

CITY OF ESCALON CITY WEBSITE POLICY

PURPOSE:

The purpose of the City of Escalon's Website is to advance the public's health, safety and welfare by providing information for and interacting with Escalon residents, businesses, and visitors. This policy establishes procedures and guidelines governing the dissemination of City information on the website and establishing web links.

In establishing and maintaining its official Web site, the city does not intend in any manner to create a forum or other means by which public discourse, exchange of opinions, or discussion on issues of any nature may occur within the Web site. The sole and limited purpose of the city's Web site is to provide factual information about the City of Escalon including various services and resources available within and around the city, or as may be available from other governmental agencies.

STATEMENT:

The authorized website of the City of Escalon shall be www.cityofescalon.org. This policy is applicable to the City Website which is defined as any internet or intranet web page which represents itself as the City or any of its departments.

POLICY GOALS:

It is the city's policy to encourage all city departments to use the Web site as an effective means to highlight services and to communicate with citizens and target groups, including community leaders and organizations, local and potential businesses, local and potential residents, visitors and city employees, and to educate the community about how government works.

To facilitate the timely flow of information appropriate for the website through an effective internal process that maximizes message consistency, factual accuracy and proper positioning.

This Web site complies with all applicable federal, state and local laws.

The Web site is the exclusive property of the City of Escalon, California.

AUTHORITY OF CITY MANAGER:

The City Manager or his designee shall have the authority and responsibility for the implementation of this Policy. The City Manager may also make interpretations on issues that are not clearly articulated or not included in this Policy, so long as the City Manager's discretion is exercised in a manner consistent with the stated purposes of the City Website.

This Policy will be posted on the City website for review by the public at any time. Questions or comments regarding any subjects or issues addressed in this Policy may be directed to:

City of Escalon
Attn: City Manager
2060 McHenry Ave
Escalon, CA 95320

PRIVACY:

The City is sensitive to the privacy interests of the users of the City website and believes that the protection of those interests is an important responsibility. The City's goal in collecting personal information online is to provide the user with the most personalized and effective service possible. By understanding the user's needs and preferences, the City may provide users with improved service. The City strives to protect online personal information in the same manner that the City protects citizen and business information obtained through other means. The following information explains the City's policy regarding any personal information supplied when using the City website.

A. Website Privacy Policy: When you visit the City of Escalon Web site, we use automated tools to log information about each visit. We process this information in the aggregate to determine site performance issues, such as popular pages, most frequently downloaded forms, and other site performance characteristics. This information does not identify you personally. We do not track or record information about individuals and their visits.

B. Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, the City of Escalon does not certify the authenticity or accuracy of such information. No warranties express or implied, are provided for the content, records and/or mapping data herein, or for their use or interpretation by the User.

The City of Escalon, its elected officials, officers, employees, and agents assume no legal responsibilities for the information or accuracy contained in this data, including any action taken from reliance on any information contained herein and shall have no liability for any damages, losses, costs, or expenses, including, but not limited to attorney's fees, arising from the use or misuse of the information provided herein. The User's use thereof shall constitute an agreement by the User to release the City of Escalon, its elected officials, officers, employees and agents from such liability.

By using this information, the User is stating that the above Disclaimer has been read and that he/she has full understanding and is in agreement with the contents.

SECURITY:

The City Website applies Security Measures to protect the loss, misuse and alteration of the information under the City's control. From time to time, Security Measures may be upgraded

or otherwise modified to meet changing needs. While the City endeavors to keep secure all information it receives via the City website, the City cannot guarantee the security of the information.

EXTERNAL LINKS:

The City has a legitimate interest in limiting persons or organizations that might be linked to the City website. The City may exercise discretion to ensure that the links to the City website are consistent with the purpose of the City website, as set forth in Purpose & Policy Goals. Neither the City Website nor the External Links listed on the City website constitute a forum for expressive activity by members of the public.

- A. Each proposed External Link on the City website shall be reviewed to determine its relevance and appropriateness to the purpose of the City website. The City Manager or his designee shall review the merits of the proposed External Link based upon the stated purposes of the City website, as set forth in Purpose & Policy Goals. A proposal for an External Link will not be denied based on the viewpoint espoused by the individual or entity.
- B. The City website will not provide External Links to websites that:
 - a. Promote or exhibit hate, bias, discrimination, pornography, libelous or otherwise defamatory content.
 - b. Have a primary purpose of furthering the agenda of a political organization or a candidate running for office (regardless of the political viewpoint), or defeating any candidate for elective office.
 - c. Violate any of the City's equal opportunity policies.
 - d. Consist of personal home pages operated by individuals.
- C. The City may provide External Links to certain private commercial sites that maintain and display government-related information which fulfills the purposes of the City website as set forth in Purpose & Policy Goals, and which is not generally available through a governmental agency due to the cost of compiling, maintaining and/or displaying such information. To support the cost of compilation and maintenance of this information, these private commercial sites may include advertising or promotional material in the information display. Accordingly, External Links to such sites which contain this information, but also display commercial advertising or promotional material, may be included within the City website when the City Manager or his designee has made a good faith determination that:
 - a. The City's independent replication of the information targeted for linkage is infeasible due to financial or other considerations;
 - b. No non-commercial site provides the information targeted for linkage; and,
 - c. The information targeted for linkage greatly enhances the usefulness of the City website and services it provides.

- D. The City reserves the right to determine how and where External Links will appear on the City website.

APPLICATION FOR EXTERNAL LINK:

To request the addition of an External Link to the City website, the applicant shall send the relevant URI, address, website description and purpose, brief statement as to how the proposed website fulfills the purpose of the City website as set forth in Purpose & Policy Goals, contact name, phone number and email address by mail to:

City of Escalon
Attn: City Manager
2060 McHenry Ave
Escalon, CA 95320

DISCLAIMER OF EXTERNAL LINKS AND EXTERNAL WEBSITES:

The information posted on the City website includes hypertext External Links to information created and maintained by other public and/or private organizations. The City provides these links solely for the user's information and convenience.

- A. When the user selects an External Link to an External Website, the user leaves the City website and is subject to the privacy and security policies of the owners/sponsors of the External Website.
- B. The City does not control or guarantee the accuracy, relevance, timeliness or completeness of information contained on an External Website accessed through the City website by External Link.
- C. The City does not endorse or recommend any third party website, product, service, view, or opinion, unless otherwise noted.
- D. The City does not authorize the use of copyrighted materials contained on External Websites.
- E. The City is not responsible for transmissions from External Websites.

FINAL DECISION:

The decision to post or not post content and/or links on the City website resides solely with the City Manager or his designee. The decision of the City Manager or his designee is final and binding. Under no circumstances will individuals or entities be entitled to compensation or damages in the event that the City Manager or his or her designee directs the City to include or exclude the content or link.

LINKS TO THE CITY OF ESCALON'S WEBSITE:

Advance permission to link to the City website is not necessary. However, the party linking to the City website should be aware that its subpages may change at any time without notice. Individuals and entities linking to the City website shall not capture pages within frames, present the City website content as its own, or otherwise misrepresent the City website's content or misinform users about the origin or ownership of its content. Any link to the City website should be a full forward link that passes the user's browser to the City website unencumbered. The web browser's "back" button should return the user to the originating site if the user wishes to back out.

POSTING OF EVENTS:

Information regarding community events may be posted on the City website, so long as the posting of such information is consistent with the purposes of the City website, as set forth in Purpose & Policy Goals, and meets the criteria for External Links. While the City Manager or his designee may consider suggestions of events to post on the City website, the decision of the City Manager or his designee is final and binding.

ACCESSIBILITY:

The City Website is intended to be accessible to people with disabilities. Requests for reasonable accommodations relating to equal access to communication, or other issues relating to City website accessibility, should be directed to: HHesling@cityofescalon.org or by mail to:

City of Escalon
Attn: City Manager
2060 McHenry Ave
Escalon, CA 95320

NO WARRANTY OR REPRESENTATION:

The City's web server(s) are maintained to provide public access to City information via the Internet. The City's web services and the content of its web servers and databases are updated on a continual basis. While the City attempts to maintain the City website's information as accurate and timely, the City does not warrant or make representations or endorsements as to the quality, content, accuracy, or completeness of the information, text, graphics, hyperlinks, and other items contained on its server or any other server. Materials on the City website have been compiled from a variety of sources, and are subject to change without notice from the City as a result of updates and corrections.

WEBSITE REVIEW

In an ongoing effort to ensure that only the most timely, relevant and accurate information is presented on the City of Escalon website, the following outlines a policy establishing a quarterly review of each department's website content.

During the months of January, April, July, and October, the Website Coordinator will notify each City of Escalon department head to review their section of web pages, linked documents, external links, etc. to determine their relevance and timeliness.

- Items which are out-dated, no longer relevant, or unnecessary should be removed.
- Items which are out-dated, but still relevant should be replaced by an up to date version wherever possible.
- Relevant information, documents, links, etc., which are not currently included in the department's section of the website should be added/included.

Each department head should make appropriate changes to their section of the website as quickly as is practicable. Once the review and, if necessary, changes have been completed the department head should return confirmation of the review to the Website Coordinator.

SERVICE MARKS, TRADEMARKS AND COPYRIGHT:

To the extent allowed by the Public Records Act and otherwise legally permissible, commercial use of web materials is prohibited without the written permission of the City. All service marks and trademarks mentioned herein are the property of their respective owners. The City retains copyright on the City Seal, all text, graphic images, and other content, unless otherwise noted. No person or entity may use the City Seal without approval of the City Council. No person or entity shall engage in any of the following conduct without written permission from the City Manager or his designee: a) modify and or use the text, images or other City website content from a web server, b) distribute the City's web content, and c) "mirror" the City's information on a non-City server.

NOTICE TO THE CITY:

Communications through the City website, by e-mail or otherwise, shall in no way be deemed to constitute legal notice to the City of Escalon or any of its agencies, officers, employees, agents, or representatives, with respect to any existing or potential claim or cause of action against the City or any of its agencies, officers, employees, agents, or representatives. No communication through the City website shall be deemed to constitute legal or official notice for any purpose.

ERRORS, OMISSIONS, WARRANTY, DAMAGES:

The City of Escalon is neither responsible nor liable for any viruses or other contamination of a user's system due to access of the City website, nor for any delays, inaccuracies, errors or omissions arising out of the user's access of the City website or with respect to the material contained on the City website, including without limitation, any material posted on the City website. The City website and all materials contained on it are distributed and transmitted "as is" without warranties of any kind, either express or implied, including without limitation, warranties of title or implied warranties of merchantability or fitness for a

particular purpose. 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 City website and/or the materials contained on the City website, whether the materials contained on the City Website are provided by the City of Escalon or a third party.

INDEMNIFICATION:

To the extent permitted by applicable law, by using the City website, the user agrees to defend, indemnify, and hold harmless the City of Escalon, its agencies, officers, employees, representatives, and agents from and against all claims and expenses, including attorney's fees, arising out of the user's use of the City website or materials and information contained on the City website.