



Subject/Title

**Citywide Sponsorship Policy**

Date Effective

January 1, 2010

Revision Date Effective

September 13, 2022

Code Number

Approved by City  
Council

City Manager's Office

Responsible Department

**Objective:** The objective of this Policy is to establish requirements and guidelines for the City to enter into sponsorship agreements.

**Policy:**

**I. Application and Modification of Policy**

**A. Application of Policy.** This policy applies to all sponsorship agreements entered into by the City with external entities, as well as naming rights for City buildings and facilities.

**B. Compliance with Law.** The City will follow all applicable local, state, and federal legal requirements when entering into sponsorship agreements.

**C. Approval and Modification.** The procedures and requirements contained in this Policy are administrative and may be changed by the City Manager or designee as necessary to comply with applicable law.

**II. Statement of Policy**

This policy governs the approval of sponsorships of the City of Charlotte and City programs and services by external entities. Pursuant to this policy, the City will consider entering into sponsorship agreements that further the City's mission by providing monetary or in-kind support for City programs or services. However, the City recognizes that the public trust and perception of its integrity and impartiality may be damaged by sponsorships that: (a) establish, or are perceived as establishing, an inappropriate association; (b) are, or are perceived to be, politically oriented; (c) are offensive to segments of its ~~citizenry~~ population; or (d) are aesthetically displeasing. When the City loses public trust and public perception of integrity and impartiality, its ability to govern effectively in the interest of its ~~citizens~~ residents is

impaired. Therefore, the City will only consider sponsorships in limited circumstances as a means to generate funds or in-kind support for improving or expanding City programs and services.

Whenever possible, sponsorships should be linked to specific activities, events, programs, or publications, particularly those that are consistent with and in furtherance of the City Council's focus areas.

The establishment of a sponsorship relationship does not constitute an endorsement by the City of the sponsor or the sponsor's services and products.

The City does not intend for its sponsorship program to create a public forum (designated or limited) for private speech. All public speech and communications regarding a sponsorship on or through City property or communications channels is intended to be government speech.

### **H.III. Scope of Policy**

This policy applies to sponsorships of the City and City programs and services, and naming rights for City buildings and facilities. This policy does not govern or apply to: (a) advertising on City property or through City communications ~~medium~~media; or (b) City endorsement of or support for external organizations or their programs, services, or activities.

### **III.IV. Definition of Sponsorship**

A sponsorship is the contribution of monetary or in-kind support by a person or external entity (for-profit or not-for-profit) to the City or for a City program or service, in exchange for which the City: (a) acknowledges the sponsor and the sponsor's contribution; (b) grants to the sponsor the right to associate the sponsor's name, products, or services with the City or the sponsored City program or service; and/or (c) names or grants the authority to name a City building or facility.

### **IV.V. Criteria for Approval of Sponsorships**

~~Since~~Because a sponsorship affiliation may affect the reputation of the City among its ~~citizens~~ residents and its ability to govern effectively, the City retains sole and final decision-making

authority for determining the appropriateness of a sponsorship association and reserves the right to refuse any offer of sponsorship. Any proposal for sponsorship in which the involvement of an outside entity is likely to compromise the public's perception of the City's neutrality or its ability to act in the public interest will be rejected.

~~In~~ When considering whether to accept a proposed sponsorship, the City ~~shall~~ will consider the following non-exclusive criteria:

- the relationship and importance of the sponsorship to the mission of City;
- whether and the extent to which the sponsorship furthers one or more of the City Council's adopted focus areas;
- the type and level of support provided by the sponsor;
- whether and the extent to which the sponsorship will create financial or administrative burdens on the City, or require additional personnel;
- the extent and prominence of communications to the public regarding the sponsorship;
- whether the sponsorship will establish, or will be perceived as establishing, an inappropriate association;
- whether the sponsorship is, or will be perceived to be politically oriented;
- whether the sponsorship is, or will be perceived to be offensive to segments of the City's ~~citizenry~~ population;
- the aesthetic characteristics of communications to the public regarding the sponsorship;
- whether the sponsor manufactures products, takes positions, or otherwise engages in activity that is inconsistent with local, state, or federal law or with City policies or with the City mission or Council's focus areas; and
- other factors that might undermine public confidence in the City's impartiality or

interfere with the efficient delivery of City services or operations, including, but not limited to, current or potential conflicts of interest between the sponsor and City employees, officials, or affiliates and the potential for the sponsorship to tarnish the City's standing among its ~~citizens~~ residents or otherwise impair the ability of the City to govern its ~~citizens~~ residents (e.g., the prospective sponsor seeks to sponsor a program of a department that regulates the sponsor's activities or awards or administers contracts for goods or services that the sponsor provides).

Consistent with the foregoing criteria, the following are ~~categorically excluded~~ categorically as potential sponsors:

- entities that promote the sale or consumption of alcoholic beverages, or that ~~primarily~~ sell alcoholic beverages as a primary line of business, such as bars and liquor stores, but not including restaurants;
- entities that promote the sale or consumption of tobacco products as a primary line of business;
- entities that promote the sale or consumption of illegal drugs;
- entities that promote gambling as a primary line of business, which does not include vendors that sell NC Education Lottery products as a secondary line of business;
- sexually oriented businesses as defined in Chapter 6, Article IX of the City Code, and entities that promote the sale or dissemination of erotic materials or services; and
- political parties or political advocacy groups.

#### **V.VI. City Acknowledgment and Recognition Messages**

The City will exercise full editorial control over the placement, content, appearance, and wording of sponsorship acknowledgment and recognition messages on City property or through City communications medium. Such messages are intended to be government speech.

Sponsorship recognition messages may identify the sponsor but should not promote or endorse

the organization or its products or services. Statements ~~shall~~will not advocate, contain price information or an indication of associated savings or value, request a response, or contain comparative or qualitative descriptions of products, services, or organizations. Ordinarily, only the following content will be deemed appropriate:

- the legally recognized name of the sponsor;
- the sponsor's organizational slogan if it identifies rather than promotes the organization or its products or services;
- the sponsor's product or service line, described in brief, generic, objective terms; — generally, only one product or service line may be identified; and
- brief contact information for the advertiser's organization, such as phone number, address, or Internet website; — contact information must be stated in a manner that avoids an implication of urging the reader to action.

The City will not make any statements that directly or indirectly advocate or endorse a sponsor's organization, products, or services.

#### **VI.VII. Sponsors' Rights to Publicize their Association with the City**

A sponsor ~~shall~~will not use the City's name, marks, or logo in any materials or communications without the prior written approval of the City, including, but not limited to, print, video, Internet, broadcast, or display items that promote or communicate the sponsorship.

Under no circumstances ~~shall~~will a sponsor issue materials or communications that state or imply that the City has endorsed the sponsor or the sponsor's products or services.

#### **VII.VIII. Sponsorship Agreement**

Every approved sponsorship relationship ~~shall~~will be documented in a properly authorized Sponsorship Agreement. Sponsorship Agreements ~~shall~~will include provisions that:

- identify the benefits to be given by the sponsor to the City;
- identify the benefits to be given by the City to the sponsor;
- state that the sponsorship is nonexclusive; and
- establish the term or duration of the sponsorship relationship, and grant the City and the sponsor the right to terminate the sponsorship relationship at any time, with or without cause.

Notwithstanding the foregoing:

(a) a sponsorship may be exclusive if:

(i) the sponsorship is for a specific Animal Care and Control service event;

(ii) Missing persons sponsored program; or

(iii) the City Council determines that there are compelling reasons for exclusivity;  
and

(b) the City's right to terminate a sponsorship relationship without cause may be limited if the City Council determines that there are compelling reasons for such a limitation.

#### **VIII.IX. Approval Authority**

The authority to approve sponsorship agreements is as follows:

- ~~s~~Sponsorships projected to generate more than \$100,000 the then-current contract award delegation threshold for the City Manager must be approved by the City Council.
- ~~s~~Sponsorships projected to generate dollar amounts less than the City Manager's then-current contract award delegation threshold ~~\$100,000 or less~~ must be approved by the City Manager or ~~the Deputy City Manager designee~~. Sponsorships approved by the City Manager or ~~the Deputy City Manager designee~~ must be reported to the Mayor and

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City Council within one month of approval.

Notwithstanding the foregoing, the naming of a City building or facility must be approved by the City Council. However, the authority to name a room or area in, or a component of a building or facility, ~~shall~~ will be in accordance with the above-listed dollar thresholds.

Regardless of the projected monetary or in-kind value of a sponsorship, the City Manager ~~shall~~ will have the discretion to refer a proposed sponsorship to the City Council for consideration and/or approval.