

## 022 – OPLB Sponsorship Policy

### Legislative Background

The Library is a legal entity governed under *The Public Libraries Act*, R.S.O. 1990, c. P.44, s. 3 (3) (“the PLA”) under the management and control of a board. The Board of the Ottawa Public Library (the Board) operates according to the *PLA*, as well as other acts such as the *Municipal Act* and the *Conflict of Interest Act* and is responsible for ensuring that public library services are delivered effectively and efficiently to residents in the city of Ottawa.

Ottawa Public Library (OPL) receives most of its funding from the City of Ottawa (“the City”), and some funding from the Province of Ontario. As an approach to enhance services, OPL may generate additional revenues through various means, including fees, grants, and donations. This includes accepting or seeking sponsorship, where appropriate circumstances permit, in keeping with the [City of Ottawa’s Procurement By-law](#), as applicable, and the approval requirement identified in the OPL Board (OPLB) Delegation of Authority Policy (002 - OPLB Delegation of Authority, “the DOA Policy”).

The Library is committed to an open, transparent, and accountable sponsorship process as possible while being sensitive to the need for confidentiality with respect to the business interests of some sponsors, particularly during the negotiation phase.

The Board recognizes that sponsorship initiatives will be undertaken in accordance with OPL’s administrative document(s) developed in alignment with this policy direction. Sponsorship agreements will be in writing and outline mutual benefits, the specifics of exchange, expectations of both parties, duration, and termination.

### Purpose

The purpose of this policy is to outline how sponsorship initiatives are undertaken at OPL.

OPL will consider sponsorships to assist in the enrichment of services, as permitted by the *PLA*. Funds received through sponsorship shall not be used for ongoing operations funded by the City of Ottawa and/or the Province of Ontario. This policy provides guidelines and flexibility to secure revenue opportunities while safeguarding OPL’s

mandate under the *PLA*, as well as its vision, mission, values, public image, assets, and interests.

OPL follows the Canada Revenue Agency (CRA)'s "Fundraising by Registered Charities" and "Sponsorship" guidelines.<sup>1</sup> with respect to sponsorship programs. Sponsorship programs may follow a competitive or non-competitive bid process, as determined on a case-by-case basis and in keeping with the City's Procurement By-law, if applicable.

## **Sponsorship**

Sponsorship is defined as a mutually agreed upon and mutually beneficial time-limited arrangement between OPL and an external company, organization, enterprise, or association evidenced in writing whereby the external party (sponsor) contributes money, goods, or services to an OPL campaign, program, project, or event in return for recognition, acknowledgement, or other promotional considerations or benefits. Such recognition may include time-limited acknowledgement associated with a space within an OPL facility.

Sponsorship does not include:

- Philanthropic donations and gifts (such as fund development activities), which is recognized with distinct practices and for which tax receipts are issued. Sponsorship may result from fund development activities but is different from philanthropic giving;
- Naming rights for spaces within OPL facilities which are reserved for commemorative naming opportunities and philanthropic activities (addressed in OPL Board Policy #13 Commemorative Naming and #8 Fund Development Policy, respectively);
- Government grants or funds;
- External partnerships in which the Library sponsors or contributes to initiatives of other organizations;
- Public Art that is acquired in compliance with the City's Public Art Policy; and,
- Advice to OPL where no business relationship or association is contemplated or is required and where no reciprocal consideration is being sought.

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<sup>1</sup> Canada Revenue Agency (CRA) "Fundraising by Registered Charities"  
<https://www.canada.ca/en/revenue-agency/services/charities-giving/charities/policies-guidance/fundraising-registered-charities-guidance.html>

Canada Revenue Agency (CRA)'s "Fundraising by Registered Charities" and "Sponsorship"  
<https://www.canada.ca/en/revenue-agency/services/charities-giving/charities/operating-a-registered-charity/receiving-gifts/sponsorship.html>

Authority for sponsorship agreements is delegated to the Chief Executive Officer, who is responsible for reporting on sponsorship agreements to the Board in keeping with the DOA Policy and Policy 010 - OPLB CEO Reporting and Board Monitoring.

## Guiding Principles

- All sponsorship agreements must comply with applicable provincial and federal laws and regulations, including the Ontario *Human Rights Code*, the *Municipal Freedom of Information and Protection of Privacy Act*, the *Municipal Conflict of Interest Act*, and all applicable municipal by-laws and OPL policies, including the OPL Accessibility Policy, Official Languages Policy, and Social Media Policy.
- Sponsorship activities prioritize initiatives that will:
  - Provide enrichment for OPL, aligned with its statutory objectives to provide a comprehensive public library service that reflects the community's unique needs;
  - Support OPL's vision, mission, and values, including inspiring literacy and learning, sparking curiosity, and including and connecting people in the community;
- OPL is a trusted community resource. As such, OPL reserves the right to reject or withdraw (as applicable) from sponsorship agreements or initiatives that, in OPL management's sole opinion, may adversely affect public confidence in OPL, OPL's public image, or the value of the OPL brand. Withdrawal from a sponsorship agreement will follow a process outlined in associated administrative document(s).

## Eligibility and Conditions

- OPL will not allow sponsorship initiatives, either directly or through third party arrangements, that promote discrimination, hatred, gratuitous violence, obscene or profane language or unfair representation, including initiatives that may contribute to discrimination against members or groups of the community.
- The Library will give special consideration to sponsorships involving or targeted to children (under the age of thirteen years).
- The Library will not seek or accept sponsorships:
  - For programs, events, services, or activities involving or targeted to children;
  - From companies whose products cannot be legally sold or distributed to children;
  - From companies whose products are inappropriate for use by children; or,
  - That involve commercial advertising of food and beverages to children.
- Sponsorship agreements or initiatives will not in any way solicit future consideration or influence or be perceived to influence the day-to-day business of OPL. The Library will protect its values, including the principle of intellectual

freedom and not permit sponsors to influence services, including but not restricted to items in the collection, programs, events, displays, or other services, nor require endorsement of products or services.

- In alignment with OPL Board Policies 001 (Roles and Responsibilities of the Board and Trustees), 004 (Trustee Conduct), and the Employee Code of Conduct, representatives of OPL have a duty to avoid, disclose, and/or seek guidance regarding conflicts or perceived conflicts of interest when undertaking sponsorship initiatives or agreements.
- OPL may endorse the products or services of sponsors; OPL reserves the right to explicitly disclaim endorsement of sponsors. Sponsorship initiatives do not constitute information or communication by or on behalf of the Library.
- OPL will ensure that the OPL logo is the only logo to appear on its membership card and will determine all forms of sponsorship acknowledgement within its spaces.
- Contraventions of this policy or the sponsorship agreement may result in termination or penalties as outlined in the agreement.

## Policy Review

This policy will be reviewed every four years in the first quarter of the second year of the term of the Board, or as required to ensure consistency and alignment with related policies.

<b>Effective Date:</b> June 11, 2024	<b>Last Review Date:</b> November 8, 2022
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