

# CITY OF WEST HOLLYWOOD POLICY AND PROCEDURE

Authority: Director, Communications Department  
Effective: May 12, 2023  
Revised: May 12, 2023

## SMS/MMS MESSAGING POLICY

### 1. Purpose

This Internal SMS/MMS Messaging Policy (“Policy”) establishes guidelines for the establishment and use by the City of West Hollywood (“City”) of SMS/MMS Messaging Platform(s) as a means of conveying information to members of the public.

The intended purpose of City SMS/MMS Messaging Platform(s) is to disseminate information from the City about the City’s mission, meetings, activities, and current issues to members of the public.

The City has an overriding interest and expectation in protecting the integrity of the information posted through its SMS/MMS Messaging Platform(s) and the content that is attributed to the City and its officials.

### 2. Definitions

“SMS” is an acronym for "Short Message Service" and is the oldest, most widespread, and frequently used texting technology supported by every mobile network and device today, with a limit of 160 alphanumeric characters per message. “MMS” is an acronym for "Multimedia Message Service" and is most popularly used to send multimedia content such as videos, pictures, GIFs, and audio files, with no standard length or limit.

“SMS/MMS Messaging Platform(s)” means cloud-based messaging systems that the City establishes and maintains, and over which it has control over all postings. City SMS/MMS Messaging Platform(s) shall supplement, and not replace, the City’s standard methods of communication.

“Post” or “posting” or “text” or “message” means information, articles, pictures, videos, or any other form of communication posted on City SMS/MMS Messaging Platform(s).

### 3. General Policy

- 3.1. The City’s official website at [www.weho.org](http://www.weho.org) (or any domain owned by the City) will remain the City’s primary means of internet communication.

- 3.2. No SMS/MMS Messaging Platform(s) shall be established for the City Council, Commissions, Committees, or Boards.
- 3.3. The establishment of any City SMS/MMS Messaging Platform(s) is subject to approval by the Communications Director or their designee.
- 3.4. Content on City SMS/MMS Messaging Platform(s) is subject to oversight by the City's Communications Department.
- 3.5. City SMS/MMS Messaging Platform(s) shall clearly indicate that such platform(s) are maintained by the City and that the platform(s) comply with the City's policies including Social Media Policy and Privacy Policy.
- 3.6. City SMS/MMS Messaging Platform(s) shall link back to the City's official website for forms, documents, online services, and other information necessary to conduct business with the City whenever possible.
- 3.7. City SMS/MMS Messaging Platform(s) shall be managed consistent with the Brown Act. Members of the City Council, Commissions and/or Boards shall not respond to, "react", or otherwise participate in any published postings, or use the posts to respond to, blog or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body, except that members of the City Council, Commissions and/or Boards may forward the posts to non-City Council, Commissions and/or Boards members in a manner that does not violate the Brown Act.
- 3.8. The City reserves the right to terminate any City SMS/MMS Messaging Platform(s) at any time without notice.
- 3.9. The use of City SMS/MMS Messaging Platform(s) shall comply with applicable rules and regulations required by the platform(s) provider(s), including privacy policies, and carrier policies.
- 3.10. The City's applicable policies, including Social Media Policy and Privacy Policy shall be displayed to users or made available by hyperlink on the SMS/MMS Messaging Platforms.
- 3.11. All City SMS/MMS Messaging Platform(s) shall adhere to applicable federal, state, and local laws, regulations, and policies.
- 3.12. City SMS/MMS Messaging Platform(s) are subject to the California Public Records Act. Any content maintained on a City SMS/MMS Messaging Platform(s) that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be considered a public record and subject to public disclosure, unless exempt.

- 3.13. Employees representing the City on City SMS/MMS Messaging Platform(s) shall conduct themselves at all times as a professional representative of the City and in accordance with all City policies.
- 3.14. All City SMS/MMS Messaging Platform(s) shall utilize authorized City contact information for account set-up, monitoring, and access. The use of personal email accounts or phone numbers by any City employee is not allowed for the purpose of setting-up, monitoring, or accessing a City SMS/MMS Messaging Platform(s) unless necessary to use a certain platform and approved by the Communications Department Director or their designee in writing.
- 3.15. No communications made with the City through any SMS/MMS Messaging Platform(s) shall be deemed to constitute public comment or legal notice to the City or any of its agencies, officers, employees, agents, or representatives where notice to the City is required by any Federal, State, or local law, rule, or regulation. Any such message or notice shall be submitted to the City as ordinarily prescribed, and not through SMS/MMS Messaging Platform(s).
- 3.16. The City reserves the right to change, modify, or amend all or part of this policy at any time.

#### **4. Content Guidelines**

- 4.1. The content of the City's SMS/MMS Messaging Platform(s) should only pertain to City-sponsored or City-endorsed programs, services, and events. Content includes, but is not limited to, information, photographs, videos, and hyperlinks.
- 4.2. Content published to the City's SMS/MMS Messaging Platform(s) will always follow standard protocols and operating procedures of the Communications Department and content workflow(s). The following items are within the scope of the Communications Department's standard outreach efforts and any request outside of this list is at the discretion of the Communications Director or their designee:
  - 4.2.1.1. Official City news releases, news briefs, and digests
  - 4.2.1.2. Official City calendar items (City events and co-sponsorships)
  - 4.2.1.3. Official City program updates and announcements
  - 4.2.1.4. Official City alerts and emergency announcements
- 4.3. Content published through the City's SMS/MMS Messaging Platform(s) must contain hyperlinks directing users back to the City's official website for in-depth information, forms, documents, or online services necessary to conduct business with the City of West Hollywood, whenever possible.
- 4.4. The City shall only publish content to which it has full permission or rights.

- 4.5. Messages shall only be published during normal business hours and in compliance with applicable laws. After-hours or weekend messages shall only be made with approval of the City's Communications Director or their designee.
- 4.6. Any employee authorized to publish content on any of the City's SMS/MMS Messaging Platform(s) shall review, be familiar with, and comply with the platform's use policies and terms and conditions; applicable local, state, and federal regulations; and SMS/MMS best practices and platform guidelines.
- 4.7. Any employee authorized to publish content on any of the City's SMS/MMS Messaging Platform(s) shall not express their own personal views through such content. Instead, content on any of the City's SMS/MMS Messaging Platform(s) by an authorized City employee shall only reflect the views of the City.
- 4.8. Published messages shall not contain or include any confidential information as defined by any City policy or state or federal law.
- 4.9. Published messages may NOT contain any personal information, except for the names of employees whose job duties include being available for contact by the public.
- 4.10. Reply messages to City SMS/MMS Messaging Platform(s) shall NOT contain any of the following or may result in being removed from the recipient list:
  - 4.10.1. Profane and obscene language or content;
  - 4.10.2. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, as well as any other category protected by federal, state, or local laws;
  - 4.10.3. Sexual content or links to sexual content;
  - 4.10.4. Solicitations of commerce;
  - 4.10.5. Conduct or encouragement of illegal activity;
  - 4.10.6. Information that may tend to compromise the safety or security of the public or public systems;
  - 4.10.7. Content that violates a legal ownership interest of any other party;
  - 4.10.8. Defamatory statements; or

4.10.9. Threats of violence or injury to any person, property, or organization.

4.10.10. Content that violates the Platform's terms of use and terms of service

4.11. These guidelines shall be displayed to users or made available by hyperlink through all City SMS/MMS Messaging Platform(s). Any content removed based on these guidelines must be retained, including the time, date, and identity of the poster, when available.

4.12. Except as expressly provided in this Policy, accessing any SMS/MMS Messaging Platform(s) shall comply with all applicable City policies pertaining to communications and the use of the internet by employees, including email content.

## **5. City Management**

5.1. The City is committed to serving the online community in a civil and unbiased manner.

5.2. All reply messages or content related to the City SMS/MMS Messaging Platform(s) will be subject to monitoring by the City's Communications Director or their designee.

5.3. Any content by a member of the public sent to, published, or posted on or through City SMS/MMS Messaging Platform(s), including without limitation a post or a response to any City message or content, is the opinion of the commenter or poster alone, does not imply endorsement of or agreement by the City, and the City disclaims liability for any such content.

5.4. The City reserves the right to restrict or remove any subscriber/recipient that is deemed by the City to be in violation of this SMS/MMS Policy or any other applicable law. Any City employee, volunteer, or official who finds content on or through City SMS/MMS Messaging Platform(s) that is potentially inappropriate or inconsistent with this Policy will notify the Communications Director or their designee, who will consult with the City's legal counsel for direction on further handling of the potentially inappropriate or inconsistent content to ensure compliance with the Policy. The City disclaims any and all responsibility and liability for any materials that the City deems inappropriate for posting that cannot be removed in an expeditious and otherwise timely manner.

5.5. For all City SMS/MMS Messaging Platform(s), the City shall post the following disclaimer on the respective City SMS/MMS Messaging Platform(s) page: "This communications platform is subject to the City of West Hollywood's SMS/MMS Policy available at [weho.org/text](http://weho.org/text)."

- 5.6. Any content removed based on this Policy must be retained by the City for a reasonable period of time, and will include the time, date and identity (including subscriber name, email, and/or phone number) of the poster, when available.
- 5.7. The City may block/remove specific subscribers, but only to the extent that such users' comments/messages/replies are determined by the City to repeatedly be defamatory, obscene, or for purposes of posting spam or soliciting commerce. In no event shall a user be blocked for disagreeing with or providing a contrary opinion or point of view.