

**CITY OF HAMILTON
RESOLUTION NO. 1304**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAMILTON
TO ADOPT AMENDMENTS TO THE CITY OF HAMILTON WEBSITE POLICY**

WHEREAS, the City of Hamilton adopted a *Website Policy* on May 18, 2010, and

WHEREAS, the City of Hamilton City Council Committee of the Whole has reviewed and recommended adoption of the attached amendments to the *City of Hamilton Website Policy*.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hamilton that the attached amended website policy be adopted.

PASSED AND ADOPTED this 2nd day of August 2016, after motion and second duly made at a regularly scheduled meeting of the City Council of the City of Hamilton.



By: _____

Jerry E. Steele, Mayor

Attest: _____

Rose M. Allen, City Clerk

CITY OF HAMILTON WEBSITE POLICY

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1-4 EXTERNAL WEBSITE LINKS TO CITY WEBSITE

1-1 PURPOSE

- (A)** The City of Hamilton Website Use Policy describes the standards and guidelines by which the City manages information and content on the City of Hamilton website. The City has established this website for the primary purpose of providing information to the public regarding public services available from City government, as well as information regarding services available to the public from other governmental agencies and private organizations that are in partnership with the City.
- (B)** The City attempts to keep its website accurate and timely, however, the City neither warrants nor makes representations or endorsements as to the accuracy, quality, content, or completeness of the content on the site. Content is subject to change without notice as a result of updates and corrections.
- (C)** The City of Hamilton website is transmitted "as is" without warranties of any kind, either express or implied, including without limitation, warranties of title or implied warranties of fitness for a particular purpose. The City is neither responsible nor liable for any viruses or contaminations of a web visitor's hardware, software, peripherals, or properties nor for any delays, inaccuracies, errors, or omissions resulting from use of the material contained on its website, including but not limited to, any material posted on (or linked to from) the City of Hamilton website. The City is not responsible for any special, indirect, incidental, or consequential damages that may arise from the use of, or the inability to use, the site and/or the materials contained on the site whether the materials contained on the site are provided by the City of Hamilton, or a third party.
- (D)** The City of Hamilton's website is maintained for the exclusive use and control of the City of Hamilton in communicating matters of general public interest over the Internet as outlined above. The City is not establishing a forum for others to provide information through the website.
- (E)** It is important for users of the City's website to understand that messages transmitted via the Internet are not always reliable. The City does not warrant or in any way insure, assure, or guaranty that messages or information transmitted via the Internet will arrive at their intended destination(s), nor will the City indemnify any party for any resulting loss or damages. Therefore, if a user of the website wants or needs to provide the City with an official legal notice or public comment, the City strongly recommends that the user confirms the City's actual receipt of the communication via telephone. If a user of the

website has any question as to the appropriate City official with whom a communication should be addressed, please contact the City Clerk.

- (F) The City expects to update the website and this Website Use Policy on a regular basis in order to incorporate improvements over time. As updates to this policy are adopted, archived versions of older policies will be maintained by the City Clerk in accordance with the City's records retention policy.

1-2 PRIVACY POLICY

- (A) The City of Hamilton recognizes and respects a person's right to privacy regarding personal identifying information revealed to the City through use of the City's website. This privacy policy explains the City's practices for collecting personal identifying information from the City's website, and the choices that can be made that determine how personal identifying information is collected and used by the City organization. For the purpose of this privacy policy, the City will use the term "identity information" to refer to information that identifies any individual, including name, phone number, personal financial information, e-mail address, or physical address.
- (B) The City will not release identity information without either: (1) the consent of the person providing the information, or (2) a court order. However, it is important to understand that the City has obligations to provide public access to "public records" under Montana law. While the City will make every effort to protect the privacy of identity information consistent with the requirements of Montana law, there may be portions of communications that the city will be required to reveal to the public if requested.
- (C) The City receives identity information from customers through the City website through a variety of online forms (e.g. the Contact Us page) and transactional applications (e.g. Online Bill Pay, when available). The primary reason that the City collects and maintains citizen information is to serve the public and administer a customer relationship with the City.
- (D) The City values opinions and comments from the public, so it may occasionally conduct online surveys. Participation in these surveys is entirely optional. Typically, the information is aggregated and used to record public opinions on important community issues. Survey participants are anonymous unless otherwise stated in the survey.
- (E) The City may use identity information collected to distribute information about City services.
- (F) The City of Hamilton provides users the opportunity to opt-out of receiving communications from the City and/or to restrict the type of information they receive by contacting the City Clerk.
- (G) If there are any questions about the City of Hamilton's online privacy practices, please contact the City Clerk.

1-2.5 SECURITY

- (A)** The City is the sole owner of the information collected on this site. We only have access to/collect information that you voluntarily give us via email or other direct contact from you. We will use your information to respond to you regarding the reason you contacted us. We will not share your information with any third party outside of our organization, other than as necessary to fulfill your request, e.g. to answer a question, ship an order, etc. We will not sell or rent this information to anyone.
- (B)** You may opt out of any future contacts from us at any time. You can do the following at any time by contacting us via the email address or phone number given on our website:
- See what data we have about you, if any.
 - Change/correct any data we have about you.
 - Have us delete any data we have about you.
 - Express any concern you have about our use of your data.
- (C)** We take precautions to protect your information. Wherever we collect sensitive information (such as credit card data), that information is encrypted and transmitted to us in a secure way. You can verify this by looking for a closed lock icon at the bottom of your web browser, or looking for "https" at the beginning of the address of the web page. We also protect your information offline. Only employees who need the information to perform a specific job (for example, billing or customer service) are granted access to personally identifiable information. The computers/servers in which we store personally identifiable information are kept in a secure environment.

1-3 POLICY REGARDING CITY LINKS TO EXTERNAL WEBSITES

- (A)** The purpose of this policy is to identify the criteria and conditions by which the City provides links to external websites. Consistent with the City's overall Website Use Policy, the City's primary purpose for linking to external websites is to provide information regarding City services available to the public, as well as information regarding services available to the public from other governmental agencies and private organizations in partnership with the City. Thus, the City is not establishing a forum for others to provide information. Rather, the City is providing information to direct website users to resources outside the City that are complementary to and in support of the services provided by the City.
- (B)** This policy governs the creation of implied or explicit links to external websites from images, notices, and other communications on the City of Hamilton website. Such links include:
- (1) Hyperlinks activated by clicking on an image or text, leading to a web page that does not reside on the City of Hamilton website (explicit);
 - (2) Listing a URL address providing users with the address of a web page that does not reside on the City of Hamilton website (implied), or;

- (3) Any other explicit or implied facilitation of movement from the City of Hamilton website to another web page that does not reside on the City of Hamilton website.
- (C) The City may establish links on the City website to external sites, provided that each external site meets at least one of the following criteria:
- (1) Other government agencies, including federal, state, county, regional, public schools, and special districts.
 - (2) Organizations that receive sponsorship from the City of Hamilton in the form of a financial grant, or a written contract by which the City provides services in collaboration with the organization to achieve a mutual goal related to the City's governmental purpose.
 - (3) Private utilities that have a franchise from the City of Hamilton by which the City regulates or monitors customer service issues.
 - (4) Local and regional economic development organizations that assist the City in promoting businesses throughout Hamilton.
 - (5) Sites providing directional and climatic information.
- (D) The linked sites are not under the control of the City of Hamilton and the City of Hamilton is not responsible for the contents of any linked site or any link contained in a linked site, or any changes or updates to such sites. The City of Hamilton is providing these links only as a convenience, and the inclusion of any link does not imply endorsement by the City of Hamilton or any association with the owner of the linked website.
- (E) All links to external sites will open in a new browser window. Other than links to other governmental agencies, all links to external sites must be approved by the City Clerk or designee.

1-4 EXTERNAL LINKS TO CITY WEBSITE

- (A) A site that links to the City of Hamilton website:
- (1) Should not misrepresent its relationship with City of Hamilton. External links to the City website:
 - a) Shall not create a browser or border environment around City of Hamilton content.
 - b) Shall not use the City of Hamilton logo without permission from the City of Hamilton.
 - (2) Shall not imply that City of Hamilton is endorsing it or its products.

(3) Shall not present false information about City of Hamilton services.

(B) The City of Hamilton is not obligated to link to an external site that provides a link to the City of Hamilton website.

1-5 PHOTOGRAPH SUBMISSION & USE POLICY

(A) **Eligibility.** To submit a photograph for potential use on the City of Hamilton's website and/or Facebook page, you must be at least 18 years of age or have a parent or legal guardian's consent. The subject of the photograph must be relevant to the City of Hamilton including but not limited to one of the following categories:

1. Nature
2. Community
3. Public Events

(B) **Submission Guidelines.** Photographs can be submitted to the City of Hamilton using the online submission form sent to generalinfo@cityofhamilton.net. The submission must contain your full name, contact number, and a statement that you have read and agree to the terms of this policy. Only photographs that are submitted in a JPG or GIF or BMP format will be considered for posting on the City website and/or Facebook.

Photographs can also be mailed with a signed submission form or hand-delivered directly to the City Clerk's Office at:

City of Hamilton
Attn: City Clerk
223 S. Second Street
Hamilton, MT 59840

NOTE: Photographs submitted will NOT be returned.

(C) **Modifications.**

1. Modifications Not Permitted
 - Do not add or replace elements in an image.
2. Permitted Modifications
 - You may crop or rotate images, as necessary, as long as the aspect ratio is maintained.

(D) **Photograph Subject Restrictions.** The City will review all submitted photographs. Photographs for the website will be selected in the City's sole discretion. Entries that fail to comply with the photograph guidelines will be rejected.

Photographs must be appropriate for posting on a public government website. Obscene, provocative, or otherwise questionable content will not be considered. The City retains sole discretion as to what constitutes inappropriate content.

(E) **Photographer and Copyright.** Photographs must be submitted by the original photographer. Do not submit a photograph taken by someone other than you. You must be the

sole owner of the copyright of any image submitted. Your submission of photograph and online entry form is your guarantee to the City that you are the author (photographer) and copyright holder of the photo.

(F) Ownership and Use Rights. The City reserves the right to deny any photograph submission that the City has reason to believe is not the original work of entrant or for any other reason in its sole discretion. **By submitting your photograph, you agree to have your submitted photograph displayed on the City website and/or Facebook page without any fee or other form of compensation whatsoever.** Photographers retain the copyright to their photographs. The City may make and retain copies of the photograph for archival purposes. Photographs will be credited to the photographer named in the submission form. Photographs will not be used by the City in any manner for advertising or sale. In the event that ownership or content of any photograph submitted to the City is contested in any manner, the City retains the discretion to reject that photograph or discontinue use of the photograph.

(G) Additional Terms and Conditions.

The City is **NOT RESPONSIBLE** for: (i) lost, misdirected, misplaced, illegible, unintelligible or incomplete submissions or (ii) any act, failure to act, or delay regarding the transmitting or processing of entries. The City reserves the right, in its sole discretion, to cancel or suspend all or any portion of its website photograph display without notice.

By submitting your photograph(s), you agree to release and hold harmless the City and its employees, officers, affiliates, agents, and advertising and promotional agencies from any and all damages, injuries, claims, causes of actions, or losses or any kind resulting from your submission, including infringement of intellectual property rights.