

**TOWN OF HUNTERSVILLE PARKS & RECREATION**  
**SIGNAGE AND SPONSORSHIP POLICY**

**I. GENERAL POLICY STATEMENT**

The mission of the Parks and Recreation Signage and Sponsorship Program is to develop and implement policies that allow the Huntersville Parks and Recreation Department to partner with local businesses through sponsorship of programs, advertising in program literature and sponsoring or advertising at local events and facilities, while adhering to a strict aesthetic code that blends into existing parks and recreation facility landscapes. Policies will guide practices that raise money for capital projects and overall improvement of Parks and Recreation facilities to allow the Town to continue offering this high quality service that positively impacts the quality of life of all Huntersville residents, and to provide Parks and Recreation program scholarship and sponsorship opportunities for deserving Huntersville residents.

**II. PURPOSE AND INTENT**

The purpose of the PRC Signage/Sponsorship Policy is to develop and present policies and guidelines for creating marketing partnerships between the Huntersville Parks and Recreation Department and local businesses which: promote the growth and prosperity of Huntersville and Lake Norman Area-based businesses; provide a positive non-tax revenue stream targeted to the maintenance and improvement of parks and facilities for the residents of Huntersville; and create an inviting, family-friendly, aesthetically-pleasing environment at our parks and facilities.

**III. DEFINITION OF TERMS**

“Sponsorship” is the right of an external entity (for-profit or not-for-profit) to associate its name, products, or services with Huntersville Parks and Recreation programs, services, or name. Sponsorship is a business relationship in which the Town of Huntersville and the external entity exchange goods, services, and donations for the public display of a message on Huntersville property or in a Huntersville publication acknowledging private support.

The term “open, limited, or designated public forum” means either a forum under the control of the Town of Huntersville that is traditionally open to unfettered exchange of ideas, or a forum under the control of the Town of Huntersville that is not traditionally open but is nevertheless intentionally and affirmatively opened by the Town of Huntersville for speech.

The term “nonpublic forum” is broadly defined as any property that is not by tradition or designation a forum for public communication.

#### IV. AUTHORIZATION REQUIRED

All property and publications of the Town of Huntersville are intended and exclusively used for business operations of the Town in providing governmental services and programs to and for the Town residents, and, except as required by law or expressly established by an affirmative action of the Huntersville Town Board, no property or publication of the Town of Huntersville shall be intended or considered as an open, limited, or designated public forum, and no person shall have a right to access or use any Town governmental purpose or service. Placement of sponsorship messages upon Town property or in Town publications shall require specific authorization.

The Town of Huntersville possesses sole and final decision-making authority for determining the appropriateness of a sponsorship relationship and reserves the right to refuse to enter into any proposed sponsorship agreement. Sponsorship requests shall be submitted through an Application for Sponsorship (“Application”) in a manner and form outlined in the following section, and sponsorship agreements based on responses to an Application shall be reviewed in accordance with the following procedures and guidelines:

- Sponsorship agreements projected to generate \$5,000 or more in annual revenue shall require the written approval of the Town Manager, who shall inform the Huntersville Town Board.
- Sponsorship agreements projected to generate less than \$5,000 in annual revenue shall require the written approval of the Parks and Recreation Director.
- At the discretion of the Parks and Recreation Director, any proposed sponsorship agreement may be referred to the Huntersville Town Board for its consideration.
- Any specific Department of The Town of Huntersville may prepare supplemental guidelines to accompany this Sponsorship Policy, but said guidelines must not disrupt the basic structure of authorization and approval outlined above, and all said guidelines must be approved by the head of the Huntersville Parks and Recreation Department.

#### V. CRITERIA FOR APPLICATION REVIEW

Applications for sponsorship of Huntersville programs or services shall clearly outline the forms of support sought and offered and the recognition to be given by the Town of Huntersville. Acceptance of an Application by the Town of Huntersville shall result in the creation of a sponsorship agreement that will detail the following information, at a minimum:

- Activities, products, services of the private entity, its parent, subsidiaries, affiliates and predecessor companies;

- Benefits to be given to the proposed sponsor by the Town of Huntersville, and the estimated monetary value of those benefits;
- Benefits to be given to the Town of Huntersville by the proposed sponsor, and the estimated monetary value of those benefits;
- Prominence of the proposed public recognition of support;
- Content of the proposed public recognition of support;
- Duration of the proposed public recognition of support;
- Conditions under which the sponsorship agreement may be terminated.

The Town of Huntersville recognizes that entering into a sponsorship agreement with an external entity does not constitute an endorsement of the entity or its services and products but does imply an affiliation. Such affiliation can affect the reputation of the Town of Huntersville among its residents and its ability to govern effectively. Therefore, any proposal for sponsorship of a Town of Huntersville program or service in which the involvement of an outside entity compromises the public interest will be rejected.

The Town of Huntersville shall consider the following criteria before accepting an Application or entering into a sponsorship agreement:

- Extent and prominence of public display of sponsorship;
- Aesthetic characteristics of the public display of sponsorship;
- Importance of the sponsorship to the mission of The Town of Huntersville;
- Level of support provided by the sponsor;
- Cooperation necessary from other Town of Huntersville units to implement the sponsorship;
- Inconsistencies between Huntersville Town policies and the known policies or practices of the potential sponsor;
- Other factors that might undermine public confidence in the Town of Huntersville's impartiality or interfere with the efficient delivery of Town services or operations, including, but not limited to, current or potential conflicts of interest between the sponsor and Huntersville employees, officials, or affiliates; and the potential for the sponsorship to tarnish the Town's standing among its residents or otherwise impair the ability of the Town of Huntersville to govern its residents.

## VI. PERMISSIBLE SPONSORS AND MESSAGE CONTENT

Sponsorships on Huntersville Town property are maintained as a nonpublic forum. The Town of Huntersville intends to preserve its rights and discretion to exercise full editorial control over the placements, content, appearance, and wording of sponsorship affiliations and messages. The Town of Huntersville may make distinctions on the appropriateness of sponsors on the basis of subject matter of a potential sponsorship recognition message. The Town of Huntersville will not deny sponsorship opportunities on the basis of the potential sponsor's viewpoint.

Sponsorship from an organization that is engaged in any of the following activities, that has a mission of supporting any of the following subject matters, or that, in the sole discretion and judgment of the authorized representative of the Town of Huntersville or the Huntersville Town Board, is deemed to be unsuitable for and contrary to community standards or appropriateness for government publications, shall be prohibited on any Town property or in Town publications:

- Promotion of the sale or consumption of alcoholic or cereal malt beverages, in name, likeness or implication, or promotion of establishments that are licensed for and primarily sell alcoholic or cereal malt beverages, including bars; provided, however, restaurants or other food service establishments and hotels or other places of lodging may be authorized when the commercial message or advertisement promotes only the food services or lodging; Promotion of alcoholic or cereal malt beverages through park signage are prohibited.
  - Promotion of the sale or consumption of tobacco products or depiction of the use of tobacco products; including electronic cigarettes.
  - Commentary, advocacy, or promotion of issues, candidates, campaigns or organizations of a social, political or religious nature;
  - Promotion of gambling, para-mutual betting, or games of chance, in name, likeness or implication, or promotion of establishments that are licensed for and primarily provide such services or activities of a related or similar nature; provided, however, that establishments may be authorized when the commercial message or advertisement promotes some other area of business practiced by the establishments and where the above-referenced activities are only an incidental part of their business;
  - Depiction in any form of nudity or semi-nudity, profanity, obscenity, or lewdness, or characterizations which suggest, depict or promote any such element or sexually oriented products, activities or materials;
  - Promotion in any form of illegal drugs, illegal drug use of illegal drug materials, or characterizations which suggest or depict the promotion or glorification of any such products, activities or materials;
  - Promotion of the use or sale of firearms, explosives or other weapons, or the depiction, suggestion or glorification of violence of acts of a violent nature;
  - Use of language or descriptive material which taken in form and context is deemed to be unsuitable for and contrary to community standards of appropriateness for governmental or family publications;
  - Use of words, language, representations or descriptive material of any kind having more than one meaning or connotation, one of which would otherwise be prohibited under this Policy; and
  - Inclusion of materials, depictions, promotions or offerings which are the type prohibited by, or by their nature would violate, any postal restrictions or regulations or any federal, State, or local law, rule, or regulation.
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## VII. PERMISSIBLE RECOGNITION MATERIALS

Sponsorship recognition materials may identify the sponsor but ordinarily should not promote or endorse the organization or its products or services. Statements that advocate, contain price information or an indication of associated savings or value, request a response, or contain comparative or qualitative descriptions of products, services or organizations will ordinarily not be accepted. In accordance with the provisions of Section IV of this policy, the Huntersville Town Manager shall have the ultimate authority to determine what is permissible in a recognition message. Ordinarily, only the following content will be deemed appropriate:

- The legally recognized name of the sponsoring organization;
- The sponsor's organizational slogan if it identifies rather than promotes the organization or its products or services;
- The sponsor's product or services line, described in brief, generic, objective terms. Generally, only one product or service line may be identified;
- Brief contact information for the sponsor's organization, such as phone number, address, or Internet website. Contact information should be stated in a manner that avoids an implication of urging the reader to action.

The Town of Huntersville will not make any statements that directly or indirectly advocate or endorse a sponsor's organization, products, or services.

No materials or communications, including, but not limited to, print, video, Internet, broadcast, or display items developed to promote or communicate the sponsorship using the Town of Huntersville's name, marks, or logo, may be issued without written approval of the Huntersville Town Manager.

## VIII. GENERAL CONDITIONS

1. Sponsors are solely responsible for obtaining necessary permission to use photographs, trademarks, trade names, copyrighted material or any other legally protected property and shall hold the Town harmless for any such use, including all consequences or damages resulting therefrom. All commercial messages or advertisements shall be accepted and published by the Town upon the representation that the agency or sponsor is authorized to publish the entire contents and subject matter thereof. Sponsors must agree to indemnify and hold harmless the Town, its officers, agents and employees against all damages, costs and expenses including, without limitation, attorney's fees resulting from any claim, action or proceeding alleging that the commercial message or sponsorship infringes on any copyright, violates any right of privacy, or other personal or property right, constitutes libelous matter, plagiarism, unfair competition, unfair trade practice, infringement on trademarks, or other matter contrary to law or contains any formula or instructions injurious to the user of a sponsor's product.
2. Sponsors assume liability for all content (including text, photographs, representations, illustrations, sketches, maps, labels, trademarks or other

copyrighted matter) of sponsorship message printed or placed and also assume responsibility for any claims arising therefrom made against the Town.

3. The Town is not liable for delays in publication or presentation of sponsorship messages in any event or for any reason, including acts of God, action by any governmental or quasi-governmental entity, lack of funds, fire, flood, insurrection, riot, explosion, embargo, strikes whether legal or illegal, labor or material shortage, transportation interruption of any kind, work slowdown, or any condition beyond the control of the Town affecting publication or presentation of sponsorship in any manner.
4. If an error or omission occurs in the publication or placement of any sponsorship message, the Town's liability shall be limited to the amount of the reduction in the value of the sponsorship due to the error or omission, but in no event shall liability exceed the total cost payable for the sponsorship space.
5. The words "a paid sponsorship," or some like term, may be added to sponsorship messages that, in the sole opinion of the Town, might be confused with editorial matter.

## IX. ADDITIONAL CONSIDERATIONS

### A. USE OF FUNDS

All funds derived from the acceptance and placement of sponsorship messages shall be recorded, accounted for and used by the Town of Huntersville Parks and Recreation Department for authorized purposes in accordance with the mission of this Policy as determined by the Parks and Recreation Director. Funds collected will go into one of two revenue accounts. Sponsorship account or signage account. To use these funds a budget amendment must be approved by the Town Board.

### B. SPECIAL EVENTS

Nothing in this Policy shall be interpreted to prohibit the conduct of special events by the Town or its offices, departments or related entities and the use and recognition of sponsors, products, sales or prizes, including the United Way, Arts and Science Council campaigns or similar programs and events.

### C. ETHICAL CONDUCT

All offices, departments, and related entities of the Town of Huntersville and its employees shall follow the highest level of ethical standards dealing with sponsors or in the implementation of this Policy.

### D. IMPLEMENTATION

This Policy shall be and become effective upon adoption by the Huntersville Town Board and shall thereafter apply to the acceptance and placement of sponsorship

messages as provided in the Policy; provided, however, that sponsorship messages which were made prior to the adoption of this Policy shall not be considered in violation of the Policy, and to the extent possible shall be construed and completed, if necessary, in the manner most consistent with the Policy.

#### E. GOVERNING LAW

This Policy is intended to comply with all existing laws and regulations. If for any reason any contract or agreement created in accordance with this Policy is deemed to be in violation of any local, State, or federal law or regulation, said provision, contract or agreement shall terminate immediately. In the event of such a termination, to the extent possible, the term and conditions of the contract or agreement shall be pro-rated to account for the partial performance.