ORDINANCE NUMBER 997

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE CODE OF ORDINANCES BY ADDING SECTION 34.04 CITY SOCIAL MEDIA FORUM POLICY; ESTABLISHING POLICY REGARDING USE OF CITY SOCIAL MEDIA FORUMS; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, social media platforms can provide valuable information to the citizens of Burk Burnett regarding public safety and City operations and events;

WHEREAS, social media platforms can also provide valuable information to the City from citizens and community members who post on City operated pages;

WHEREAS, the City operates social media pages to inform the public of current events, including potential dangers to the citizens of Burk Burnett and the surrounding area;

WHEREAS, the dissemination of incorrect information or use of obscene, threatening, profane, or abusive language is contrary to the purpose of the City's social media pages and can be damaging to readers of such posts; and

WHEREAS, the City operated social media pages are limited public forums like a Board of Commissioners' meeting.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS AS FOLLOWS:

Part I: Enacted

THAT the Code of Ordinances of the City of Burk Burnett is hereby amended by adding Section 34.04 CITY SOCIAL MEDIA FORUM POLICY, which shall read as follows:

§ 34.04 CITY SOCIAL MEDIA FORUM POLICY.

(A) Disclosure. The City operates social media pages as limited public forums. The following disclosure will be placed on all City-operated social media pages in a place that is easily viewable by any individual who will see or otherwise use the social media page:

The City of Burk Burnett operates this page as a limited public forum and moderates its content. Although we encourage the exchange of ideas and debate, individuals of all ages use this forum. Please be courteous and refrain from using obscene, threatening, profane, or abusive language. Many people use this forum to obtain information regarding current events and happenings within the City. Please do your best to ensure that information posted is courteous, timely, and accurate.
The City controls all comments or posts made on all City social media pages and monitors such pages. The City will not remove comments based purely on viewpoint but reserves the right to remove comments that contain the following:

- False information that could cause a public safety danger, including interfering with an investigation;
- Obscene or pornographic material;
- Threats toward any individual;
- A comment that is not related to the purpose and scope of the City page;
- Profanity and abusive language;
- Personal identifying information or sensitive personal information;
- Fraud;
- Defamation of character;
- Criminal Conduct;
- Campaigning for or against a candidate or item on a ballot;
- Content used in violation of a trademark or patent;
- Spam;
- Encouragement, promotion, or undertaking unlawful activity; and
- Advertising for a person, entity, service, or product.

By posting or commenting on a City's social media page, you agree to the above terms. The City will notify the poster through social media if it removes a post and will provide the reason for its removal. Each individual who posts on a City social media page is responsible and potentially liable for their posts and the information provided in such posts.

The City is not responsible or liable for any posts or content posted by a visitor to a City's social media page. By not removing a post, the City is not endorsing the post's content or the individual who made the post.

(B) Police and Fire Department Pages.

The following is to be placed at the top of any social media page operated by either the Burkburnett Police Department or the Burkburnett Volunteer Fire Department:

**THIS PAGE IS NOT MONITORED 24 HOURS A DAY. IF YOU HAVE AN EMERGENCY, PLEASE CALL 911.** For non-emergency contact, please call (940) 569-2231.

**Part II: Repealer**

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective, which are inconsistent or are in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of any such conflict.
Part III: Severability

It is hereby declared to be the intention of the Board of Commissioners that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

Part IV: Compliance with Texas Open Meetings Act

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Part V: Effective Date

This Ordinance shall take effect immediately upon its passage.

PASSED AND APPROVED THIS 19th DAY OF APRIL 2021.

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Carl Law, Mayor

ATTEST:

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Margie Poole City Clerk