

Policy Title: Advertising and Sponsorship with the City

Policy Number: 03-09-01

Section: Corporate Administration

Subsection: Advertising

Effective Date: November 25, 2020

Last Review Date: February, 2024

Approved by:

Owner Division/Contact:

Council

Strategic Communications and Initiatives/Manager, City Marketing and Planning

Policy Statement

The City of Mississauga allows third party Advertising and Sponsorship as it assists in the provision of City services, where such Advertising or Sponsorship is in line with the City’s values and principles. The City will therefore permit Advertising or Sponsorship on City Property, at City Programs and in City Media in accordance with the criteria and requirements outlined in this policy.

Purpose

The purpose of this policy is to ensure that all third party Advertising and Sponsorship opportunities are consistent with the City’s corporate values, image, and strategic goals. Advertising and Sponsorship opportunities shall be undertaken with a view to ensuring that Advertising and Sponsorship on City Property, at City Programs and in City Media is appropriate, and meets established criteria, while respecting third party advertisers’ protected rights.

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

Scope

This policy only applies to Advertising and Sponsorship from external advertisers:

- On City Property
- At City Programs, and
- In City Media

For information on the process and criteria for naming or renaming of a facility where a Sponsorship or donation agreement doesn't exist, refer to Corporate Policy and Procedure – 05-02-02 - Facility Naming.

For information on advertising on road allowances, refer to Corporate Policy and Procedure – 05-01-08 - Portable Signs on Road Allowances.

This policy does not apply to Advertising or Sponsorship that is arranged as part of an official City opening or event or ward event.

Definitions

For the purposes of this policy:

“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, e-mail, 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.

“Sponsorship” means a mutually beneficial arrangement between the City and an external company, organization or person(s) where the external company, organization or person(s) contributes funds, goods or services to the City to offset the cost of City programs and/or in return for recognition, acknowledgement or other promotional consideration. Sponsorship includes naming rights, which is the exclusive right to name a City Property under the specific terms of an agreement.

Position Statement

The placement of any Advertising or Sponsorship on City Property, at City Programs and/or in City Media does not represent or imply any partnership with the City; the City's endorsement of any product, service, person(s), company, organization, beliefs, views or any contents contained in the Advertising or Sponsorship; and does not constitute information or communication by or on behalf of the City.

Criteria

Advertising and Sponsorship 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 Rights and Freedoms:

- The Advertising or Sponsorship 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 or Sponsorship is not in conflict with any applicable federal and provincial laws, regulations or standards, City by-laws or policies
- The Advertising or Sponsorship does not breach or conflict with any existing City Advertising or Sponsorship agreements and/or contracts
- There are no adverse effects on public safety
- The Advertising or Sponsorship does not incite violence and hatred
- The Advertising or Sponsorship does not present demeaning or derogatory portrayals of individuals or groups
- The Advertising or Sponsorship is not of questionable taste in style, content or presentation method
- The Advertising or Sponsorship 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 or Sponsorship 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 Ontario, that such advertising does not violate the Criminal Code of Canada, provincial standards, or any other applicable legislation or regulations
- Alcohol or gambling Advertising or Sponsorship will not be permitted at or near events or places geared to children or youth
- Tobacco, Cannabis, and vaping Advertising and/or Sponsorship are not permitted in the City

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

Administration

Advertising

The applicable departmental business section that manages the particular City Property, City Program and/or City Media in question is responsible for determining if the proposed Advertising meets the criteria above and, if so, where the Advertising will be permitted (i.e. on which City Property, at which City Programs and in which City Media). The review should balance the City's policy and legislative objectives with third parties' Charter rights. In instances when advertising is partially or fully declined, the City is to ensure that third parties' Charter rights are not

unreasonably interfered with, by ensuring that any interference is minimal and proportionate to City policy objectives. The City shall disclose its reasons for its decisions. Staff are to consult with Legal Services before partially or fully declining advertising. The applicable departmental business section is also responsible for administering such requests or offers of Advertising in accordance with this policy.

Advertising agreements, which must be in a form satisfactory to Legal Services, are managed by the business section that enters into the agreement.

Sponsorship

Sponsorship requests or proposals received by any City division/department must be forwarded to the Sponsorship and Corporate Development Unit, Strategic Communications & Initiatives, City Manager's Office. The request or proposal must be presented in writing and state the marketing benefits for both parties and desired duration. The Sponsorship and Corporate Development Unit is responsible for vetting all proposals and for ensuring that all agreements comply with this policy. The decision as to which Sponsorship proposals will be accepted is the responsibility of the Sponsorship and Corporate Development Unit, in consultation with the applicable City division/department.

All Sponsorships will be documented with a written agreement, which must be in a form satisfactory to Legal Services and consistent with the size, complexity, term and scope of the Sponsorship. All agreements will be for a fixed term and must not create an obligation for the City to continue beyond the term of the agreement. Agreements will be executed and managed by the Sponsorship and Corporate Development Unit.

Authorization

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

Total Value of Contract/Agreement	Signing Authority
Less than \$5,000	Staff delegated by the Departmental Director and with authority to manage cost centres, or their designate in writing
Less than \$50,000	Managers delegated by the Departmental Director and with authority to manage cost centres, or their designate in writing
\$50,000 up to \$100,000	the Departmental Director or their designate in writing

\$100,000 and over	applicable Commissioner or their designate in writing
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Council must approve any Advertising or Sponsorship agreements that grant naming rights to a City Program.

In order for the City to ensure that all Advertising and Sponsorship complies with this policy, requests for placement of non-English language Advertising or Sponsorship material must be accompanied by an English translation of the content.

Advertising Review

Requests for reviews related to Advertising at the City will be directed to the Panel. In the interest of procedural fairness, the Panel will review Advertising when:

- City staff have declined an Advertising submission and the advertiser requests a review of the decision
- Questionable Advertising submissions, which will include a staff recommendation on approval or disapproval of the Advertising, are referred to the Panel by City staff
- A minimum of five Mississauga residents disagree with the City’s decision to approve Advertising and request a review by the Panel, or
- The Mayor or a member of Council requests a review by the Panel of Advertising that has been approved by City staff

The foregoing parties are to submit a Request for Review Form (City Form 2554) to the Office of the City Clerk. Provided that the criteria for a Panel hearing have been met, the City Clerk will proceed to convene a hearing and notify the parties.

At the conclusion of the review process the Panel will:

- Approve the Advertising as submitted, or
- Not approve the Advertising

The decisions 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 the timeframe prescribed in the Panel’s Terms of Reference, the decision or recommendation of City staff, as applicable, will continue to apply.

Revision History

Reference	Description
GC 148-98 – 1998 02 25	
GC 0184-2010 – 2010 08 04	
September, 2017	Scheduled review. Housekeeping only.

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March 28, 2018	Housekeeping – Facility Naming policy title updated.
GC-0318-2020 – 2020 11 25	Revised to clarify sponsorship and reflect current practices.
April 5, 2021	Housekeeping – Business Planning now reporting directly to the Commissioner, Community Services Department.
February 14, 2024	Scheduled review. Revised to update the criteria with respect to advertisers' Charter rights.