

# XX.XXX: Web Site Terms of Use and Privacy Policy

**Effective:** 12/01/2024 – RES- 2024-001

## **Purpose:**

The purpose of this website is to provide accurate and valuable information about Genesee County government services and related activities. This policy outlines the collection, storage, and use of information, including personally identifiable information (PII), as well as the security measures implemented to protect that information.

## **Authority and Responsibility:**

This policy is authorized by the Genesee County Board of Commissioners. The Chief Information Officer (CIO) is responsible for ensuring compliance with the terms outlined herein and for overseeing the implementation of security measures and data protection practices.

## **Application:**

This policy applies to all users of the Genesee County website, including individuals engaging in e-commerce, browsing the site, and accessing third-party links. It governs the collection, use, and sharing of information while using the website, ensuring that all interactions comply with the stated guidelines and legal requirements.

## **Definitions:**

1. **Personally Identifiable Information (PII):** Information that can be used to identify an individual, such as name, address, email, or credit card details.
2. **Cookie:** A small text file placed on a user's computer to track activities on the website, such as searching databases or making payments.
3. **E-Commerce:** The process of conducting financial transactions electronically through the website, such as making payments for County services.
4. **Third-Party Website:** Any website not owned or operated by Genesee County but which may be linked to or referenced from the County's website.
5. **Secure Connection:** A method of encrypting data transmitted between a user's device and the County's servers to protect sensitive information from unauthorized access.
6. **Public Records:** Any documents, data, or other information created or received by Genesee County that may be subject to disclosure under the Michigan Freedom of Information Act (FOIA).

7. **Service Marks/Trademarks:** Any logos, symbols, or names used by Genesee County or third parties that are protected by intellectual property laws and require express written permission for use.
8. **User:** Any individual or entity accessing or using the Genesee County website and its services.
9. **Website:** The collection of web pages and digital content managed and operated by Genesee County, accessible via the Internet.
10. **Scraping:** The process of using automated tools, scripts, or software to extract data or content from a website without the website owner's consent. This includes, but is not limited to, collecting information for purposes such as data mining, analysis, or unauthorized reproduction of website content.

## **Policy:**

### **1) Information That is Collected When You Visit This Site**

- a) The purpose of this Web site is to provide accurate and helpful information about Genesee County government services and related activities. No personally identifiable information is collected about you unless you choose to provide that information to us.
- b) Please be aware that other Web sites that may be accessed through our site may collect personally identifiable information about you. The information practices of those third parties' Web sites linked to our site are not covered by this privacy policy.

### **2) Information That You Provide Voluntarily**

- a) On any page that requires you to submit personally identifiable information, you will need to affirmatively consent to its further use.
- b) If you send an electronic mail message with a question or comment that contains personally identifiable information, or fill out a form that mails us this information, we may redirect your message to another person or department that is in a better position to answer your question.
- c) Any personally identifiable information that you give us will be used to respond to your request or to analyze trends.

### **3) Information That is Stored Electronically**

- a) The Genesee County website offers an e-commerce function that allows for the submission of electronic payments. If an e-commerce transaction requires you to provide personally identifiable information, such as your name or mailing address, that information will be retained for a specified period. However, credit card information will not be stored. To complete the transaction, your credit card

information is securely transmitted directly to the payment processor via an encrypted connection.

b) Access to personally identifiable information and public records on the County's website is governed by the Michigan Freedom of Information Act. Information you provide may be subject to disclosure upon request. Additionally, the County may be compelled to disclose personally identifiable information by court order or subpoena.

#### **4) Use of Cookies**

a) When you use the Genesee County website, search County databases, make electronic payments, or utilize the online services shopping cart, a cookie is placed on your device to facilitate the completion of those tasks. This cookie contains only a randomly generated, unique identifier and does not store any personally identifiable information. Cookies that are placed on your device will remain there until they expire or are manually removed by you.

#### **5) Security Statement**

a) The security of the information you provide is a priority for Genesee County. To protect site security and ensure that this service remains accessible to all users, the County utilizes software tools to monitor network traffic and detect unauthorized attempts to upload, modify, or damage information. Unauthorized actions to alter or upload information on this site are strictly prohibited and may result in legal consequences.

b) For questions or concerns, contact the Chief Information Officer by writing to Genesee County Department of Information Technology, 1101 Beach Street, Suite 223, Flint, Michigan USA, 48502 or by email to [cio@geneseecountymi.gov](mailto:cio@geneseecountymi.gov).

#### **6) Link Policy**

a) Links to other websites provided on the Genesee County website are intended to offer information on initiatives, projects, and resources that promote County business, development, and other government services. The Genesee County Department of Information Technology evaluates all link requests based on the following criteria:

- The relevance and importance of the requested link to the County's functions;
- The availability of County resources to monitor and maintain the website; and
- The significance of the material on the linked site.

b) Any third-party website linking to the Genesee County website:

- Shall not create a frame, browser, or border environment around any of the County website content;
- May not replicate County website content;
- Shall not imply that Genesee County endorses or sponsors it or its products or services;
- Shall not use Genesee County trademarks without prior written consent; and

- Shall not contain content that may be interpreted as distasteful, offensive, or controversial.
- c) Genesee County reserves the right, at its sole discretion, to deny or rescind permission to link to its website, or to require the termination of any link, for any reason.

## 7) User Conduct

Users of the Genesee County website agree to use the site in a manner that is lawful and in accordance with these Terms of Service. Prohibited conduct includes, but is not limited to:

- Engaging in any form of harassment, threatening behavior, or abusive language towards other users or County personnel.
- Attempting to gain unauthorized access to any part of the website or its systems, including through hacking or other means.
- Using automated tools, such as bots or scrapers, to collect data or content from the website without express permission.
- Posting or transmitting any content that is unlawful, defamatory, obscene, offensive, or otherwise objectionable.
- Violators of these provisions may have their access to the website suspended or terminated and may be subject to legal action.

## 8) Use of Information and Copyright and Trademark Rights

- a) Users are permitted to freely print information obtained from the Genesee County website. Permission to use documents, such as reports and data sheets, from this site is granted under the following conditions:
  - Genesee County's copyright notice, or the applicable copyright notice of a third party, must be included on all copies.
  - You may not reproduce any trademark or servicemark displayed on this site without the express written consent of the respective mark owner.
  - The use of documents from this site is restricted to informational or personal purposes only.
  - No modifications may be made to any documents.
- b) All such documents and related graphics are provided "as is." Elements of the County website are protected by copyright and trademark law. You may not replicate the design or layout of the County website. Unless explicitly permitted on a web page, no logo, graphic, or image from any County office may be reproduced or copied.

## 9) Prohibition on Website Scraping

The use of automated systems, bots, or software to extract data or information from the Genesee County website, commonly known as website scraping, is strictly prohibited. This includes but is not limited to the use of any software,

scripts, or automated tools to access, monitor, or copy content or data from the site without express written permission from Genesee County. Violators may be subject to legal action for breach of this provision.

## **10) Limitation of Liability**

To the fullest extent permitted by law, Genesee County shall not be liable for any direct, indirect, incidental, consequential, or punitive damages arising from or related to the use of this website or the information contained herein. This includes, but is not limited to, damages for loss of profits, data, or other intangible losses, even if Genesee County has been advised of the possibility of such damages. Users agree that their use of the website is at their own risk.

## **11) Indemnification**

You agree to indemnify, defend, and hold harmless Genesee County, its officers, employees, agents, and affiliates from and against any and all claims, losses, liabilities, damages, costs, and expenses (including reasonable attorney's fees) arising out of or in any way connected with your use of the website, violation of these Terms of Service, or infringement of any intellectual property or other rights of any person or entity.

## **12) Changes to Terms**

Genesee County reserves the right to modify these Terms of Service at any time. Any changes will be effective immediately upon posting the revised terms on the website. Users are encouraged to review the Terms of Service periodically for any updates. Your continued use of the website following the posting of changes constitutes your acceptance of those changes.

## **13) Governing Law**

These Terms of Service shall be governed by and construed in accordance with the laws of the State of Michigan, without regard to its conflict of law principles. Any disputes arising out of or relating to these terms or the use of the Genesee County website shall be resolved in the appropriate courts of Michigan.

## **14) Disclaimer**

Genesee County provides the information on this website as a public service. While the County strives to ensure the information is accurate, complete, and timely, it does not guarantee the accuracy of the content.

The County reserves the right to make improvements or changes to the information at any time. No warranties of any kind—whether implied, express, or

statutory—including but not limited to warranties of non-infringement of third-party rights, title, merchantability, fitness for a particular purpose, and freedom from computer viruses, are provided with respect to the contents of this site or any links to external resources.

This website contains links to external websites. Genesee County does not endorse, ensure the accuracy of, or guarantee the safety and privacy of these linked sites. The County assumes no responsibility for the content found on those external sites. It is the responsibility of the website user to assess the content and usefulness of information obtained from such sites.

Due to the dynamic nature of the web, there may be links that change or become non-functional. We apologize for any inconvenience this may cause and assure you that we are continuously updating, reviewing, and improving the site and its content.

No information provided on this site is intended as legal advice. Use of this website is at your own risk, and Genesee County will not be held liable for any errors or omissions. In no event shall the County be liable for any special, indirect, or consequential damages, or any damages whatsoever resulting from loss of use, data, or profits, whether in contract, negligence, or any other tort action arising out of or in connection with the use or performance of the information available on this website.

By using this website, you agree to these terms and conditions.