

Category: Communications

Advertising on City Property Policy

Policy Number: COM-120

Approved by: Council Resolution # CW431-2022/ C378-2022 – December 14, 2022

Administered by: Sponsorship

Effective Date: December 14, 2022

1. Background

The Corporation of the City of Brampton (hereinafter the “City”) supports the placement of Advertisements on City assets to assist in the provision of City services. All advertising shall be consistent with the City’s vision, mission, and values and will not compromise or contradict any applicable laws of Canada or Ontario, by-laws, or policies of the City, or reflect negatively on the City’s public image.

The placement of any Advertising on City Property, at City Programs, and/or in City Media does not represent or imply any partnership with the City, 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.

Advertising will be undertaken with a view to ensure that Advertising on City Property, at City Programs, and in City Media is appropriate and meets specific criteria.

2. Purpose

The purpose of this Policy is to:

- 2.1 Ensure that all third-party advertising on City Property is consistent with the City’s corporate values, image, and strategic goals.
- 2.2 Outline specific criteria that the City must meet, without unreasonable interference with rights under the Canadian Charter of Rights and Freedoms>

3. Application and Scope

This Council Policy applies to Advertising from third-party advertisers:

- on City Property;
- at City Programs; and

- in City Media.
 - Exceptions
- 3.1 This Policy excludes all types of Naming Rights that are covered under the Sponsorship and Naming Rights Policy ECD-100.

4. Outcomes

- 4.1 A standardized and consistent framework for evaluating third-party Advertising on City Property.
- 4.2 Safeguard the City's corporate values, image, and assets by ensuring that Advertising on City Property at City Programs, and in City Media is appropriate and meets specific criteria as outlined in Section 6 of this Policy.

5. Principles

- 5.1 **Consistent and Coordinated:** Ensures Advertising agreements are coordinated and consistent corporately.
- 5.2 **Respectful:** Ensures Advertising is respectful and avoids conflicts and alienation amongst different members or groups in the community.
- 5.3 **Equity and inclusion:** Ensures Advertising is guided by the principles of the Human Rights Code in avoiding discrimination against Advertisers and members of the community.

6. Policy Statements

General

- 6.1 Advertising shall be consistent with the City's core values, vision, and strategic goals and shall not adversely impact the City's reputation and image;
- 6.2 Advertising agreements shall be established in a manner that ensures access and fairness and results in the optimal balance of benefits to the City and the community.
- 6.3 The City may contract third-party companies through the City's Purchasing Bylaw to administer Advertising, which shall comply with all terms and conditions of this Policy.
- 6.4 Advertising that is non-English language must be accompanied by a certified recognized English translation of the Advertising content supplied by the third-party advertiser to ensure it complies with this Policy.
- 6.5 The proposed location of the Advertisement may have an impact when determining whether or not the criteria have been met.

6.6 Criteria for Advertisements

Advertising on City Property, at City Programs, and/or in City Media must meet all of the following criteria as determined by the City department responsible for that City Property, City Programs, and/or City Media, in its sole discretion:

- 6.6.1 The Advertising shall adhere to the Canadian Code of Advertising Standards including criteria 1 and 2;
- 6.6.2 The Advertising shall not conflict with any applicable federal, provincial laws or regulations, or, City by-laws or policies;
- 6.6.3 The Advertising shall not demean, denigrate or disparage any identifiable person, group of persons, firm, organization, industrial or commercial activity, profession, product, or service or attempt to bring it or them into public contempt or ridicule;
- 6.6.4 The Advertising shall not undermine human dignity or display obvious indifference to or encourage, gratuitously and without merit, conduct or attitudes that offend the standards of public decency prevailing among a significant segment of the population;
- 6.6.5 The Advertising shall not breach or conflict with any existing City Advertising, Sponsorship, or Naming Rights agreements and/or contracts;
- 6.6.6 The Advertising shall not incite violence or hatred or have any adverse effects on public safety;
- 6.6.7 The Advertising of alcohol will not be permitted at events geared toward children or youth (under 18 years of age);
- 6.6.8 Advertising promoting contests and lotteries, gambling, and gaming, authorized by the Provincial government, is permitted, so long as it complies with and is licensed by the applicable provisions of the Criminal Code, the Competition Act, and any other applicable legislation.
- 6.6.9 The Advertising of cannabis, tobacco, and vaping will not be permitted on City Property, at City Programs, and/or in City Media.
- 6.6.10 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 Brampton."

6.7 Complaint

- 6.7.1 A person wishing to make a complaint about an Advertisement posted on City Property may file the complaint with Ad Standards at <https://adstandards.ca> following its prescribed process. Should the City receive a complaint about an Advertisement posted on City Property, the City shall direct the complainant to file the complaint with Ad Standards at <https://adstandards.ca>
- 6.7.2 If Ad Standards makes a determination regarding the acceptability of a particular advertisement or determines that it cannot accept the complaint to investigate, the complainant may submit a request for review to the City's Advertising Review Panel (ARP) to determine whether the Advertising at issue complies with this Policy.

6.8 Review

The City's Advertising Review Panel (ARP) in accordance with the Advertising on City Property Review Panel Standard Operating Procedures (SOP) will make determinations on whether advertising is consistent with this Policy if:

- 6.8.1 City staff or a third-party advertising company working on behalf of the City decline an advertising submission and the advertiser requests a review of the decision in accordance with the SOP; or
- 6.8.2 if a person files a complaint with Ad Standards claiming that advertising accepted by the City is not consistent with this Policy and submits a request for review to the City in accordance with the SOP.

The ARP will review Advertising materials for acceptability and will make a decision, in its sole discretion, to approve or reject the Advertising.

7. Roles and Responsibilities

7.1 Senior Leaders of Departments or delegates are responsible for:

- 7.1.1 Deciding if the proposed Advertising meets the criteria above and, if so, where the Advertising will be permitted;
- 7.1.2 Administering requests or offers for Advertising in accordance with this Policy.
- 7.1.3 Executing and managing Advertising agreements on behalf of the City pursuant to the City's Purchasing Bylaw, Administrative Authority Bylaw, and/or City Council approval, and this Policy.

7.2 City Solicitor is responsible for:

- 7.2.1 Ensuring Advertising agreements are in a form that is satisfactory to the City.

8. Monitoring and Compliance

The department responsible for administering this Policy will ensure that this Policy is reviewed as per the Governing Policy for the Corporate Policy Program.

8.1 Consequences of non-compliance

8.1.1 Failure to follow this Council Policy may result in:

- a) Reputational risks to the City;
- b) Missed Advertising opportunities;
- c) Delays in securing agreements; and
- d) Multiple and inconsistent approaches to Advertising at the City.

9. Definitions

- 9.1 “Advertising” means any paid or in-kind communications that are utilized to influence, educate or inform the public. This includes third-party advertising and all other forms of advertising.
- 9.2 “Advertiser” means a person who wishes to advertise on City Property and has proposed Advertising to the City requiring an Advertising Decision.
- 9.3 “Ad Standards” is the not-for-profit Canadian advertising industry body committed to creating and maintaining community confidence in advertising and ensuring the integrity and viability of advertising through industry self-regulation.
- 9.4 “Advertising Code Canada” (ASC) is the advertising industry’s principal instrument of advertising self-regulation in Canada administered by ASC. The ASC Code sets the criteria for acceptable advertising and forms the basis upon which advertising is evaluated in response to consumer, trade, or special interest group complaints.
- 9.5 “City Program” means any activity which is operated by the City, and includes any City events.
- 9.6 “City Media” means any outlet used by the City to carry and deliver advertisements, and includes but is not limited to, direct mail; print (e.g. poster, newspaper, brochure, flyer, magazine); digital media (e.g. web, e-mail, social media, and mobile media); television; radio; billboard (digital or static) or message board.
- 9.7 “City Property” means all City-owned and controlled properties and facilities, including but not limited to, indoor and outdoor recreation fields; parkland;

gardens; open space and boulevards; buildings and rooms; urban furniture; equipment and fixtures; vehicles; buses; fleet vehicles; and bus shelters/stops.

9.8 “The Advertising Review Panel (ARP)” means the City’s Panel as established by this Policy that is charged with the responsibility to review Advertising as per section 6.8 of this Policy and in accordance with the related Standard Operating Procedure.

10. References and Resources

This Council Policy should be read and applied in conjunction with the following references and resources as updated from time to time. Please note that some of the following documents may not be publicly available.

- External references
 - Criminal Code of Canada
 - Competition Act
 - Canadian Code of Advertising Standards
 - The Canadian Charter of Rights and Freedoms
 - Ontario Human Rights Code

References to related bylaws, Council policies, and administrative directives

- Purchasing By-Law
- Administrative Authority By-law
- Sponsorship and Naming Rights Policy
- Sign By-Law

References to related corporate-wide procedures, forms, and resources

- Guidelines Facility Advertising
- Advertising on City Property Review Panel Standard Operating Procedures
- City Vision, Values, and vision

11. Revision History

| Date | Description |
|------------|--|
| 2022/12/14 | Approved by resolution C378-2022 / Recommendation CW431-2022. Amendments to the Advertising Policy: <ul style="list-style-type: none"> ● Update the advertising criteria section to include contents that are prohibited. ● Clarifying the process for administering requests to review advertising content. |

| Date | Description |
|------------|--|
| | <ul style="list-style-type: none">• Clarify the complaint process which now is hosted by Ads Standards.• Changes made to comply with the Corporate Policy Program template including adding outcomes and principles, consequences of noncompliance, and references and resources. |
| 2025/12/14 | Next Scheduled Review |