

City of Merritt Council Policy

Council Policy: [Advertising on City Property Policy](#)

Category No. 08 - ##

Contact Department: [Community Services](#)



1. PURPOSE:

The purpose of this Policy is to ensure that all third-party advertising opportunities are consistent with the City's corporate values, image, and strategic goals. Advertising opportunities will be available on City property, in City programs, and on City media.

This Policy will ensure that advertising is appropriate, and meets established criteria, while respecting third-party advertisers' protected rights.

2. POLICY

The City of Merritt (the "City") supports the sale of third-party advertising on City property as a method to generate non-tax revenue for City services. The revenue generated will be used to support the provision of recreation services in Merritt.

3. OBJECTIVES

This Policy outlines the support that the City will provide to non-profit organizations which provide youth access to recreation programs.

This Policy outlines and identifies the roles and responsibilities of staff in administering all advertising in the City, including signing authority for advertising agreements on behalf of the City and the process for reviewing advertising decisions.

This Council Policy applies to advertising from third-party advertisers:

- on City property;
- at City programs; and
- in City media.

This Policy does not apply to advertisement on private land, buildings, and structures in the City.

This Policy does not apply to sponsorship and naming rights of community facilities or infrastructure. These are covered by the City of Merritt Naming Rights Policy.

Definitions

For the purposes of this policy:

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“Advertising” means any paid or in-kind communications that are utilized to influence, educate or inform the public. This includes all forms of third-party advertising.

“City Program” means any activity which is operated by the City and includes any City events.

“City Media” means any outlet used by the City to carry and deliver advertisements and includes but is not limited to, direct mail; print (e.g. newspaper, brochure, flyer, magazine); digital media (e.g. web, email, social media, mobile media); television; radio; billboard or message board.

“City Property” means all City-owned and controlled properties and facilities, including but not limited to, indoor and outdoor recreation fields, parkland, gardens, open space and boulevards, buildings and rooms, furniture, equipment and fixtures, vehicles, buses, fleet vehicles, and bus shelters.

“Panel” means the Advertising Review Panel as established by Council that is charged with the responsibility to review advertisements as requested.

“Recreation” means the experience that results from freely chosen participation in physical, social, intellectual, creative, and spiritual pursuits that enhance individual and community well-being.

Criteria

Advertising at the City must meet all of the following criteria established by the City, weighed in consideration of the constitutionally protected rights of third-party advertisers under Canada’s Charter of Right and Freedoms:

- the advertising does not conflict with the City’s core values, vision or strategic goals or does not adversely impact on the City’s identity;
- the advertising adheres to the Canadian Code of Advertising Standards;
- the advertising is not in conflict with any applicable federal and provincial laws, regulations or standards, City bylaws or policies;
- the advertising does not breach or conflict with any existing City advertising agreements and/or contracts;
- there are no adverse effects on public safety;
- the advertising does not incite violence and hatred;
- the advertising does not present demeaning or derogatory portrayals of individuals or groups;
- the advertising is not of questionable taste in style, content or presentation method;
- the advertising does not minimize and/or detract from the image of the City and/or its employees;
- in light of generally prevailing community standards, the advertising is not likely to cause deep or widespread offence;
- with respect to any advertising that promotes contests, lotteries, gambling, or gaming authorized or licensed by the Province of British Columbia, that such

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advertising does not violate the Criminal Code of Canada, provincial standards, or any other applicable legislation or regulations. These advertisements shall not directly or indirectly imply that gambling enhances, affects, or is an essential element for the realization of a desired lifestyle, personal performance, social acceptance or the resolution of social or personal problems;

- advertisements shall not contain scenes in which gambling or betting activity is actually occurring;
- alcohol and gaming advertising will not be permitted at or near events or places geared to children or youth or in places where programs focused on children and youth have a high prevalence of occurring;
- tobacco, cannabis, and vaping advertising are not permitted in the City of Merritt;
- photographs or other representation of real life people in advertisements are not permitted without prior consent.

The proposed location of advertising may have an impact when determining whether or not the criteria have been met.

Advertisement of a product, service, or business does not act as the City's endorsement of that product, service, or business.

The City reserves the right to restrict advertising to certain services and to exclude any products and industries at its discretion.

Administration

The City will be solely responsible for setting the rental rates for advertising space. Rates will reflect market value and may vary depending on the location of the space.

The City will, unless circumstances warrant otherwise, rent advertising space on a first-come, first-served basis.

The City will set the minimum and maximum durations for advertising opportunities. All advertising agreements must be confirmed in writing and all details must be finalized at the time of signing by authorized representatives of both the City and the advertiser. A template for the agreement will be provided by the City and variances from the standard must be approved prior to signing the agreement.

The City reserves the right to temporarily remove or cover any advertising sign that, in the opinion of the City, is incompatible with a function or event being held at the location where the advertisement is located.

- Requests for the temporary removal or covering of signs may be made to the City, in writing, by an organization hosting a function or event.
- The organization hosting the function or event shall be responsible for all costs associated with the temporary removal, covering, re-installation and uncovering of advertising signs.
- The City has the right to refuse any request to cover or remove an advertising sign.

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The design, construction, location, installation, maintenance and removal of signs shall be subject to the discretion and control of the City.

All costs associated to the fabrication and installation of the sign are held by the third-party advertiser.

Fundraising Opportunities

Local not-for-profit organizations which provide recreational opportunities for youth will be provided with an opportunity to fundraise through the sale of advertising spaces on public property. The organization must register their interest in the program by February 1st of each year to be assigned spaces which are available for that year.

The not-for-profit organization and the City will revenue share for all advertising in the City. This will be at a 50/50 revenue share. Multi-year advertising agreements will continue to be shared at this rate until the end of the agreement.

Agreements will be signed on behalf of the City at the appropriate authority level. Invoicing will be completed by the City and revenue will be dispersed to the fundraising group within 30 days of the City receiving payment, or as otherwise negotiated with the fundraising group.

Authority

The following persons are authorized to execute Advertising agreements on behalf of the City:

Total Value of Contract/Agreement	Signing Authority
Less than \$5,000	Manager of Community Services
Less than \$50,000	Director of Community Services
\$50,000 up to \$100,000	Chief Administrative Officer, Chief Financial Officer, Corporate Officer
Over \$100,000	Mayor at direction of Council

City employees or anyone with permission to act on behalf of staff, shall not receive any product, service, or asset for personal use or gain as a result of an advertising agreement.

Advertising Review Panel

The Advertising Review Panel will consist of three (3) Members of the Senior Leadership Team as determined by the Chief Administrative Officer.

All review requests will be submitted in writing to the Corporate Officer.

Reviews will be conducted when:

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- City staff have declined an Advertising submission and the advertiser requests a review of the decision.
- A minimum of five (5) residents disagree with the City's decision to approve advertising and request a review from the panel.
- The Mayor or a member of Council requests a review by the Advertising Review Panel that has been approved by City staff.

At the conclusion of the review process the Panel will:

- Approve the advertising as submitted; or,
- Not approve the advertising.

The decision of the Panel will be final and binding. If the Panel does not reach a decision on an ad that is submitted for review within 30 days of receiving the request for review, the decision or recommendation of City staff, as applicable, will continue to apply.

Approved on
Amended on
Amended on
Amended on
