



Council Policy #C33

CORPORATE SPONSORSHIP, NAMING RIGHTS AND ADVERTISING POLICY

Approved by Council Resolution #19/05/14

POLICY STATEMENT

The City of Beaumont recognizes the need to encourage, regulate and maximize the opportunities for Advertising and Sponsorship to assist in the provision of City services and projects. As such, all Corporate Sponsorship, Naming Rights and Advertising shall be consistent with the City of Beaumont's vision, mission and values and must not compromise or contradict any bylaw or policy of the City, or reflect negatively on The City's public image. As per the Canadian Code of Advertising Standards (CCAS), the City of Beaumont welcomes and encourages mutually beneficial sponsorship to assist in enriching the lives of our residents by enhancing programs, facilities, projects and services.

PURPOSE

The purpose of this Policy is to establish a protocol that:

1. Aligns with the City's vision, values and strategic plan;
2. Provides guidelines and criteria that reflects Beaumont's heritage and furthers a sense of community;
3. Guides Sponsorship, Naming Rights and Advertising, and does not reflect donations and gifts.

This policy also provides corporate guidelines and procedures based on good practices; and streamlines and defines the authorizing process and management of advertising, sponsorship and naming rights of municipal assets to ensure a positive municipal image and enhancement of City of Beaumont products and services.

APPLICATION

This Policy applies to all relationships between the City and businesses, not-for-profit organizations and individuals that contribute either financially or in-kind to defined City Sponsorship opportunities in return for recognition, public acknowledgement or other promotional considerations.

This Policy applies to the following:

- Naming/renaming of municipal property, buildings, and structures;
- Program and event partnerships;
- Paid advertising on municipal property, at Beaumont events, and in municipal publications;
- Exclusive contracts including, but not limited to, vending rights; and
- All other corporate partnership and advertising opportunities that currently exist or that may arise in the future will be governed by this Policy.

All advertising and sponsorship agreements that are in effect prior to this Policy are exempted from inclusion of this Policy; however, all future Corporate Sponsorship, Naming Rights and Advertising agreements must comply with this Policy.

DEFINITIONS

For the purpose of this Policy:

1. **"Advertiser"** refers to an external company, organization, enterprise, association or individual that purchases Advertising.
 2. **"Advertising"** and **"Advertisements"** are defined as any message, the content of which is controlled directly or indirectly by the Advertiser expressed in any language and communicated in any medium with the intent to influence their choice, opinion or behavior.
 3. **"City"** refers to the municipal corporation of the City of Beaumont.
"Canadian Code of Advertising Standards" – (CCAS) means the advertising industry's principal instrument of advertising self-regulation, administered by Advertising Standards Canada. The CCAS Code sets the criteria for acceptable advertising in Canada and forms the basis upon which advertising is evaluated in response to consumer, trade, or special interest group complaints.
 4. **"Corporate Sponsorship/Partnership"** is a mutual agreement between Beaumont and an external party, organization, enterprise, association or individual (whether for profit or otherwise) evidenced in writing whereby the external party contributes money and/or value-in-kind to a City facility, program, project, or special Event. This benefit may take the form of commercial benefit, recognition, acknowledgement, and/or other promotional consideration, sponsorship, publicity, merchandising opportunities, etc. Due to these marketing benefits, corporate partnership does not qualify for a charitable tax receipt, however, a marketing/business receipt will be issued. This does not include donations and gifts, or advice to the City where no business relationship or association is contemplated or is required, and where no reciprocal consideration is being sought.
 5. **"Event"** refers to an activity with a defined start and end date that is organized or endorsed by the City.
 6. **"Facilities"** refers to indoor and outdoor City-owned spaces. These include, but are not limited to, buildings, parks, stand-alone sport fields, and theatres.
 7. **"In-Kind"** refers to a transaction involving a good or service that is provided to a project where no money is exchanged between the two organizations. The GST portion of the transaction will be paid. In-kind services may be in the form of a sponsorship or a donation.
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8. **"Naming Rights"** refers to the naming of a facility, after a person, group or company through a sponsorship in which an organization provides goods, services or financial support for the exclusive right to name an asset (Facility, Event or Program), for a specified period of time.
9. **"Naming Rights Holder"** means the party which has been awarded the Naming Rights opportunity.
10. **"Naming Rights Agreement"** means a mutually beneficial, contractual agreement for the exchange of naming rights between two organizations for a specified period of time. Refer to "Naming Rights".
11. **"Sponsor"** refers to an organization that enters into a sponsorship agreement with the City.
12. **"Vending Rights"** means the exclusive rights of a vendor, beverage maker or distributor to have its products sold at a particular venue, event, or institution.

SPONSORSHIP CATEGORIES:

1. Facility, Event or Program Naming Rights:

A naming right is a type of sponsorship in which an external company, organization, enterprise, association or individual purchases the exclusive right to name an asset or venue (e.g., a library building, sports facility or part of a facility, event or program, etc.) for a fixed or indefinite period of time.

2. City-Initiated Program, Service Event:

The financial or value-in-kind support for City organized activities. The sponsor's name may be directly associated with the activity (i.e. "presenting" or "title" sponsorship") and the sponsor will be provided a variety of temporary marketing opportunities.

3. Sponsorship:

A mutually agreed to arrangement between the City of Beaumont and an external company, organization, enterprise, association or individual evidenced in writing whereby the external party (sponsor) contributes money, goods or services to a City of Beaumont facility, program, project, or special event in return for recognition, acknowledgement, or other promotional considerations or benefits. This does not include donations and gifts, or advice to the City where no business relationship or association is contemplated or is required and where no reciprocal consideration is being sought.

4. Advertising:

Advertising is the sale to an external company, organization, enterprise, association or individual of advertising space on City printed materials or property, at City events, or in conjunction with a City program. Unlike sponsorship, advertising involves the simple purchase by an advertiser of advertising space sold at rates determined by the City.

5. Exclusivity Agreements:

A mutually agreed to arrangement between the City and an external supplier, evidenced in writing, that provides exclusive use of City property or supply of goods and/or services such as beverage supply arrangements to the City in exchange for money or value-in-kind.

GENERAL PRINCIPLES

All Corporate Sponsorship, Naming Rights and Advertising agreements must comply with Federal and Provincial statutes, municipal by-laws, and the standards set out by the CCAS.

The following conditions apply when establishing Corporate Sponsorship, Naming Rights and Advertising relationships:

1. The City will consider all Sponsorship, Naming Rights and Advertising proposals and has no obligation to accept any of them. The City reserves the right to refuse any proposal, including, but not limited to, those submitted by third parties whose activities are perceived, at the sole discretion of the City, to be incompatible with the City's goals, values or mission;
2. Any renewals of Sponsorship, Naming Rights and Advertising agreements are at the sole discretion of the City of Beaumont, with responsibility for renewals consistent with the section of "responsibilities" of this Policy. The City reserves the right to cancel any Sponsorship, Naming Rights and Advertising agreement at any time should the arrangement no longer meet the eligibility requirements of the Corporate Sponsorship, Naming Rights and Advertising Policy, or should the arrangement no longer be considered compatible with values, image, assets or interests of the City of Beaumont;
3. The Sponsorship, Naming Rights and Advertising must not confer a personal benefit, directly or indirectly, to any particular City employee or elected official. City staff and Council are governed by the City of Beaumont Employee Conduct and Code of Ethics and Council Code of Conduct Bylaw;
4. Sponsorship, Naming Rights and Advertising shall conform to all applicable Federal and Provincial statutes, and to all applicable City bylaws, policies and practices;
5. The Sponsorship, Naming Rights and Advertising must not interfere with existing contractual obligations; and
6. The Sponsorship, Naming Rights and Advertising must not unduly detract from the character, integrity, aesthetic quality or safety of property or unreasonably interfere with its enjoyment or use

Sponsorship, Naming Rights and Advertising Eligibility and Restrictions

1. This Policy is intended to be a "living" document, meaning that over time this Policy will be further strengthened to describe specific criteria and review any oversight process for evaluating potential relationships with corporate partners.
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RESPONSIBILITIES

Third party advertising relationships must abide by the restrictions noted in this Policy.

Corporate Sponsorship, Naming Rights and Advertising proposals must also ensure that all relevant bylaws and policies are adhered to, appropriate consultation and approval authorities are respected, and where applicable that insurance, indemnification, ethical scans, and permits have been obtained.

The department responsible for economic development within the City, shall have the following responsibilities relating to the Corporate Sponsorship, Naming Rights and Advertising Policy:

- The management and interpretation of this Policy;
- Implementation and management of the City's municipal sponsorship program;
- Soliciting, negotiating and administering program Sponsorship/Naming Rights/Advertising (cash and/or in kind);
- Coordinating with City departments to develop/maintain efficiencies in how businesses are approached for Sponsorship opportunities;
- Fulfillment of all City responsibilities detailed in Corporate Sponsorship, Naming Rights and Advertising agreements; and
- Overseeing training, as required, and providing guidance and support to City employees regarding Corporate Sponsorship, Naming Rights and Advertising.

SPONSORSHIP, NAMING RIGHTS AND ADVERTISING CRITERIA:

1. Corporate Sponsorship, Naming Rights and Advertising locations
 - The City of Beaumont shall determine what may be made available for advertising.
 2. Corporate Sponsorship, Naming Rights and Advertising Content Guidelines
 - All Sponsorship, Naming Rights and Advertising will comply with federal and provincial statutes, the bylaws of the City of Beaumont and the standards set out by the Canadian Advertising Standards Council.
 - Without limiting the foregoing, in all cases, Advertising shall not:
 - Breach any requirement of the Canadian Code of Advertising Standards;
 - Appear to exploit, condone or incite violence; nor appear to condone, or directly encourage, bullying; nor directly encourage, or exhibit obvious indifference to, unlawful behavior;
 - Promote any illegal product, service or activity;
 - Contain content that is profane, libelous, derogatory, negative or personally attacks individuals, groups or organizations;
 - Contain content that is obscene, offensive or is likely to be disturbing;
 - Condone any form of personal discrimination based upon race, nationality or ethnic origin, religion, gender identity, sex or sexual orientation, age or disability, health and body;
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- Contain language, images or messaging which are damaging to the City of Beaumont or one of the City's programs, services or projects;
 - Contain language or images which are deemed inappropriate by the Director of Economic Development;
 - Refer the public to a website, phone number or location which does any of the above
- It is recognized that advertisements may be distasteful without necessarily conflicting with the provisions of this Clause. In the event that a particular product, service, message or promotion may be offensive to some people or harm the reputation or position of the City, any approval of Corporate Sponsorship, Naming Rights, and Advertising will be at the discretion of the department responsible for economic development.
 - All Sponsorship, Naming Rights and Advertising will be forwarded in draft form to the Economic Development Assistant for acceptance prior to printing or manufacturing.
 - In the event any draft Sponsorship, Naming Rights or Advertising is rejected by the department responsible for economic development, the applicant may appeal such rejection in writing to the City's Chief Administrative Officer, setting out reasons why it believes the draft form should be accepted in accordance with this policy. Within ten (10) days of receiving any such appeal, the Chief Administrative Officer shall make a decision regarding the draft Sponsorship, Naming Rights or Advertising, and such decision shall be final and not subject to any further appeal.

3. Corporate Sponsorship, Naming Rights and Advertising to minors and children

- Products prohibited from sale to minors must not be advertised in such a way as to appeal particularly to persons under legal age, and people featured in advertisements for such products must be, and clearly seen to be, adults under the law.
- It is recognized that many of the City's advertising opportunities will be seen and received by minors, such that the City has discretion to reject the content of any Corporate Sponsorship, Naming Rights or Advertising which is not appropriate for all ages.

4. Corporate Sponsorship, Naming Rights and Advertising Installation and Removal

- Corporate Sponsorship, Naming Rights and Advertising materials must conform to the standards for quantity, size, material, weight and other characteristics as set by the City or assigned contractor.
 - Corporate Sponsorship, Naming Rights and Advertising materials shall be arranged for as mutually agreed upon.
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- Corporate Sponsorship, Naming Rights and Advertising materials must be delivered in good quality to the City or assigned contractor.
- Sponsors and Advertisers will pay for the installation and removal of advertising material, with the cost to be set by the City or assigned contractor.
- The City of Beaumont reserves the right to decline Corporate Sponsorship, Naming Rights and Advertising materials to be installed if the Corporate Sponsorship, Naming Rights and Advertising materials do not conform to this Policy.

5. Selection of Corporate Sponsorship, Naming Rights and Advertising

- The department responsible for economic development will maintain a waiting list for individuals, groups and businesses that wish to advertise in the City of Beaumont.
- The City of Beaumont reserves the right to refuse any Sponsor and Advertiser who is not in good standing with regards to debts or any legal or other disputes of any kind with the City.

6. Naming Rights:

The City supports the ongoing practice of entering into naming rights agreements with third parties, where such partnerships are mutually beneficial to both parties in a manner that is consistent with all applicable policies set by the City. Under the conditions of this Policy, the City may continue to solicit such agreements in accordance with the following principles:

- The City supports revenue generation from naming rights and sponsorship agreements when these arrangements directly benefit the community and the City;
 - The City shall not relinquish to the naming rights purchaser any aspect of the City's right to manage and control the City's assets, facilities, or programs;
 - Proceeds received by the City for the naming rights agreement are to be used for:
 - Investments whose proceeds contribute to the delivery of City services;
 - Signage, branding, publicity and advertising that conforms to all applicable Federal and Provincial statutes, and to all applicable municipal bylaws and policies;
 - The cost and impact of changing existing signage and marketing materials, rebuilding community recognition, updating records, and the City's corporate values and public image must be considered before a property is renamed; and
 - The City does not endorse the products, services, or ideas of any Sponsorship, Naming Rights holder(s) and Advertisements. Sponsorship, Naming Rights holder(s) and Advertisements are prohibited from implying that their products, services, or ideas are endorsed by the City.
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Although the City is guided by the CCAS, the City is the sole and final arbiter in all matters relating to advertising acceptance. The City may refuse or order removal of any advertising material at any time in its absolute discretion.

Sponsorship, Naming Rights and Advertisement recognition must not detract from the physical attributes, character, integrity, or safety of City-initiated Events, and/or City-owned assets and must respect the use of the City brand. Sponsorship, Naming Rights and Advertisement rights are non-transferable, without the written consent of the City.

Sponsorship, Naming Rights and Advertisement rights may be automatically cancelled by the bankruptcy receivership or illegal activity of the Sponsor, or activity deemed unethical by the City.

Should a change in Policy be requested or a question of Policy investigation be raised by potential sponsors, naming rights holder(s) and advertisers, the City may become involved, at its discretion. The City continues to be the sole and final arbiter in all matters relating to City sponsorship, naming rights and advertising acceptance.

GOVERNANCE

Third-Party Sponsoring, Naming Rights and Advertising

In cases where the City has engaged the services of a third-party company to assist in the sale of Sponsorships, Naming Rights and Advertising on municipal assets, the following process will be applied when a disagreement arises between the third-party company and a potential advertiser:

- Potential Sponsors and Advertisers shall deal with the Company directly and the Company shall interpret this Policy. If there is a disagreement between the Company and a potential sponsor/advertiser on policy interpretation, the matter may be referred to the department responsible for economic development for consideration.
- Sponsorship and Naming Rights agreements must be signed by between the City and the Sponsor/Naming Rights holder(s).
- City staff charged with the responsibility of interpreting and implementing this Policy may overrule decisions made by the Company.

Should a change in policy be requested or a question of policy interpretation be raised by potential advertisers, the City may become involved, at its discretion. The City continues to be the sole and final arbiter in all matters relating to City Advertising acceptance.

In-House Advertising

- In-House Advertising is encouraged as it is in the best interests of the City to promote another department's services;
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- Advertising agreements will be viewed at an ad hoc basis and costs for advertising space, production and any associated artwork and fees will be assessed and executed at the discretion of the department responsible for economic development or other assigned department as required; and
- Open spaces for advertising will be available for in-house advertising on a first come, first served basis, unless otherwise approved or directed by the department responsible for economic development

Delegation of Authority

Staff listed designates or designates as approved by the Director of Economic Development are authorized to enter into Sponsorship or Advertising Agreements that do not exceed the following preauthorized limits and have approved as to form and content in accordance with this Policy:

1. Director of Economic Development
 - Responsible for approving and may execute all sponsorship, naming rights, and advertising sales for values equal to \$25,000 per annum or less provided they satisfy all provisions of this Policy.
2. Chief Administrative Officer
 - Responsible for approving and may execute all sponsorship, naming rights, and advertising sales for values equal to \$75,000.00 per annum or less provided they satisfy all provisions of the Policy.
3. City Council Approval
 - Responsible for approving and may execute all sponsorship, naming rights, and advertising sales for values above \$75,000.00 per annum or greater provided they satisfy all provisions of this Policy.

For the purposes of determining delegated authority in accordance with the foregoing provisions, the value of any Sponsorship Agreement shall be the aggregate of all monies and value of goods and/or services that might be given over the annual term of the agreement including any renewals or extensions.

A communications plan is required for all name changes of previously named assets with an individual's name.

REFERENCES

- *The Canadian Code of Advertising Standards (CCAS)*
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Policy Record

Adopted by Council: May 28, 2019

Council Resolution: # 19/05/14

Cross Reference: Canadian Code of Advertising Standards

Administrative Responsibility: Director of Economic Development

Next Review Date: Annual
