
1. ADMINISTRATION

1.3 Communications

1.3.11 Paid Advertising

POLICY STATEMENT

The City of Burlington welcomes and encourages advertising to assist in the provision of City services and projects. All advertising shall be consistent with the City of Burlington's vision, mission, and values, and will not compromise or contradict any by-law or policy of the City, or negatively reflect on the City's reputation or public image. All advertising agreements shall be established in a manner that results in the optimal balance of benefits to the City and the community.

Paid advertising by external agencies and organizations is permitted on City property, at City events, and in City publications only under the conditions outlined in this policy.

PURPOSE

The primary objective of the policy's parameters and guidelines is to provide a safe, welcoming and neutral environment for members of the community while on City property as well as to safeguard the City's corporate values, image, assets, and interests, while increasing the opportunities for revenue generation.

The City of Burlington recognizes commercial advertising as a source of revenue to assist in offsetting the costs of municipal programs, and initiatives. This ongoing need for additional sources of revenue however, must be balanced with the corporation's need to ensure that:

- There are no adverse effects on public safety and well-being;
- there are no adverse effects on the corporation's reputation or public image;
- advertising is respectful and avoids conflicts and alienation amongst different members or groups who reside in the municipality;
- access to advertising opportunities is open and competitive;
- there is a clear corporate and/or community benefit to the proposal;
- advertising activities reflects a co-coordinated and consistent approach corporately; and,
- appropriate and complete records are maintained.

This policy outlines specific requirements that must be met by any advertising proposal, and identifies roles and responsibilities of staff in ensuring that the requirements are met. This policy should be viewed in conjunction with other Council approved policies relating to City advertising, donations and sponsorships.

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SCOPE

This policy applies to all paid advertising on City property, at City events, and in City publications. A separate policy exists relating to corporate donations and sponsorships of City fundraising initiatives.

DEFINITIONS

“City” means the Corporation of the City of Burlington.

“Paid advertising” is the sale of advertising space to external businesses and organizations on City printed materials and City property, or at City events or in conjunction with a City program. Unlike sponsorship or other relationships, advertising sales involve the simple purchase of advertising space sold at rates determined or agreed to by the City. The external organization’s purchase of this space does not imply a “partnership” other relationship with the City, and the advertiser is not entitled to any additional benefits other than those accruing from access to the space purchased.

“City property” means all City-owned property, such as land, including parkland and boulevards, buildings, vehicles, bus shelters, etc.

“City publication” means any publication produced by or for the City of Burlington, regardless of the format or method of distribution (i.e. hard copy or electronic).

“City event” or “City program” means any activity that is organized by City staff and supported by a City department and/or Council.

PRINCIPLES AND CONDITIONS

All advertising agreements must comply with federal and provincial statutes, municipal by-laws and the standards set out by the Canadian Advertising Standards Council.

Advertisers (or vendors representing advertisers) and will be required to enter into appropriate legal agreements with the City, and must meet the general requirements listed in this section, as well as the site-specific requirements listed in the following section.

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The advertiser will be required to ensure that all advertising proposals intended for use on City property or in City events and publications:

- Provide a clear corporate and/or community benefit to the City;
- Meet the standards set out by the Canadian Advertising Standards Council; and,
- Adhere to applicable City by-laws (such as the Sign by-law) or policies that may be in effect.

The following conditions apply when establishing advertising relationships:

1. Agreements shall not invoke future consideration, influence, or be perceived to influence the day-to-day business of the City of Burlington.
2. The relationship must not cause a City employee to receive any product, service, or assets for personal gain or use.
3. Advertising devices must not impact the quality and integrity of the City's properties, buildings, and streetscape and cause no added risks to safety.
4. The advertisement of a product or service does not act as the City's endorsement of any one product or service over another.
5. The advertising opportunity should be appropriate to the target audience.

In addition, advertising proposals intended for use on City property must have no adverse effect on public health and safety and minimize City liability. All design, installation, maintenance, and removal costs of advertising devices and/or sponsored elements will be borne by the advertiser. Special design considerations may be required at high profile locations such as City entry points, major intersections, vistas, environmentally sensitive areas, and City Hall.

Advertising proposals that include billboard advertising shall require approval by City Council and prior consultation with the Ward Councillor of the Ward in which the proposed advertising is to be located.

Advertising agreements shall not exceed four years unless authorized by the General Manager or City Manager.

The City, acting reasonably, shall have the right to terminate an advertising agreement at its sole discretion.

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RESTRICTIONS FOR ADVERTISING

The City will not solicit or accept advertising from individuals, partnerships, corporations or other entities whose reputation could prove detrimental to the City's public image and/or whose business is derived from:

- The sale of tobacco;
- Pornography; or
- The support of, or involvement in, the production, distribution, and sale of weapons and other life-threatening products.

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

- Convey a negative message that might be deemed prejudicial to any group;
- Promotes alcohol and other addictive substances at venues or on City property where persons under the legal drinking age would congregate;
- Presents demeaning or derogatory portrayals of individuals or groups or contain anything, which in light of generally prevailing community standards, is likely to cause deep or widespread offence; or
- Is of a political nature, or promotes a political message, a political party or election candidate.

ADMINISTRATIVE REQUIREMENTS AND SITE-SPECIFIC REQUIREMENTS

General

The Corporate Communications Department must approve any use of the City of Burlington trademarks or copyright whether registered or unregistered.

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Approvers of advertising proposals are responsible for ensuring that:

1. Advertising proposals meet the standards outlined in this policy;
2. All by-laws and policies have been adhered to;
3. Appropriate staff input has been obtained (i.e. expertise in purchasing, electronic media, property or equipment maintenance, landscape design standards, graphic design, risk management, Legal, etc.)
4. Appropriate consultation and approvals have been obtained as required (i.e. Council approval, in accordance with the Purchasing By-law, of certain contracts, etc.);
5. Proof of appropriate insurance and indemnification of the City has been received;
6. The proponent has obtained required permits; and,
7. Third party advertising relationships abide by the restrictions noted in this policy.

PUBLIC ROADWAYS

Advertising may be considered as part of the streetscape only when the advertising device or element (i.e. benches, trash receptacles, signage, etc.) is warranted or required as a functional component of the streetscape. The advertising proposal must:

- Ensure that each advertising element/device contributes to the quality and integrity of the streetscape and is in keeping with the character of existing streetscape guidelines and applicable district design objectives;
- Provide design consistency with existing or proposed street furniture systems;
- Not dominate the area, but blend into the area's aesthetics;
- Promote the use of corporate logos rather than extensively lettered signs;
- Promote the provision of public information (i.e. community or business district map) as part of the installation;
- Promote landscape improvements, especially on larger installations;
- Ensure that the device does not obstruct vehicular or pedestrian sight lines;
- Ensure that there is no conflict with existing or proposed utilities within the right-of-way;
- Ensure that there is no conflict with existing vehicular, pedestrian, or cycling facilities/properties including the maintenance of same; and
- Ensure that any proposed vehicular, pedestrian, or cycling facilities/properties are protected.

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The Director of Roads and Parks Maintenance (or designate), with input from other staff as required, is responsible for the approval of any advertising devices on municipal boulevards, including any variances to the above requirements.

CITY PARKLANDS

The policy on Donations and Sponsorship details City policy on advertising on parkland elements (e.g. park benches, fountains, etc.).

The Director of Parks and Recreation (or designate), with input from other staff as required, is responsible for the approval of any agreements and the associated advertising devices on parkland.

HOARDING ON CITY PROPERTY

Advertising on hoarding panels may be permitted on City property during the construction phases of capital projects.

Hoarding panels must portray visual imagery that promotes one or more of the following: City of Burlington or public sector special events, and regional and Ontario tourism, natural attributes, services, programs and initiatives, and heritage and culture.

Advertising will be accepted as a component of hoarding in the form of displaying corporate logos.

Advertising revenues will be used as dedicated revenue towards the capital project, or in the case of City fundraising in support of the project, towards the fundraising goals.

Advertising on the panels will be valid for as long as the hoarding around the project is required. The hoarding panels will be removed once the project is complete.

Staff will outline proposed hoarding and related revenue generation in committee and council reports. The Corporate Communications Department will provide images and graphic services for hoarding on a cost recovery basis.

Project manager(s) with input from other staff as required, is responsible for the approval of any advertising agreements, and the associated designs and implementation for hoarding initiatives.

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CITY OWNED VEHICLES

Paid advertising is not permitted on City-owned vehicles, other than transit buses. Proposals for the placement of advertising on both the exteriors and interiors of City transit buses are solicited and reviewed by the Director Traffic and Transit (or designate).

Advertising associated with the sponsorship of a public education program or a public service venture may be permitted on City buses.

The Director (or designate) of the department responsible for the operation of the particular vehicle, with input from other staff as required, is responsible for the approval of any sponsorship agreements and the associated advertising devices.

Note: for the purpose of this policy, ice-resurfacing machines are considered to be facility equipment, rather than vehicles.

CITY BUS SHELTERS

Proposals for the placement of advertising in transit shelters are solicited, reviewed, and approved by the Director Traffic and Transit (or designate).

CITY FACILITIES AND EQUIPMENT

Whether advertising will be permitted, the number and types of advertisements that will be accepted, and specific requirements which must be met at any given facility or for any piece of equipment are defined for the specific facility/equipment, by the Director (or designate) of the department most responsible for its operation.

Advertising at City Hall will be permitted only in recognition of the sponsorship of a City or public sector event.

CITY PUBLICATIONS

Each department, with input from other staff as required, is responsible for determining which of its publications is suitable for carrying advertising, and for developing standards for the type and number of advertisements that will be accepted. No advertising will be permitted, if the integrity of the publication will be compromised by including advertising. Specific advertising proposals are approved by the department Director or designate. Advertising on the City's Internet is governed by other council approved policies.

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CONTACT

For more information, contact Corporate Communications Department, Corporate Services Division.

REFERENCES

Ontario Human Rights Code
Facility Rental Policy
Donations and Sponsorship Policy
City Talk Pages During a Municipal Election Year Policy
Landscape Advertising Policy
Advertising Policy

(Approved by City Council on October 1, 2007)