process and maintain a fair standard by which the Borough can and will provide such support, the Governing Body adopts this SOP.

SUPPORT OUTLINE**1. The Borough WILL support**

- a. Local, nonprofit events, activities, and programs.
- b. Borough-sponsored events, activities, and programs.
- c. Other events, activities, and programs approved by the Borough on a case-by-case basis.

2. The Borough WILL NOT support:

- a. Requests to solicit residents, citizens, business owners, etc. for monetary support and/or specific fundraising activities.
- b. Requests to solicit business or participation for any individual, political group, foundation, business, charity, or religious organization.
- c. Communications which include language of a nature that is sexually explicit, or that is lewd or obscene, racial, illegal, with religious context or that expresses an opinion.
- d. Communications which include photographs or images of anyone who can be identified without first obtaining a signed release of any such person, or a parent of a minor.
- e. Communications with trademark infringement using third-party brand names referring to products that are not legitimate, counterfeit, or perhaps imply a link between the products and services and the brand owner when no such approval or link exists.

CRITERIA TO OBTAIN SUPPORT

1. The business or organization must:

- a. Be geographically located within the Borough or have distinct ties to the Borough and/or its community.
- b. Be in good standing with the Borough.
- c. Be free from any current or pending litigations.
- d. The business or organization must submit all requests in writing to the Borough Administrator at least 30 days prior to an event/activity. The request should include, but is not limited to:
 - (1) Organization/business name and address.
 - (2) Point of Contact full name, phone, email, and other pertinent contact information.
 - (3) Event date and time (including duration – start and stop times).
 - (4) Event location (address).
 - (5) Target audience, including summary of those invited and expected attendees (i.e. students, business owners, families, etc.).
 - (6) Reason for event (i.e. awareness, education, community fun, fundraising, etc.).
 - (7) Special features and other details (free parking, music, special guests, activities for children, etc.).

APPROVALS

1. The Borough Administrator or the Assistant Administrator will review all requests.
2. Requests will be reviewed/approved in accordance with the criteria outlined in Section 6 above.
3. A Borough representative will contact the requesting organization's Point of Contact whether the event is approved for support or not.
4. For approved events, the Borough Administrator, Assistant Administrator or designee will obtain any further information and provide details on the type of support to be provided.

TYPE OF SUPPORT:

The Borough may provide the kinds of Marketing and Communications support listed below. While organizations may make requests, it is at the Borough's discretion to determine which communication channel is most appropriate as driven by the event/activity and whether the Borough will or will not publish the content or provide the information.

1. Email distribution(s) to appropriate distribution lists.
2. Web site home page feature story and/or community page feature story and/or event posting.
3. Facebook post(s).
4. Media Relations – outreach to newspapers, TV, and other media outlets to cover the event/activity.

EFFECTIVE DATE.

As per the date of adoption of this Ordinance, this SOP is hereby ratified by the Governing Body. It shall remain in effect until such time as the SOP is no longer required, is superseded by a new SOP, or is terminated by approval of the Governing Body.

Section 3. Repealer

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. Severability:

Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

ATTEST:



CHRISTINE NEWCOMB, Borough Clerk

**ORDINANCE 13-2020
BOROUGH OF CLAYTON
GLOUCESTER COUNTY, NEW JERSEY**

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COMMUNITY USE OF SOCIAL NETWORKING SITES OF THE BOROUGH OF
CLAYTON AND A STANDARD OPERATING PROCEDURE (SOP) FOR
COMMUNITY NOTIFICATION AND COMMUNICATIONS SUPPORT**

This Ordinance was introduced at a meeting held on the 12th day of November, 2020. It is scheduled for a public hearing and final adoption at a meeting of the Mayor and Council of the Borough of Clayton beginning at 6:30 p.m. on the 10th day of December, 2020, at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey.

The purpose of this Ordinance is to Adopt a Standard Operating Procedure (SOP) for community use of Social networking sites of the Borough of Clayton and a Standard Operating Procedure (SOP) for Community notification and communications support.

A copy of this Ordinance can be obtained without any cost, by any member of the general public in the Borough Clerk's office within the Borough of Clayton in the Municipal Building, 125 North Delsea Drive, Clayton, New Jersey, during normal business hours, Monday through Friday from 8:00 a.m. to 4:00 p.m.

Christine Newcomb, Municipal Clerk
Borough of Clayton

NOTICE OF ADOPTION

BOROUGH OF CLAYTON, NEW JERSEY

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The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on December 10, 2020.

Christine Newcomb
Borough Clerk