

CITY OF LAVON, TEXAS
ORDINANCE NO. 2019-02-03

Amend Article 2.07 of the Code of Ordinances – Social Media

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ARTICLE 2.07 GOVERNANCE POLICY AND RULES OF PROCEDURE OF THE CODE OF ORDINANCES TO REPEAL AND REPLACE SECTION 7. SOCIAL MEDIA RELATIONS TO REFINE SOCIAL MEDIA POLICY; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City Council of the City of Lavon (“City Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Lavon, Texas (“Lavon”) to amend Lavon’s Code of Ordinances in Chapter 2 to refine the policy for social media as set forth herein; and

WHEREAS, the City Council has authority under state law to adopt the regulations herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS:

SECTION 1. RECITALS

The City Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City Council hereby incorporates such recitals as part of this Ordinance.

SECTION 2. AMENDMENT OF GOVERNANCE POLICY AND RULES OF PROCEDURE

Article 2.07 “Governance Policy and Rules of Procedure” of the Code of Ordinances is hereby amended by repealing and replacing Section 7. Social Media Relations with Section 7. Social Media Policy attached hereto as Exhibit “A” and incorporated herein for all purposes is hereby enacted.

SECTION 3. Effective Date

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

SECTION 4. Proper Notice and Meeting

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code and as required by Chapter 52 of the Texas Local Government Code.

SECTION 5. Severability

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

SECTION 6. Repealer

The provisions of this Ordinance shall be cumulative of all other ordinances, or parts of ordinances, and resolutions, or parts of resolutions governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances, or parts of ordinances, or resolutions, or parts of resolutions, inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent.

PASSED AND APPROVED by the City Council of the City of Lavon, Texas
this 19th day of February, 2019.



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator/ City Secretary



Exhibit "A"

**CITY OF LAVON, TEXAS
CITY COUNCIL GOVERNANCE POLICY
AND RULES OF PROCEDURE**

SECTION 7. SOCIAL MEDIA POLICY

a. Purpose

The City of Lavon, in an ongoing effort to effectively communicate with the public, uses social media as a way to deliver information and provide a venue for involvement and interaction concerning City business, activities and issues. Social Media is defined as Social Networking sites such as Facebook, Twitter, and Instagram as well as blogging sites.

This policy sets guidelines for the establishment, operation and management of various social media to ensure timely, accurate and appropriate use of those outlets to deliver clear, concise and consistent messages on behalf of the City. This policy establishes guidelines for the use of social media. The City Administrator or designee shall approve what social media outlets may be suitable for use by the City and its departments.

b. Creation and Maintenance of City Social Media Sites

City social media sites may contain information that represents, or may create the appearance of representing the City's position on policy issues and/or the positions of its leadership. No City Council members or employees may create or maintain a social media site that purports or appears to be a City social media site without the approval of the Council or City Administrator respectively. Only designated City employees will be allowed to post or distribute information on the City's social media sites.

City Representative vs. Private Accounts

Representative accounts may be established by the City Administrator or designee on behalf of the City. Departments wishing to establish a representative account must receive express written permission from the City Administrator. All departmental accounts must be linked to the City's social media account and individual employees are not authorized to have representative accounts in their official capacities. The City Administrator shall be provided administrative access to any representative account and only authorized content shall be shared through representative accounts.

c. Posting Using a City Representative Account

When posting on social media sites, Council/Board Members and employees shall at all times conduct themselves as representatives of the City of Lavon and shall follow these guiding principles.

1. City policies, rules, regulations and code of conduct apply. Use of a city e-mail address and/or communicating in an official capacity will constitute conducting city business.

2. Maintain transparency by using your real name and title and be clear about your role in regard to the subject. Do not post on the City's or Council's behalf without the express authorization of the City Administrator or Council.
3. If writing on behalf of the City, write and post about your area of expertise, especially as it is related to the City and your assignments. When writing about a topic for which you are not the City's expert, make it clear to readers or direct them to City Hall.
4. Keep postings factual and accurate. If a mistake is made, admit to it and post a correction as soon as possible.
5. Avoid jargon or slang.
6. Use correct grammar and spelling.
7. Reply to comments in a timely manner, when a response is appropriate. Maintain respectful and meaningful responses.
8. Understand that postings are widely accessible, not retractable and may be retained or referenced for a long period of time. Content should be carefully considered. Remember your personal and professional lives overlap in your online activity.
9. Ensure social media content does not violate another person's privacy. Refrain from remarks that may discriminate or harass on the basis of race, creed, color, age, religion, gender, national origin or physical and mental disability.
10. Refrain from posting social media content that is proprietary, copyrighted, attorney-client privileged, subject to state or federal privacy laws, or information subject to the Texas Public Information Act.
11. Do not comment on anything related to legal matters, litigation or any parties with whom the City may be in litigation or contemplated litigation without the express authorization of the City Attorney.
12. Refrain from the expression of personal opinions or positions regarding:
 - a. Programs or practices of other public agencies, political organizations, private companies, or non-profit groups;
 - b. Political campaigns; or
 - c. Religion
13. Refrain from posting sexual content, links to sexual content or the encouragement of illegal activity.
14. To protect your own privacy and the privacy of others, please do not include any personal information including your Social Security Number, phone numbers or email address in your comments. Rather, refer individuals to the City's website or main contact information.

d. Posting for Personal Use

A Personal Use Account is an account used by Council/Board Members or employees in which they may express their personal opinions, but the page should clearly represent that it

is an employee or Council or Board member's personal page and posts should be clearly identified as personal opinions and not the opinion or position of the City.

When using social media, employees should keep in mind that even private activity can impact employment or appointment with the City of Lavon. Council/Board Members and employees using a Private Account are encouraged to follow these guiding principles.

1. The department's code of conduct applies to both on and off duty activity.
2. Employees should also consult and follow their department's social media policy and refrain from posting confidential or secure information on a personal social media account.
3. If you choose to identify yourself as a representative or employee of the City, you must make clear that any opinions posted are personal and not representative of the City's policies or position.
4. Do not use or give out your city e-mail address from a Private Account.
5. Do not post on the City's, your department or the Council's behalf.
6. Understand that postings are widely accessible and may be retained or referenced for a long period of time. Content should be carefully considered. Remember your personal and professional lives can overlap in your online activity.
7. Ensure social media content posted, shared, commented upon, "favorited" or "liked" by you does not violate another person's privacy. Refrain from remarks which may discriminate or harass on the basis of race, creed, color, age, religion, gender, national origin or physical and mental disability.
8. Refrain from posting social media content which is proprietary, copyrighted, attorney-client privileged, subject to state or federal privacy laws, or information excepted from disclosure under the Texas Public Information Act.
9. Do not comment on anything related to legal matters, litigation or any parties with whom you are aware the City may be in litigation or contemplated litigation.
10. Refrain from the encouragement of illegal activity.

Nothing in this policy should be read to infringe on a Council/Board Member's or employee's personal expression of First Amendment Rights when engaging on social media as a private person.