

The City of Kingston's Advertising Revenue Generation Policy



Corporate Affairs
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Appendix 1:

The Canadian Code of Advertising Standards

(1.0) INTRODUCTION

The Advertising Revenue Generation Policy of the Corporation of the City of Kingston sets out appropriate and effective guidelines for managing public advertising media and space while maximizing revenue opportunities and building resources to enhance the advancement of the Corporation of the City of Kingston.

The City of Kingston recognizes the sale of commercial advertising media and space as an appropriate revenue source to offset the costs of municipal business by supplementing user fees and avoiding taxation. The desire for additional sources of revenue must be balanced with the Corporation's need to ensure that:

- There are no adverse effects on either public safety or on the Corporation's image;
- The advertising reflects corporate and community values, and;
- It does not conflict with City policies on sponsorship, corporate naming rights, or other existing policies and bylaws.

The City of Kingston permits commercial advertising on City property, at City events and in City publications under the conditions outlined in this policy. This policy applies to all paid advertising by individuals or corporations on City property, at City events and in City publications.

Where the City has a relationship described in a formal agreement with another group/organization, the commercial advertising media and space considerations will be embedded in such agreements, to the satisfaction of the Director of Communications or designate.

(1.1) Definitions

- Paid Advertising* means the sale to external businesses and organizations of advertising space on City printed materials and City property or events or in conjunction with a City program. Unlike sponsorship, advertising sales involve the simple purchase of advertising space sold at rates determined or agreed to by the City, for a specific period of time. The purchase of advertising space does not imply that the advertiser is entitled to any additional benefits from the City other than those accruing from access to the space purchased.
- City Property* means all land, parkland, playfields, boulevards, buildings, vehicles, bus shelters, mobile signage, etc., owned and/or managed under a lease or license by the City.
- City Publication* means any publication, including all media produced by or for the City of Kingston.
- City Event or City Program* means any activity organized by City staff and supported by a City Department/Division or approved by City Council.
- Advertising media and space*, means any advertising opportunity defined as being for sale by the City to advertisers on a City Property, in a City Publication, at a City Program or at a City Event and is meant to encompass all possible advertising mediums in these contexts.
- Pouring Rights* means a type of advertising in which a corporation, an organization or an individual purchases the exclusive right to supply and promote their beverages at a City facility in exchange for significant cash and/ or other considerations over a long-term agreement.
- Director of Communications* refers to the Director of Corporate Affairs, the senior administrator responsible for overseeing the operation of the Corporate Communications Division.

- h) *Heritage requirements* refers to those rules and regulations under which a property or portion of a property has been identified as having cultural heritage value to the community. These properties are identified within the City of Kingston's Heritage Properties Register.
- i) *Environmental Protection Area* refers to municipally-owned lands that are designated as Environmental Protection Areas (EPAs) by the City's Official Plan and associated zoning bylaws.

(2.0) CORPORATE POLICY

The City will maintain control over the planning and delivery of advertising activities through the administration of all advertising contracts by the Director of Communications or designate as well as review and approval by the Director of Communications or designate of all terms relating to advertising in other contracts.

Advertisers will be required to ensure that all advertising proposals intended for use on City property or in City publications meet the following criteria as administered and approved by the Director of Communications or designate:

- a) Advertising shall meet the standards set out by the Canadian Advertising Standards Council, as attached; the freedoms of expression protected under *The Charter of Rights and Freedoms*; and the City of Kingston's Visual Identity Guidelines.
- b) Advertising shall adhere to any City bylaws or policies, for example, with regard to signage including those relating to heritage and business standards.
- c) Advertising must not impact the quality and integrity of the City's properties, buildings, or streetscape.
- d) Advertising on City property must have no adverse affect on public safety and City liability.
- e) The costs of all design, production, installation, maintenance and removal costs of advertising devices and remediation of sites will be the responsibility of the advertiser.
- f) Any proposal for advertising on City Property must ensure advertising elements do not detract from the integrity of the landscape and is in keeping with the character of the property; do not conflict with existing or proposed objects within the right of way; and do not conflict with existing vehicular, pedestrian or cycling traffic.

(2.1) Legal Requirements

The City's Department of Communications is responsible for soliciting, negotiating and administering advertising agreements in consultation with the City Solicitor. Advertisers will be expected to enter into appropriate legal agreements with the City, as approved by the Director of Communications or designate upon consultation with the City Solicitor, where necessary, and must meet the general requirements in this section and the site-specific requirements in the following section. Agreements shall not in any way invoke future consideration, influence, or be perceived to influence the day-to-day business of the City.

(2.2) Restrictions on advertising

The City will not allow advertising, either directly or through third party arrangements, that:

- a) implies the endorsement by the City of any one product or service over another.
- b) includes the requirement or opportunity for a City employee to receive any product, service or assets for personal gain or use.
- c) conveys a negative message that might be deemed prejudicial to any religious group or belief;
- d) promotes tobacco, alcohol and other addictive substances at venues geared primarily to children;

- e) presents a discriminatory, demeaning or derogatory portrayal of individuals or groups or contain anything which, in light of generally prevailing community standards, is likely to cause deep or widespread offence.
- f) has an impact on heritage property, or changes the physical quality and integrity of heritage properties, buildings, or streetscapes.
- g) impinges or encroaches on applicable heritage requirements.
- h) conflicts with accepted federal and provincial public health policies and practices, such as the Health Protection and Promotion Act of Ontario, the Canada Food Guide, Canadian Children's Food and Beverage Advertising Initiative.
- i) is located on municipally-owned property that is designated or zoned as Environmental Protection Area (EPA) unless:
 - a. The municipally-owned lands are an existing marina or golf course facility;
 - b. The advertising is temporary and is associated with an event that takes place on the municipally-owned EPA lands and that has been permitted by the municipality, or
 - c. The advertising is attached to a municipally-owned vehicle or other mobile asset that may pass by or through EPA lands as part of its normal operation (i.e.: a Kingston Transit bus).

All political and other non-commercial expressive advertising will indicate that it is paid for by a party or candidate, so as to avoid any impression that the City is supporting any particular party, candidate or point of view.

Unsolicited advertising proposals received by the City will be reviewed and evaluated by the Director of Communications or designate as per the provisions of this policy and existing contractual obligations. The City reserves the right to reject any unsolicited advertising opportunities that have been offered to the City and to refuse to enter into agreements for any advertising that originally may have been openly solicited by the City.

All advertising agreements shall be evaluated on an annual basis to determine continued benefit. The term of all agreements shall not exceed three years unless authorized by the Director of Communications or designate.

The City reserves the right to terminate an existing advertising agreement should conditions arise that make the agreement no longer in the best interests of the City.

Any requests by outside advertisers or any other party to use the City of Kingston logo, coat of arms, corporate logo or any other symbols representing the City in advertising or any other media must be approved by the Director of Communications or designate. Use of the City's logo in combination with the advertiser logos will be in keeping with the City of Kingston's Visual Identity Policy.