

RESOLUTION NO. 2024-26

A RESOLUTION OF THE VINEYARD CITY COUNCIL APPROVING A
SOCIAL MEDIA POLICY

WHEREAS, Vineyard City uses many digital platforms, including social media, to publicize City-sponsored events and activities and provide information on City issues; and

WHEREAS, the Vineyard City Council has determined that it is in the public interest and will promote the public welfare to adopt a Social Media Policy establishing terms of use for those accessing the City's digital content; and

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF
VINEYARD, UTAH AS FOLLOWS:

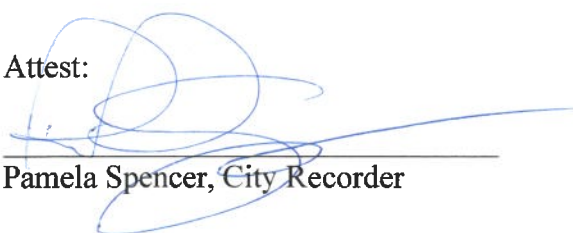
Section 1. Adoption. The Social Media Policy, attached hereto as Exhibit A and incorporated herein by reference, is hereby adopted by the Vineyard City Council.

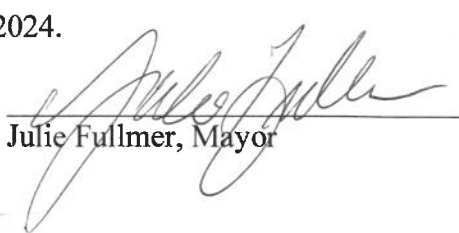
Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its approval by the City Council.

Passed and dated this 13 day of November, 2024.

Attest:


Pamela Spencer, City Recorder


Julie Fullmer, Mayor



PASSAGE BY MUNICIPAL COUNCIL
ROLL CALL VOTE

RESOLUTION NO 2024-26

A RESOLUTION APPROVING A SOCIAL MEDIA POLICY

ROLL CALL VOTE:

MAYOR JULIE FULLMER

COUNCILMEMBER SARA CAMERON

COUNCILMEMBER JACOB HOLDAWAY

COUNCILMEMBER MARDI SIFUENTES

TOTALS

MOTION	SECOND	AYES	NAYS	ABSENT
		X		
	X	X		
		X		
X		X		

This Resolution was passed by the City Council of Vineyard, Utah on the 13th day of November 2024, by a roll call vote as described above.

CITY RECORDER'S CERTIFICATE AND ATTEST

This Resolution was recorded in the office of the Vineyard City Recorder on the 14th day of November 2024.

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Resolution No. 2024-26.

ATTEST:



Vineyard Deputy Recorder



VINEYARD CITY **SOCIAL MEDIA POLICY**

I. INTRODUCTION

The City of Vineyard (“Vineyard” or “City”) uses many digital platforms, including social media, to inform the public of City events and important City issues. The City uses social media to communicate about City-sponsored events and activities, to promote a sense of community, and to encourage participation in local government.

An individual accessing or using a social media site accepts, without limitation, the following terms of use.

II. MODERATION OF THIRD-PARTY CONTENT

The City's social media properties are public, meaning all comments are publicly visible, accessible by search engines, and classified as public records under state law.

Commenters on the City’s social media posts enjoy First Amendment rights. In following the law, there may be times when what some people perceive to be offensive comments will remain visible on our social media posts if such comments are legally protected speech. Please consider that City social media feeds may be viewed by children and other impressionable people. We invite all users to treat the community and fellow participants with respect – even if you disagree with a post or comment. Please ensure that comments remain on topic and relevant to the conversation. Please protect your privacy and the privacy of others by not sharing personal information about you, your family, or others on the City's social media site or other social media.

Comments posted on this account will not be edited by the City. While the City has no duty to do so, the City reserves the right to remove or hide any comments that:

- Do not relate to City business;
- Promote, foster, or perpetuate discrimination on the basis of race, creed, color, age, religion, gender, marital status, national origin, physical or mental disability, sexual orientation, or gender identity;
- Include slanderous, or defamatory attacks; threatening, harassing, or profane language; obscene or sexual content;
- Solicit commerce or advertisements including promotions or endorsements;
- Promote or conduct fraudulent or illegal activity;
- Are spam or links to malware and/or malicious content that affect the normal function of a computer system, server or browser;
- Contain a hyperlink to any website other than those controlled by City no matter the content of the site to which the link redirects;
- Violate a legal ownership interest of any person, including improper use of a trademark or copyrighted material;

- May compromise the safety or security of the public or public systems;
- Provide healthcare or legal advice;
- Are duplicate comments posted repeatedly within a short period of time;
- Impersonate any person or entity or falsely state or otherwise misrepresenting an affiliation with a person or entity;
- Identify matters that are currently the subject of legal proceedings or would break a court's non-publication order; or
- Contain personally identifiable information such as social security numbers, phone numbers, email addresses, and physical addresses.

III. CITY ENGAGEMENT – WHEN SOCIAL MEDIA SHOULD NOT BE USED

Commenting on a City social media post is an appropriate way to engage in conversations regarding issues in the community. However, due to limitations on time and resources, city officers and employees may not engage with or respond to all comments made on social media.

Social media shall not be used for the following:

- *Emergency Response* -- Call 911 for police or fire assistance for life-or-death emergencies or crimes in progress.
- *Safety Concerns* -- If a dangerous condition exists on public property, please contact the police department, fire department, public utilities, or other relevant City department.
- *Official Comments/Hearing* -- Make general comments that do not relate to a social media post at a city council meeting or email them to the Mayor and City Council members. (include links?)
- *Records Requests* -- Request a public record by using the City's [GRAMA request form](#).
- *Service Requests* -- Communicate service requests or other assistance needed directly to the appropriate city department, or via the [City's website](#).
- *Legal Notice/Service of Process* -- Serve the City with notice of any legal action or complaint must follow proper civil procedures as outlined by federal, state or local ordinance.

IV. OPEN AND PUBLIC MEETINGS

It is the policy of the Utah Open and Public Meetings Act (the “Act”) that the Vineyard City Council, Planning Commission, and other public bodies within Vineyard “take their actions openly,” and “conduct their deliberations openly.”¹ To be taken and deliberated openly, such decisions must be made in open meetings that are noticed and held in accordance with the Act.

Comments on social media may not substitute for the requirements of the Open and Public Meetings Act. Moreover, members of a public body can run afoul of the Act if a quorum of that body participate in a social media discussion about a decision that should be deliberated and taken in an open meeting.

¹ UCA § 52-4-102.

V. PROCESS FOR REMOVING COMMENTS

For violations of this policy, an administrator may capture the content to create a record and then remove, hide, mute, or delete the content immediately, subject to reinstatement either through internal discussion or appeal.

VI. APPEALS

To have a comment restored, the commenter must appeal to the City by sending an email within five (5) business days of removal to the Communications Director (include link to email address?). A comment will be restored to public view within fourteen (14) business days of receipt of a timely appeal if the comment is determined to comply with the standards above. If the comment has not been restored within fourteen (14) business days of receipt of a timely appeal, the comment will be considered to have violated this policy. To appeal the decision of the Communications Director, submit an email within twenty-one (21) business days of removal to the City Manager (include link to email address?)

VII. DISCLAIMERS

The City maintains the right to modify this policy without notice. Any change is effective upon posting to the social media account. Social media pages are not monitored 24/7. Comments will be responded to as soon as possible. The City may suspend or discontinue a social media account at any time. The City does not guarantee the completeness or accuracy of any information posted on any social media accounts.

The City is not responsible for, and does not necessarily endorse, support, sanction, encourage, verify, or agree with, third-party comments, messages, posts, opinions, advertisements, videos, promoted content, external hyperlinks, linked websites (or the information, products, or services contained therein), statements, commercial products, processes, or services posted on any social media site.

A user is also subject to any terms of use of the social media platform provider. The City has no control over a provider's terms of use, content, commercial advertisements or other postings produced by the provider.

The City's social media sites serve as a limited public forum and all content published is subject to preservation and disclosure in accordance with the Utah Governmental Records Access and Management Act (GRAMA).

Information and materials produced by the City and posted on this page are City property. Vineyard retains the copyright to all text, graphic images, and other content produced by the City. A user may, without obligation to the City, view, copy, link to, or distribute information found here if for non-commercial use, unless otherwise stated. The City makes no warranty that information on this web page is free of copyright claims or other restrictions on free use. Commercial use is prohibited.

By posting comments, posts, tagged photos, videos, ideas, or any other content on the City's social media sites, users are granting the City non-exclusive, worldwide rights to republish, redistribute, or otherwise use this content (including your name, profile photo, likeness, and social media handle or other publicly shared information) in perpetuity in any way the City deems appropriate. Therefore, users should not submit any ideas or materials they wish to keep confidential or for which they expect to receive compensation.

The information posted is provided on an “as is” basis and the user assumes the risk of use or reliance on such information. The City, its officers, employees, or agents are not liable for any injury or damages resulting from viewing, distributing, or copying materials on this account, including without limitation, liability for indirect, special, incidental, or consequential damages.

Users fully release the City from all claims that may arise regarding the use of or participation on the social media sites or the use, accessing, or posting of the content. Users agree that any claim or dispute relating to any content on a City social media site shall be construed in accordance with the laws of the State of Utah without regard to its conflict of law's provisions and agree to be bound and shall be subject to the exclusive jurisdiction of the state or federal courts located in the State of Utah.

CERTIFICATE OF POSTING

THE VINEYARD CITY COUNCIL ADOPTED RESOLUTION 2024-26, A
RESOLUTION APPROVING A SOCIAL MEDIA POLICY.

I, THE DEPUTY CITY RECORDER FOR VINEYARD, UTAH, HEREBY CERTIFY
THAT COPIES OF THE FOREGOING **SUMMARY** FOR RESOLUTION 2024-26
WERE POSTED AT THE FOLLOWING PUBLIC PLACES WITHIN THE
MUNICIPALITY ON THE 21st DAY OF NOVEMBER 2024. WHICH PUBLIC
PLACES ARE:

POSTED:

1. VINEYARD CITY OFFICES; 125 SOUTH MAIN STREET
2. VINEYARD CITY WEBSITE
3. UTAH PUBLIC NOTICE WEBSITE

AND THAT SAID NOTICE REMAINED SO POSTED AND AVAILABLE UNTIL
THE 21st DAY OF DECEMBER 2024.





Tony Lara, Deputy City Recorder