

## **External Link Policy**

### **Purpose**

It is the purpose of the Merced City Government website to provide information to residents and visitors about the services, operations and projects of Merced City Government. The City of Merced may permit the establishment of links to external websites on the City's official website at its sole and complete discretion and subject to the applicant's full compliance with this policy. In the establishment and maintenance of its official website, the City does not intend in any manner to create a forum or other means by which public discourse, exchange of opinions, or discussion on issues of any nature may occur.

### **Links from Merced City Government Website**

The City's Web Master is responsible for the management and oversight of the City of Merced website. Organizations wishing to establish external links on the City's website must submit an External Link application. Send link request info to: [Webmaster@cityofmerced.org](mailto:Webmaster@cityofmerced.org) The application 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.

**Consistent with the foregoing policy, it is the City's policy to limit external links to the following kinds of entities and organizations:**

- Other governmental agencies.
- Agencies or organizations with which the City of Merced maintains agreements or contracts for services, e.g., Merced County Multicultural Arts Center, Merced Community Action Network, Conference and Visitors Bureau, Boys and Girls Club, etc.
- Private utilities that serve the city of Merced or have a franchise from the City of Merced by which the City regulates or monitors customer service issues.
- Public and private, bona fide educational institutions as defined in Education Code §210.1
  - o 210.1. "Educational institution" means a public or private preschool, elementary, or secondary school or institution; the governing board of a school district; or any combination of school districts or counties recognized as the administrative agency for public elementary or secondary schools.
  - o For more information visit: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=00001-01000&file=210-214>
- Or as described in Education Code §66010 (a) and (b)
  - o 66010(a) Public higher education consists of (1) the California Community Colleges, (2) the California State University, and each campus, branch, and function thereof, and (3) each campus, branch, and function of the University of California.
  - o 66010(b) As used in this part, "independent institutions of higher education" are those nonpublic higher education institutions that grant undergraduate degrees, graduate degrees, or both, and that are formed as nonprofit corporations in this state and are accredited by an agency recognized by the United States Department of Education.
  - o For more information visit: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=66001-67000&file=66010>
- Geographical regional tourist attractions serving the public generally which receive over 5,000 attendees annually.
- Organizations as defined in the Internal Revenue Code 501(c)(6).
  - o IRC 501(c)(6) provides for exemption of businesses which are not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual.
  - o Please visit <http://www.irs.gov/pub/irs-tege/eotopick03.pdf> for more info on IRC 501(c)(6) organizations.

The City of Merced reserves the right to: (1) deny an external link application to any person, business or organization when it is determined, following review of a complete application,

that the entity or organization for which application is made does not meet the criteria set forth in this policy; (2) deny an external link application to any person, business or organization which fails to provide all required information, or fails to provide truthful information; and 3) deny any and all external link applications at the city's sole and complete discretion.

### **Removal of Content**

The City's Web Committee reserves the right to: (1) remove any external link if the nature of the organization or business to which the link relates no longer complies with the City's external link policy; (2) discontinue an external link at any time if entities' website provides or promotes false, slanderous, illegal, immoral, or incorrect information at any time; 3) discontinue any and all external link at anytime with or without notice at the City's sole and complete discretion (4) to revise this policy without prior notice when to do so is deemed to be in the best interests of the City of Merced.

### **Copyright / Trademark**

The City Seal is a trademark of the City of Merced. Any use of the materials stored on the City's website is prohibited without the written permission of the City of Merced. The City of Merced 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 City of Merced: (1) modification and/or re-use text, images or other web content from a City server; (2) distribution of the City's web content; or (3) "mirroring" the City's information on a non-City server.

### **Indemnification**

To the extent permitted by applicable law, by using the City of Merced's Website, the user agrees to defend, indemnify, and hold harmless, the City of Merced, its agencies, officers, employees, representatives, and agents from and against all claims and expenses, including attorney's fees, arising out of the user's use of this website or materials and information contained on this site.

### **Disclaimer**

Some of the links made available to you through the City of Merced's website will allow you to leave the City'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 City. Therefore, the City 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 City's website is not an endorsement or recommendation to you by the City of any of these sites or any material found there. The City is providing these links only as a convenience to you, and your access to these additional sites is done at your own risk.

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