



## Policy

<b>Policy Name:</b>	Naming Rights Policy
<b>Policy Owner:</b>	<b>Community Services Department – Commissioner of Community Services</b>
<b>Approved by:</b>	Council June 13, 2017
<b>Effective Date:</b>	July 1, 2017
<b>Date of Last Revision:</b>	enter date policy was revised, if it is a new policy indicate initial policy
<b>Review Date:</b>	enter date when policy is to be reviewed e.g. annually, every 5 years etc.
<b>Policy Status:</b>	New

### PURPOSE:

The purpose of this Policy is to provide clear guidance regarding Naming Rights for Town of Richmond Hill (Town) Community Facilities. The goal is to provide a consistent evaluation framework and approval process when considering Proposals for Community Facilities.

This Policy is intended to balance public and private interests by encouraging philanthropic giving while acknowledging public investment in, and ownership of Community Facilities as well as the public realm; and to encourage continued investment in these facilities for the benefit of the citizens of Richmond Hill for generations to come.

### POLICY PRINCIPLES:

The purpose of this Policy is to establish a corporate and individual naming rights protocol that:

- Creates a systematic approach to soliciting, managing and reporting on naming rights;
- Provides guidance to those that have an interest in the naming of Town properties;
- Protects the reputation, integrity and aesthetic standards of the Town and it's asserts;
- Ensures alignment with the Town's programs and services, and;
- Advances Council's priorities and enhances public services..

### DEFINITIONS:

For the purpose of this Policy, the words and phrase below have the following meanings:

"Applicant" means any Person who submits a Proposal to become a Naming Entity.

"Community Facilities" means: to any building, structure or area of land owned by or under the direction and control of the Town.

"Exterior Facility Components": All exterior components of a Community Facility which are visibly accessible from the public realm including, but not limited to, building façade, plazas and courtyards.

"Interior Facility Components": All substantial interior components of a Community Facility, including, but not limited to, halls, gymnasiums, auditoriums, galleries, lounges, lobbies and program rooms, etc.

"Naming Entities": The entity (e.g. Corporation or individual) to who Naming Rights are granted pursuant to a Naming Rights

Agreement.

“Naming Rights”: A mutually beneficial business arrangement or partnership between the Town and a Person wherein the Person contributes funds to a Community Facility in return for the right to name a Community Facility for a specified period of time.

“Naming Rights Agreement”: A legal contract outlining the terms of arrangement between the applicant and the Town for the Naming Rights.

“Person” means any entity that has the legal capacity to enter into a Naming Rights Agreement and includes any individual, partnership or corporation.

“Proposal: means a proposal put forward by an Applicant to the Town for the Town’s consideration with respect to Naming Rights.

“Town” means the Corporation of the Town of Richmond Hill.

## **SCOPE:**

This Policy applies to the recreation facilities managed by the Community Services Department and applies to the staff within that Department. This Policy applies to all Town Community Facilities including Interior and Exterior Facility Components.

Only corporate and individual naming rights are covered by this policy. Naming Rights granted to honour outstanding achievement and commemorative naming of parks and recreation facilities; and the process for naming/renaming Town streets are covered in separate policies.

This Policy does not apply to:

- a) Town owned facilities leased to commercial tenants;
- b) Town core service facilities (Town Hall, firehalls, operations centre);
- c) Town Public Libraries;
- d) Naming of Streets (separate Policy)
- e) Parks and Open Space

## **CRITERIA FOR NAMING RIGHTS**

1. All Naming Rights arrangements must not compromise, influence or alter the corporate goals and priorities of the Town, or diminish the Town’s public image.
2. Naming Rights arrangements must comply with all Federal and Provincial statutes, municipal by-laws and Town policies and procedures.
3. Display of Naming Rights must not take precedence over the display of the Town’s corporate identity on its facilities and must not incur any safety risk.
4. Naming Rights may be granted under the terms and conditions outlined in this Policy as recognition for financial contributions from Naming Entities, where these contributions result in significant and direct benefits to the community.
5. Properties with names of historic significance would be considered for renaming only in exceptional circumstances and only after consultation with Council and the community.
6. The Town will not relinquish any aspect of its right to manage and control the Community Facility
7. The granting of Naming Rights will not entitle a Naming Entity to any preferential treatment by the Town beyond the Naming Rights.
8. Naming Rights recognition will be compatible with the physical attributes of a Community Facility.
9. The impact of changing existing signage, rebuilding community recognition and updating records must be considered

- before Naming Rights are granted.
10. The costs incurred with Naming Rights signage and other items will be the responsibility of the third party.
  11. The authority to grant Naming Rights rests with Council of the Town, who may grant or refuse the whole or any part of any Proposal.
  12. Signage and acknowledgment associated with Naming Rights must comply with all applicable laws and by-laws, and must be approved by the Town.
  13. Naming of a Community Facility should include the purpose of the facility (e.g. The ABC Performing Arts Centre as opposed to the ABC Centre)
  14. All Naming Rights Agreements shall be confirmed by written contract containing terms and conditions satisfactory to the Town's Commissioner of Community Services.

## **RESTRICTIONS**

The Town will not allow any Naming Rights that:

- Promote alcohol and other addictive substances;
- Promote the sale of tobacco;
- Promote pornography;
- Promote the support or involvement in the production, distribution and sale of weapons and other life-threatening products;
- Present demeaning or derogatory portrayals of individuals or groups or contain any message that is likely to cause deep or widespread offence;
- Promote religious or political messages that might be deemed prejudicial to other religious or political groups;
- Convey a religious or political message; promote a political party or election candidate.

## **EVALUATION CRITERIA**

An Applicant will be evaluated by the Director of Recreation & Culture and Commissioner of Community Services using the following criteria:

- a) The compatibility of the Applicant's products, customers and promotional goals;
- b) The record of involvement in community projects, events – a willingness to participate;
- c) The desirability of association – the image;
- d) The timeliness or readiness to make a deal;
- e) The actual value in cash of the proposal; and all related costs associated with the Naming
- f) The proposed term of the Naming Right.

## **NAMING RIGHTS AGREEMENT**

Applicants approved by Council will be required to enter into a Naming Rights Agreement to set out the roles and responsibilities of the Town and the Naming Entity, the applicable fees, the duration of the arrangement, and any other terms and conditions as determined by the Commissioner of Community Services or a designate.

The Community Services Department is responsible for preparing and presenting a report for Council on the proposed negotiated Naming Rights arrangement.

It is the responsibility of the Community Services Department to ensure that the respective parties are adhering to the terms of the Agreement.

## **ROLES AND RESPONSIBILITIES:**

### Town Council will:

- Provide approval for each Naming Right opportunity before negotiations with potential partners are initiated.
- Provide final approval prior to agreements being executed.

### Commissioner of Community Services will:

- Designate a Town staff who will act as the primary liaison for the Naming Rights Request;
- Be responsible for assessment of any Naming Rights opportunity and recommendation of same to Council
- Review and approve of prospective donor lists prior to the commencement of any Naming Rights opportunity;
- Solicit, negotiate and administer Naming Rights Agreements on behalf of the Town;
- Seek concept approval from Council prior to initiating negotiations with a potential Naming Entity;
- Oversee public communication processes to measure community support for the Naming Rights;
- Prepare and present a report for the Town Council on the final proposed terms of a Naming Rights Agreement.
- Consult with all relevant Town staff on appropriate terms for standard Naming Rights Agreements;
- Instruct the Legal Division on the preparation of Naming Rights Agreements to document Naming Rights arrangements approved by Council.

### Communications Division will:

- In collaboration with Recreation and Culture develop a communications strategy to promote the Naming Rights;
- Manage the communications aspects (news release/photo opportunities/media inquiries, etc. ) of approved Naming Rights Agreements;
- Assist in determining the appropriate display of Naming Rights and the Town's corporate identity.

### Legal Divisions will:

- Assist in the establishment of a standard form of Naming Rights Agreement
- Prepare Naming Rights Agreement to document arrangements approved by Council upon instructions of the Commissioner

### Finance Division

- The Financial Services Division of the Town will issue tax receipts in accordance with Revenue Canada regulations, where applicable..

### The Applicant will:

- Undertake due diligence to ensure all Proposals meet the spirit, intent, guidelines and procedures outlined in this Policy;
- Provide Designated Town staff with the necessary documentation as outlined in this Policy;
- Execute a Naming Rights Agreement as outlined in this Policy;
- Maintain regular communication with Designated Town Staff throughout the process, and;
- Assume any costs associated with the Naming of a Community Facility.

## **RELATED DOCUMENTS:**

Policy for Naming and Renaming Town Parks, Open Space and Recreation Facilities  
Municipal Street Naming and Addressing Guide  
Employee Code of Conduct