



**2022
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
GORMAN	✓			
HARVILLA	✓			
KELLY		✓		
ROSSILLO	✓			
RUSSELL		✓		
STEWART	✓			
MAYOR LABRUNO				
TOTALS	4	2		

Ordinance No. 1616

Date: November 21, 2022

Page: 1 of 7

Subject: Social Media Policy

Purpose: Amending Chapter 69 of the Borough Code

Dollar Amount: _____

Prepared By: Jeanine E. Siek, RMC

Offered by: Gorman

Seconded by: Harvilla

Certified as a true copy of an Ordinance Introduced and Passed on 1st Reading by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Jeanine E. Siek

Jeanine E. Siek, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

**AN ORDINANCE OF THE BOROUGH OF DUMONT, COUNTY OF BERGEN,
STATE OF NEW JERSEY, AMENDING CHAPTER 69 OF THE BOROUGH CODE –
SOCIAL MEDIA POLICY**

WHEREAS, the Mayor and Council of the Borough of Dumont (“Borough”) have determined that it is in the best interests of the Borough to create a social media policy which sets forth guidelines for the creation and use of social media sites by Borough entities, employees

and volunteers that wish to convey or disseminate Borough-related information to its residents, employees and visitors; and

WHEREAS, the Mayor and Council have determined that the Borough Code needs to be amended to incorporate the social media policy.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Dumont as follows:

1. Chapter 69 entitled "Personnel Policies" of the Dumont Borough Code is hereby amended to add §69-124 within Article XXVII "Social Media Policy" of Part 4: Social Media Sites"; and
2. This Ordinance shall be effective upon passage and publication as required by law.

§69-124
Social Media Policy

PURPOSE

The Borough of Dumont ("Borough") has a compelling interest in monitoring and regulating what is presented/disseminated on its behalf on social media sites and through its public outreach tools. This policy sets forth guidelines for the creation and use of all social media sites by Borough entities, employees and volunteers that wish to convey or disseminate Borough-related information to its residents, employees and visitors.

DEFINITIONS

"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 sites shall include but not be limited to Facebook, Tick Tock, YouTube, Twitter, LinkedIn, Flickr, Snapchat, Instagram, and discussion blogs and forums such as Reddit, and shall extend to and include all future forms of social media.

"Borough-related information" shall refer to comments, information, articles, pictures, photos and other images. Content on Borough-created social media sites may only be posted by duly authorized personnel.

"Borough entity" shall refer to boards, commissions, committees, departments and any other group organized or created by the Borough or reporting to it. For purposes of this policy, Borough entity shall include all municipal agencies and departments as well as any affiliated government or non-government agency, commission, council, club, or organization (including their members and representatives who are) permitted by the Borough to post on the Borough's social media sites.

SCOPE

This policy shall apply to Borough entities (defined above), including volunteers and employees who are members of those entities acting in their capacity as members.

This policy does not apply to individuals who post as individuals and not on behalf of the Borough or a Borough entity.

This policy does not apply to social media sites unaffiliated with the Borough, which are created for personal and/or commercial use by individuals for purposes other than to convey or disseminate Borough-related information to the Borough's residents, employees and visitors.

GENERAL POLICY

Social media sites may be created and/or used by Borough entities, employees and volunteers so long as their creation and/or use conforms to the requirements listed herein:

1. The creation and use of social media sites is subject to **prior approval** by the Borough Administrator.
2. Any Borough entity, employee or volunteer that receives permission from the Borough Administrator to create or use social media shall clearly state that it is authorized to do so by the Borough and that it follows this Social Media Policy.
3. Social media shall be used solely to convey information about the entity posting it. No personal information or personal opinions shall be posted by the entity, employee or volunteer.
4. Any Borough entity creating or using a social media site shall designate a member(s) of that entity to post and monitor the site.
5. The Borough website at www.DumontNJ.gov will remain the Borough's primary and predominant internet presence. This Social Media Policy shall be posted on the Borough website.
6. All social media sites created or used by Borough entities authorized to do so shall have a hyperlink to this Social Media Policy on the Borough website.
7. Where appropriate, the social media sites created/used by Borough entities shall link back to the official Borough website for forms, documents, online services and other information necessary to conduct business within the Borough.
8. Borough entities shall not use social media to make any official Borough communications to the public other than those specifically referencing the activities of that entity. Accuracy of information is of vital importance and must be considered a priority when posting.
9. The Borough's social media sites are not to be used for making any official communications to the Borough. Example of official communications include the reporting of crimes or

misconduct, reporting of dangerous conditions, requests of inspections, and providing notice required by any statute by, ordinance or regulations. Prominent notice of this paragraph shall be displayed on every Borough social media site, along with the appropriate contact information for submitting official communications.

10. The use of social media by Borough entities may be monitored by the Borough Administrator or other individual so designated by the Borough Administrator to insure adherence to both this Social Media Policy and the interests and goals of the Borough.
11. The Borough has the right to and will restrict or remove any content that it deems in violation of this Social Media Policy, any applicable law or for any other reason it deems appropriate.
12. All Borough entities, employees and volunteers creating/using social media sites are subject to all applicable federal and New Jersey laws and regulations as well as applicable record retention requirements.
13. All Borough entities and their members as well as elected officials representing the Borough's government via its/their social media sites shall conduct themselves at all times as representatives of the Borough and in accordance with all of its policies.
14. Borough employees and volunteers representing the Borough via its social media sites shall conduct themselves at all times as a representative of the Borough and in accordance with the Personnel Policies and Procedures Manual.
15. All postings by Borough entities should be spelled correctly and use good grammar.
16. Any Borough-affiliated social media sites created by a Borough employee, Borough volunteer, Borough official and/or Borough entity remains the property of the Borough, including all the followers and friends generated by the site and may be deleted by the Borough if it deems it appropriate to do so.
17. All site names, passwords and/or access codes or information or changes to these shall be filed with the Borough Administrator and updated within two days of any change.
18. If the person who created the social media site leaves a Borough entity, the passwords and/or access codes to the site shall be changed and the new information filed with the Borough Administrator within two days of the change.
19. This Social Media Policy may be revised at any time by approval of the Borough's Mayor and Council.

COMMENT POLICY

1. All comments, articles and the like posted on social media sites must be civil and unbiased.
2. The following are prohibited and postings containing any of the following are subject to removal by the Borough.

- a. Profane, obscene, violent, sexually suggestive or pornographic content and/or language or links to such materials.
- b. Images or links containing minors or suspected minors in sexual and/or provocative situations. These will be reported to law enforcement.
- c. Photographs or images of minors without permission of their parents or guardians.
- d. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, national origin, marital status, sexual orientation, physical or mental disability or any other protected characteristic.
- e. Defamatory remarks.
- f. References to any political party, religious belief, or private interest groups.
- g. Threats to any person or organization.
- h. Content that incites violence.
- i. Solicitation of commerce including, but not limited to, advertising of any business or product for sale with the exception of Borough-sponsored events and/or items.
- j. Solicitation of political support or political contributions.
- k. Conduct in violation of any Federal, State or local law or ordinance.
- l. Encouragement of illegal activity.
- m. Information that may tend to compromise the safety or security of the public or public systems.
- n. Content that violates a legal ownership interest, such as a copyright or other infringement on intellectual property rights.
- o. Private contact information such as names, addresses, phone numbers, or email addresses.
- p. Personal information about an individual without that person's permission.
- q. Spamming or repetitive content.
- r. Comments unrelated to the particular post being commented upon.
- s. Comments from and participation of children under 13 years old in compliance with the Children's Online Privacy Protection Act.

3. A comment posted by a member of the public on any Borough entity-created social media site is the opinion of the commenter or poster only and publication of a comment does not imply endorsement of or agreement by the Borough nor do such comments necessarily reflect the opinions or policies of the Borough. Such a comment may be removed if the Borough deems it appropriate to do so.
4. Borough entities shall monitor the comments on their social media sites for violations of this policy.
5. In the event a Borough employee or volunteer responds to a comment in his/her capacity as a Borough employee or volunteer, his/her name and title shall be included in the response.
6. No Borough employee or volunteer shall share personal information about him/herself or other Borough employees or volunteers. No Borough entity shall share personal information about any member of the entity.
7. All content created by Borough on its own Facebook page is bound by Facebook's Statement of Rights and Responsibilities. The Borough reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsive action.
8. All Borough policies are applicable to interactions and postings on social media sites when acting in an official capacity and representing the Borough.

BREACH OF POLICY

The Borough reserves the right to deny access to any social media sites created/used by Borough entities to any individual who violates the Borough's Social Media Policy at any time and without prior notice.

Any attempt to hack or otherwise compromise the Borough's Internet or social media sites will be reported to law enforcement and the perpetrators will be denied access to the sites.

Internet postings on Borough social media sites that are deemed to constitute a breach of this Policy as determined by the Borough Administrator shall be removed subject to applicable archiving and retention requirements. If a social media site is frequently in violation of this Policy, it shall be permanently deleted.

Any entity found by the Borough Administrator to have violated any aspect of this Policy shall be banned from having a presence on social media for a period of time deemed appropriate by the Borough. Any Borough employee or volunteer found by the Borough Administrator to have violated any aspect of this Policy shall be banned from having a presence on social media for a period of time deemed appropriate by the Borough. Appropriate discipline may follow.

No Borough entity shall operate a social media page that claims to be an official page of the Borough without the permission of Borough Council via an annual resolution. Any Borough entity that operates a page that claims affiliation with the Borough without the express

permission from the Borough is violating Borough Ordinance and shall be subject to a fine of \$1,000 per day, 30 days following notice of violation from the Borough.

Any illegal activity shall be reported to the appropriate authorities.

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

Attest:

Jeanine Siek, RMC
Municipal Clerk

Andrew LaBruno, Mayor

Introduced: November 21, 2022

Adopted: