



# POLICY MANUAL

<b>Subject Area:</b>	<b>Corporate – City Wide</b>		<b>Policy #</b>	<b>10.29</b>
<b>Policy Title:</b>	<b>Advertising Policy</b>			
<b>Authority:</b>	<b>Legislative</b>	<b>X</b>	<b>Effective Date:</b>	2015-07-13
	<b>Administrative</b>		<b>Review Date:</b>	2018-07
<b>Issued By:</b>	John Leeburn, Chief Administrative Officer	Office of the CAO	<b>Issue Date:</b>	
			<b>Manner Issued:</b>	Email all staff

## **Purpose:**

The City of Port Coquitlam recognizes there are opportunities and benefits to be gained from providing advertising in City owned publications and properties. The City encourages local business to promote and market themselves through City channels in such a way that reflects the City's vision, mission and values; without compromising the corporation's bylaws, policies or public image. To meet these objectives, a policy framework and guidelines are provided for staff involved with providing advertising opportunities.

## **Policy:**

This Policy applies to advertising agreements between the City and businesses, organizations or individuals that contribute to the City, either financially or in-kind, in return for promotional space on/in City property.

The policy applies to the following:

- a. Paid advertising on City property, at City events, and in City publications.

Exclusions to this policy:

- a. Sponsorship: A mutually agreed upon, marketing-orientated formal agreement between the City and an external company, organization, enterprise, association or individual, whereby the external party (sponsor) contributes money, goods or services to the City in return for recognition, promotion, acknowledgement or other defined promotional considerations and benefits.
- b. Sports Club Sponsorships: Agreement(s) between a sports club and a third-party that contribute to the sports club, either financially or in-kind, where the third-party receives recognition or promotion on club owned property (i.e. Uniforms).

- c. Special Event Sponsorship: Agreement(s) between an organization that is hosting an event on City property and a third-party that contribute to the event, either financially or in-kind, where the third-party receives recognition or promotion on organization owned property (i.e. Event signage).
- d. Third parties who lease City property or hold permits with the City for activities or events.

## **DEFINITIONS:**

### **1. Advertising**

A commercial message directed at a specific audience, usually paid for by the advertiser and with no implied association between the advertiser and the organization offering the advertising opportunity.

An external company, organization, enterprise, association or individual purchases advertising space on City printed materials or property, at City events, or in conjunction with a City program. Advertising involves the simple purchase of space sold at rates determined by the City, considered revenues received under agreement. The purchaser of this space is not entitled to any additional benefits other than those accruing from access to the space purchased. Each advertising agreement shall cover: exclusivity, term/duration, signage display, and the sale of products/distribution of promotional items.

### **2. City-initiated Program or Event**

Any program, service, or event, which is conceived, initiated, and managed by the City. This does not include programs, services, or events organized by outside organizations in which the City of Port Coquitlam participates, sponsors, or permits to use City property.

## **General:**

### **1. Conditions**

Advertising agreements must comply with federal and provincial statutes, municipal bylaws, City policies and requirements set out by the Canadian Advertising Standards Council.

The City will consider all advertising proposals but has no obligation to accept them. The City reserves the right to refuse any proposal, including, but not limited to, those submitted by third parties whose activities are perceived to be incompatible with the City's goals, values, or mission.

The following conditions apply when establishing advertising relationships:

- a. Advertisements accepted for display on City owned property or publications shall conform to the standards and limitations adopted by Council.
- b. Agreements shall not in any way invoke future consideration, influence or be perceived to influence the day-to-day business of the City.

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- c. A City employee shall not accept or receive any products or services for personal gain related to any advertising agreement.
  - d. Unless authorized by policy, staff should not endorse any product, service or proposition.
  - e. The advertising should be appropriate to the target audience.
  - f. The term of all agreements shall not exceed three (3) years unless authorized by the CAO.
  - g. The advertising agreement must not interfere with existing contractual obligations.
  - h. To protect the privacy of Port Coquitlam's residents, advertisers are not to have access to any personal information held by the City.
  - i. Advertisers are prohibited from implying that their products, services or ideas are sanctioned by the City.
  - j. Any registered trademarks and/or official marks of the City are not to be authorized for use in any manner other than to identify the City without prior written approval from the CAO.
  - k. Any advertising with reference to the City must be approved by the Manager of Communications prior to production of advertising materials.
  - l. There shall be no actual or implied obligation to purchase the product or services of the advertiser.
  - m. Advertising agreements are non-transferable, without the written consent of the City, which may be withheld for any reason in the City's sole discretion.
  - n. Advertising may be solicited by a third-party company on behalf of the City. In cases of disagreement between the third-party company and a potential advertiser, potential advertisers will deal with the third-party company directly. If there is disagreement between the third-party company and a potential advertiser on policy interpretation, the matter may be referred to City staff.
  - o. City staff responsible for interpreting and implementing this Advertising Policy may overrule decisions made by the third-party.
  - p. Advertising shall, in the sole opinion of the City of Port Coquitlam, support the City's initiatives for a healthy community and the safety of its residents.

City staff and third party contractors responsible for soliciting, negotiating, preparing and administering agreements including contract management and/or approving advertising agreements must ensure that all relevant bylaws and policies are adhered to, appropriate consultation and approval authorities are respected, and where applicable that insurance indemnification and permits have been obtained.

## **2. Restrictions for Sponsorship and related Advertising**

The City will not limit a potential advertiser's freedom of expression by refusing advertisements which promote products and/or services, except as permitted pursuant to *Section 1 of the Canadian Charter of Rights and Freedoms*, which includes Charter rights subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society".

The standards and limitations to advertising content derived from a sponsorship shall be reviewed in the context of a public agency's limited legal ability to deny advertisements under the Charter.

Guidelines for application acceptability or rejection are attached in Appendix "A".

Departments are responsible for ensuring that third party advertising relationships abide by the restrictions noted in this policy.

### **Administration:**

This Policy applies to all City employees. This Policy does not apply to members of City Council.

### **REPORTING:**

Departments entering into advertising agreements pursuant to this Policy are required to report each agreement to the Director of Finance who will provide a year-end report to Council.

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**END OF POLICY**

**Record of Amendments:**

Policy	Issue date	Reviewed	Replaced	Re-issue Date
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## Appendix “A”

The City will be guided by the Canadian Code of Advertising Standards.

In addition:

1. Advertising must comply with all City bylaws, laws, statutes and regulations in force in British Columbia;
2. No advertisement will be accepted which the City of Port Coquitlam, in the exercise of its sole discretion, considers to be of questionable taste or in any way offensive in the style, content or method of presentation;
3. All advertisements shall be of a moral and reputable character;
4. All advertisements shall be free of any demeaning, derogatory, exploitative or unfair comment or representation of any person or group of persons, or any such comment or representation based on race, colour, ancestry, ethnic origin, creed, religious affiliation, sex, sexual orientation, disability, age, marital or family status.
5. Advertisements, otherwise acceptable under this policy, which convey information about a meeting, gathering or event must contain the name of the sponsoring group, the name of the persons participating in the event, and the location, date and time of the event.
6. Advertisements, otherwise acceptable under this policy, which (a) promotes or opposes a specific theology or religious ethnic, point of view, policy or action, (b) advocates or opposes any ideology or political philosophy, point of view, policy or action, or (c) conveys information about a political party or candidacy of any person for a political opposition or public office, must visibly display the name of the sponsoring group.

These advertisements must also display the following disclaimer: “The opinions expressed in this advertisement, do not in any way represent the opinions of, and are not endorsed by the City of Port Coquitlam.”

This endorsement disclaimer extends to and includes content that may be found via internet addresses, quick responses (QR) codes, and telephone numbers that may appear in the posted ads and direct-viewers to external sources of information.

7. No advertisements will be accepted which promotes any tobacco company, tobacco product or tobacco brand promotions, including sponsorship or promotion of cultural or sporting events.
8. No advertisement which promotes any adult entertainment businesses, escort services, massage parlours, marijuana dispensary, liquor companies, and related products or brand promotions will be accepted at City facilities or in City publications.
9. [Advertising shall, in the sole opinion of the City of Port Coquitlam, support the City’s initiatives for a healthy community and the safety of its residents.](#)

Complaint Process:

Any individual or advertiser who wishes to appeal a decision regarding the application of the Canadian Code of Advertising Standards regarding advertising on City property or other assets, may file a complaint with the City of Port Coquitlam and Advertising Standards Canada.