
The Corporation of the City of Stratford Policy Manual

Policy Number:	P.3.9
Policy Section:	Municipal Property
Department:	Community Services
Date Adopted:	March 14, 2022
Date Amended:	
Scheduled for Review:	On as needed basis
Date of Last Review:	
Policy Type:	Council-adopted Policy

Advertising on City Property

Policy Statement:

The City of Stratford acknowledges that allowing commercial advertising and sponsorship on City property provides a financial benefit through the opportunity to offset the cost of City programs and services. The City permits commercial advertising on City property, at City events and in City publications under the conditions outlined in this policy. The City will maintain control over the planning and delivery of advertising activities through the administration of all advertising contracts. Advertisers will be required to ensure that all advertising proposals intended for use on City property or in City publications meet the criteria specified in this policy.

Related Policies:

a) Policies

- A.1.3 – Advertising in Local Event Programs
- A.1.4 – Participation in Promotional Programs
- A.1.5 – Use of Coat of Arms
- P.3.8 – Market Square Terms of Use

b) By-laws:

- 71-94 – Coat of Arms By-law
- 159-2004 – Sign By-law
- 172-2021 – Fees and Charges By-law

c) Other:

- Board of Park Management By-laws and Policies
- Heritage Conservation District Standards
- Corporate Identity Guidelines
- City of Stratford Code of Conduct

Purpose:

To ensure that all advertising and sponsorships comply with applicable legislation; are consistent with the City's corporate values and codes of conduct; and that advertisements do not adversely affect public safety or municipal assets.

Definitions:

"Advertiser" The third-party entity or person wishing to purchase advertising space on City of Stratford property, in City publications, or at a City event.

"Advertisement(s)" The content presented on a City of Stratford asset for the purpose of influencing, educating, or informing the public, and purchased by an external company, organization, association or individual and which contains sufficient information to induce the purchase of the advertiser's service, facility, or product. ~~Any paid or in-kind communication that is designed to influence, educate or inform the public.~~

"Advertising Standards Canada (ASC)" The not-for-profit Canadian advertising industry body established to create and maintain community confidence in advertising and to ensure the integrity and viability of advertising through industry self-regulation.

"Canadian Code of Advertising Standards (the "Code")" The advertising industry's principal instrument of advertising self-regulation, administered by Advertising Standards Canada, which sets the criteria for acceptable advertisements and forms the basis upon which advertisements are evaluated in response to consumer, trade, or special interest group complaints

"City property" All land, parkland, playfields, boulevards, structures, facilities, vehicles, bus shelters, benches, signage, digital boards, websites etc. owned and/or managed under a lease or license by the City of Stratford.

"City event or City program" Any activity or initiative organized by City staff and supported by a City department/division or approved by City Council.

"City publication" Any publication—print, digital or otherwise—including all media produced by or for the City of Stratford, including those produced jointly by the City and other organizations.

“Contractor” The third party entity which the City has engaged to sell and display advertisements on City property, at City events, or in City publications.

“Heritage asset” a property, portion of a property, or district that has been identified as having cultural and/or historical heritage value to the community, identified within the City’s heritage properties register.

“Paid advertising” the sale of advertising space to external third party businesses and organizations on City property, at City events or programs, or in City publications sold at rates determined by or agreed to by the City.

“Sponsorship” a mutually beneficial arrangement between the City and an external third party entity in which the entity contributes funds, goods or services to the City in return for recognition, acknowledgement or other promotional consideration.

Scope:

This policy applies to all paid or in-kind third party advertising and sponsorship on City property, at City events, and in City publications.

The City’s allowance of an advertisement does not constitute express or implied endorsement of the content or message of the advertisement, including any person, organization, products, services, information, or viewpoints it may contain, or of the advertisement sponsor itself.

Exemptions:

Sidewalk Signs

Sidewalk signs are not subject to the process outlined in this policy, but must comply with the terms specified in City of Stratford Sign By-law 159-2004 (or its successor);

Other Requests

Requests for exemption from any of the terms outlined in this policy must be presented for the consideration of Council through the Planning and Heritage Sub-committee.

Legal:

Legislation

Advertisements must, as determined by the City in its sole discretion, comply with all legislation, regulations and by-laws applicable in the Province of Ontario, including, but not limited to:

- Ontario Human Rights Code;
- Canadian Charter of Rights and Freedoms;
- Criminal Code of Canada;
- Canadian Code of Advertising Standards;
- City of Stratford By-laws and Policies, including Sign By-law 159-2004 (or its successor), Board of Park Management By-laws and Policies, Heritage Conservation District Standards, Corporate Identity Guidelines and the Market Square Terms of Use Policy.
- City of Stratford Code of Conduct

Agreements

- Advertisers may be required to enter into legal agreements with the City when deemed appropriate by the City;
- The City reserves the right to terminate an existing advertising agreement;
- The purchase of advertising space does not imply that the advertiser is entitled; to any additional benefits from the City.

Criteria:

Advertisements will be permitted on City property, at City events and in City publications following an assessment by the City of the following criteria, the determination of which is in the sole discretion of the City:

Cost

The cost of all design, production, installation, maintenance and removal of advertising devices and remediation of sites are the responsibility of the advertiser.

Location

- All advertisements on City Property must fit into the environments in which they are placed;
- Any proposed advertising must not detract from the integrity of the City landscape and must be in keeping with the character of the property;
- Advertising must not inhibit or encroach upon heritage assets. Advertising on City property in the Downtown Heritage Conservation District must be consistent with Heritage Conservation District standards;
- Advertising on Stratford City Hall is prohibited unless an exemption is granted by Stratford City Council;

- Advertising is prohibited in Market Square unless it is an accessory to or subordinate to a use that has approval, and/or is tied to a permitted licensed use in Market Square;
- Advertising in City Parks is prohibited unless an exemption is granted by the Stratford Board of Park Management;
- Advertising on City property is prohibited in residential areas unless it is included as part of a special event approved by the City in its sole and absolute discretion;
- Advertising must not conflict with existing or proposed objects within the right of way and must not conflict with existing vehicular, pedestrian, or cycling traffic.

Content

- Advertising on City property must have no adverse affect on public safety and City liability or conflict with acceptable public health policies and practices;
- Advertising must not interfere with the operation of equipment or the provision of City programs and services;
- Advertising must not be misleading or make false representations;
- Advertising must not be inappropriate or offensive in content or language, incite violence or hatred, or contain any discriminatory material, language, representation or image, as set out in the Human Rights Code;
- Advertising and sponsorship must be appropriate to the target audience and must not present products prohibited from sale to minors in such a way as to appeal particularly to persons under legal age;
- No advertisements will be accepted which promote smoking (including e-cigarettes/vaping) or any smoking brand, including sponsorship or promotion of cultural or sporting events;
- Advertisements must visibly display the name of the advertiser;
- Advertising must not mimic City of Stratford in style or content or imply the endorsement of the City,
- Advertising must not include the City's corporate identity logos, Coat of Arms without the express written prior approval of the Chief Administrative Officer of the City;
- When required by the City, the advertisement must display the following disclaimer in a manner that is legible: "The opinions expressed in this advertisement or by the sponsor of this advertisement, do not in any way represent the opinions of, and are not endorsed by, the City of Stratford."

Reconsideration:

- Notwithstanding that the City has approved advertising prior to its display, the City may subsequently require the immediate removal of the advertising if the City determines it does not comply with the provisions of this policy;

- If the advertiser or contractor fails to remove the advertising from display immediately (within 24 hours) after receiving the City's requirement to do so, the City itself may remove the advertising from display;
- The removal of advertising from display on the grounds of reconsideration by the City shall be at the sole cost of the advertiser or contractor, and the City shall not be liable in any way for any consequences of its removal;
- Any individual or advertiser who wishes to appeal a decision of the City regarding the application of the Canadian Code of Advertising Standards on Advertisements on City property or in City publications, may file a complaint with Advertising Standards Canada at adstandards.com;
- Any member of the public who objects to any advertisement governed by this policy may file a complaint with Advertising Standards Canada, following its prescribed process.

Responsibilities:

- Departments are responsible for soliciting, negotiating and administering their own advertising agreements and ensuring that advertising contractors review and abide by this Policy;
- The CAO, Directors, Manager of Transit and Manager of Recreation and Marketing are authorized to sign a standard advertising agreement drafted by the City Solicitor, that complies with the terms of this Policy on behalf of the City.
- Advertising contracts that exceed 12 months (excluding renewals or extensions) require Council approval; Note: renewals or extensions are limited to one 6-month renewal or extension, but not both.
- When considering sponsorship and advertising proposals, Departments must ensure all relevant by-laws and policies are adhered to, appropriate consultation and approval authorities are respected and, where applicable, that insurance, indemnification, and permits have been obtained;
- A signed copy of each advertising agreement shall be forwarded to the City Clerk for retention.