
Vancouver Board of Parks and Recreation Naming Rights Policy, Park Board Community Facilities

1. Preamble

Naming Rights refers to the granting by the owner the right to name a piece of property or portions of a property usually granted in exchange for financial consideration. Commemorative Naming refers to the naming of a property in honour of outstanding achievement, distinctive service, or significant community contribution.

This policy is intended to cover Naming Rights for Park Board Community Facilities. A companion policy, Commemorative Naming Policy, Park Board Community Facilities covers requests to name Park Board Community Facilities as an honour and generally without financial consideration.

2. Purpose

- 2.1. The purpose of this Policy is to provide clear guidance regarding Naming Rights for Park Board Community Facilities. The goal is to provide a consistent evaluation framework and approval process when considering Naming Proposals for Park Board Community Facilities.
- 2.2. This Policy is intended to balance public and private interests by encouraging philanthropic giving while acknowledging public investment in, and ownership of Park Board Community Facilities as well as the public realm; and to encourage continued investment in these facilities for the benefit of the citizens of Vancouver for generations to come.

3. Scope

For other policies related to Naming, see Section 4.

- 3.1. This Policy applies to all Park Board Community Facilities (see Definitions in Section 5), including Interior and Exterior Building Components, including those facilities operated directly by the Park Board, and those operated by Non-profit Tenants.

3.2. This Policy does not apply to:

- a) Non-City facilities (eg. BC Place, Scotiabank Dance Centre);
- b) Non-Park Board facilities which occupy Park Board lands, and where the building is wholly and currently owned by the non-profit tenant;
- c) Naming of parks (See Section 4); and
- d) Naming of programs, events, or other kinds of sponsorships.

4. Other Related Naming Policies

4.1. Related Civic Naming policies include:

- a) City of Vancouver: Commemorative Naming Policy;
- b) Vancouver Public Library: Sponsorship Policy and Donor Recognition Guidelines;
- c) City of Vancouver: Street Naming Guidelines; and
- d) Vancouver Park Board: Guidelines for Naming Parks.

5. Definitions

- 5.1. **Applicant:** either a department, in the case of Park Board-operated facilities, or a Non-profit Tenant, which makes a formal Proposal to the Park Board to name all or portions of a Park Board Community Facility.
- 5.2. **Approval Agreement:** an agreement between the Park Board and a Non-profit Tenant outlining the terms and conditions of approval in granting Naming Rights.
- 5.3. **Civic Community Facility:** any property, complex, structure, building or portion thereof owned or controlled (e.g. through longterm lease) by the City of Vancouver but excluding properties identified in Section 3.2.
- 5.4. **Commemorative Naming:** Naming Rights granted to honour outstanding achievement, distinctive service, or significant community contribution. Commemorative Naming will not be tied to a financial contribution.
- 5.5. **Corporate Naming:** Naming Rights granted to a corporation or a corporate foundation, negotiated for a specific fee.
- 5.6. **Designated Park Board Staff:** for the purpose of administering this Policy, the General Manager will designate a staff person in the relevant Park Board department.
- 5.7. **Exterior Facility Components:** all ancillary structures, and all exterior

components of a Park Board Community Facility which are visually accessible from the public realm, including, but not limited to, plazas, courtyards, squares, gardens, lawns, playing fields, playgrounds.

- 5.8. **Individual and Community Organization Naming:** Naming Rights granted to an individual, group of individuals, family foundation, or a non-profit community organization in recognition of significant philanthropy.
- 5.9. **Interior Facility Components:** all substantial interior components of a Park Board Community Facility, including, but not limited to, wings, halls, auditoriums, galleries, lounges, lobbies, and program rooms, etc.
- 5.10. **Logo:** a combination of characters and/or graphics used to identify a company or organization, including a symbol, wordmark, or trademark.
- 5.11. **Market Valuation:** a current assessment of the potential value within the marketplace of the Naming Rights for a specific property.
- 5.12. **Naming Rights Agreement:** a legal contract outlining the terms of the agreement between the Applicant and Naming Entity.
- 5.13. **Naming Entity:** The entity (eg. corporation, community organization or individual) to whom Naming Rights are granted pursuant to a Naming Rights Agreement.
- 5.14. **Naming Rights:** the right to name or rename a piece of property, or parts of a property granted in exchange for financial considerations.
- 5.15. **Non-profit Tenant:** a Non-profit organization occupying a Park Board Community Facility through an Occupation Agreement.
- 5.16. **Occupation Agreement:** the lease, sublease, licence, sublicense, management and/or operating agreement which grants a Non-profit Tenant the right to use and occupy a Park Board Community Facility or a portion thereof.
- 5.17. **Park Board Facility:** Any Civic Community Facility under the care and custody of the Park Board, including but not limited to community centres, pools, rinks, gardens, conservatories, and tenanted properties.
- 5.18. **Proposal:** the proposal by an Applicant to the Park Board with respect to Naming Rights.
- 5.19. **Public Realm:** Publicly owned streets, sidewalks, rights-of-ways, parks and other publicly accessible or visually accessible open spaces.
- 5.20. **Renaming:** a change of name of a piece of property which already has a name whether geographic, commemorative or historic.
- 5.21. **Request for Reconsideration:** an appeal process available to Applicants

where a Park Board designate has made a decision that they wish to appeal to Park Board. A Request for Reconsideration will only be considered where the Applicant can demonstrate that the criteria and/or documentation were not properly evaluated at the time of the initial review.

6. General Principles

- 6.1. The granting of Naming Rights is intended to support and promote investment in Park Board Community Facilities that provide important services to citizens.
- 6.2. Naming Rights may be granted under the terms and conditions outlined in this Policy as recognition for financial contributions from Naming Entities, where these contributions result in significant and direct benefits to the community.
- 6.3. A Naming Rights Agreement may not compromise the Park Board's or a Non-profit Tenant's ability to carry out its functions fully and impartially.
- 6.4. Neither the Park Board nor its Non-profit Tenant may relinquish any aspect of its right to manage and control a Park Board Community Facility through a Naming Rights Agreement.
- 6.5. The granting of Naming Rights will not entitle a Naming Entity to preferential treatment by the Park Board outside of the Naming Rights Agreement.
- 6.6. The approval of Naming Rights is not intended to replace other grant or support programs to Non-profit Tenants.
- 6.7. A Naming Rights Agreement must not conflict with the terms and conditions of any existing Occupation Agreement between the Park Board and a Non-profit Tenant, and/or between the Park Board and a head-landlord.
- 6.8. Established names of facilities contribute significantly to historic continuity, community identity and pride.
- 6.9. Naming Rights recognition will be compatible with the physical attributes of a location.
- 6.10. Naming Rights opportunities are intended to benefit the Applicant in the provision of significant and direct benefits to the community.
- 6.11. The approval of Naming Rights will not result in additional costs for the Park Board, excluding the Park Board's approval process.
- 6.12. The authority to grant Naming Rights rests with Park Board or its designate.
- 6.13. The Park Board will not pursue Naming Rights with respect to a Park Board Community Facility fully occupied by a Non-profit Tenant.

- 6.14. In multi-tenanted buildings, Proposals for Naming Park Board Community Facilities, Exterior Facility Components or common areas will only be considered if all the Tenants support the Proposal and their support is documented to the Park Board’s satisfaction.

7. Guidelines

- 7.1 The granting of Naming Rights will be considered for the following categories of Park Board Community Facilities, noting approval will be subject to the application process outlined in section 7:

| Park Board Facilities | Corporate | Individual |
|-----------------------------------|-----------|------------|
| i. New | No | Yes |
| ii. Renaming | No | Yes |
| iii. Interior Facility Components | Yes | Yes |
| iv. Exterior Facility Components | No | Yes |

- 7.2. Any Applicant seeking approval of the granting of Naming Rights must first establish an internal Policy related to the sale of Naming Rights which has been approved by its Board of Directors, or in the case of civic departments and Boards, by the City Manager or General Managers of Boards.
- 7.3. Any Non-profit Tenant seeking approval for Naming Rights must have a current signed Occupation Agreement in place with the Park Board, and must be in full compliance with that Agreement, to the satisfaction of the Park Board.
- 7.4. Park Board or its designate shall have the authority to either grant or refuse any Proposal to name Park Board Community Facilities or any portion thereof.
- 7.5. The Park Board will only consider Proposals directly from an Applicant.
- 7.6. The Park Board shall evaluate Corporate Naming Proposals according to the following criteria:
- a. An assessment of the Proposal against the Applicant’s mission, vision and values.
 - b. A Naming Entity’s products, services and business practices shall not contradict, to the extent reasonably ascertainable, the mandate, policies or objectives of the Park Board, including the Park Board’s Ethical Purchasing Policy.

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- c. The Naming Entity's products, services and business practices shall conform to all applicable federal, provincial or municipal statutes, to the extent reasonably ascertainable.
- 7.7 The Park Board shall evaluate Individual and Community Organization Naming Proposals according to the following criteria:
- a. An assessment of the Proposal against the Applicant's mission, vision and values.
 - b. The Naming Entity should have a direct relationship with the Applicant.
 - c. If the Naming Entity is a non-profit community society, the Naming Entity must be a registered charitable society in good standing under the BC Societies Act.
 - d. If the Naming Entity is a non-profit community society, an assessment of the compatibility of the Naming Entity's and Applicant's mission, vision and values.
- 7.8. Logos will not be permitted on any signage relating to Naming Rights save and except for the Applicant's logo.
- 7.9. Signage and acknowledgement associated with Naming Rights must comply with all applicable laws and by-laws, and must be approved in advance by the Park Board.
- 7.10 In addition to signage and acknowledgement associated with Naming Rights that is in accordance with (7.9), an Applicant may include as part of a comprehensive sign package one ancillary exterior sign for the naming or renaming of interior rooms or facility components. The ancillary exterior sign must not contain logos or wordmarks, must comply with all applicable laws and by-laws, and must be agreed upon by the Applicant.
- 7.11. Naming of a Park Board Community Facility should include the purpose of the facility (e.g. The ABC Arena as opposed to The ABC Centre).
- 7.12. Renaming of Park Board Community Facilities must retain and reflect the historic name (e.g. The ABC Pacific Coliseum as opposed to the ABC Centre).
- 7.13. All Naming Rights Agreements will be for a fixed term, not to extend beyond the term of the Occupation Agreement.
- 7.14. If a Naming Rights Proposal is approved by Park Board or its designate, an Approval Agreement will be executed between the Park Board and the Non-profit Tenant authorizing the Non-Profit Tenant to grant Naming Rights to the Naming Entity under terms and conditions to the satisfaction of the City's Legal Department.
- 7.15. The Park Board will endeavour, to the extent reasonably practicable, to balance its responsibility to maintain transparent processes and provide full disclosure to the public, with its responsibility to maintain confidentiality

regarding third party interests.

8. Application Process

- 8.1. For all Naming requests (Park Board Community Facilities, Interior and Exterior Facility Components), the Applicant will provide the Designated Park Board staff with advance written notice of its intention to pursue Naming Rights, along with a copy of the Applicant's Naming Rights Policy which has been approved by the Applicant's Board of Directors, or in the case of a Park Board operated facility, by the General Manager.
- 8.2. Designated Park Board staff will review the Applicant's Naming Rights Policy to determine if it meets the intent of this Policy.
- 8.3. Applicants will make a Proposal and will provide to the Designated Park Board Staff all relevant materials including:
 - a) Capital Campaign plan including case for support, and comprehensive list of naming opportunities;
 - b) Current market valuation of the proposed Naming opportunity completed by an independent fundraising professional;
 - c) Proposed Naming Rights fee;
 - d) Proposed term of Naming Agreement;
 - e) Proposed rights and benefits;
 - f) Demonstrated support from key stakeholders (e.g. members, users, donors);
 - g) Intended use of funds (e.g. capital, endowment, capital reserve plans);
 - h) Draft signage proposal and acknowledgement plan;
 - i) In the case of a multi-Tenanted Park Board Community Facility, letters of support and approval from all other Tenants or occupants of the Park Board Community Facility; and
 - j) Draft Naming Rights Agreement.
- 8.4. Designated Park Board staff will review the Proposal and prepare a report.
- 8.5. For Corporate Naming Proposals for an entire Park Board Community Facility, the Park Board will commission and pay for an independent public opinion survey at the discretion of the General Manager with the consent of the Applicant. Survey wording will be developed in non-binding consultation with the Applicant.
- 8.6. If the Naming request is associated with a heritage building, the Designated Park Board Staff will seek the advice of the City's Heritage Commission.
- 8.7. Naming Proposals for Park Board Community Facilities which comply with this Policy will be reported to Park Board or its designate for consideration and decision.
- 8.8. Naming Proposals for Interior and/or Exterior Facility Components of a Park

Board Community Facility which comply with this Policy will be reported to the General Manager for consideration and decision.

9. Request for Reconsideration Process

- 9.1. An Applicant may only submit a Request for Reconsideration if the Applicant can demonstrate that criteria and documentation were not properly assessed at the time of the initial review. It is Park Board's policy not to consider Requests for Reconsideration based on questions of evaluation.

10. Roles & Responsibilities

10.1. The General Manager will:

- i. Designate a Park Board staff person in the appropriate department who will:
 - a) Act as the primary liaison for Naming Rights requests;
 - b) Provide information to the Applicant on the interpretation of this Policy;
 - c) Evaluate the extent to which this Policy's guidelines have been met in the Proposal;
 - d) Facilitate timely communication;
 - e) Protect the confidentiality of Naming Rights Agreements to the extent practicably possible;
 - f) Facilitate and pay for an independent public opinion survey when necessary;
 - g) Review all Naming Rights Agreements to ensure that the Park Board's interests are adequately protected;
 - h) Seek advice from the City's Advisory Committees, if appropriate;
 - i) Seek advice from the City's Legal Services Department regarding the proposed Naming Rights Agreement; and
 - j) Report to the City Manager, City Council or its designate as appropriate.
- ii. Maintain a registry of all Occupation Agreements, Naming Rights Agreements, Commemorative Naming Agreements and Approval Agreements.
- iii. Consider and respond to all requests for Naming of Interior Facility Components and Exterior Facility Components based on this Policy.

10.2. Park Board will:

- a) Consider Naming Proposals for Park Board Community Facilities based on this Policy;
- b) Consider Requests for Reconsideration based on this Policy.

10.3. An Applicant will:

- a) Develop a Naming Rights Policy to be approved by its Board of Directors, or in the case of Park Board-operated Community Facilities, by the General Manager;
- b) Undertake due diligence to ensure all Proposals meet the spirit, intent, guidelines and procedures outlined in this Policy;
- c) Provide the Designated Park Board Staff with the necessary documentation and information as outlined in this Policy;
- d) Execute a Naming Rights Agreement as outlined in this Policy;
- e) Execute an Approval Agreement as outlined in this Policy;
- f) Maintain regular communication with Designated Park Board Staff throughout the process; and
- g) Assume any costs associated with the Naming of a Park Board Community Facility or any portion thereof, with the exception of a public opinion survey where required.

11. Naming Rights Agreement

11.1. Naming Rights Agreements will be in the form of a legal contract between the Applicant and Naming Entity and should contain:

- a) A description of the contractual relationship, specifying the exact nature of the agreement;
- b) The term of agreement;
- c) Renewal options, if any;
- d) Value assessment, including cash, in-kind goods and services (and method of evaluating in-kind contributions);
- e) Payment schedule;
- f) Any commissions to be paid, accompanied by a payment schedule;
- g) Rights and benefits;
- h) Agreement to remove or cover signage for a limited period and only during an event where the City has a legal obligation to ensure sites are free of corporate signage, (e.g. any Olympic-related event);
- i) Release, indemnification and early termination clauses;
- j) Insurance clauses; and
- k) Confidentiality terms.

11.2. All Naming Rights Agreements shall be reviewed to the satisfaction of the City's Director of Legal Services.

12. Approval Agreement

12.1. Approval Agreements shall be in the form of a legal contract between the Park Board and a Non-profit Tenant and contain any terms and conditions of Park Board's or its designate's approval in granting Naming Rights, and shall be to the satisfaction of the City's Director of Legal Services.