

CORPORATE POLICY

POLICY TITLE: REVIEW OF ADVERTISING CONTENT DISPLAYED ON CITY PROPERTY

POLICY NO.: 03.C.09

Section:	Administration & Legal		
Effective Date:	November 19, 2019	Date of Last Review:	Click or tap to enter a date.
Approval Authority: Council	Policy Owner: City Manager		
POLICY STATEMENT			
<p>The City of Vaughan (the “City”) supports the sale of third-party advertising on City Property as a method to generate non-tax revenue for City services benefitting residents and businesses in Vaughan.</p> <p>Advertising content displayed on City Property must comply with the <i>Canadian Code of Advertising Standards</i>, applicable statutes in Canada and Ontario, and City By-laws and policies.</p> <p>A fair, consistent, and open approach to administering Reviews, that arise due to third-party advertising content displayed on City Property, safeguards the City’s vision, mission, image, reputation and public interests.</p>			
PURPOSE			
<p>A Policy that:</p> <ol style="list-style-type: none"> 1. Supports the placement of third-party advertisements on City Property to assist in the provision of City services; 2. Safeguards the City’s corporate vision, image, assets, and interests; 3. Permits the placement of third-party advertisements that do not contradict any laws under the Canadian Charter of Rights and Freedoms or legislation/regulation, by-laws or policies of the Province, City, or reflect negatively on the City’s public image; and, 4. Establishes a process for administering Review requests in a manner that ensures access and fairness. 			

POLICY TITLE: REVIEW OF ADVERTISING CONTENT DISPLAYED ON CITY PROPERTY

POLICY NO.: 03.C.09

SCOPE

This Policy applies to all third-party advertising content displayed on City Property, including Property subject to private public partnerships.

Out of Scope: This Policy does not apply to advertising on private land, buildings and structures in the City.

This Policy does not apply to advertising purchased by the City.

LEGISLATIVE REQUIREMENTS

1. The Canadian Code of Advertising Standards;
2. All applicable laws including the Constitution, and also Provincial and City By-laws, policies and procedures.

DEFINITIONS

1. **Advertising:** The sale, lease, granting of City Property to a third-party for the purpose of promoting a product, service or cause.
2. **Advertising Review Panel [“ARP”]:** A panel consisting of three (3) Members of the City’s Senior Leadership Team as determined by the City Manager, except for the Deputy City Manager for Administrative Services and City Solicitor, and the City Manager.
3. **City:** The Corporation of the City of Vaughan.
4. **City Clerk:** The City Clerk, or a designate.
5. **City Property:** City-owned assets and rental spaces. These include, but are not limited to, events, publications, indoor and outdoor facilities and open spaces, vacant land, separate components of a facility, signage, and other assets owned by the City, including assets subject to private public partnership agreements.
6. **Council Member:** The Mayor and Members of City Council.
7. **Department Head:** A senior management employee accountable and responsible for the operations of a City department, including Directors and Chiefs.
8. **Reviews:** The process of examining a subject matter, whether retroactively or proactively.
9. **Review Requests:** A written request to the City Clerk to have a Review of advertising content on City Property from the following parties:

POLICY TITLE: REVIEW OF ADVERTISING CONTENT DISPLAYED ON CITY PROPERTY

POLICY NO.: 03.C.09

- 9.1 A Council Member who submits one (1) self-identified Review Request, or,
9.2 Any ten (10) members of the public, along with their name, address and contact information, who want a Review of the same advertisement, or,
9.3 A third-party advertiser, and/or their agent(s), who requests a Review of advertising content prior to, or post publishing.

POLICY

1. General

- 1.1. The placement of any advertising by a third-party on City Property does not represent or imply any partnership with the City, nor the City's endorsement of any product, service, person(s), company, organization, beliefs, views, or any contents contained in the advertisement and does not constitute information or communication by or on behalf of the City.
- 1.2. All third-party advertising on City Property is managed by contract between the City and advertising entity(ies) and/or their agent(s), administered by the Department Head responsible for the subject City Property. The content of such contracts is prepared to the satisfaction of the Department Head, and in a form satisfactory to the Legal Services Department.

2. Review Request Process

- 2.1. All Review Requests shall be submitted directly to the City Clerk, in accordance with the form and requirements of the City Clerk.
- 2.2. Upon receipt of a completed Review Request, the City Clerk will immediately:
- 2.2.1. Register it
 - 2.2.2. Summarize it
 - 2.2.3. Circulate it to the Legal Services Department for a legal opinion
 - 2.2.4. Notify the Director of Corporate & Strategic Communications
- 2.3. Upon receiving the legal opinion, the City Clerk will circulate the registered Review Request to the ARP for their Review.
- 2.4. The ARP has the authority:
- 2.4.1. To assess registered Review Requests, summaries, and legal opinions;
 - 2.4.2. To decide to accept or refuse the display of advertising content on City Property without Council approval; and/or

POLICY TITLE: REVIEW OF ADVERTISING CONTENT DISPLAYED ON CITY PROPERTY

POLICY NO.: 03.C.09

2.4.3. To refer registered Request Reviews to City Council that are determined to be non-routine (examples such as a community-wide impact or legal implication). A staff report, authorised by the City Manager, shall accompany the referred matter to Council.

2.5. Each member of the ARP independently submits their decision to the City Clerk in writing for tally by the City Clerk. The majority count determines the final decision of the ARP.

2.6. Notwithstanding 2(iii) of this Policy, the City Clerk communicates ARP decisions to the Review Request party, any applicable Department Heads, and to other effected entities. Except for Request Reviews under 4(iii), all ARP decisions are communicated to Members of Council, as a written Communication Item on an agenda of a future Standing Committee or Council meeting.

2.7. Upon receiving notice of the ARP or Council decision by the City Clerk, the applicable Department Head responsible for the subject Property fulfils the direction. For example, if the ARP or Council refuses advertising content on City Property, the Department Head ensures the ad is removed, or not displayed on City Property.

2.8. Time is of the essence in administering this Policy.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	3 Years If other, specify here	Next Review Date:	November 18, 2022
-------------------------	-----------------------------------	--------------------------	-------------------

Related Policy(ies):	CIIR-001 - Corporate Partnerships
-----------------------------	-----------------------------------

Related By-Law(s):	140-2018 - Signage
---------------------------	--------------------

Procedural Document:	PRC.12- Review of Advertising Content Displayed on City Property
-----------------------------	--

Revision History

Date:	Description:
--------------	---------------------

Click or tap to enter a date.	
-------------------------------	--