

## **Website Policy, Terms and Conditions**

Welcome to the official website of the City of Laguna Niguel (also referred to herein as “the City”). We are providing this notice to explain the City’s online information practices and the choices you can make about the way your information is collected and used by the City of Laguna Niguel.

### **Conditions of Use**

Visitors to and users of the City of Laguna Niguel website, 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 City, 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. The City monitors network traffic to identify unauthorized attempts to upload or change information or to otherwise cause damage to the City's website. Anyone using this website expressly consents to such monitoring.

The materials available on the City’s website have been prepared by the City of Laguna Niguel, its staff and other contributors for informational purposes only, and are not legal advice and should not be relied upon as such. Communications to the City via this website shall in no way be deemed to constitute legal or official notice for any purpose to the City of Laguna Niguel, its agencies, officers, employees, representatives or agents with respect to any existing, pending or future claim or cause of action against the City of Laguna Niguel or any of its agencies, officers, employees, representatives or agents where notice is required by Federal, State or local law.

The City of Laguna Niguel periodically makes changes to City documents, including the Municipal Code, City Council documents, City regulations, guidelines, and schedules. These changes may or may not be reflected in the materials or information present on this website. In addition, 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 City of Laguna Niguel be liable for any actions taken or omissions made from reliance on any information contained herein from whatever source nor shall the City of Laguna Niguel be liable for any other consequences from any such

reliance.

Under no circumstances is the City of Laguna Niguel responsible or 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 expressed or implied, including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. The City of Laguna Niguel 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 City of Laguna Niguel, or a third party.

In the establishment and maintenance of its official website, the City 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.

### **Links from City of Laguna Niguel Website**

The City of Laguna Niguel permits the establishment of links to external websites on the City's official website solely in conformance with this website policy. The City is not responsible for, does not endorse, and cannot assure the accuracy of information on these outside websites.

Requests from organizations wishing to establish external links on the City's website must be submitted in writing to the webmaster. 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 City Manager will review the merits of the requested external link, to determine whether the link serves the overall purpose of the City's website. A request will not be denied because of a viewpoint espoused by the person or entity.

The City may, at its discretion provide links to external sites that fall into one of the following categories:

- Other governmental agencies.
- Utilities.
- Public and private, bona fide educational institutions.
- Organizations as defined in the Internal Revenue Code §501(c)(6).
- Elected Public Officials.
- Transportation Agencies.

The City of Laguna Niguel 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 of the type of websites that the City's website will not provide an external link to are websites:

- 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;
- Furthering the agenda of a political organization or candidate running for office;
- Violating any of the City's equal opportunity or norms and values policies;
- That are individual or personal home pages.

### **Removal of External Link from City Website**

The City 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 City'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 City 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 City of Laguna Niguel.

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

The City 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.

### **Links to the City of Laguna Niguel's Website**

Advance permission to link to the City's Website is not necessary. However, the

organization linking to the City of Laguna Niguel'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 City's website nor capture pages within frames and present the City's website content as its own, or otherwise misrepresent this website's content or misinform users about the origin or ownership of its content.

### **Copyright/Trademark**

Any use of the materials stored on the City's website is prohibited without the written permission of the City of Laguna Niguel. The City of Laguna Niguel retains all intellectual property rights including copyrights on all text, graphic images and other content. This means that the following acts or activities, including but not limited to: (1) modification and/or re-use of text, images or other website content; (2) distribution of the City's website content; or (3) "mirroring" the City's information on a non-City server are strictly prohibited without prior, written permission from the City of Laguna Niguel.

### **Third Party Materials**

Some materials and information used on the City of Laguna Niguel's website were generated by third parties who have consented to the City'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**

The City of Laguna Niguel's website provides references or links to other sites and information that may be useful or informative. The references of links to third party sites are not intended, and should not be interpreted by readers, as constituting or implying the City's endorsement, sponsorship or recommendation of the third party information, products or services found there. The City is providing these references or 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 expressed 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 City of

Laguna Niguel is not responsible and shall not be held liable for any general, direct, special, indirect, incidental or consequential damages that may arise from the access to, inability to access or 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 City of Laguna Niguel or a third party.

### **Indemnification/Hold Harmless**

By using the City's website, user agrees to indemnify or hold harmless the City of Laguna Niguel for any occurrence resulting from an act of user's use of the City's website. The City 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.

### **Governing Law and Jurisdiction**

The terms and conditions contained herein constitute a contract made under and shall be governed by and construed in accordance with the laws of the State of California. The user agrees that the Orange County Superior Court, Harbor Justice Center District, if it has subject matter jurisdiction, shall be exclusive jurisdiction to hear and determine any claims or disputes between the user and the City of Laguna Niguel (and/or its officers, employees, agents and the assigns of same), pertaining directly or indirectly to these terms and conditions, or to any matter arising therefrom, or any other document executed and delivered in connection herewith or therewith.

## **PRIVACY AND SECURITY POLICY**

### **Privacy Statement**

On certain occasions, the public has opportunities to share personal information online with the City of Laguna Niguel ("City") in order to facilitate better correspondence and service. The City is committed to protecting the privacy of the individuals utilizing the City's Website; however, personal information submitted to the City'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 City 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 City; or (4) as otherwise provided by law. The City's Website contains links to other sites. The City 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 City's Website.

The City of Laguna Niguel does not use its Website to:

- Collect personal information for commercial marketing. The City 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 City does not track personal information about individuals and their visits.

The City of Laguna Niguel 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 City with personal information, such as sending an e-mail to a City employee or by filling out and submitting an online form located on the City's Website, the City may use that information to respond to the user's message and to assist in obtaining information the user may have requested. The City treats e-mails submitted by a user the same way it treats letters to the City. The City will not share e-mail addresses submitted by a user through the City's website.
- Provide electronic commerce capabilities, should a user provide any personal information and/or payment information while using the City'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 City's Website;
  - The type of browser and operating system used to access the City's Website;
  - The date and time of the visit;
  - The pages visited; and
  - If you link to the City's Website from another website, the address of that Website.

The City'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 City's website if you do so.

### Security Statement

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

### Web Accessibility Guidelines

The City of Laguna Niguel 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 City of Laguna Niguel 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 City uses Adobe Acrobat to create Portable Document Format (PDF) files to provide online access to City 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.

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