

## St. Pete Beach Notice and Terms of Use of Social Media Platform Policy

Members of the public who post, comment, or otherwise submit content to a St. Pete Beach social media site agree they have read, understand, and explicitly agree to the following policy, terms, and conditions.

In order to better serve its residents, the City of St. Pete Beach may, at its sole discretion, utilize online user engagement tools and websites, including social media platforms and social media sites, to provide residents with information in more places and more ways than were historically and traditionally available. All content—including, but not limited to: text, comments, responses, posts, videos, live-video streams, writings, materials, documents, photographs, graphics, or other information of any kind that is created, posted, shared, distributed, or transmitted through any online medium—are public and are subject to disclosure, pursuant to Chapter 119, Florida Statutes and St. Pete Beach public records policies.

This policy defines a social media platform as publicly-accessible websites or applications for consuming and sharing audio, video, still-photo or written communication between other members of the public and/or representatives of certain groups, businesses, organizations or departments. Examples of social media platforms include, but are not limited to: Facebook, Twitter, YouTube, Instagram, NextDoor, LinkedIn, website blogs with commenting capabilities, and forums and emergency notification services. By posting or commenting on any social media platform used by the City of St. Pete Beach, you participate by your own choice, taking personal responsibility for your comments, your username, and any information you provide therein. This policy's standards apply to all St. Pete Beach social media sites, accounts, and platforms, including departmental, committee, board, agency, or committee sites. This policy may be amended from time to time at the sole discretion of the St. Pete Beach.

By voluntarily posting or commenting on any social media platform used by the St. Pete Beach, you acknowledge your personal responsibility for your comments, your username (limited public forum compliant), and any information you provide therein. **Please be specifically advised that any content, including comments, you make or submit to the St. Pete Beach on any online platform may survive deletion, by yourself or others, and may later be retained and/or disclosed.** Please note:

- To protect your privacy and the privacy of others, please do not include sensitive personally identifiable information, such as social security numbers. The St. Pete Beach hosted tools and websites should not be considered secure.
- If you have specific questions regarding a St. Pete Beach activity or program that involves details you do not wish to share publicly, please visit the St. Pete Beach's website, at: [www.stpetebeach.org](http://www.stpetebeach.org)
- Posts to this site may be removed in a **viewpoint neutral manner** under this policy for social media sites if allowed by law and under this policy. **See the "Limited Public Forum" section of this policy for more details.**
- The St. Pete Beach also reserves the right to discontinue any or all St. Pete Beach social media sites at any time.
- Practical and legal considerations may sometimes constrain, prevent, or prohibit discussion by the St. Pete Beach of certain topics, including, but not limited to, litigation, pending investigations, and other topics through various media, including, but not limited to, social media.

- Following or “friending” persons or organizations is not an endorsement by the St. Pete Beach and is only intended as a means of communication.
- Any references or links to a specific entity, product, service or organization posted by individuals on the St. Pete Beach’s social media sites should not be considered an endorsement by the St. Pete Beach, its employees, its departments, its agents, or officers.
- The St. Pete Beach is not responsible for Content that appears on external links. The St. Pete Beach is not responsible for and does not guarantee the authenticity, accuracy, appropriateness or security of any link, external website or its content.
- **Investors determining whether to invest or continue to invest in the St. Pete Beach’s debt offerings should not rely on information posted on the site in making their decisions to invest or not to invest; information regarding the St. Pete Beach’s financial position is posted at [www.stpetebeach.org](http://www.stpetebeach.org)**

### **Emergency Services and Assistance**

If you need emergency services and/or assistance, please call **9-1-1**. If you wish to report a crime or provide information relevant to a crime, please call **727-582-6200**. You may remain anonymous if you wish. Please be specifically advised that posting on *any* St. Pete Beach social media platform is not the same as calling the emergency or non-emergency lines of the St. Pete Beach Sheriff’s Office or other local law enforcement agencies. A response is not guaranteed on any social media platform. Additionally, your anonymity is not guaranteed if you post or message the St. Pete Beach through social media.

### **Limited Public Forum**

All social media platforms used by St. Pete Beach are designated as **Limited Public Forums** and **are not** traditional or open public forums. The St. Pete Beach welcomes a person’s right to express opinions and encourages posters to keep comments relevant to the topic in question. Posting on any social media platform used by St. Pete Beach, by any visitor, follower, subscriber or fan, constitutes acceptance of the terms of use described in this policy. The purpose of the St. Pete Beach’s social media sites is to discuss matters of public interest in and to the St. Pete Beach, as identified and raised by the St. Pete Beach for discussion. We encourage you to submit comments that are on topic, and to please address your comments to the specific topic(s) discussed. This is a forum *limited* to the specific topics identified and raised by the St. Pete Beach. Users who submit content to a St. Pete Beach social media site agree they have read, understand, and explicitly agree to the following terms and conditions by virtue of such

#### **Terms of Use:**

- I am submitting content voluntarily and on my own behalf.
- The content I post reflects my own original thoughts or work.
- I understand that the St. Pete Beach has the right to re-post or share any Content, photos or videos that I submit on this or other St. Pete Beach social media sites.
- I have read and understand this policy, including the right of the St. Pete Beach to remove, or archive Content as described in the St. Pete Beach’s policy, and as may be required or allowed by law.
- I understand that any content I provide may be considered a “public record” under Florida law.

- I understand and agree that unless specifically identified as a resource for receiving requests for information under Florida’s public records laws, the St. Pete Beach social media sites are not proper vehicles for making requests for public information or public records under state law and any such requests should be made to the appropriate custodian of the records.
- I also understand that the views and comments expressed on this site only reflect those of the comment’s author, and do not necessarily reflect the official views of the St. Pete Beach, its elected and appointed officers and employees, or its departments and agencies.
- I understand and agree that my and others’ comments are subject archiving and that my comments and others’ comments are subject to removal in whole or in part from this site if my or their comments contain:
  - Comments not directly on the topic raised for discussion, including random or unintelligible comments;
  - Obscene, indecent, or profane language, or pornographic images, depictions, or videos;
  - Direct threats, or those that clearly promote violence;
  - Content that **promotes discrimination** based on race, color, creed, sex, sexual orientation, national origin, ethnicity, age, disability, or gender identity;
  - The solicitation, promotion or endorsement of specific **commercial** services, products or entities;
  - Links to any site or content posted by automatic software programs (i.e. “bots,” or their functional equivalent);
  - Posts or comments which contain any external links to known malware sites or other dangerous content;
  - The promotion or encouragement of any illegal activity;
  - Any confidential or exempt information in violation of state or federal law, sensitive personally identifiable information or sensitive personal information that, if released, violates federal or state law;
  - The promotion or endorsement of a political campaign or candidate;
  - Information that compromises the public safety or security of the public or security systems;
  - Information that directly interferes or compromises ongoing investigations, public safety tactics, or the safety of public safety officers; and/or
  - Appear to violate the intellectual property right of the St. Pete Beach or a third party under federal or state law.

### **Additional Social Media Guidance**

Messages sent or received to and by St. Pete Beach representatives in connection with official St. Pete Beach business may be public records subject to disclosure under the Florida Public Records Act. By posting or commenting on any social media platform used by St. Pete Beach, you participate by your own choice, taking personal responsibility for your comments, your username and any information you provide therein.

St. Pete Beach maintains a social media program for the purpose of engaging and interacting with our community, providing, among other things, relevant and timely community news, information and events, distribution of crime prevention and public safety tips, for urgent notifications of critical incidents which may affect residents, business owners and visitors of St. Pete Beach, and for those people having an

interest in St. Pete Beach.

## **Endorsements**

Friend requests, likes, and shares from official St. Pete Beach social media accounts do not indicate an official endorsement. A comment posted by a member of the public on any St. Pete Beach social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, St. Pete Beach, nor do such comments necessarily reflect the opinions or policies of St. Pete Beach.

## **Moderation of Content**

St. Pete Beach's social media platforms are intended to be "family friendly." When applicable, the St. Pete Beach uses platform-provided content moderation/filtering options to limit inappropriate content as defined below. We reserve the right to remove (hide) inappropriate content and/or block anyone who repeatedly posts inappropriate material as determined by the St. Pete Beach. The St. Pete Beach does not allow posting of photos or videos by anyone other than the St. Pete Beach agents, employees, and/or officers.

Any post that violates the Terms of Use Agreement or disclaimer will be documented for records retention purposes and may be removed from public view. The comment maker should then be notified that he or she has violated this policy and/or the Terms of Use, specifying any and all provisions of this policy and/or Terms of Use that were violated.

When a post or comment has been removed, anyone aggrieved other than a St. Pete Beach employee, agent, or officer may seek to have the Social Media Administrator reconsider the decision to edit or remove a comment by providing the Social Media Administrator with a written request stating the reason or reasons why the comments do not fall within those limitations established in this policy or offer other bases to establish a right to publish the comments or other communications on the St. Pete Beach social media site. The Social Media Administrator or other appropriate official **must render a written decision on the request within one business day** (excluding official St. Pete Beach holidays) of receipt of the request noting the basis for the decision. The decision of the Social Media Administrator or other appropriate official will be the final administrative decision of the St. Pete Beach. **When Content is removed because it is a potential security breach or may contain a virus, the notice under this Section is not required, but the person responsible for the post may appeal the decision by contacting the St. Pete Beach.** The St. Pete Beach may be contacted at 727-464-4600, and a request may be made to speak with the social media team.

## **Denial of Access**

St. Pete Beach reserves the right to deny access to any St. Pete Beach social media sites for any individual found in violation of our Terms of Use, at any time and without prior notice. We will notify users found in violation of our Terms of Use.

## **Facebook's Community Standards**

All comments posted to any St. Pete Beach Facebook site are bound by Facebook's Community

Standards, located at [www.facebook.com/communitystandards](http://www.facebook.com/communitystandards), and St. Pete Beach reserves the right to report any violation of Facebook’s Community Standards to Facebook with the intent of Facebook taking appropriate and reasonable responsive action.

### **The Twitter Rules**

When applicable, St. Pete Beach reserves the right to report any violation of the Twitter Rules, located at <https://support.twitter.com/articles/18311> with the intent of Twitter taking appropriate and reasonable responsive action.

### **YouTube Community Guidelines**

When applicable, St. Pete Beach reserves the right to report any violation of the YouTube Community Guidelines, located at [www.youtube.com/yt/policyandsafety/communityguidelines.html](http://www.youtube.com/yt/policyandsafety/communityguidelines.html) with the intent of YouTube taking appropriate and reasonable responsive action.

### **Instagram Community Guidelines**

When applicable, St. Pete Beach reserves the right to report any violation of the Instagram Community Guidelines, located at <https://help.instagram.com/477434105621119/> with the intent of Instagram taking appropriate and reasonable responsive action.

### **LinkedIn User Agreement**

When applicable, the St. Pete Beach reserves the right to report any violation of the LinkedIn User Agreement, located at [www.linkedin.com/legal/user-agreement](http://www.linkedin.com/legal/user-agreement) with the intent of LinkedIn taking appropriate and reasonable responsive action.

### **External Links**

The provision of direct links should not be construed as an endorsement or sponsorship of these external sites, their content, or their hosts. The St. Pete Beach is not responsible for content found on sites not operated by the St. Pete Beach. The views and opinions of the authors of documents published on or linked to the St. Pete Beach’s social media accounts do not necessarily state or reflect the opinion, policy, or position of the St. Pete Beach.

The St. Pete Beach is not responsible for, nor does it make any warrants regarding, the content, quality, accuracy, or completeness of any offsite materials referenced by or linked through the St. Pete Beach’s social media accounts. By using the St. Pete Beach’s social media sites, the user acknowledges and accepts the risk of injury or damage from viewing, hearing, downloading, or storing such materials rests entirely with the user, and that the St. Pete Beach is not responsible for any materials stored on other social networking sites or websites, nor is it liable for any inaccurate, defamatory, offensive, or illegal materials found on other social networking sites or websites.

The St. Pete Beach does not endorse any content, viewpoint, products or services linked from its social networking sites and shall not be held liable for any losses caused by reliance on the accuracy, reliability

or timeliness of such information. The St. Pete Beach does not warrant the accuracy or reliability of or endorse any products or service providers listed or linked to its site.

## **PRIVACY OF CHILDREN**

We believe in the importance of protecting the privacy of children online. The Children's Online Privacy Protection Act (COPPA) governs information gathered online from or about children under the age of 13. Verifiable consent from a child's parent or guardian is required before collecting, using, or disclosing personal information from a child under age 13. Our site is not intended to solicit information of any kind from children under age 13. If you believe that we have received information from or about children under age 13, please contact us.

## **Questions**

Should you have any questions about this policy or Terms of Use, please contact the St. Pete Beach at 727-367-2735.

**Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to us. Instead, contact our office by phone or in writing.** Fla. Stat. § 668.6076.

## **Waiver of Liability**

Because various laws exist that create liability for various actions, including, but without limitation to, defamation, invasion of privacy, false light, breach of contract, procurement violations, violations of due process among many potential areas of exposure for which the St. Pete Beach accepts no responsibility based on the actions of others or for creating a social media site, I, for myself, successors and assigns, release and hold harmless and agree to indemnify the St. Pete Beach, including its Officers and Employees, from any and all actions, claims, liabilities and damages of whatever kind and nature arising out of or in connection with my use of a St. Pete Beach social media site/account. **By posting or commenting I acknowledge that I understand and accept these terms of use.**

## **Ownership of Content**

The St. Pete Beach retains the rights to all text, photographs, graphics of any kind and other content found on and of the St. Pete Beach's social media sites that was produced by the St. Pete Beach. All social media communications or messages composed, sent, or received on St. Pete Beach equipment in an official capacity are the property of the St. Pete Beach. The St. Pete Beach maintains the sole property rights to any image, video or audio captured while a St. Pete Beach employee is representing the St. Pete Beach in any capacity even if disseminated over a St. Pete Beach social media site, whether the dissemination is authorized or unauthorized, unless a release of those property rights has been specifically granted.

## **Use of St. Pete Beach Seal or Logo**

Any use of St. Pete Beach’s seal or logo is prohibited without the express written permission of the St. Pete Beach.

## **Intellectual Property Rights and Confidential Information**

Information that is proprietary, copyrighted or any other intellectual property, attorney-client privileged, or information subject to state or federal privacy laws, and information not subject to disclosure under the Florida’s public records laws must not be posted on St. Pete Beach social media sites. Any questions concerning this standard should be directed to the Social Media Administrator at 727-464-4600. An owner of copyrighted material or other intellectual property who believes the owner’s rights are infringed must promptly notify the Social Media Administrator.

## **Moderation of Content**

The following section applies to content—such as comments and replies—posted to official social media channels by external users.

Content published to official social media channels—both by internal and external users—is continuously monitored. The organization will not allow content to be posted to official social media channels that:

- Makes use of profanity.
- Contains obscene material.
- Contains any form of hate speech.
- Depicts or encourages violence and other illegal activities.
- Displays sensitive and personal identifying information (PII).