

TERMS OF USE AGREEMENT

This Terms of Use Agreement (this “Agreement”) contains all the terms and conditions between North Cascades Audubon Society, a Washington not for profit corporation (hereinafter, “NCAS” or “Administrator”) and you regarding the use of the service offered at the Whatcom Birds Website(the “Website”). The Website can also be accessed via email and is covered under these terms. Your use of the Website constitutes your compliance with all of the provisions of this Agreement.

The Website enables individuals who request and are granted access to the Website by the Administrator to view information, post and otherwise exchange observations, engage in discussions and display visual images about local birding and related issues (hereinafter, “Content”). As Administrator, NCAS’s sole function is to host the Website and maintain the functionality of the Website, and except as otherwise provided in this Agreement, it plays no role in the interaction between individuals using the Website and any of the posted Content.

Read Before Use

If you wish to make use, or make continued use, of the Website’s service (the “Service”), then please read this Agreement. By using the Service, you represent, warrant, understand, agree to, and accept all terms and conditions contained in this Agreement. If you object to anything in this Agreement do not access the Website or use the Service.

These Terms are subject to change at any time, effective upon posting on the Website. Your continued use of the Website or the Service after such posting will constitute acceptance by you of such changes.

All users of the Website expressly agree not to hold NCAS, nor its officers, directors and agents liable for any Content posted on the Website or for any determinations made by the Administrator regarding any users access to the Website or use of the Service.

Impermissible Uses

You may not use the Website in a manner that violates any local, state, or national law or regulation.

The Website does not knowingly solicit or collect information about any users; however, should the Administrator learn that it has inadvertently collected information about a child under the age of 13, it will delete that information as soon as reasonably possible after such notice.

You agree that you will not post on the Website, or transmit to any other user(s), any defamatory, abusive, obscene, profane, offensive, sexually oriented, threatening, harassing,

racially offensive, or illegal material, or any material that infringes or violates the intellectual property rights of any person (hereinafter "Unauthorized Content").

Consequences Of Non-Compliance

Your failure to comply with this Agreement and any of the terms, conditions, and notices on this Website may result in automatic termination of any rights granted to you to access or use the Website, without prior notice.

You understand and agree that the Administrator may delete any Unauthorized Content that, in the sole discretion of the Administrator, violates this Agreement or which in the sole determination of the Administrator is determined to be offensive, illegal, or that might violate the rights, harm, or threaten the safety of users of the Website. In the event of any such posting that individual and that individual's account will be subject to immediate termination of access to the Website, at the Administrator's sole discretion.