



Town of Ayden

Ayden Arts and Recreation

Sponsorship, Naming Rights, and Donation Policy

November 2016

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Sponsorship Manual Introduction

This Ayden Arts and Recreation Sponsorship Manual contains a number of policies and forms that will allow us to clarify and streamline our operations while providing more effective services to our citizens now and in the future as the Arts and Recreation Department continues to grow. It is important to note that these policies can be amended in the future as needed.

Parks and Recreation Sponsorship Manual

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Town of Ayden

Arts and Recreation Sponsorship Policy

Introduction

The mission of the Arts and Recreation Sponsorship Program is to develop and implement policies that allow the Town of Ayden Arts 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 Ayden residents, and to provide Arts and Recreation program scholarship and sponsorship opportunities for deserving Ayden residents.

Policy Statement

The Town of Ayden will seek sponsors that further the Town's mission by providing monetary or in-kind support for the Town in a manner that respects the noncommercial nature of Town property and services. The public's trust, including the public's perception of the Town's fairness and impartiality, and the town's reputation (sometimes collectively referred to as 'public trust') may be damaged by sponsorships that are aesthetically displeasing, politically oriented, inconsistent with the Town's public mission and core services, or otherwise inappropriate for, or offensive to, the audience or segments of its citizenry. When the Town loses the public trust, its ability to govern efficiently and effectively is impaired. Therefore, the Town of Ayden permits certain sponsorship of certain Town property, facilities, events, activities, programs and services (collectively 'facilities and services') in limited circumstances. The Town maintains its sponsorship program as a nonpublic forum and exercises sole discretion over who is eligible to become a sponsor according to the terms of this policy.

Whenever possible, sponsorships should be linked to a specific Town facility or service. The Town will neither seek nor accept sponsors that manufacture or provide services or products or take positions inconsistent with local, state or federal law or with Town policies, positions or resolutions. The establishment of a sponsorship does not constitute an endorsement by the Town of the sponsor, its organization, products or services.

This policy sets the standards, guidelines and approval criteria for solicitation, consideration and acceptance of sponsorships. This policy is designed to protect the mission, image and values of the Town of Ayden, to protect the image and value of its facilities and services, to protect the

Town from risk and to uphold the Town's stewardship role to safeguard Town assets and interests. No sponsorship shall be approved that will compromise or damage the public trust or conflict with or compromise the Town's reputation, mission, image, values or aesthetic interests.

This policy is also designed to:

- Ensure an open and fair public process for soliciting and considering sponsorship opportunities;
- Provide the Town of Ayden with full and final decision making authority on any sponsorship opportunity, thus protecting its integrity and the integrity of its facilities and services;
- Allow eligible outside entities interested in sponsorship opportunities ('potential sponsors') to easily view and understand the various sponsorship opportunities available;
- Help potential sponsors, Town staff and the public to better understand the procedures for sponsorship

Sponsorships vs. Donations

It is important to note that there is a difference between a sponsorship and a donation. Basically, sponsorships are cash or in-kind products and services offered by sponsors with the clear expectation that an obligation is created. The recipient is obliged to return something of value to the sponsor. The value is typically public recognition and publicity or advertising highlighting the contribution of the sponsor and/or the sponsor's name, logo, message, products or services. The sponsor usually has clear marketing objectives that they are trying to achieve, including but not limited to the ability to drive sales directly based on the sponsorship, and/or quite often, the right to be the exclusive sponsor in a specific category of sales. The arrangement is typically consummated by a letter of agreement or contractual arrangement that details the particulars of the exchange.

In contrast, a donation comes with no restrictions on how the money or in-kind resources are used. This policy specifically addresses sponsorships, the agreements for the procurement of the resources, and the benefits provided in return for securing those resources. Since donations or gifts come with no restrictions or expected benefits for the donor, a policy is generally not needed.

Definitions

For the purpose of this policy the following definitions apply:

Parks: all traditionally designed parks, gardens, natural open spaces, and specialized parks under the stewardship of Ayden Arts and Recreation.

Recreational facilities: major structures such as community centers, splash pad, pavilions, tennis courts, and sports fields, located within lands under the stewardship of Ayden Arts and Recreation.

Donations: a donation of property, goods or cash generally with no expectation of return. If the gift is contingent upon a special request, it is made subject to “condition.”

Sponsorship: financial or in-kind support from an individual or corporation for a specific service, program, facility, park or event in return for certain benefits.

Sponsorship Agreement: the legal instrument that sets out the terms and conditions the parties have agreed to.

Naming: the permanent name assigned by City Council via an ordinance to a given park or recreational facility.

Recognition Benefits: opportunities given to the sponsor to have its name/logo appear on park property or materials for a specified period of time.

Plaque: a flat memorial plate containing information that is either engraved or in bold relief.

Advertising: the activity of attracting the public’s attention to a particular product or service.

Logo: a symbol or name that is used to brand an organization.

Corporate Slogan: a word or phrase that may be attached to a corporate name or logo, e.g., Parks make life better, Play like there no tomorrow, etc.

Sign: a structure that is used to identify a specific park, to convey directions to park users, and/or to inform them of the relevant regulations and other pertinent information

Temporary Sign: a sign that is erected for a known period of time, usually not exceeding 12-18 months.

Interpretive Sign: a sign within a park that interprets natural, historic, and/or cultural features.

Authority Levels and Sponsorship Categories

The Town of Ayden possesses sole and final decision-making authority for determining the appropriateness of a sponsorship. Unless a sponsorship opportunity requires Town Board

approval, the Town shall act through its town manager, or designee(s). The Town has and reserves the right to refuse any offer of sponsorship. All offers of sponsorship will be reviewed in accordance with this policy.

Arts and Recreation Director (referred to hereafter as ‘director’) should receive all offers of sponsorship for eligible facilities and services, determine that the offer is complete and properly executed, and shall determine the level, defined below, of each offer and the corresponding approval process. Director should also determine, for offers that might involve exclusivity, whether or not there are active or potential sponsorships in the same category and identify such other sponsorships. All Level 1 or 2 sponsorship must be reviewed by the Arts and Recreation Commission for recommendation.

Levels of Sponsorship

- **Level 1 Council Approval Required:** Offers of sponsorship that are for terms of more than two years, or are projected to generate \$5,000.00 or more, or that involve naming rights for any Town facility, shall require the approval of the Town Board upon recommendation by the Arts and Recreation Commission.
- **Level 2 Manager Approval Permitted:** Offers of sponsorship that are for terms of up to two years, and are projected to generate less than \$5,000.00, may be approved by the town manager (referred to hereafter as ‘manager’). All Sponsorship Agreements within this Level 2 shall be approved by the manager. The manager will report all Sponsorship Agreements to the Town Board. The manager may refer any proposed offer of sponsorship or Sponsorship Agreement within the manager’s authority level to the Town Board for approval.
- **Level 3 Director Approval Permitted:** Offers of sponsorship that are for terms of up to one year, are projected to generate \$1000.00 or less and do not involve any naming rights may be approved by the Arts and Recreation director (referred to hereafter as ‘director’) upon consultation with the Town Manager. The director may also execute the resulting Sponsorship Agreement. The arts and recreation director will provide a written report to the Town Manager and the Arts and Recreation Commission.

Sponsorship Categories

Sponsorship that requires permanent use of sponsor name and/or logo must be approved by Town Board.

Sponsorships are appropriate for four broad types of department activities and places:

- **Event Sponsorship:** Event sponsorship is the financial or in-kind support for a

department organized event on City property. An event includes a one-time occasion (e.g. a sports clinic at a recreation center, a dance, a volunteer project) and usually lasts less than a week. Sponsors may be recognized vis-à-vis anything relating to the event. Depending upon the details of the agreement, the sponsor's name may be directly associated with the event (e.g. "title" sponsorship) and the sponsor may have a variety of temporary advertising and marketing opportunities.

- **Project Sponsorship:** Project sponsorship is financial or in-kind support of a specific department project which is usually a one-time effort. Results often include a product being developed for the department and for the public (e.g. department facility map, master plan for a park). Depending upon the details of the agreement, the sponsor's name and logo could be attached directly to the product and other marketing opportunities are available. Such use of sponsor's name and/or logo require Town Board approval.
- **Program Sponsorship:** Program sponsorship is financial or in-kind support of a department led program for the public. A program includes a series of on- going activities (e.g., youth sports leagues, after-school classes, or summer interns) organized by the department. Recognition of the sponsor may continue throughout and even after the program's duration. Depending upon the details of the agreement, a sponsor's name can be associated directly with the program (e.g. "Tommy's Safety First Program") and other marketing opportunities are available.
- **Site Sponsorship:** Site sponsorship is financial or in-kind operating support of a specific department place or feature (e.g. Disc Golf Course, Splash Pad, Dog Off-Leash Area, and a new Playground). Marketing opportunities and recognition of the sponsorship are negotiated in the agreement. The agreement will be finalized upon the Town Board approval.

Sponsorship Proposals

The Town of Ayden Arts and Recreation Department welcomes sponsorships as an opportunity to enhance our services as long as the sponsorships are consistent with Town policies and regulations; respect the physical beauty of public spaces; and reaffirm the department's mission and core services. In considering any proposal for sponsorship of a department activity or place by a for-profit entity, the following questions should be considered individually and collectively

Guidelines for accepting sponsorships

The following guidelines form the basis of the Town of Ayden's consideration of sponsor proposals:

1. All sponsorships must directly relate to the intent of a facility or subject park and its master plan, or to a specific event or program.
2. Sponsorships cannot be made conditional on the Town of Ayden's performance.
3. The mission of a sponsorship organization shall not conflict with the mission of the Town of Ayden.
4. Sponsorship benefits offered shall be commensurate with the relative value of the sponsorship.
5. Individual sponsors shall not limit the Town of Ayden's ability to seek other sponsors.
6. Recognition benefits to be offered shall not compromise the design standards and visual integrity of a park or facility.
7. An evaluation of a potential sponsor shall include, but not be limited to:
 - Products/services offered
 - Company/organization's record of involvement in environmental stewardship and social responsibility
 - Principles of the company/organization
 - Sponsor's expectations
 - Sponsor's timeliness and readiness to enter into an agreement

Procedures

Sponsorships are arranged primarily through two processes: a) self-initiated by the potential sponsor or b) initiated by the department through a formal or informal "RFS" (Request for Sponsors) process.

Interested sponsors are encouraged to contact the department at any time to discuss a potential sponsorship or can submit an "Interest in Corporate Sponsorship" application.

If initiated by the potential sponsor, the procedure is:

- Completion of an application (interest in sponsorship)
- Meeting with assigned department staff
- Sponsorship drafted, with levels of sponsorship, benefits to the department, and program details evaluated. Sponsorship draft evaluated against policies.
- Approval by the Manager and/or recommendation to Board of Commissioners.
- Legal agreement.

At times, the department will issue requests for sponsorship (RFS) through various media, such as direct mail, website, or publications:

- Prior to contacting local businesses, staff will contact the Director, regarding which businesses to approach for sponsorship. The Director will make this decision with staff

based on the type of opportunity, previous sponsors of the program or event, and the recent sponsorship solicitation activity.

- The Director will draft a list of businesses that would be considered the target market for the specific sponsorship opportunity. This process will be handled solely by the Director, as to avoid repeat solicitation efforts in a short period of time.
- Staff will then contact businesses to discuss sponsorship opportunities, therefore establishing business relationships with companies that directly relate and would benefit from sponsoring a particular program. Staff will be given materials by the Director (sponsorship packet, web address, etc.) to distribute to businesses.
- Staff will update the Director on the progress of the solicitation efforts, and will inform the Director if they need to follow up directly with a business based on the staff's interaction.
- Once a business expresses interest in sponsoring a program or event, staff will direct them to the Director, who will follow up with the business and will finalize sponsorship agreements. If the sponsorship amount exceeds \$1,000, then the Director will notify the Town Manager, and will move forward with the process under the manager's direction.
- The Director will notify the appropriate staffs of the agreement that has been made with the sponsor, and will get the staff members the materials from the sponsor that are necessary to carry out the terms of the agreement.
- The Director will track contact information for local businesses, which business have been contacted, when and by whom, as well as sponsorships that have been finalized.

Terms of Agreement

The department will use current market research data to calculate the value for each tangible and intangible asset offered by the department or the Town to the sponsor. Costs related to the sponsorship incurred by the department (maintenance, staffing, materials) will be incorporated into the sponsorship costs.

Determining sponsorship costs and values will be a mixture of "value-based" system (e.g. based upon the value of the tangible and intangible marketing and brand benefits to the sponsor) and a "cost-based" system, where the goal is to recover at least the costs of an event, program, project, or site operations.

Agreements should include the following at a minimum:

- Clear statement of how the department is improving services through this funding and how the sponsorship supports the mission and vision of the department.
- The financial value, benefits associated, costs of the sponsorship, including any exclusivity or other hierarchy of benefits.
- Type and time limit for each sponsorship.

- Clear statement of the department's and the sponsor's responsibilities and roles

Criteria for Review of Sponsors and Offers of Sponsorship

Sponsorships of Town facilities and services are maintained as a nonpublic forum. Although the Town recognizes and confirms that entering into a sponsorship agreement is not an endorsement of that sponsor or its services or products, sponsorships do imply some affiliation between the Town and the sponsor. As discussed in the Statement of Policy, such perceived affiliation can affect the public trust and the Town's ability to govern equitably, efficiently and effectively. Therefore, no potential sponsor and no offer of sponsorship will be approved that might compromise the public trust or the public's perception of the Town's ability to act in the public interest, or that the town deems might have a negative impact on its mission, image or values. The Town also intends to preserve its right and discretion to exercise full editorial control over the placement, content, appearance, and wording of all sponsorship recognition messages. The Town may make distinctions on the appropriateness of sponsors on the basis of the sponsorship recognition message but not on the potential sponsor's viewpoint.

Sponsorships and outside entities that the Town deems to be unsuitable for the specific audience or contrary to the community standards of appropriateness for the facility or service are prohibited, including the following subject matters:

- Alcoholic beverages, and establishments that are licensed to sell and primarily do sell alcoholic beverages, including bars; provided, however, that food service establishments or places of lodging may be authorized as sponsors only when the sale of alcohol is incidental to providing food service or lodging. Limited sponsorships that include alcohol pouring rights may be considered for events or facilities at which alcoholic beverages are sold.
- Tobacco products.
- Political and policy issues, candidates and campaigns.
- Profanity, obscenity and hate speech.
- Sexually oriented products, activities, or materials.
- Depiction in any form of illegal products, activities or materials.
- Any message that may adversely impact the mission, image and values and goals of the Town of Ayden.

Every sponsorship offer shall also be evaluated by taking into consideration the personalities and characteristics of the average attendee of each facility or service proposed for sponsorship and the mission, values, and image of the Town.

- The following criteria shall also be considered in evaluating every offer.

- The extent and prominence of the sponsorship recognition message.
- The aesthetic characteristics of the sponsorship recognition message.
- The importance of the sponsorship to the mission, values and image of the Town.
- The level of support proposed to be provided by the sponsor.
- The cooperation necessary and degree of support from other Town departments to implement the sponsorship.
- The value of the resources that is provided to the Town in fulfilling its overall mission.
- Other factors that might affect or undermine the public trust or public confidence in the Town's impartiality or interfere with the efficient delivery of Town services or operations, including, but not limited to, the existence of, or possibility for, conflicts of interest between the sponsor and Town officers, employees, or Town affiliates; the potential for the sponsorship to tarnish the Town's reputation or standing among its citizens, or the potential to otherwise impair the ability of Town to govern its citizens, or distract the Town and its officers and employees from its mission.

Types of Recognition

Sponsors shall be provided with a level of recognition that is commensurate with their contribution. In acknowledging a sponsor, preference will be given to an off-site form of recognition that may include one or more of the following:

- A thank you letter.
- Publicity through the Town of Ayden's Web site, newsletters, and/or media releases, and through the sponsor's corporate newsletter, annual report, and/or Web site.
- Events such as a press conference, photo opportunity, ground breaking or ribbon cutting ceremony.
- Mayoral and/or Commissioner acknowledgement at civic functions.
- Commemorative items such as a framed picture or plaque.
- Register of sponsors that is accessible to the public either online or at Town of Ayden administrative offices.

Where on-site recognition is to be provided, types of recognition may include:

- Temporary signs, which may include the use of logos, acknowledging a sponsor during the construction or restoration of a particular facility, park or an event.
- Banners, which may include the use of logos, acknowledging a sponsor during event and/or program.
- Interpretive sign, which may include the use of logos.
- Permanent plaque or sign (permanency is limited to the life of the asset).
- Naming of a particular facility within a facility or park where the sponsorship covers the majority of the cost of the particular facility or structure (See Town of Ayden Naming Policy)

Determining Types of Recognition

Decisions as to the type of recognition to be provided to a sponsor of \$5,000 or less shall be made by the Ayden Town Manager or designee. For sponsorships over \$5,000, decisions shall be made by the Ayden Town Board, unless it involves naming of a facility, in which case the Town of Ayden Naming Policy procedures shall apply. In determining the type and extent of recognition benefits, current market research data will be used to determine the value for each tangible and intangible benefit offered to the sponsor.

Determining Design Standards for Various Types of Recognition

- **Design and Location of Signs and Plaques.** Recognition of a sponsor shall be permitted on either a temporary sign or a sign that is of a directional, informative or interpretive nature. In such circumstances the sponsor's name and/or logo shall be designed so that it does not dominate the sign in terms of scale or color. The Town Manager or designee shall determine approval of a sponsor's name and/or logo on signs. The Town Manager or designee shall also approve the design and content of plaques, and the siting of temporary signs and plaques. (See Town of Ayden Signage Policy)
- **Design and Information Requirements for Web Site.** The Town Manager or designee, in consultation with the Web Manager, shall determine the design and information to be posted on the Town's Web site as it relates to sponsor recognition.

Terminating Sponsorships

The Town of Ayden reserves the right to terminate any sponsorship should conditions arise during the life of that sponsorship that result in the sponsorship conflicting with this policy or the sponsorship is no longer in the best interest of the Town of Ayden. Decisions to terminate a sponsorship shall be made by the Town Manager.



Town of Ayden

Arts and Recreation Naming Policy

Introduction

The naming or renaming of parks and recreational facilities is a complex and sometimes emotionally evocative since assigning a name is a powerful and permanent identity for a public place and/or facility. The naming and renaming of parks and/or recreational facilities often requires significant resources in terms of changing names on signs, maps, and literature. In addition, excessive and constant name changing can be the source of confusion to the public.

Purpose

The purpose of this policy is to establish a set of standard procedures and guidelines for the naming and renaming of parks, recreational areas and facilities owned and/or operated by the Town of Ayden. This policy will guide name recognition and establish its uniform application. It is realized that responsibility for naming city parks, recreational areas and facilities lies with the Town Council. The Town Board will rely on the Arts and Recreation Commission for input and recommendation for the naming of city parks, recreational areas and facilities. Naming rights carry no power of direction, or implied power of direction, to the Town on matters in any respect, including and without limitations, of appointment of persons, Town policy, or any other government process.

Policy Statement

It is the policy of Ayden Arts and Recreation to reserve the name or renaming of parks and/or recreational facilities for circumstances that will best serve the interests of the town and ensure a worthy and enduring legacy for the Town's park and recreation system.

To this end Ayden Arts and Recreation supports consideration of naming requests within the following broad categories.

Historic Events, People, and Places

The history of a major event, place or person may play an important role in the naming or renaming of a park as communities often wish to preserve and honor the history of a town, its founders, other historical figures, its Native American heritage, local landmarks and prominent geographical locations, and natural and geological features through the naming of parks.

Outstanding Individuals

The Town has benefited, through its evolution, from the contributions made by many outstanding individuals. This category is designed to acknowledge the sustained contribution that has been made by such individuals to the Town and the development and management of the Town's park and recreation system.

Major Gifts

Over the years, the Town and Ayden Parks and Recreation have benefited from the generosity of some of its residents, businesses, and foundations. On occasion, the significance of such donations may warrant consideration being given to requests from either the donor or another party to acknowledge such a gift by naming.

Definitions

For the purpose of this policy the following definitions apply:

Dedication: a ceremonial distinction given to a public area or facility subordinate to the permanent assigned name.

Donation: a monetary or nonmonetary gift for which no commercial advertising benefits are sought. A monetary donation includes cash, check, money order or other negotiable instrument. A nonmonetary donation includes real or personal property.

Recreational facilities: major structures such as community centers, splash pads, pavilions, tennis courts, and sports fields, located within lands under the stewardship of Ayden Arts and Recreation.

Naming: the permanent name assigned by Town Board to a public area or facility

Legacy Naming: means sponsorships by individuals, non-profit corporations, foundations or corporations.

Commemorative Naming of a Park and/or Recreational Facility

Commemorative naming

Commemorative naming refers to the naming of a property in recognition of geographic, cultural, natural and/or geological features or in honor of outstanding achievement, distinctive service, or significant community contribution, generally without financial consideration.

General Principles

In considering proposals for the naming or renaming of a park and/or recreational

facility, the following general principles will be taken into account either collectively or individually.

When naming a new park and/or recreational facility, the proposed name will:

- Engender a strong positive image
- Be appropriate having regard to the parks/recreational facility's location and/or history
- Have historical, cultural or social significance for future generations
- Commemorate places, people or events that are of continued importance to the town, region, state, and/or nation
- Have symbolic value that transcends its ordinary meaning or use and enhances the character and identity of the park and/or recreational facility
- Have broad public support
- Shall not result in the undue commercialization of the park and/or recreational facility if it accompanies a corporate gift

Naming of parks and/or recreational facilities for Outstanding Individuals

Naming of a park and/or recreational facility for an outstanding individual is encouraged only for those who have been deceased for at least three years (this provision can be waived at Council's directive) and where that person's significance and good reputation have been accepted in the Town's, State's and/or Nation's history.

In considering the naming of a park and/or recreational facility after a deceased person, priority will be given to those who made a sustained and lasting contribution to

Ayden's arts and recreation system

The Town of Ayden

The State of North Carolina

The Nation

The naming of a park and/or recreational facility after people who may have lost their lives due to war or a tragic event will be considered only after the shock of such event has lessened within the community.

Naming for Historic Events, People, and Places

When a park and/or recreational facility is associated with or located near events, people, and places of historic, cultural or social significance, consideration will be given to naming that park and/or recreational facility after such events, people, and places. In considering such proposals, the relationship of the event, person or place to the park and/or recreational facility must be demonstrated through research and documentation.

Other Considerations

To minimize confusion, parks will not be subdivided for the purpose of naming unless there are

readily identifiable physical divisions such as roads or waterways. However, naming of specific major recreational facilities within parks will be permitted; under these circumstances such names should be different to the park name to avoid user confusion. All signs that indicate the name of a park and/or recreational facility shall comply with Ayden Arts and Recreation's graphic and design standards. Specialized naming signage will not be permitted.

Renaming a park and/or recreational facility

Proposals to rename parks and/or recreational facilities whether for a major gift or community request are not encouraged. Likewise, names that have become widely accepted by the community will not be abandoned unless there are compelling reasons and strong public sentiment from the broader community for doing so. Historical or commonly used place names will be preserved wherever possible.

Procedures

These procedures have been established to ensure that the naming or renaming of parks and/or recreational facilities is approached in a consistent manner.

Requests for naming/renaming of parks and/or recreational facilities

All requests for the naming or renaming of a park and/or recreational facility shall be made in a submittal to the Director of Ayden Arts and Recreation. The following process must be followed in order to name, rename or dedicate a public area or facility in the Town of Ayden:

- An applicant must submit the "Naming and Dedication Application Form" to Arts and Recreation Director.
- The application form must be submitted by no later than the Second Monday of the month in order to be discussed by the Arts and Recreation Commission at that month's regularly scheduled meeting. If the request is not received before the deadline, the request will be reviewed by the Arts and Recreation Commission at the next month's regularly scheduled meeting.
- If the application is determined by Director to be accurate and complete, the request will be presented to the Arts and Recreation Commission for review and discussion.
- The Parks and Recreation Commission will make a recommendation for approval or denial and forward its decision to the Ayden Town Board.
- The request will then be placed on the Ayden Town Board's agenda for discussion and action within sixty (60) days following receipt of the Arts and Recreation Commission recommendation.
- Ayden Town Board will allow for public input and comment.
- Ayden Town Board will confirm park, recreation areas and facility names by resolution.
- Ayden Town Board has final approval and may reject any naming or renaming request.

Appeals

Any person whose proposal to name/rename a park and/or recreational facility is denied by the Arts and Recreation Commission may appeal to Town Board by petition through the Town Clerk.

Naming of a Park and/or Recreational Facility for Major Donations

Naming for Major Donations

From time to time, a significant donation may be made to the Town that will add considerable value to the Town's art and recreation system. On such occasions, recognition of this donation by naming a new park and/or recreation facility in honor of or at the request of the donor will be considered

Procedures & Guidelines

These procedures and guidelines for major donations have been established to ensure that the naming of parks and/or recreational facilities is approached in a consistent manner.

Guidelines

As a guideline, the threshold for considering the naming of a park and/or recreational facility will include one or more of the following:

- Land for the majority of the park was deeded to the city.
- Contribution of a minimum of 80% of the capital construction costs associated with developing a new park/recreational facility.
- Contribution of a minimum of 60% of the capital construction costs associated with existing park/recreational facility.
- Contribution at the minimum level does not guarantee the town's approval of the balance of construction cost. Town funding its part of the construction cost will depend on availability of Town funds and approval by the Town Board

Exclusions

- Naming associations with tobacco, alcohol, contraceptives, religious organizations, political candidates or adjudicated felons are prohibited.
- Donors seeking naming rights for major donations with respect to an individual will be encouraged to follow the principles that apply to naming a park for an outstanding person. Exceptions to this will be considered on their own merits. Ayden Arts and Recreation reserves the right to rename any park and/or recreational facility if the person for whom it is named turns out to be disreputable or subsequently acts in a disreputable way.

- The dedication of small park amenities with an identifiable lifespan and not intended to be permanent such as fixed park benches and tables shall be addressed under a separate parks policy.

Procedures for Considering the Naming of Public Facilities for Major Donors

The Arts and Recreation Director shall first evaluate the prospective donor and make a recommendation to the Arts and Recreation Commission to accept or reject the proposal. Rejection of a proposal is subject to the appeals process. Any person whose proposal is denied by the Arts and Recreation Commission may appeal to Town Board by petition through the Town Clerk. If the recommendation is to accept, the Arts and Recreation Commission shall provide the Town Board a report that highlights the nature of the donation and a draft agreement that includes items found below.

- Amount of contribution to be in cash and/or in kind service.
- A date by which the contribution must be received.
- A starting date and ending date as to when the naming rights begin and end.
- Provision for cancellation of naming rights in the event the entity ceases business operations or becomes involved in an activity that is deemed unsuitable by the Town, shall retain all contributions in this provision.

The Town Board will then consider the agreement and reserves the right to accept or reject the agreement based on the terms of the agreement and/or based on the suitability of the proposed donor. The Town Board ultimately reserves the right to accept or reject any proposal as it deems fit. The Town Board's decision shall be binding.



Town of Ayden

Arts and Recreation Donation Policy

Introduction

The Town of Ayden Arts and Recreation Department seeks to establish alternate revenue streams that will increase its ability to deliver services to the community and provide enhanced levels of service beyond the core levels funded from the Town's general fund. Among the alternate funding sources being pursued are donations and memorials.

Policy Statement

It is the policy of the Town of Ayden Arts and Recreation Department to accept donations for its events, services, programs, parks and facilities from individuals, foundations, corporations, nonprofit organizations, service clubs and other entities. The purposes of such donations are to increase the arts and recreation department's ability to deliver services to the community and provide enhanced levels of service beyond the core levels funded from the Town's general fund.

The Town of Ayden Arts and Recreation Department encourages and welcomes donations by private citizens and corporations of certain lands and conservation easements upon undeveloped lands in order to protect natural, scenic, open or wooded areas within the Town.

The Town of Ayden Arts and Recreation Department also accepts memorial contributions that preserve the memory of a deceased person(s) or an event that occurred in the past.

Definitions

For the purpose of this policy the following definitions apply:

Donation: a monetary or nonmonetary gift for which no commercial advertising benefits are sought. A monetary donation includes cash, check, money order or other negotiable instrument. A nonmonetary donation includes real or personal property.

Memorial: an item or object established to preserve the memory of a deceased person(s) or an event that occurred in the past.

Monument: a type of memorial constructed from stone or a similar form that is hewn into a definite shape for a definite purpose, most often to commemorate a deceased person or an event that occurred in the past.

Sponsorship: financial or in-kind support from an individual or corporation for a specific service, program, facility, park or event in return for certain benefits, most often public recognition and commercial advertising.

Donation Procedures and Guidelines

The Town of Ayden Arts and Recreation Department has the discretion to accept or decline any proposed donation subject to the provisions of this policy. The procedures and guidelines contained within this policy do not apply to sponsorships (see Town of Ayden Arts and Recreation Department Sponsorship Policy).

General Donation Acceptance Guidelines

All goods, services, or other contributions offered by individuals, companies, foundations, non-profit organizations, or other entities will be considered for acceptance or rejection. The acceptance of donations to the Ayden Arts and Recreation Department will be based on the following guidelines.

- Purpose of the donation.
- Community or municipal need for the donation.
- Compatibility of the donation with the Ayden Code of Ordinances, policies, programs and other applicable laws.
- Timeliness of the donation as it relates to implementation.
- Level of benefit and financial impact to the Arts and Recreation Department.

All donations shall be reviewed by the Town Manager or designee in advance of acceptance to ensure consistency with established policy guidelines.

Acceptance of Monetary Donations

1. **Donations Greater than \$2,500.** Donations of any amount greater than \$2,500 must be reviewed by the Town Board. Town Board will evaluate any policy implications associated with the donation before acceptance. In the event that a donation would be in conflict with the “Ethical Considerations Associated with Donations” outlined in this document or would place an undue burden on the Town, the Town Board has the authority to reject any donation valued greater than \$10,000.
2. **Donations valued at \$2,500 or less.** The Town Manager or his designee is hereby authorized to accept monetary donations of \$2,500 or less on behalf of the Town, and shall deposit such monies with the finance department. In the event that a donation would be in conflict with the “Ethical Considerations Associated with Donations” outlined in this document or would place an undue burden on the Town, the Town

Manager has the authority to reject any donation valued at \$2,500 or less.

3. **Conditioned Donations.** If a monetary donation is conditioned or donated for a special purpose, prior to acceptance, the Town Manager or designee or Town Board (depending on who is accepting the donation under subsections 1 and 2 of this section) should consider the long-term impacts of the donation, particularly where there could be significant future or ongoing operations, maintenance or capital costs associated with the donation. A donation for a specific program or service does not obligate the Arts and Recreation Department to continue the program or service indefinitely.
4. **Council Notification.** The Town Manager shall notify Town Board of all accepted donations and their purpose.

Acceptance of Nonmonetary Donations

Donation of Personal Property Valued at More Than \$2,500. All donations of personal property with a current value greater than \$2,500 must be reviewed by the Town Board. If the personal property could require future maintenance or repair, the Town Manager should first assess all related future costs and submit the assessment of expenses to the Town Council. In the event that a donation would be in conflict with the “Ethical Considerations Associated with Donations” outlined in this document or would place an undue burden on the Town, the Town Board could reject any donation valued greater than \$2,500.

Donations of Personal Property Valued at \$2,500 or less. All donations of personal property with a current value of \$2,500 or less may be accepted by the Town Manager or designee, except as follows. In the event of a donation of personal property which could require future maintenance or repair (e.g., office equipment), the Town Manager or designee should first assess all related future costs prior to accepting the donation. In addition, if a conditioned donation could have long-term impacts, such as significant operations, maintenance or capital costs, the Town Manager shall consult with the Town Board prior to accepting the donation. In the event that a donation would be in conflict with the “Ethical Considerations Associated with Donations” outlined in this document or would place an undue burden on the Town, the Town Manager has the authority to reject any donation valued at \$2,500 or less.

Acceptance of Real Property Donations

The Town Manager shall have the authority to coordinate the formal process of accepting donations of real property, conservation easements or restrictions upon undeveloped lands. All gifts of real property must be accompanied by a signed letter which includes the donor’s intent to make the gift as well as restrictions and/or conditions accompanying the gift. Writings and

documents relating to gifts of real property must include representations in regards to hazardous materials and whether the property has been ever used for purposes prohibited by environmental laws. Gifts of real property or any interest therein must also be documented by an appropriate recordable instrument, e.g. deed, lease, or trust.

Acceptance of gifts of real property is conditioned upon review by the Town Manager. The review shall determine the following:

- Whether the property is or will be of any value to the Arts and Recreation Department, e.g. economic, historic, social or other;
- What, if any, obligations will be assumed by the Arts and Recreation Department upon acceptance of the gift including the cost of accepting, maintaining and disposing of the property.
- Whether an environmental audit is necessary to determine whether the property contains any hazardous material or has been used in a manner prohibited by environmental laws.
- The review process will include consideration of the gift of real property by the Arts and Recreation Commission which will make recommendation to the Town Manager.
- Upon completion of the review, the Town Manager shall make a recommendation to the Town Board whether to accept or decline the gift. Acceptance requires a resolution of the Town Board adopted by a majority vote.

Ethical Considerations Associated with Donations

Donations are an important way in which the Town of Ayden Arts and Recreation Department can obtain additional resources to support the pursuit of its mission. However, donations may come with unintended consequences and, as such, all donation offers need to receive careful consideration.

On occasion the Town of Ayden Arts and Recreation may need to reject a donation offer.

Circumstances under which this may occur include:

- The potential donor seeks to secure a contract, permit or lease.
- The potential donor seeks to impose conditions that are inconsistent with the Town's mission, values, policies or planning documents.
- Acceptance of a potential donation would create a conflict of interest or policy or be incompatible with the Town's mission or values.
- The potential donor is in litigation with the Town of Ayden.

Appendix



Sponsorship Application

Name & Title: _____

Organization Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Website: _____

Email: _____

ORGANIZATIONAL BACKGROUND

Briefly describe your organization's mission and any relevant programming:

SITE SELECTION

List site (address & borough) if known and the reasoning for that site choice OR general description of the type of environment for which the installation is designed:

PROJECT DESCRIPTION

Briefly describe the proposed project for the park site:



Sponsorship

Sample Agreement

SPONSORSHIP AGREEMENT (\$10,000+)

This Agreement is made on the _____ day of _____, 20____, between Ayden Arts & Recreation (AA&R) and _____ (the Sponsor).

RECITALS

The Sponsor is engaged in the business referred to in Item 3 of the Schedule (Description of Sponsor's Business Activities) and, at the request of AA&R, has agreed to provide the Sponsorship set out in Item 4 of the Schedule (Details of Sponsorship), subject to the terms and conditions of this Agreement.

IT IS AGREED as follows:

1 . T E R M

- 1.1 The term of the Sponsorship shall be for the period set out in Item 4(c) of the Schedule (Term of Sponsorship), unless otherwise extended or terminated in accordance with this Agreement.

2. SPONSORSHIP FEE/PRODUCT

- 2.1 In consideration of the grant of Sponsorship Rights under this Agreement, the Sponsor shall pay and/or provide to AA&R, for the term of this Agreement, the sponsorship fee and/or product(s) referred to in Item 4(b) of the Schedule (Sponsorship Fee/Product) at the times and in the manner referred to in that Item.
- 2.2 The Sponsorship Fee/Product shall be the entire amount payable or provided to AA&R under this Agreement.
- 2.3 AA&R shall only use the Sponsorship Fee/Product for the sponsored activity referred to in Item 4(a) of the Schedule (Sponsored Activity) in a manner consistent with the reasons referred to in Item 4(a) of the Schedule (Sponsorship Rationale).
- 2.4 Should the Sponsorship Fee/Product not be fully used on the Sponsored Activity, AA&R shall immediately notify the Sponsor of the balance of the unused Sponsorship Fee/Product and shall comply with the Sponsor's directions concerning the use of the unused Sponsorship Fee/Product.

3. SPONSORSHIP RIGHTS

- 3.1 AA&R grants to the Sponsor the non-exclusive sponsorship rights set out in Item 5 of the Schedule (Rights of Sponsor) for the term of this Agreement.
- 3.2 All advertising and promotional material produced, published, broadcast, displayed or exhibited by the Sponsor under Item 5 of the Schedule (Rights of Sponsor) shall first be approved by AA&R.
- 3.3 AA&R shall, whenever the Sponsored Activity is publicized, acknowledge the Sponsor in accordance with the recognition rights specified in Item 6 of the Schedule (Recognition of Sponsor)

4. USE OF SPONSOR'S NAME AND/OR LOGO

- 4.1 All advertising and promotional material produced, published, broadcast, displayed or exhibited by AA&R in respect of the Sponsored Activity shall acknowledge the Sponsor in a manner agreed to by both parties.
- 4.2 AA&R shall immediately, on the termination or expiration of this Agreement, cease to use or otherwise refer to the Sponsor's name and/or logo except to the extent otherwise authorized by law or agreement.

5. USE OF PP&R'S NAME AND/OR LOGO

- 5.1 All advertising and promotional material produced, published, broadcast, displayed or exhibited by the Sponsor in respect of the Sponsored Activity shall acknowledge Ayden Arts and Recreation in a manner agreed to by both parties.
- 5.2 The Sponsor shall immediately, upon the termination or expiration of this Agreement, cease to use or otherwise refer to Ayden Arts and Recreation name and/or logo in any manner that could imply that the Sponsorship under this Agreement is still in effect.

6. BREACH AND TERMINATION

- 6.1 If either party breaches any of the terms and conditions of this Agreement and fails to rectify such default in accordance with a written notice by the non-defrauding party within fourteen (14) days after the date of such notice, the non-defaulting party may terminate the Agreement at any time thereafter.
- 6.2 AA&R may terminate the Agreement immediately if any of the following events occur:

- A Sponsor is wound up or dissolved, becomes insolvent or enters into an agreement with its creditors, or if a receiver, manager or liquidator is appointed in respect of the Sponsor.
 - B The Sponsor's business operations or the business or activities of any associated company are contrary to any Town of Ayden policy.
 - C AA&R determines that for whatever reason it should no longer use the Sponsorship Fee/Product or be associated with the Sponsor.
- 6.3 If this Agreement is terminated, the Sponsor shall not be required to pay any unpaid installments of the Sponsorship Fee/Product.
- 6.4 The expiration or termination of this Agreement shall not prevent either party from taking action to enforce a term or condition of this Agreement in respect of any breach occurring prior to such expiration or termination.

7. NOTICES

- 7.1 Unless otherwise directed in writing, notices, reports, and payments shall be delivered to Ayden Arts and Recreation at the following address:

Mr. Tommy Duncan, Director
Ayden Arts and Recreation
PO Box 219
Ayden, NC 28513

and to the Sponsor at the address and FAX number referred to in Item 2 of the Schedule (Address of Sponsor).

- 7.2 A notice forwarded by FAX shall be deemed to be received by the addressee when recorded on the transmission result report as being a complete transmission.

8. AMENDMENTS TO AGREEMENT

- 8.1 Any amendment to this Agreement shall only be valid if the amendment is in writing and signed by both parties.

9. ASSIGNMENT

- 9.1 Neither party shall transfer, change or purport to assign, transfer or change this Agreement or any of its rights or obligations without the prior written consent of the other party, which shall not be unreasonably withheld.

10. TAXES

- 10.1 The Sponsor shall be responsible for and pay before any delinquency, all taxes, levies, and assessments of any nature and kind whatsoever, that at any time hereafter may be levied, assessed or otherwise imposed on the Sponsor's activities arising from this Agreement.

11. EQUITY OF TREATMENT

- 11.1 The Sponsor shall conduct its business in a manner which assures fair, equal, and non-discriminatory treatment at all times in all respects to all persons without regard to race, color, religion, sexual orientation, gender, age or national origin.

12. NEW DISCRIMINATION AND AFFIRMATIVE ACTION

- 12.1 The Sponsor shall comply with all State and local laws and ordinances prohibiting discrimination with regard to race, color, national origin, ancestry, creed, religion, political ideology, sex, sexual orientation, marital status or disability. Consistent with that obligation, in the event the Sponsor has three or more employees during the term of this agreement.

13. GOVERNING LAW

- 13.1 This Agreement shall be governed by and construed under the laws of the State of North Carolina, excluding its choice of law principles. Any litigation arising out of this Agreement shall be commenced and maintained in a court of competent jurisdiction sitting in Pitt County, North Carolina.

14. ENTIRE AGREEMENT

- 14.1 This Agreement constitutes the entire agreement of the parties and shall supersede any prior or contemporaneous agreements or negotiations, whether written or oral, between the parties, regarding the subject matter herein.

EXECUTED by the parties on the date first written above this Agreement.

TOWN OF AYDEN

Ayden Arts Recreation

Name: _____

Title: _____

Signature: _____

Date: _____

Town Administration

Name: _____

Title: _____

Signature: _____

Date: _____

SPONSOR

Company Name: _____

Name: _____

Title: _____

Date: _____

APPROVED AS TO FORM

Town Attorney
Town of Ayden, North Carolina

SCHEDULE

1. NAME OF SPONSOR

(Insert name of company and its business number or name of individual.)

2. ADDRESS OF SPONSOR

(If a corporate sponsor, insert address of its registered office and FAX number.)

3. DESCRIPTION OF SPONSOR'S BUSINESS ACTIVITIES

(Insert brief description.)

4. DETAILS OF SPONSORSHIP

a. Sponsored Activity

(Insert brief description.)

b. Sponsorship Rationale

(Insert brief description.)

c. Sponsorship Fee

(If money is payable, insert details of amount, installment schedule, etc.)

d. Sponsorship Product

(If goods are being supplied, insert description.)

e. Term of Sponsorship

(date) to (date)

5. RIGHTS OF SPONSOR

(For example, the Sponsor is permitted to exhibit/promote their products.)

6. RECOGNITION OF SPONSOR

(For example, the Sponsor's name or logo is displayed by Ayden Arts and Recreation.)



Naming and Dedication Application

Nominator's Name: _____ Date: _____

Business/Organization (If Applicable): _____

Address (Mailing): _____

Phone: _____ Cell Phone: _____

E-mail: _____

Are you a Ayden resident? Yes ☐ No ☐

Public Area or Facility to be Named, Renamed or Dedicated (Be specific):

Recommended Name:

If this nomination is in honor of a deceased person, has this person been deceased for two years or more? Yes ☐ No ☐ N/A ☐

Why should your request be granted? (Please attach additional pages or supportive materials if needed to clarify the nomination)



TOWN OF AYDEN
Memorial and Donation Application
(TO BE COMPLETED BY APPLICANT, PLEASE PRINT LEGIBLY)

APPLICANT INFORMATION:

Name of Donor:		
Address:		
Home Phone:	Work Phone:	Fax:
Email Address:		

DONATION INFORMATION:

Description of Donation:
Location of Donation:
Wording on Memorial Acknowledgment:
Type of Donation:
Estimated Donation Cost:

***The Town of Ayden is not responsible to replace the donation in the event of damage due to vandalism or natural occurrence.**

I HAVE READ AND AGREED TO THE TERMS OF THE MEMORIAL AND DONATION POLICY

Name: _____ Date: _____

(TO BE COMPLETED BY TOWN STAFF)

Reviewed By:	Date:
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