



## Town of Discovery Bay

<b>Program Area:</b> Administrative	<b>Policy Name:</b> Website Policy	<b>Policy Number:</b> 010
<b>Date Established:</b> September 1, 2010	<b>Date Amended:</b> N/A	<b>Resolution:</b> 2010-14

Thank you for visiting the official website of the Town of Discovery Bay Community Services District. We are providing this notice to explain our online information practices and the choices you can make about the way your information is collected and used by the Town of Discovery Bay CSD.

### Conditions of Use

By visiting the Town of Discovery Bay CSD website, users agree that they will not use the website for any unlawful activity, or use it in any way that would violate the terms and conditions of use. This website is governed and construed by the laws of the State of California. Any use of the website shall comply with all District, State and Federal laws and regulations. Unauthorized attempts to upload information or change information on this website are strictly prohibited and may be punishable under state law and federal statutes including the Computer Fraud and Abuse Act of 1986 and the National Information Infrastructure Protection Act. We monitor network traffic to identify unauthorized attempts to upload or change information or to otherwise cause damage to the District's website. Anyone using this website expressly consents to such monitoring.

Communications to the District via this website shall in no way be deemed to constitute legal or official notice to the Town of Discovery Bay CSD, its agencies, officers, employees, representatives or agents with respect to any existing, pending or future claim or cause of action against the Town of Discovery Bay CSD or any of its agencies, officers, employees, representatives or agents where notice is required by Federal, State or local law. Nor shall communications to the District via this website be deemed to constitute legal or official notice for any other purpose.

Changes are made periodically to District documents, including District documents, District regulations, guidelines, and schedules, and these changes may or may not be reflected in the materials or information present on this website. Additionally, because the site is frequently under development, materials and information may be deleted, modified or moved to a different part of the website without advance notice.

Under no circumstances shall the Town of Discovery Bay CSD be liable for any actions taken or omissions made from reliance on any information contained herein from whatever source nor shall the District be liable for any other consequences from any such reliance.

The Town of Discovery Bay CSD is neither responsible nor liable for any viruses or other contamination of your system nor for any delays, inaccuracies, errors or omissions arising out of your use of this website or with respect to the material contained on this website, including without limitation, any material posted

on the website. This 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 Town of Discovery Bay CSD is not responsible for any special, indirect, incidental or consequential damages that may arise from the use of, or the inability to use, the website and/or the materials contained on the website whether the materials contained on the website are provided by the Town of Discovery Bay CSD, or a third party.

Links from Town of Discovery Bay CSD Website

The Town of Discovery Bay CSD permits the establishment of links to external websites on the District's official website solely in conformance with this website policy. In the establishment and maintenance of its official website, the District does not intend in any manner to create nor does it create a forum or other means by which public discourse, exchange of opinions, or discussion on issues of any nature may occur. The District is not responsible for, does not endorse, and cannot assure the accuracy of information on these outside websites.

Organizations wishing to establish external links on the District's website must submit a request to the District. The request must contain all information necessary to verify the facts as stated and is necessary to determine whether the proposed link is in compliance with this policy. The Town of Discovery Bay CSD General Manager will review the merits of the requested external link, keeping in mind the criteria and examples listed below, to determine whether the link serves the overall purpose of the District's website. A request will not be denied because of a viewpoint espoused by the person or entity.

At its discretion the District may provide links to external sites that fall into one of the following categories:

Other governmental agencies; utilities, both public and private; bona fide educational institutions as defined in the Internal Revenue Code §501(c)(6); elected public officials; and local and regional public transportation agencies.

The District may, at its discretion, allow links and informational postings for events, meetings, public appearances, and other "community associated" happenings pursuant to this policy and in compliance to the following terms and conditions:

The "event" must be hosted by a public or non-profit or other Community Based organization and the event benefits Discovery Bay; the event must be open to public participation but is not necessarily a "free" event (i.e., golf tournament, fundraising event, concert, etc); the event is a charitable/fundraising event that benefits Discovery Bay in some fashion; and if the event itself is something that the community would enjoy, find valuable, or obtain valuable information by attending. The event must be held by a public or non-profit organization, or a for-profit organization doing non-profit or charitable work (for example, a company sponsoring a 5K run where the proceeds benefit charitable or non-profit organizations). The event must be open to the general public.

The Town of Discovery Bay CSD may decline to post/promote any event should the District's General Manager find that the event does not meet these guidelines and/or should anything about the event itself be found to be objectionable and inconsistent with the policies contained herein.

The Town of Discovery Bay CSD reserves the right to: (1) deny an external link request to any person, business or organization when it is determined, following review of a request, that the entity or organization for which request is made does not meet the criteria set forth in this policy; and/or (2) deny an external link request to any person, business or organization which fails to provide all required information, or fails to provide truthful information.

Some examples, but not all, of the type of websites that the District's website will not provide an external link to other websites or to promote via the events calendar are as follows:

Promoting or exhibiting hate, bias, discrimination, pornography; libelous or otherwise defamatory content; associated with, sponsored by or serving a candidate for elected office, any political party or organization supporting or seeking to defeat any candidate for elective office or any ballot proposal; associated with political organizations or other organizations advocating a position on a local, state or federal issue; and furthering the agenda of a political organization or candidate running for office. Additionally, individual and/or personal home pages will not be Allowed.

The District reserves the right to immediately and without notice to any person or organization: (1) remove any external link if the nature of the organization or business to which the link relates no longer complies with the District's external link Policy; (2) discontinue an external link at any time if entities' website provides or promotes hate, bias, discrimination, pornography, false, slanderous, illegal, political (see above examples of websites the District will not link to), or incorrect information at any time; or (3) to revise this policy without prior notice when to do so is deemed to be in the best interests of the Town of Discovery Bay CSD.

### **Location and Appearance of External Links**

The District reserves the right to determine how and where External links will appear on its website; i.e. what page the link appears on and where the link is placed on the page.

### **Copyright/Trademark**

The District Seal, brand and banner are trademarks of the Town of Discovery Bay CSD. Any use of the materials stored on the District's website is prohibited without the written permission of the Town of Discovery Bay CSD. The Town of Discovery Bay CSD retains all intellectual property rights including copyrights on all text, graphic images and other content. This means that the following acts or activities are prohibited without prior, written permission from the Town of Discovery Bay CSD: (1) modification and/or re-use of text, images or other website content from a District server; (2) distribution of the District's website content; or (3) "mirroring" the District's information on a non-District server.

### **Third Party Materials**

Some materials and information used on the Town of Discovery Bay CSD's website were generated by third parties who have consented to the District's use or placement of such materials on this site. These materials are owned by those parties. Use of these third party materials for any purpose is prohibited. Persons seeking to use or modify third party materials for any purpose should contact the owner of such materials directly. These materials include icons and graphics used in links to other organizations' sites, as well as various items of general content.

### **Disclaimer of Endorsement**

Some of the links made available to you through the Town of Discovery Bay CSD's website will allow you to leave the District's site. Please be aware that the Internet sites available through these links, and the materials that you may find at those sites are not provided by, endorsed by or under the control of the Town of Discovery Bay CSD. Therefore, the District cannot and does not make any representation to you about these sites or the materials available on the sites. The fact that you may be able to access these additional sites from the District's website is not an endorsement or recommendation to you by the District of any of these sites or any material found there. The District is providing these links only as a convenience to you, and your access to these additional sites is done at your own risk.

## **General Disclaimer**

The materials and information contained on or obtained from this website, 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. Information contained on this website, including information obtained from external links thereon, is provided without any representation of any kind as to accuracy or content and should be verified by the user. The Town of Discovery Bay CSD is not responsible for any general, direct, special, indirect, incidental or consequential damages that may arise from the use of, or the inability to use, the website and/or the materials contained on the site whether the materials contained on the website are provided by the Town of Discovery Bay CSD or a third party.

## **Indemnification/Hold Harmless**

By using the District's website, user agrees to indemnify or hold harmless the Town of Discovery Bay CSD for any occurrence resulting from an act of user's use of the District's website. The District will take all reasonable precautions to safeguard the confidentiality of user information, but is not liable for any injury caused by the disclosure of that information, whether caused by security breach, accident, inadvertence, or any other act resulting in disclosure.

## **Links to the Town of Discovery Bay CSD's Website**

Advance permission to link to the District's Website is not necessary. However, the organization linking to the Town of Discovery Bay CSD's website should understand that content and internal web links may change at any time without notice.

Entities and individuals shall not link to the District's website nor capture pages within frames and present the District's website content as its own, or otherwise misrepresent this website's content or misinform users about the origin or ownership of its content.

## **PRIVACY AND SECURITY POLICY**

### **Privacy Statement**

The Town of Discovery Bay CSD ("District") is committed to protecting the privacy of the individuals utilizing the District's Website; however, personal information submitted to the District's Website may be subject to disclosure pursuant to various California laws, including, but not limited to, the California Civil Discovery Act of 1986 and the California Public Records Act. The District may share such information with other agencies if: (1) the information relates to that agency; (2) to protect the interests of others; (3) to protect and defend the rights or property of the District; or (4) as otherwise provided by law.

The District's Website contains links to other sites. Please be aware that the District is not responsible for the privacy practices of such other sites. We encourage our users to be aware when they leave our site and to read the privacy statements of each and every Website that collects personally identifiable information. This privacy statement applies solely to information collected by the District's Website.

### **The Town of Discovery Bay CSD does not use its Website to:**

Collect personal information for commercial marketing. The District will not send you unsolicited email regarding any commercial offers or advertisements at any time.

Create individual profiles with the information provided by users of this site, nor does it give such personal information to third parties or private organizations. The District does not track personal information about individuals and their visits.

#### **The Town of Discovery Bay CSD does use its Website to:**

Collect personal information for the purpose of responding to a user's request or input, or to complete an online transaction. If a user chooses to provide the District with personal information, such as sending an e-mail to a District employee or by filling out and submitting an online form located on the District's Website, the District may use that information to respond to the user's message and to assist in obtaining information the user may have requested. The District treats e-mails submitted by a user the same way it treats letters to the District. The District will not share e-mail addresses submitted by a user through the District's website.

Provide electronic commerce capabilities, should a user provide any personal information and/or payment information while using the District's Website. Such information may be collected, processed and disclosed to complete an online transaction and for record-keeping for such activities as billing, permits, licenses and other business-related purposes.

Collect usage statistics for site management, such as assessing what information is of most and least interest, determining technical design specifications, and identifying system performance issues. The information does not identify you personally. The following information about your visit is collected: the Internet domain and/or IP address from which you access the District's Website; the type of browser and operating system used to access the District's Website; the date and time of the visit; the pages visited; and if you link to the District's Website from another website, the address of that Website.

The District's Website may transfer information to your computer through cookies or other technology. The use of cookies or similar technology is an industry standard and does not personally identify users, although they do identify a user's computer. Cookies or similar technology can make the Internet more useful by storing information about your preferences on a particular site. If preferred, you can configure your browser to refuse cookies. However, you may not be able to take full advantage of the District's website if you do so.

#### **Security Statement**

The District Website utilizes encryption technology. However, the user should not assume that information submitted to the District Web server would be treated as confidential (See above Privacy Statement). If a user submits information to the District's server through a web page containing visible indicators of active encryption technology, the District will take all reasonable precautions to safeguard the confidentiality of such information.

#### **Web Accessibility Guidelines**

The Town of Discovery Bay CSD is committed to providing equal access to its electronic information technologies and services for all residents, visitors and business customers. As the World Wide Web has become an essential means by which we provide information to and conduct transactions with our community, our goal is to provide information and services in ways that work effectively for all.

It is one of our goals to continually improve the Web site to achieve compliance with the latest standards in functionality and universal accessibility. We follow the federal ADA Section 508 rules.

## **Tools for Blind & Visually Impaired Users**

Adobe, the makers of Acrobat and Acrobat Reader, have developed tools to assist blind and visually impaired users. Please visit the **Adobe Accessibility** area for more information. Please note that the tools designed to create simple HTML documents easily read by standard speech-synthesis software will not retain the graphic images or text formatting of an original Adobe PDF.

### **Additional Applications**

Some of the services and information posted on Town of Discovery Bay CSD website require that a user download and install additional applications as part of their browser software. The basic versions of these applications are offered, at no cost, on the vendors' Web sites. These applications include:

**Adobe Acrobat Reader** - The District uses Adobe Acrobat to create Portable Document Format (PDF) files to provide online access to District documents in their original formatting. There are several converter applications available online that will convert PDF documents into a variety of alternate document formats, including simple HTML. Please visit **PDF Zone** for additional resources.