

## **ORDINANCE #19-12**

### **AMENDING CHAPTER II (“ADMINISTRATION”) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF KEYPORT TO CODIFY THE SOCIAL MEDIA POLICY OF THE BOROUGH OF KEYPORT**

**WHEREAS**, by Resolutions #233-12 and #261-12, the governing body of the Borough of Keyport adopted a Social Media Policy as an administrative policy applicable to all Borough employees and members of Borough boards, commissions and committees; and

**WHEREAS**, the Mayor and Council wish to codify the Social Media Policy by adopting same by Ordinance.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Keyport as follows:

#### **SECTION I. Amendments to Chapter II of the Revised General Ordinances.**

Chapter II of the Revised General Ordinance of the Borough of Keyport is hereby amended and revised to read as follows:

**2-1 THROUGH 2-24** [No change].

#### **2-25 SOCIAL MEDIA POLICY.**

**2-25.1 Purpose.** The following is the policy of the Borough of Keyport (“the Borough”) concerning the use of “social media” as defined herein, which is to be adhered to by all Borough employees and members of Borough boards, committees and commissions in making any communication through social media on behalf of the Borough or any department, board, committee, or commission thereof. This policy does not pertain to the creation or use of personal social media pages or profiles by Borough employees.

**2-25.2 Definitions.** For the purposes of this policy:

“Department” shall be deemed to include Borough of Keyport boards, committees and commissions.

“Department Head” shall be deemed to include the top ranking member of any board, committee or commission as designated by title.

“Member” shall refer to any member of a Borough board, committee or commission.

“Social media” for purposes of this policy shall refer to and include blogs, websites, web addresses, Facebook profiles, Twitter feeds, and the like that are available for viewing by the public.

**2-25.3 Generally.** Other than a Department Head, and except as otherwise provided herein, no Borough employee or Member may create, manage, administer or communicate through a social media page or profile on behalf of the Borough or any of its Departments.

**2-25.4 Page/Profile Creation.** Any Department Head who has created a social media page or profile for a Department or who wishes to create one, must seek the approval of the Mayor and Council through adoption of an authorizing resolution and must meet the requirements as herein contained.

**2-25.5 Designation of Page/Profile Administrator(s).** Each social media page or profile of the Borough or any of its Departments shall have at least one individual designated in the manner set forth herein to create, administer and update the page or profile, including by posting communications on behalf of the Department. Such individuals shall be referred to as “page/profile administrators”.

- a. Except as set forth in subsection (b) or (c) below, only a Department Head may be designated by the Mayor and Council as a page/profile administrator.
- b. While it is the strong preference of the Borough that each Department have a single page/profile administrator, the Borough recognizes that, upon written request by a Department Head, and on a case-by-case-basis, the Business Administrator and the chairperson of the appropriate committee of the Borough Council may designate additional employees/Members as page/profile administrator(s), particularly for commissions with multiple subcommittees. Any denial of the request will be referred to the Mayor and Council for approval or denial.
- c. Under no circumstances will permission be granted to have a non-employee or employee outside of the Department act as a page/profile administrator. With respect to boards, committees and commissions, only Members in good standing may be granted permission to act as a page/profile administrator.
- d. The Department Head of any Department having a social media page or profile must immediately identify in writing for the Mayor and Council and for the Business Administrator, each page/profile administrator and must immediately deny future administrative access by individuals who are not employees/Members of the Department and have not been approved in accordance with this policy.

**2-25.6 Page/Profile Approval.** The request for approval to the Mayor and Council by any Department Head seeking approval of a social media page or profile must state, in writing, the intended purpose and mission for the page and must sign a certification stating and acknowledging compliance with the following:

- a. The Department Head, or the proposed page/profile administrator(s), is(are) the sole page/profile administrator(s) for the social media page or profile;
- b. The posts by the page/profile administrator(s) will be limited to public information, sharing of news and information directly involving the Department, public safety bulletins, hours of operation, and how to contact the Department.
- c. The posts by the page/profile administrator(s) will not advertise, promote, endorse, or discuss any private individuals, businesses, organizations, political parties or persons, or political opinions.
- d. The posts by the page/profile administrator(s) will always be in compliance with all applicable laws, regulations, ordinances and policies and will always be professional and courteous.
- e. The page/profile administrator(s) will promptly remove any comments from the public that do not comply with the above,

– or –

The page/profile administrator(s) will prohibit the public from commenting on the public social media page.

- f. The page/profile administrator(s) will protect the privacy and confidentiality of all individuals as provided by law or any applicable guidelines.

**2-25.7 Right of Removal.** Any and all posts by the page/profile administrator(s) are subject to review by the Mayor and Council or by the Business Administrator or the chairperson of the appropriate committee of the Borough Council, who will have the right to order the removal of any posts that do not comply with this policy and to initiate disciplinary action for violation of this policy.

**2-25.8 Page/Profile Ownership.** The Borough shall be the owner of any and all approved social media pages/profiles created or maintained hereunder, and shall be acknowledged as such. By a majority vote of the Mayor and Council, the Borough may order:

- a. the termination and removal of the entire page/profile for any or no reason;

- b. the Department Head to terminate and remove the entire page/profile for any violation of the above.

**2-25.9 Voluntary Activity.** Use of social media by any Department shall solely be on a volunteer basis and shall not be a right or requirement of employment. The creation, management, administration or updating of any social media page or profile shall not be deemed to add to any duties of any Department Head (or approved page/profile administrator) and shall not be considered to be a basis for any additional monetary or other compensation.

## **SECTION II. Inconsistent Ordinances.**

All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

## **SECTION III. Severability.**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

## **SECTION IV. Effective date.**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced: October 16, 2012  
Public Hearing: October 30, 2012  
Adopted: November 8, 2012



Valerie T. Heilweil, RMC  
Borough Clerk  
Borough of Keyport



Robert E. McLeod, Mayor  
Borough of Keyport