



CITY OF HAMILTON

Policy for Commercial Advertising and Sponsorship

Appendix "A" to Item 7 of
Public Works Committee Report 08-010

POLICY

The City of Hamilton permits commercial advertising and sponsorships on City-owned or City-controlled assets and public property, at City events and in City publications, subject to conditions outlined in this policy. This policy applies to all paid advertising and sponsorship recognition of individuals or corporations on City-owned or City-controlled assets and public property, at City events and in City publications. The advertisement of a product or service does not necessarily act as the City's endorsement of any product or service. This policy replaces the Council-approved Commercial Advertising and Sponsorship Policy (2001).

PURPOSE

The City of Hamilton acknowledges that commercial advertising and sponsorships provide a community benefit through the opportunity to offset the cost of municipal programs and through the recognition of partnerships that provide valued support for City programs and events. The objective of this policy is to ensure that advertising and sponsorship abides by all applicable laws and City policies and does not adversely affect public safety or the City's image or interests.

DEFINITIONS

"commercial advertising" means the sale to external businesses and organizations of advertising space on City property and publications or in conjunction with City events or programs.

"sponsorship" means the contribution of funds, goods or services-in-kind by an external business or organization to a City program, event or activity in return for acknowledgement, recognition or other promotional consideration related to the City program, event or activity.

REQUIREMENTS AND CONDITIONS

1. All advertising and sponsorships must comply with the Canadian Code of Advertising Standards, as amended from time-to-time.
2. All advertising and sponsorships must comply with all applicable federal, provincial and municipal laws and by-laws (including without limitation, the Ontario Human Rights Code, Canada's Criminal Code, and the Canadian Charter of Rights and Freedoms), as the same may be amended or substituted from time to time.
3. All advertising and sponsorships shall not, either directly or indirectly:
 - (a) violate any City policy;
 - (b) advertise tobacco products or promote tobacco use;

- (c) advertise the purchase of alcoholic beverages or promote the use of alcohol by those younger than the legal drinking age;
 - (d) advertise or promote the use of illegal substances, weapons or other life-threatening products;
 - (e) advertise the sale and distribution, or promote the possession, of pornographic materials.
4. The City will not accept advertising when in its sole discretion, it determines same not to be in the City's best interests.
 5. The City reserves the absolute right to accept advertising that does not violate this policy.
 6. Notwithstanding any prior approval, the City reserves the absolute right to order the immediate removal or, if necessary, remove any advertising on its property at any time.

PRE-SCREENING OF ADVERTISING AND SPONSORSHIP REQUESTS

From time to time, City advertising and sponsorship contractors may request advice from the City regarding questionable advertising content or sponsorship. The City's Senior Management Team (SMT) – composed of the City Manager and the General Manager from each department - will conduct the review. SMT may elect, at their discretion, to accept or deny the request for a review. Acceptance of a request by SMT may result in a decision to withhold approval of the advertisement or sponsorship.

RECONSIDERATION

Individuals or groups objecting to a particular advertisement or sponsorship governed by this policy may file a complaint with Advertising Standards Canada (ASC), following their prescribed process. Individuals or groups may also request, through the City Clerk, to appear as a delegation before the City's Audit and Administration Committee to state the nature of their request for reconsideration.

ADMINISTRATION

The General Manager of the department, or his or her designate, maintaining a particular advertising or sponsorship contract or otherwise designated with responsibility for commercial advertising and sponsorships on particular City-owned or City-controlled assets or public property, particular City events or particular City publications, will administer this policy.

Approved by Council: (Date)