

Powell, Curtis & Associates, LLC
Privacy Policy

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Who We Are?

The name of our company is Powell, Curtis & Associates, LLC and we're a company registered in Delaware. We create and operate DrainMarker, an app that helps communities map stormwater drains and track which drains are marked as those that flow directly to local waterways.

What Is This?

This is a privacy policy and the reason we have it is to tell you how we collect, manage, store, and use your information.

Just so we're clear, whenever we say "we," "us," "our," or "ourselves", we're talking about Powell, Curtis & Associates, LLC and whenever we say "you" or "your," we're talking about the person or business who has decided to use, set up an account under, or set up a group to use our services. Where a provision specifically refers to the entity contracting with us to authorize you and other members of its group to use our services, that entity—and its administrators or other officers—are referred to as the Authorizing Entity. And since we do a lot of different stuff, when we talk about our services, we mean any of our websites or apps; or any features, products, graphics, text, images, photos, audio, video, or similar things we use.

Why Are We Showing You This?

We value and respect your privacy. That is why we strive to only use your information when we think that doing so improves your experience in using our services. If you feel that we could improve in this mission in any way, or if you have a complaint or concern, please let us know by sending us your feedback to the following email address at support@drain-marker.com.

Our goal is to be as transparent and open about our use of information and data as possible, so that our users can benefit from both the way they provide information and how we use it.

This privacy policy should be read along with our Terms of Use, posted at <https://www.drain-marker.com/terms-of-use.pdf>. That's another big part of what we do, so please review it and follow its process for questions or concerns about what it says there.

Information Collection and Use

In using the services, you may be asked to provide us a variety of information—some of which can personally identify you and some that cannot. We may collect, store, and share this personal information with third parties, but only in the ways we explain in this policy. Here’s how we do it and why we do it:

A. Personally Identifiable Information: How we collect it.

Personally identifiable information is data that can be used to contact or identify a single person. Examples include your name, your phone number, your email, your address, and your IP address. We collect this kind of information in the following ways:

- Information you give us when you create an account with us to use our App: This information includes your name, your email address, your telephone number (optional), your password, your age range (with our services not available to those 12 years or younger), and the name of the entity you are associated with (e.g. the city or group with whom you work or volunteer).
- Photographs: Our app allows you to upload photographs.
- We collect cookies to maintain session information on our sites and app.

B. Personally Identifiable Information: How we use it.

We use your information in the following ways:

- Our email list allows us to contact you by email to send you system notifications (e.g. to let the Authorizing Entity know when an account has been activated or when a user has requested an account with that entity). We will not send you marketing email spam. You can unsubscribe from emails by turning off email notifications in the app or by clicking the unsubscribe links in our emails.
- We collect your age range in order to confirm that you are not a minor; are 13-17 years old and have the express consent of your parent or guardian; or, that you are 12 years old or younger and restricted from using our app.
- All of the information we receive is used to tailor our services to your needs and the way you use our services.
- We use encrypted cookies for user authentication and authorization to deter hackers from pretending to be you and accessing your information in the app.
- We use your GPS coordinates at any given time you use the mapping function in the app to locate drains near you.
- Our app permits uploading photographs for the purpose of providing additional information and context relating to the stormwater drains and their mapping.
- Where you request a password reset or similar action from us, we may

send you a text message to your telephone number in relation to that request.

C. Who We Share Your Information With and Why

We only share your information with third parties in the following ways and for the following purposes:

1. We will share your name, email address, telephone number (if you provided it), and password with the Authorizing Entity for the purpose of allowing it to confirm your permission to use DrainMarker on its behalf and to contact you concerning the app or related issues. We also share any information you collect through DrainMarker with the Authorizing Entity. We do not control the Authorizing Entity; if you have any questions concerning how it will use your information, you must contact the Authorizing Entity directly.
2. Photographs you upload are accessible by administrators and volunteers. By uploading a photograph, you understand and agree that photographs may be made public—for instance, by the city or group you are working or volunteering with posting the photograph on its website—and that you grant us and the city or other entity a perpetual, irrevocable, transferrable, worldwide, fully-paid right and license for the photographs use through the app and entities' websites, for the purpose of stormwater drain mapping and marketing the mapping or entities' services. Administrators and volunteers are subject to our Terms of Use and Privacy Policy; however, we cannot control the actions of those parties and you waive any liability on our part based upon or relating to their actions.
3. We share your GPS coordinates with Google Maps API when you're using the map function to determine your current location and which storm drains are near you at the time. We do not store this information after use; the use of this information is governed by Google's terms of use and privacy policy for that service.
4. We will share all collected information to the extent necessary and as required by law or to comply with any legal obligations, including defense of our company; provided that, if so permitted, the Company will provide the Authorizing Entity prompt written notice of such requirement prior to such disclosure so that the Authorizing Entity may attempt to obtain an order protecting the information from public disclosure.

D. Your Choices in What Information You Share

Our process for collecting information begins when you create an account to use our app. We request your consent to use your data at that time, as set forth here. We will not use your data for more than the purpose for which it was collected.

E. Non-Personally Identifiable Information

Non-personally identifiable information includes general details about your

device and connection (including the type of computer/mobile device, operating system, web-browser or other software, language preference, and hardware); general information from the app store or referring website; the date and time of visit or use; and, internet content provider information. We may collect your non-personally identifying information when you use our app by accessing Google Analytics, through software that collects and stores this information or other means.

F. How Long We Keep Your Information

We retain your name, email address, encrypted password, optional phone number, and the name of the entity under which you registered for up to two years after your last login. You may delete your account at any time by logging into your account and choosing to delete it.

Due to the purpose of the app—to track various information concerning storm drains—we keep a log of your activity (including your name with the drains you added, deleted, marked, or unmarked, and any photographs you added or edited) for as long as the associated entity retains an account.

G. Where We Keep and Transfer Your Information

Our business is operated in the United States and third parties with whom we share your information are as well. Our servers are located here and this is where your data and information will be stored.

We do not knowingly collect information from individuals in other countries, or who live in countries that are members of the European Union in particular.

Protecting Your Information

A. Keeping it Safe

We make reasonable and commercially feasible efforts to keep your information safe. Though we are a small business, we have appropriate security measures in place to prevent your information from being accidentally lost, used, or accessed in an unauthorized way. We restrict access to your personal information to those who need to know it, are subject to contractual confidentiality obligations, and may be disciplined or terminated if they fail to meet these obligations. Those processing your information will do so only in an authorized manner and are subject to a duty of confidentiality.

We also:

- Encrypt our services using SSL
- We are PCI compliant
- We regularly review our processes to consider if there are any additional improvements we can make to our systems.

That said, no organization or business can guarantee 100% data protection. With that in mind, we also have procedures in place to deal with any suspected data security breach. We will inform both you and any applicable authorities of a suspected data security breach, as and when required by law.

B. Links to Other Websites

Our site or app may link to the sites, content, and services of other businesses, suppliers, advertisers, sponsors, and other third parties. Any products or services found through a link to any of these other sites are subject to separate privacy policies. We are not liable for any content provided or actions taken by such third parties.

C. Posting Content to Our Site or Social Media

Any content you post on our app or site, including through social media links, may become publicly available and may not be fully revocable or erasable by us, because it will have become available to third parties. You can always ask us to delete information in our possession, but we cannot force anyone else to erase your information. Please be aware that you publish such information at your own risk.

D. Do Not Track Signals

Some technologies, such as web browsers or mobile devices, provide a setting that when turned on sends a Do Not Track (DNT) signal when browsing a website or app. There is currently no common standard for responding to DNT Signals or even in the DNT signal itself. We currently do not have any technology implemented to process DNT Signals.

E. Use by Minors Expressly Prohibited

This website, its content, and our services are not intended for anyone under the age of 13 and we do not knowingly collect data from individuals under the age of 13. If we learn we collected such information, we delete it.

If you are a parent and your minor child has provided us personal information, you have the right to contact us and require that we: (a) permit you to review the personal information provided, and (b) remove and delete the personal information provided. To do so, upon you contacting us, we must take reasonable steps to confirm you are the parent. You may contact us for such a request at any time at support@drain-marker.com.

F. Compliance with Regulators

We regularly review our privacy policy to do our best to ensure it complies with any applicable laws. Ours is a small business, but when we receive formal written

complaints, we will contact the person who made the complaint to follow up as soon as practicable. We will work with relevant regulatory authorities to resolve any complaints or concerns that we cannot resolve with our users directly.

General Information for Your Further Understanding

A. No Unsolicited Personal Information Requests

We will never ask you for your personal information in an unsolicited letter, call, or email. If you contact us, we will only use your personal information if necessary to fulfill your request.

B. Changes

Our business and the services we provide are constantly evolving. We may change our privacy policy at any time. If we change our policy, we will affirmatively request that you consent to the new policy or email you for consent at that time. We will not reduce your rights under this policy without your consent.

C. Security

The security of our services is important to us. We use reasonable efforts to secure any information you provide to our systems. Unfortunately, no data transmission over the Internet can be guaranteed to be 100% secure. As a result, we cannot guarantee your security. As with disclosure of any information electronically, there is a risk that any information you disclose by use of the services could be collected or used by others. This could result in unsolicited messages from third parties or use of such information by third parties for their own purposes, legal or illegal. You hereby waive any claims against us and agree not to hold us liable for the theft or misuse of personal information.

D. Complaints

We respect the rights of our users. If you have any questions or concerns about any of those rights, or if you would like to assert any of those rights at any time, please contact us at support@drain-marker.com.

E. Questions about Policy

If you have any questions about this privacy policy, contact us at support@drain-marker.com. By accessing any of our services or content, you are affirming that you understand and agree with the terms of our Privacy Policy.