

Advertising Using City Assets and Programs Policy

Approved By: City Council

Approval Date: tbd

Effective Date: tbd

Revision Approved By:

Revision/Review Date:

Note: This policy replaces the previous Corporate Sponsorship and Advertising Policy, which has been separated into two stand-alone policies.

Policy statement

The City of Ottawa recognizes and supports advertising on City property, at City programs, and in City media as a revenue generating strategy and as means to enhance programs or services.

Purpose

The purpose of this policy is to provide a framework for City staff to explore, enter into, administer and manage advertising opportunities and agreements.

Application

This policy applies to agreements and opportunities with external parties to place advertisements on City property, in City programs, and on City real and digital media.

Exemptions

The following are exempt from the provisions of this policy:

All agreements that pre-date, and/or are in place prior to the approval date of this policy are considered exempt and therefore valid under the applicable negotiated terms and conditions.

Elected Officials

- Are governed by the *Code of Conduct for Members of Council* and the [Community, Fundraising and Special Events Policy](#).

The following entities are governed by their own respective policies and procedures:

- Office of Protocol and Intergovernmental Affairs
- Ottawa Public Health
- Ottawa Public Library
- Ottawa Police Services
- Transit Services Department (with respect to Transit Commission)

The General Manager of Recreation, Cultural and Facility Services is authorized to approve exceptions and minor variances to this policy.

Policy requirements

Advertising Opportunities, Agreements, and Content

The City of Ottawa will:

- Actively pursue advertising opportunities for its facilities, programs, services and real and digital media offerings.
- Accept advertising for a broad range of products and services that are appropriate to the audience being targeted by the use of the City asset and comply with the standards set out by the *Canadian Code of Advertising Standards*.
- Abide by regulations and rulings set out by higher authority.
- For advertising that advocates for, or against, a certain position, perspective or direction on community, social and political issues, the City will accept advertising subject to ensuring that the ads use language acceptable to the City and clearly reflect that the ad is paid advertising as well as the party responsible for the ad.
- Determine, on a case-by-case basis, if there is a requirement for a competitive or non-competitive bid process.
 - All competitive opportunities will follow parameters within the *Procurement By-law* and the *Delegation of Authority By-law*.
- Accept, on a first come basis, advertising proposals where there are multiple, or unlimited, opportunities to accommodate similar proposals on City assets.
- Employ a competitive procurement process to award advertising opportunities that are unique or limited in terms of the number available.
- Evaluate solicited and unsolicited advertising proposals using the guidance of this policy. The Department responsible for the asset being proposed for advertising will lead such reviews and any follow-up to accept or decline the proposal and properly document communication with the proponent.
- Reserve the right to reject any unsolicited advertising or proposals that have been offered to the City.
- Determine whether a proponent is required to register discussions relating to an advertising proposal with the City's Lobbyist Registry. Where interpretation is required, staff will consult with the Lobbyist Registrar.

All agreements between the City of Ottawa and the advertiser:

- Shall be in writing and shall outline the mutual benefits, terms and duration of the contract.
- Shall not in any way solicit future consideration, influence or be perceived to influence the day-to-day business of the City.
- Shall not be regarded as a commitment for future agreements.
- Do not necessarily represent the City's endorsement of any product, service, person(s), company, organization, belief, view, or any content contained in the advertisement; and does not constitute information or communication by or on behalf of the City.

All advertising content developed as a part of an agreement with the City of Ottawa:

- Must comply with federal and provincial statutes, and applicable standards set out by the *Canadian Code of Advertising Standards*.
- Are encouraged to be reflective of the City's equity and inclusion policies, the Accessibility Policy, and Bilingualism Policy.
- Should be appropriate to the target audience and venue.
- Must not impact the quality and integrity of the City's properties, programs, buildings, streetscapes, or digital spaces.

For Advocacy Advertisements

- Must indicate the source organization paying for the advertising to ensure transparency and avoid perception of City endorsement (e.g., of specific products, political parties or candidates).

Billboard, Digital and Social Media Advertising

- For digital media agreements, where the City benefits include an opportunity for messaging by City services, negotiations will reflect the need to include bilingual subject matter on City content.
- Traditional and digital billboard opportunities will be solicited through a competitive procurement process to optimize revenue to the City and negotiate promotional and information opportunities for City services.
- The Sponsorship and Advertising Unit will be responsible for coordinating the ongoing evaluation and identification of potential City sites for the hosting of billboards, for leading the competitive process to solicit industry bids for these sites, and for negotiating revenue generating agreements.
- The Sponsorship and Advertising Unit is authorized to select winning bids through the competitive procurement process and implement revenue generating agreements for the installation of static and digital billboards on select City properties.
- Billboard locations will be selected to fully comply with the provisions of the City's Permanent Signs on Private Property By-law 2023-67, as amended by 2023-167, and in consultation with Departments responsible for application, interpretation and enforcement of the Bylaw.
- Approval of minor variances to the Permanent Signs on Private Property By-law will be considered in accordance with the established process outlined in the By-law.

Eligibility and Conditions

Eligibility

Qualified parties for an advertising agreement with the City of Ottawa may proceed in a non-competitive process as long as there is compliance with the provisions of this policy, and when:

- There are multiple or unlimited opportunities available.
- Only one suitable advertiser can be identified.
- The value of the agreement does not exceed the monetary limits set out in the *Delegation of Authority By-law*.

The City of Ottawa retains the right to implement a competitive process to enter into an advertising agreement for exclusive, unique or limited opportunities.

Conditions

The City will not enter into advertising agreements with parties that:

- Are currently in a legal dispute with the City and/or are otherwise disqualified from doing business with the City.
- Not in good financial standing with the City of Ottawa.
- Either produce distribute, or promote tobacco, vapour, or water-pipe products.

The City may enter into advertising agreements with parties that either produce distribute, or promote alcohol, or cannabis products if:

- The agreement is for a program, service or event where the advertising is not provided specifically for individuals under the legal age of consumption.
- The company does not promote consumption to individuals under the legal age of consumption.
- The company complies with applicable Federal, Provincial and Municipal legislation and policies.

Responsibilities

Delegation of Authority

City employees are authorized to enter into advertising agreements that do not exceed their pre-authorized limits identified within *Delegation of Authority By-law*.

City Departments

- Are responsible for negotiating, executing, and administering their own agreements within their delegated authority parameters.
- May solicit advertising opportunities that comply with this policy.
- Ensure that all relevant City by-laws and policies are adhered to when approving advertising proposals.
- Ensure that requests for exemptions or scenarios not addressed in this policy are presented to their respective Director and General Manager, who should consult the City's Sponsorship and Advertising Unit to ensure corporate consistency and appropriate documentation and tracking.
- Are responsible for submitting annual reporting to the Partnership Manager, Corporate Advertising, Sponsorship and Donation or delegate.

Partnership Manager, Corporate Advertising, Sponsorship and Donation, or Delegate

- May enter into advertising agreements provided they satisfy all provisions of this policy *and Delegation of Authority By-law*.
- Ensure that requests for exemptions or scenarios not addressed in this policy are presented to the employee's Director and General Manager, who may bring the matter forward to the City's Sponsorship and Advertising Unit and the General Manager of Recreation, Cultural and Facility Services.
- Prepare and submit annual reporting as required by the *Delegation of Authority By-law*

General Managers

- Approve all advertising agreements for their respective Departments within the General Manager's delegated authority limits.
- Identify and seek City Manager approval for advertising opportunities based on the provisions of the *Delegation of Authority* By-law and when the agreement does not satisfy the conditions of this policy.

City Solicitor

- Provides legal advice regarding agreements arising from advertising arrangements and other legal or contractual matters.

City Manager

- Approves all agreements for amounts or set term limits over the General Managers' delegated authority limits, but within the City Manager's established delegated authority limits.

City Council

- Approves this policy and any substantial amendments.
- Approves advertising agreements that do not satisfy the provisions of this policy or when the City Manager has determined Council authority is preferred prior to consideration of an agreement.

Monitoring/Contraventions

The City's Sponsorship and Advertising Unit is responsible for providing guidance and reporting on advertising agreements.

For City employees, failure to comply with this policy may result in penalties under the applicable legislation and regulations and/or disciplinary actions under the City of Ottawa Discipline Policy up to and including termination.

For advertisers, contraventions of this policy may result in termination or penalties as outlined in the agreement.

References

[Accessibility Policy](#)

[Accessibility Design Standards](#)

[Accountability and Transparency Policy](#)

[Bilingualism Policy](#)

[Code of Conduct for Members of Council and Related Policies](#)

[Communications Policy](#)

[Community, Fundraising and Special Events Policy](#)

[Election-Related Resources Policy](#)

[Election-Related Blackout Procedures](#)

[Employee Code of Conduct](#)

[Equity and Diversity Policy](#)

[Lobbyist Code of Conduct](#)
[Lobbyist Registry](#)
[Social Media Policy](#)
[Sponsorship Policy](#)
[Visual Identity Usage Policy](#)

Legislative and Administrative Authorities

Province of Ontario, [Accessibility for Ontarians with Disabilities Act, 2005](#) (AODA)
Ad Standards, [Canadian Code of Advertising Standards](#)
City of Ottawa, [Delegation of Authority By-law](#)
City of Ottawa, [Lobbyist Registry By-law](#)
City of Ottawa, [Permanent Signs on Private Property By-law](#)
City of Ottawa, [Procurement By-law](#)
Ontario, Heritage Properties, [Ontario Heritage Act](#)
Ontario Human Rights Commission, [Ontario Human Rights Code](#)

Recordkeeping requirements

As per the Records Management Policy, Official Business Records generated as a result of the execution of this policy must be declared as such in the appropriate SharePoint site, RMS (Records Management System) or approved business system.

Definitions

Advertising and Advertisement(s) — Any message, the content of which message is controlled directly or indirectly by the advertiser expressed in any language and communicated in any medium. (*Canadian Code of Advertising Standards*, October 2016.)

Advocacy Advertisement(s) — Is a promotional message designed to advance, or advocate against, a particular cause or viewpoint, position, perspective or direction on community, social and/or political issues.

Advertising Display Material — The material containing the message displayed on the sign.

Billboard — A large, outdoor, advertising sign on City property that is anchored to the ground and where the image on the sign face is printed on paper, plastic or vinyl and pasted on the sign structure.

City Program — Any activity that is operated by the City and includes any City events.

City Property — All City-owned and controlled properties and facilities, including but not limited to, indoor and outdoor recreation fields; open spaces and boulevards; buildings and rooms; furniture; equipment and fixtures; vehicles; Transit, property and vehicles.

City Media — Any outlet used by the City to carry and deliver advertisements that includes, but is not limited to, direct mail; print (e.g., newspaper, brochure, flyer, magazine); digital media (e.g., web, email, social media, mobile media); television; radio; and billboard or message board.

Digital Billboard — A large outdoor board on City property that displays information or images on a digital or electronic screen.

Digital Screen — An electronic visual display used in City Facilities for the presentation of images, text, or video for participants in City programs and the general public.

Heritage Designated Properties — All City of Ottawa historical buildings, districts and landscapes that are protected under the [Ontario Heritage Act](#).

Lobby — Any communication with a public office holder by an individual who is paid or who represents a business or financial interest with the goal of trying to influence any legislative action including development, introduction, passage, defeat, amendment or repeal of a by-law, motion, resolution or the outcome of a decision on any matter before Council, a Committee of Council, or a Ward Councillor or staff member acting under delegated authority (*City of Ottawa Lobbyist Registry By-law*).

Memorandum of Understanding — A formal agreement between two or more parties that expresses a convergence of will between the parties, indicating an intended common line of action. An MOU is not typically a legal commitment and is a less formal document than a binding contract. They are used in situations where the parties cannot create a legally enforceable agreement and are often the first step in moving toward a legal contract.

Organization — An organized body of people with a purpose, especially a business, society, association, non-profit etc.

Sign — Any visual medium used to convey information by way of words, pictures, graphics, emblems or symbols; any device used for the purpose of providing direction, information, identification, advertisement, or the promotion of a product, activity, or service; or a mural sign, which may include Digital Billboard Signs, Poster Panel Billboard Signs and Tri-vision Billboard Signs.

Enquiries

For more information on this policy, contact:

Partnership Manager, Corporate Advertising, Sponsorship and Donation
Recreation, Cultural and Facility Services Department

Tel: 613-580-2424, ext. 24761

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