

# THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

## BY-LAW NO. 14-1185

---

### Being a by-law to adopt a Rink Board Advertising Policy for the Temagami Arena.

---

**WHEREAS** under Section 8. (1) of the Municipal Act, 2001, S.O., 2001, c.25, as amended, (the Act) the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** under Section 10 of the Act, a municipality may provide and may pass by-laws respecting any service or thing that the municipality considers necessary or desirable for the public; and, without limiting Section 10, Section 391 authorizes a municipality to impose fees or charges for services provided and for the use of its property;

**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami has considered staff and committee reports 14-M-022 on the 3<sup>rd</sup> day of April 2014 and 14-M-026 on the 24<sup>th</sup> day of April 2014, regarding a Rink Board Advertising Policy for the Temagami Arena and deems it desirable to adopt said policy;

**NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:**

1. That the Municipality hereby adopts the Rink Board Advertising Policy attached hereto as Schedule "A" and forming part of this bylaw.
2. That the Facility Manager/Recreation Coordinator and the Chief Administrative Officer are both hereby authorized to execute Rink Board Advertising Agreements on behalf of the Municipality.
3. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to this by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
4. That this bylaw shall come into force and take effect upon final passing thereof.

TAKEN AS READ A FIRST time on this 24<sup>th</sup> day of April 2014.

READ A SECOND AND THIRD time and finally passed on this 24<sup>th</sup> day of April 2014.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## **Schedule A to By-law 14-1185**

### **Municipality of Temagami**

### **Rink Board Advertising Policy**

#### **1. Purpose and Scope**

##### Purpose

The Purpose of this Policy is to provide the opportunity for interested parties to rent advertising space at the Temagami Arena and to ensure that all such advertising supports the Municipality's values and mission.

##### Scope

This policy applies to rental of advertising space on the rink boards in the arena, located at 100 Spruce Drive, Temagami, Ontario.

#### **2. Definitions**

1. "Advertising Space" shall mean a section of the white boards encompassing the ice surface at the Temagami Arena that is standard 3 feet by 8 feet.
2. "Advertiser" shall mean the individual, business, or organization that enters into an agreement with the Municipality under this policy.
3. "Municipality" shall mean the Corporation of the Municipality of Temagami.

#### **3. Requirements for Advertising**

Interested parties wishing to rent advertising space at the Temagami Arena shall complete, sign and submit an application form to the Municipality. The application form shall be as set out in Appendix A to this policy, which may be amended by authorization of the Chief Administrative Officer of the Municipality of Temagami. The wording and format of the advertisement shall be attached to the application form. The form or content shall be suitable for audiences of all ages and appropriate for a municipally owned public space, or it shall be rejected by the Municipality. Inappropriate form and/or content shall include, but not be limited to:

- Derogatory comments or wording
- Alcohol
- Tobacco
- Religion
- Sexually Explicit Material

The advertiser shall not sublet, assign or apportion any part of the advertising space. Only one advertiser shall be permitted per single advertising space.

The Municipality of Temagami will not be responsible for false and/or misrepresented information.

#### **4. Agreements and Fees**

The fee for advertising space shall be set annually as part of the Municipality's user fee by-law. The rink board fee shall be quoted based upon a one-board space with a maximum height and width of 3 feet by 8 feet.

Rink Board space shall be granted on a first come, first served basis, based on space availability. If payment is not received within 30 days of acceptance by the Municipality the advertiser may lose the right to advertise on the rink board designated at the time of execution of the agreement.

Agreements to rent advertisement space shall be for a period of not less than one year or more than two years, based upon the user fee in effect at the time of the execution of the agreement. Agreements may be renewed for an additional period of up to two years per renewal at the user fee rate in effect on the renewal date. Full payment for the duration of the agreement shall be payable upon acceptance by the Municipality and before the advertisement is installed.

It shall be the responsibility of the advertiser to provide the advertising medium (peel and stick vinyl, lexan, etc.) and/or any other details required for the approved advertisement. The Municipality shall install the advertising medium provided by the advertiser. The Municipality shall not be responsible for any damage caused to the advertisement by activities on the rink. The Municipality shall replace damaged ads only if the advertiser provides replacement materials. The advertiser may provide additional copies of advertisements to be placed on standby in case of damage.

#### **5. Cancellation**

The advertiser may cancel or withdraw an ad at any time, but in the event that the advertiser withdraws or cancels the advertisement, or fails to replace a damaged advertisement, the Municipality shall not refund any monies received. The Municipality shall reserve the right to cancel or remove any ad upon 30 days notice in writing to the advertiser. Upon cancellation by the Municipality, the Municipality shall refund a proportional amount of advertising rent based upon time left in the contract and return any advertising materials to the advertiser.



## Application and Agreement for Rink Board Advertising Space

### Application

Organization \_\_\_\_\_

Organization Representative \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone and email \_\_\_\_\_

hereby makes application to rent advertising space at the Temagami Arena in accordance with the Municipality's Rink Board Advertising Policy (By-law 14-1185). I/We certify that I/we have read and agree to abide by the Municipality's policy, which includes, but is not limited to, the following:

- That the Municipality must approve the wording and format of the advertisement that is attached to this application form before completing the agreement and all advertising must conform to the wording and format as approved by the Municipality.
- That I/we may not sublet, assign or apportion any part of the advertising space, nor represent, advertise or distribute literature or materials for the products or services of any other companies or bodies.
- That Rink Board advertising space is granted on a first come, first served basis, based on space availability.
- That payment must be made to **The Municipality of Temagami** within 30 days of acceptance by the Municipality or I/we may lose the right to advertise on the rink board designated at the time of execution of the agreement.
- That I/we accept the advertising restrictions and the cancellation provisions as outlined in the Rink Board Advertising Policy.
- That agreements to rent advertisement space shall be for a period of not less than one year or more than two years, based upon the user fee in effect at the time of the execution of the agreement. Agreements may be renewed at the user fee rate in effect on the renewal date.

Advertising Space requested \_\_\_\_\_ boards measuring 3 feet by 8 feet.

Time Period requested \_\_\_\_\_ at a cost of \$250.00 + HST / year.

Location requested \_\_\_\_\_

**Wording and format layout attached.**

Signed: \_\_\_\_\_ Print name: \_\_\_\_\_

*I am authorized to sign on behalf of the organization.* Date: \_\_\_\_\_

ACCEPTANCE OF APPLICATION

The application of \_\_\_\_\_ submitted on \_\_\_\_\_ is hereby approved for Advertising Space on \_\_\_\_\_ boards measuring 3 feet by 8 feet for the period from \_\_\_\_\_ to \_\_\_\_\_ at a cost of \$250.00 + HST / year on the board(s) located \_\_\_\_\_

\_\_\_\_\_ upon receipt of payment in accordance with the Municipality's Rink Board Advertising Policy.

The Municipality hereby agrees to install the Applicant's advertisement as approved and provided to the Municipality by the Applicant on the designated board space in the Temagami Arena, as per the Rink Board Advertising Policy.

ACCEPTED ON BEHALF OF THE MUNICIPALITY OF TEMAGAMI:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name and Position