

ORDINANCE NO. 062917

ORDINANCE REGARDING SOCIAL MEDIA

WHEREAS, Ingalls, Indiana, in addition to its website, has one or more Social Media pages by which citizens are informed of events that may affect their personal safety and other events of general interest and concern; and

WHEREAS, the Town Council of the Town of Ingalls, Indiana, has previously approved and subsequently amended the Town of Ingalls Employee Handbook, a portion of which deals with employee utilization of social media outlets; however, said policy does not address what, if any, postings made to social media by nonemployees may be removed and under what circumstances; and

WHEREAS, social media outlets utilized by the Town are deemed moderated online discussion pages and not public forums and while debate and discussion are encouraged utilizing social media outlets, the Town Council expects the commenters would be mindful that such pages are intended to be family-friendly, and that comments and posts be courteous and civil; and

WHEREAS, in light of certain recent litigation regarding the removal of postings made by members of the public to social media outlets utilized by one or more municipal entities, the Town Council of the Town of Ingalls, Indiana, deems it is in the best interest of the citizens of Ingalls, Indiana, that it adopt a social media policy.

THEREFORE BE IT ORDAINED by the Town Council of the Town of Ingalls, Indiana that:

SECTION I

Town of Ingalls, Indiana, hereby adopts as its social media policy, the following:

Comments or posts made by the public to any social media page under the control of the Town of Ingalls, Indiana, will be monitored and while they will not be removed based on their opinion or viewpoint, the Town reserves the right to remove comments that include:

- Comments unrelated to the purpose and topical scope of the page.
- Obscenities.
- Personal identifying information or sensitive personal information.
- Incitement to imminent lawless action.
- Speech presenting a grave and imminent threat.
- Fighting words.
- True threats.

- Fraud.
- Defamation (libel/slander).
- Solicitations to commit, or speech integral to, criminal conduct.
- Information that could reasonably compromise public safety.
- Promotion or advertisement in favor of, or in opposition to a political campaign or candidate.
- Apparent spam.
- Content posted by automatic software programs (i.e., “bots”).
- Information which may interfere or compromise current investigations, police tactics and the safety of police staff and officers.
- Copyrighted material (if posted without the copyright holder’s consent).

The Town may take steps to remove a comment if it falls within one of the foregoing categories. By posting or commenting, you agree to these terms of use. If a social media user’s comment is removed, the moderator will notify the user by social media messenger that the comment was removed and the reason for its removal. You participate at your own risk, and recognize that by posting on this page, you are personally responsible for your comments and any information provided.

The Town disclaims liability for advertisements, videos, promoted content, or comments posted by visitors to this page. The responsibility for external content of comments rests solely with the organization or individuals providing them. Any inclusion or exclusion of content or comments does not imply endorsement or opposition by the Town of Ingalls or any of its employees or officers.

SECTION II

If you need police, fire, or EMS assistance for an emergency or to report a crime, please **DO NOT USE THESE SOCIAL MEDIA PAGES**. For Emergencies call 911. For non-emergencies, call the Ingalls Police Department dispatch at (317) 485-8144. All persons that appear on this page as suspects or wanted individuals are innocent until proven guilty in a court of law.

SECTION III

This Ordinance shall be in full force and effect from and after its passage and due publication.

SECTION IV

Introduced and filed on the 29 day of June, 2017. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of 5 in favor and 0 opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this 29 day of June, 2017 by the Town Council of the Town of Ingalls, Madison County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN OF INGALLS, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

Voting Opposed:



Tim Green

Tim Green



Chris Bradshaw

Chris Bradshaw



Georgia Parker

Georgia Parker



Justin Gardner

Justin Gardner

ATTEST:



Kip Golden, Clerk-Treasurer

This instrument was prepared by Gregg H. Morelock, BRAND & MORELOCK, P.O. Box 6, 6 West South Street, Greenfield, IN 46140.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Gregg H. Morelock.