

	<h1 style="margin: 0;">New Hanover County</h1>	<b>Adopted: 09/06/2017</b>
		<b>Revised: N/A</b>
<b>SUBJECT: COUNTY NAMING, SPONSORSHIP AND UNDERWRITING POLICY</b>		

**I. Purpose**

The purpose of this policy is to establish a consistent policy and guidelines for the naming or renaming of New Hanover County owned facilities and amenities (where applicable).

This policy also sets the standards, guidelines and approval criteria for solicitation, consideration and acceptance of sponsorships and underwriting production of programs / media content. The policy is designed to ensure a fair process for soliciting and considering sponsorships, allow eligible potential sponsors to easily view and understand the sponsorship opportunities available, and provide a clear process for evaluation.

Wherever possible, sponsorships will be linked to a particular County facility, amenity, service, program, production or event. The County will not seek or accept sponsorships from sponsors that might compromise the public trust or the public’s perception of the County’s ability to act in the public interest, or that the County deems might have a negative impact on its mission, image or values or aesthetic interest. Further, the County reserves its right to exercise full editorial control over the placement, content, appearance and wording of all sponsorship recognition and underwriting on-air credit messages.

This policy is not intended to create any forum for public expression, but instead pertains to revenue generation, donation, and administration of government property.

**II. Definitions**

*Amenity* – Means a smaller support structure or feature located within a larger park or other county facility such as, but not limited to, sports fields, conference rooms, playgrounds, skate parks, pools or splash pads, water fountains, outdoor learning areas, gardens, gazebos, pavilions, tennis courts, basketball courts, volleyball courts, stables, or trails.

*Facility* – Include buildings, structures, open areas, land, bodies of water, and parks.

*Honor / Memorial Gift Donation* – a type of Sponsorship Agreement in which a sponsor makes a one-time purchase of an asset (e.g. a bench, tree, picnic shelter etc.), which is considered a “zero term” agreement. The sponsorship recognition message remains in place for the duration of the useful life of the asset, which is determined by the County.

*Naming Rights* – Refers to the opportunity to name a New Hanover County facility and / or County amenity.

*Sponsorship*– financial or in-kind support from an outside entity (individuals, families, foundations, corporations, nonprofit organizations, service clubs, and other entities) to associate

the outside entity's name, logo, products or services with a New Hanover County facility, amenity, service, program or County event. Sponsorship is a business relationship in which New Hanover County and the outside entity exchange goods, service and / or financial payment for the public display of an agreed-upon sponsorship recognition message. Agreed-upon sponsorship messages must meet applicable zoning laws and requirements.

*Sponsorship / Underwriting Agreement* – a written agreement, signed by the Sponsor / Underwriter and appropriate New Hanover County representative(s), which outlines all of the specific details of the sponsorship and the recognition message and display of said message.

*Underwriting* – a type of sponsorship where financial or in-kind support from an outside entity is to finance, in whole or in part, the production of a NHCTV / New Hanover County program or series or original media content, and that the outside entity may not, and has not, exercised any inappropriate influence over the content of the program(s) (“editorial control”) it has funded.

### **III. Facility Naming Policy**

The naming of County facilities is a function of the New Hanover County Board of Commissioners. The Board of Commissioners may name or rename any facility at its discretion, consistent with contractual and other legal considerations.

The naming or renaming of county facilities and amenities shall be done by the Board of County Commissioners by resolution adopted by a majority vote.

When short-term naming rights for an amenity are requested as part of an offer for sponsorship, such requests should be consistent with the naming guidelines identified in this policy.

#### **Temporary “Working Title”**

In the case of a new project or major renovation, County staff may give a project a temporary generic name for identification purposes during the acquisition and / or development of the facility.

#### **Permanent Naming of a Facility**

A permanent facility name should be identified prior to completion of the first phase of construction. County staff and appropriate advisory boards will bring applicable Offers for Sponsorship, or make naming recommendations based on naming requests solicited from the staff and / or public, to the Board of County Commissioners for consideration.

#### **Facility Renaming**

While renaming of an existing facility will be extremely rare, there are times when renaming may be necessary or desired, such as when done in connection with an expansion or major renovation of the park or facility. Renaming may also be appropriate for facilities: a) named with a temporary “working title” name, b) named after subdivisions, c) named after individuals or entities, or d) is otherwise not in the best interests of the County.

Before a renaming would be considered, a critical examination will be conducted to ensure that:

- A. Renaming will not diminish the original justification for the name or prior contributors / contributions;
- B. There is a valid justification for renaming the facility (e.g. if the name is likely to bring unwanted notoriety, ill fame, discredit or controversy to the County or community);

- C. Changing the name will not cause undue confusion within the community; and
- D. An appropriate level of community support exists for the change.

#### **Naming for Major Donations**

From time to time, a significant donation may be made to the County that will add considerable value to the County's park system, parks or other facilities. On such occasions, the Board of County Commissioners ("Board") may recognize the donor by recommending naming or renaming a park, county facility, or county amenity in honor of, or at the request of, the donor. Such requests should be consistent with the naming guidelines identified in this policy.

Such recognition may be appropriate if the donor:

- Deeds land for the park, facility, or amenity to the County;
- Contributes the capital construction costs associated with developing the park, facility or amenity; or
- Provides a minimum 20-year endowment for the continued maintenance and programming of the park, facility or amenity.

#### **IV. Facility Naming Guidelines**

When considering proposals for naming or renaming a county facility, the following general principles should be taken into consideration either collectively or individually:

- Will the name engender a strong positive image?
- Will the name be appropriate considering the facility's / amenity's location and history?
- Will the name have historical, cultural, or social significance for future generations?
- Will the name commemorate places, people, or events that are of continuing importance to the area?
- Will the name have symbolic value?
- Will the name enhance the character and identity of the facility?
- Will the name have broad public support?
- Will the name result in the undue commercialization of the facility or amenity if it accompanies a corporate gift?
- Does the proposed name duplicate, or is it closely related to or pronounced similarly to the name of any other existing facility such that it might cause confusion?

The County will consider naming requests within the following categories:

##### **A. Geographic or Ecological**

A facility may be named for a specific geographic area or feature including, but not limited to, names descriptive of the location or significant natural features (including flora or fauna) in or near the facility.

##### **B. Historical 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 facility or amenity.

##### **C. Outstanding Individuals**

The County has benefited from the contributions made by many outstanding individuals. Facilities may be named after an individual who made significant contributions to New Hanover County through participation in community, state or national service. Eligible individuals should be honored posthumously, a minimum of 5 years after death. Eligible individuals' names and life accomplishments should be such that they would still have relevance into the distant future.

D. Recognize A Major Donation

In select instances, a county facility or amenity may be named after a business / individual / family / organization / corporation that makes a unique and extraordinary financial and / or land donation to the development of the facility or amenity being named. The merits and value of each naming shall be considered on a case-by-case basis.

E. Identify the Amenity's or Facility's Purpose / Usage

A name may be assigned to a county facility or amenity if it helps describe and identify the purpose of the facility or to indicate an association with a nearby public facility.

**V. Sponsorship Policy**

It is the policy of New Hanover County to actively seek to establish alternate revenue streams that will increase the County's ability to maintain and enhance our facilities and amenities, continue to deliver services and programs to the community, and/or provide enhanced levels of service or programs beyond General Fund or Parks Bonds funding levels. One of the alternate funding sources being pursued is sponsorship.

The Board of County Commissioners has the final decision-making authority for determining the appropriateness of a sponsorship or underwriting request. Unless a sponsorship requires Board of County Commissioners approval, the County will act through the County Manager (or his / her designee). The County reserves the right to refuse any offer of sponsorship, and acceptance of a sponsorship or underwriting does not constitute an endorsement by the County of the Sponsor or its products or services. All offers of sponsorship will be reviewed in accordance with this policy.

Unless otherwise agreed to contractually, only New Hanover County may enter into sponsorship agreements for County owned (or controlled and operated) facilities and amenities or County programs, media productions, services, and events.

Individuals and groups renting or using County facilities or amenities (e.g. parks, ball fields, soccer fields, etc.), may display temporary sponsorship signage for the duration of their event or reserved time. However, individuals and groups renting or using County facilities or amenities may not permanently affix or display sponsorship messages or advertising on County assets, facilities or amenities. All temporary messages/signage must meet applicable zoning laws and requirements, and must be removed at the conclusion of the event or rental period.

**VI. Identification and Public Availability of Available Sponsorship Opportunities**

Each department director, in consultation with the County Manager (or his / her designee), shall be responsible for determining the facilities, amenities, programs, productions, services and events for which his or her department is responsible that are suitable for sponsorship. Public access to information about potential sponsorship opportunities is important to creating an open and fair process and to protect against disputes related to sponsorships that may be category or facility or amenity exclusive. Additionally, public access to this information will allow the county to more effectively and efficiently market sponsorship opportunities and allow potential

sponsors and the County to negotiate efficiently. Therefore, each department will make information about potential sponsorship opportunities available through the county’s website and other appropriate means.

**VII. Levels of Approval for Sponsorship Agreements and Naming Rights**

The County manager may adopt a standard process by which sponsorships are sought, considered, and approved. The County Manager may contract with an independent contractor to value the sponsorship opportunities, and / or contract for services related to solicitation and evaluation of sponsorships.

Unless otherwise contracted out, each department director will be the point of contact for all sponsorship offers within their area. The department director will be responsible for ensuring that the offer is complete and properly executed, and for determining the approval process that must be followed based on the corresponding sponsorship level below.

Level	Required Approval	Description
1	Board of County Commissioners	Offers of sponsorship that are for terms greater than five (5) years, or are projected to generate \$150,000 or more, or that involve permanent or temporary naming rights for a County facility or amenity, shall require Board of County Commissioner Approval.
2	County Manager	Offers of sponsorship that are for terms up to five (5) years, and are projected to generate less than \$150,000 may be approved by the County Manager. Approvals will be reported to the Board of County Commissioners in a timely manner.  All sponsorship agreements at this level must be approved by the County Manager. The County Manager has the option to refer any proposed offer of sponsorship or Sponsorship Agreement to the NHC Board of County Commissioners for approval.
3	Department Head	Offers of sponsorship that are for terms up to three (3) years, are projected to generate \$90,000 or less and do not involve any naming rights may be approved by the department director responsible for the particular facility, amenity, program or service and the director may execute the Sponsorship Agreement. The director has the option to refer any proposed offer of sponsorship or Sponsorship Agreement to the County Manager.
4	Department Staff	A department director may delegate authority to approve offers of sponsorship and to execute a Sponsorship agreement for sponsorships that are within the director’s authority and are for terms of three (3) years or less and are projected to be \$15,000 or less to an appropriate staff member. All such approvals shall be in consultation with the department director.

**VIII. Criteria for Review of Sponsorships**

Although the County recognizes and affirms that entering into a sponsorship agreement is not an endorsement of that sponsor or its services or products, sponsorships do imply some degree of affiliation between New Hanover County and the sponsor. Therefore, no potential sponsor or offer of sponsorship will be approved that might compromise the public trust or the public’s perception of the County’s ability to act in the public interest, or that might have a negative impact in the county’s mission, image, or values.

In addition to the items noted below, offers for underwriting must also, at the county's sole discretion, ensure that: a) the funder does not exercise (or could not be perceived to exercise) editorial control of the program, production, media content and b) that the public would not conclude the program production is principally being produced to promote the underwriter's products, services or other business interests (is free of commercial and commercial-like matter).

Further, the County reserves its right to exercise full editorial control over the placement, content, appearance and wording of all sponsorship recognition messages and underwriting on-air credits. The County may make distinctions on the appropriateness of sponsors on the basis of the sponsorship recognition message.

Every sponsorship offer shall be evaluated by taking into consideration the characteristics of the average / typical attendee of each facility, amenity, program, service or event proposed for sponsorship and the mission, image and values of the County.

Additionally, the following criteria shall also be considered in evaluating every offer:

- A. Extent and prominence of the sponsorship recognition message, if applicable.
- B. The aesthetic characteristics of the sponsorship recognition message, if applicable.
- C. The importance of the sponsorship to the mission, values and image of New Hanover County.
- D. The level of support proposed to be provided by the sponsor.
- E. The level and degree of cooperation and support required from the County to implement the sponsorship.
- F. The value of the resources provided to the County in fulfilling its mission.
- G. Other Factors that might affect or otherwise undermine the public trust or public confidence in the County's impartiality or interfere with effective or efficient operations or delivery of services.

Sponsorships deemed unsuitable for the specific audience or contrary to the community's standards of appropriateness for the facility, amenity, program, service or event will not be approved. The County will not consider Sponsorships proposals or naming rights proposals (if applicable) that include:

- A. Alcoholic beverages and establishments that are licensed to sell, and primarily do sell, alcoholic beverages, including bars; provided, however, food service establishments or places of lodging may be sponsors only when the sale of alcohol is incidental to providing food service or lodging.
  - i. Limited sponsorships (e.g. for a single event or series of events) that include alcohol pouring rights may be considered for events or facilities at which alcoholic beverages are sold or provided as part of the event.
- B. Promote practices that would violate US, state or local laws

- C. Depict in any form, or promote: drugs, tobacco or smokeless tobacco products or their use; gambling; or adult entertainment or sexually oriented products, activities, or materials.
- D. Discriminate on the basis of race, ethnicity, color, national origin, sex, disability status, medical condition or status, sexual orientation, marital or family status, veteran status or age; or contain profanity, obscenity, or hate speech.
- E. Include religious references or political statements, policy issues, candidates or campaigns.
- F. Endorse products or services that do not comply with County policies and procedures, County, state, federal ordinances, regulations, codes or statutes.
- G. Endorse products or services that conflict with the County's mission or Board of County Commissioners approved objectives or goals, or contain any message that might adversely impact the mission, image, values or goals of New Hanover County.

**IX. Sponsorship Agreement**

Upon approval of an offer for sponsorship, the sponsor and County will enter into a written Sponsorship Agreement. A standard process will set forth the standard forms, checklists and other items related to sponsorships, to include the agreed-upon sponsorship recognition message and display characteristics (materials, design, sizing, placement, etc.) or on-air underwriting credit message.

The County will not make any statements directly or indirectly advocating for or endorsing a sponsor, their products or service.

No materials or communications, including, but not limited to print, video, internet, tweet, broadcast, photograph or display items developed to promote or communicate the sponsorship using the County's name, department or facility names, marks or logos may be issued without prior written approval from the County manager or his / her designee.

**X. Additional Guidelines for On-Air Underwriting Credit**

Consistent with Federal Communication Commission (FCC requirements), all underwriter's must be identified in video by their name and / or logo. If a logo by itself does not adequately disclose the identity of a funder, then the funder's name must be stated in audio or video. An underwriter may not be anonymous.

Besides identifying the funder clearly, by name and / or logo, an on-air underwriting credit may contain additional information in audio, video or both to help identify a funder. Any language that in the County's sole judgement is gratuitously or blatantly promotional is not acceptable. In addition, information that would appear to be self-congratulatory or that could be construed as an advocacy positions on a particular issue or subject will not be acceptable.

FCC Policy Statements, rulings, advisory opinions and letters applying to its rules and policies to specific underwriting announcements have cautioned against certain types of language, phrases, and visuals, which it deems promotional. These uses will also not be acceptable.

**XI. Other**

A level 3 or Level 4 Sponsorship that is denied by a department director, or their designee, may be appealed to the County manager. The County Manager's decision shall be final.

On a timely basis, a list of approved and disallowed offers for sponsorship will be provided to the Board of County Commissioners by the responsible Department Head and / or County Manager.