

Alexander County Sponsorship Policy

Adopted May 19, 2014

I. Statement of Policy

Alexander County may from time to time seek or be approached by sponsors that desire to further its mission by providing monetary or in-kind support for county programs or services. Alexander County permits private sponsorship of government programs or services in limited circumstances as a means to generate funds for improving or expanding those programs and services. Alexander County 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.

Sponsorships should be linked to specific activities, events, programs, or publications. Alexander County will neither seek nor accept sponsors that manufacture products or take positions inconsistent with local, state, or federal law or with County policies, positions, or resolutions. The establishment of a sponsorship agreement does not constitute an endorsement by Alexander County of the sponsor's organization, products, or services.

A "sponsorship" is the right of an external entity (for-profit or not-for-profit) to associate its name, products, or services with Alexander County's programs, services, or name. Sponsorship is a business relationship in which Alexander County and the external entity exchange goods, services, and/or donations for the public display of a message on County property, where acknowledging private support.

II. Authority, Structure for Review and Approval

Alexander County possesses sole and final decision-making authority for determining the appropriateness of a sponsorship relationship and reserves the right to refuse any offer of sponsorship. Sponsorship agreement shall require the written approval of the County Manager. At the discretion of the County Manager, any proposed sponsorship agreement may be referred to the Board of Commissioners for approval. At the discretion of the County Manager, sponsorships may be reviewed and approved by the Alexander County Attorney.

III. Criteria for Proposal Review

Proposals from sponsors for sponsorship of Alexander County programs or services shall clearly outline the form(s) of support offered by the sponsor and the recognition to be given by Alexander County. The proposal shall detail the following information, at a minimum:

- Activities, products, and services of the private entity and its subsidiaries;
- Benefits to be given to the proposed sponsor by Alexander County, and the estimated monetary value of those benefits;
- Benefits to be given to Alexander County by the proposed sponsor and the estimated monetary value of those benefits;
- Prominence of the proposed public recognition of support;
- Content of the proposed public recognition of support;
- Duration of the proposed public recognition of support; and
- Conditions under which the sponsorship agreement will be terminated.

Alexander County and the sponsor shall recognize that entering into a sponsorship agreement does not constitute an endorsement of the entity or its services and products, but does imply an affiliation. Such affiliation can affect the reputation of Alexander County among its citizens and its ability to govern effectively. Therefore, any proposal for sponsorship of an Alexander County program or service in which the involvement of an outside entity compromises the public's perception of the County's neutrality or its ability to act in the public interest will be rejected.

Alexander County shall consider the following criteria before entering into a sponsorship agreement:

- Extent and prominence of the public display of sponsorship;
- Aesthetic characteristics of the public display of sponsorship;
- Importance of the sponsorship to the goals and objectives of Alexander County;
- Level of support provided by the sponsor;
- Cooperation necessary from other Alexander County units to implement the sponsorship;

- Inconsistencies between Alexander County policies and the known policies or practices of the potential sponsor;
- Other factors that might undermine public confidence in the County's impartiality or interfere with the efficient delivery of County services or operations, including, but not limited to, current or potential conflicts of interest between the sponsor and Alexander County employees, officials, or affiliates; and the potential for the sponsorship to tarnish the County's standing among its citizens or otherwise impair the ability of Alexander County to govern its citizens

IV. Permissible Sponsors and Message Content

Alexander County intends to preserve its rights and discretion to exercise full editorial control over the placement, content, appearance, and wording of sponsorship affiliations and messages. Alexander County may make distinctions on the appropriateness of sponsors on the basis of subject matter of a potential sponsorship recognition message.

Sponsorship from an organization that is engaged in any of the following activities, that has a mission supporting any of the following subject matters, or that, in the sole discretion and judgment of the County Manager, is deemed to be unsuitable for and contrary to community standards of appropriateness for government publications and display, and shall be prohibited on any Alexander County property:

- Promotion of the sale or consumption of alcoholic beverages, or promotion of 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 only when the sale of alcohol is incidental to providing food service or lodging;
- Promotion of the sale or consumption of tobacco products;
- Commentary, advocacy, or promotion of issues, candidates, and campaigns pertaining to political elections or political issues;
- Promotion of gambling, betting, or games of chance, in name, likeness or implication, or promotion of establishments providing such services or activities of a related or similar nature;

- Depiction in any form of profanity or obscenity, or promotion of sexually oriented products, activities, or materials;
- Use of language or descriptive material which taken in form and context is deemed to be unsuitable for and contrary to community standards of appropriateness for governmental or family publications and display;
- Use of words, language, representations or descriptive material of any kind having more than one meaning or connotation, one of which would otherwise be prohibited under this Policy;
- Promotion of the sale or use of firearms, explosives, or other weapons, or glorification of violent acts; and
- Promotion or depiction of illegal products, or glorification of illegal products, activities, or materials.

V. Sponsorship Recognition Messages

Sponsorship recognition messages may identify the sponsor but should not promote or endorse specific products or services. Statements that 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 will not be accepted. Only the following content will be deemed appropriate:

- The legally recognized name of the sponsor.
- The sponsor's organizational slogan.
- The advertiser's product or service line, described in brief, generic, objective terms.
- Brief contact information for the advertiser's organization, such as phone number, address, or Internet website.

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

No materials or communications, including, but not limited to, print, video, Internet, broadcast, or display items developed to promote or communicate the sponsorship using Alexander County's name, marks, or logo, may be issued without written approval from the County

Manager, who may seek counsel from the County Attorney. Such materials shall not imply or express an endorsement by Alexander County, its staff, management, or elected officials.

VI. General Conditions

- A. Sponsors are solely responsible for obtaining necessary permission to use photographs, trademarks, trade names, copyrighted material or any other legally protected property and shall hold the County harmless for any such use, including all consequences or damages resulting therefrom. All commercial messages or advertisements shall be accepted and published by the County upon the representation that the agency or sponsor is authorized to publish the entire contents and subject matter thereof. Sponsor agrees to indemnify and hold harmless the County, its officers, agents and employees against all damages, costs and expenses including, without limitation, attorney's fees resulting from any claim, action or proceeding alleging that the commercial message or sponsorship infringes on any copyright, violates any right of privacy, or other personal or property right, constitutes libelous matter, plagiarism, unfair competition, unfair trade practice, infringement of trademarks, or other matter contrary to law or contains any formula or instructions injurious to the user of a sponsor's product.
- B. Sponsors assume liability for all content (including text, photographs, representations, illustrations, sketches, maps, labels, trademarks or other copyrighted matter) of sponsorship message printed or placed and also assume responsibility of any claims arising therefrom made against the County.
- C. The County is not liable for delays in publication or display of sponsorship messages in any event or for any reason, including acts of God, action by any governmental or quasi-governmental entity, lack of funds, fire, flood, insurrection, riot, explosion, work slowdown, or any condition beyond the control of the County affecting publication or display of sponsorship in any manner.
- D. If an error or omission occurs in the County's publication of a sponsorship message, the County's liability shall be limited to the amount of the reduction in the value of the sponsorship due to the error or omission, but in no event shall liability exceed the total

cost payable for the sponsorship space. The "County's publication" shall only include instances where the County produces the sponsorship material and not where sponsorship material is provided by the sponsor.

- E. The words "a paid sponsorship", or some like term, may be added to sponsorship messages that, in the sole opinion of the County, might be confused with editorial matter.
- F. All funds derived from the acceptance and placement of sponsorship messages shall be recorded, accounted for and used by the department, office, or related entity for authorized purposes in accordance with applicable, standard policies and procedures adopted by the Board of County Commissioners for the budgeting and expenditure of funds.
- G. Prior to executing a sponsorship agreement, all sponsors will provide documentation, using the County's form, which evidences compliance with E-Verify and Chapter 64, Article 2 of the North Carolina General Statutes.
- H. All offices and departments of Alexander County and its employees shall follow the highest level of ethical standards dealing with sponsors or in the implementation of this Policy.
- I. The County reserves the right to remove from County property any advertising or sponsorship material that includes text or images prohibited in Sections IV and V above. This shall include any and all materials regardless of whether placed on County property by a County sponsor, by an unrelated third-party user of County property, or the sponsor of an unrelated third-party user.

VII. Third-party sponsorships

The County shall not receive, solicit or otherwise accept any sponsorship funds or related consideration on behalf of unrelated third-party entities, regardless of the entity's nonprofit status, mission, or services provided to County residents. The County will only consider sponsorships of County programs, events, and publications.

VIII. Implementation

This Policy shall be and become effective upon adoption by the Board of Commissioners and shall thereafter apply to the acceptance and placement of sponsorship messages as provided in the Policy; provided, however, that sponsorship messages which were made prior to the adoption of this Policy shall not be considered in violation of the Policy, and to the extent possible shall be construed and completed, if necessary, in the manner most consistent with the Policy.