

**Title:** Town of Westlock Advertising

**Resolution:** 168-2016, 2017-0015, 2023-0082

**Special Notes/Cross Reference:**

**Revised:**

**April 24, 2023**

**Next Review Date:**

**POLICY STATEMENT:**

The Town of Westlock (the "Town") recognizes the need to balance the Town's standards with respect to the display of Advertisements in or on Town Assets, with an individual's freedom of expression. The Town is committed to creating a uniform standard by which to consider Advertisements proposed to be placed in or on Town Assets.

**PURPOSE:**

In order to ensure that the Town is a safe, healthy and aesthetically pleasing community in which to live, it is appropriate to ensure that certain standards are in place in relation to Advertisements in or on Town Assets. This Policy is to provide a clear understanding of the acceptable standards relating to Advertising in or on Town Assets that is publicly accessible and allows Potential Advertisers to understand what is prohibited.

**PRINCIPLES**

1. The display of approved Advertisements in or on Town Assets is accepted as a means of generating revenue for the Town.
2. The *Canadian Charter of Rights and Freedoms* (the "Charter") guarantees certain rights including the right to freedom of expression. Should the Town choose to accept Advertisements in or on Town Assets, it may only limit a Potential Advertiser's freedom of expression by refusing Advertisements as permitted under Section 1 of the Charter. The Charter makes all guaranteed Charter rights subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society".
3. The standards and limitations on Advertising content set out in this Policy must be viewed in the context of the legal limits on *Charter* rights.
4. This Policy will be the guide for the Town in evaluating all proposed Advertisements in or on Town Assets.
5. The Town's acceptance of an Advertisement does not constitute express or implied endorsement of the content or message of the Advertisement, including any person, organization, products, services, information or viewpoints that may be contained in an Advertisement, or of the Advertiser or sponsor of the Advertisement itself.



6. The Town recognizes that an Advertisement may be distasteful or offensive to some people; however, those are not grounds for an Advertisement to be rejected if it complies with the provisions of this Policy.
7. The Advertising guidelines set out in this Policy are based on the standards set by the *Canadian Code of Advertising Standards*. In addition to the guidelines set out in this Policy, an Advertisement may be reviewed with regard to any other standards set out in the *Canadian Code of Advertising Standards*, as amended from time to time.
8. The Policy does not apply to election advertising. Election advertising relates to a matter before the voting public within a set time-frame which starts the day after a vote is called and ends the day after the vote is held.

#### DEFINITIONS

9. **"Advertisement"** or **"Advertising"** means any message, the content of which is aimed at influencing, educating or informing the public.
10. **"Advertiser"** means a person that has been approved to display an Advertisement in or on a Town Asset.
11. **"Advertising Agreement"** means the form of agreement between the Town and an Advertiser entered into upon approval of an Advertisement by the Town.
12. **"Advertising Materials"** means the physical form of the Advertisement in or on a Town Asset, including such materials as billboards, and signs, but not including digital video displays or ice surface.
13. **"Canadian Code of Advertising Standards"** means the advertising industry's principal instrument of advertising self-regulation, administered by Advertising Standards Canada.
14. **"Chief Administrative Officer"** means the Chief Administrative Officer of the Town.
15. **"Community Bulletin Board"** means a bulletin board installed by the Town in or on Town Assets for the purpose of allowing the general public to post Advertisements for no fee or approval process.
16. **"Policy"** means this Advertising Policy.
17. **"Potential Advertiser"** means a person that has submitted a proposed Advertisement to the Town for approval pursuant to the Policy.



18. **"Town"** means all departments and offices comprising the municipal corporation of the Town of Westlock.
19. **"Town Asset"** means facilities open to the public, vehicles, equipment, programs, services, publications, websites, events, land, fences, boulevards, infrastructure, buildings, traffic control devices and any other property owned, operated or controlled by the Town.

**CONDITIONS:**

20. All interested persons shall have an equal opportunity to advertise in or on Town Assets. Space will be available on a first-come first-serve basis.
21. No person shall place an Advertisement in or on a Town Asset without prior approval of the Town, unless such Advertisement is placed on a Community Bulletin Board.
22. No person shall place an Advertisement in or on a Town Asset without entering into an Advertising Agreement with the Town, unless such Advertisement is placed on a Community Bulletin Board.
23. Proposed Advertisements to be placed in or on a Town Asset can be submitted for review and approval to the Chief Administrative Officer or designate.
24. Advertising opportunities for Town Assets are set out in Schedule A of this Policy.
25. The Town may consider Advertising requests for Town Assets not identified in Schedule A on a case by case basis.
26. The fees for Advertising shall be established in the Town's Fees and Rates Bylaw, as amended from time to time.
27. The Town retains the right to refuse or order the removal of any Advertisement at any time, at its sole discretion.

**ADVERTISING GUIDELINES:**

28. The acceptability of Advertisements for display in or on a Town Asset shall be governed by this Policy as interpreted by the Chief Administrative Officer or by any other person to whom the Chief Administrative Officer's authority has been delegated.
29. In reviewing a proposed Advertisement, the Town will have regard for the following guidelines to ascertain so far as is reasonable that the proposed Advertisement is appropriate:
  - a. Advertisements must comply with all Federal, Provincial and Municipal laws, statutes, regulations, bylaws and policies;





- b. Advertisements must not contain inaccurate or deceptive claims, statements, illustrations or representations, either direct or implied, with regard to a product or service;
- c. Advertisements must not omit relevant information in a manner that results in a deceptive message;
- d. Pertinent details of an Advertisement must be clearly and understandably stated;
- e. Disclaimers and asterisked or footnoted information must not contradict more prominent aspects of the Advertisement;
- f. All Advertising claims and representations must be supportable;
- g. No Advertisement shall be presented in a format or style which conceals its commercial intent;
- h. No Advertisement shall include deceptive price claims or discounts, unrealistic price comparisons or exaggerated claims as to worth or value;
- i. Advertisements must not misrepresent the consumer's opportunity to purchase the goods and services at the terms presented;
- j. Advertisements must not offer a guarantee or warranty, unless that guarantee or warranty is fully explained as to conditions and limits and the name of the guarantor or warrantor is provided, or the place to find such information is made available on the Advertisement;
- k. Advertisements must not unfairly discredit, disparage or attack other products, services, advertisements or companies, or exaggerate the nature or importance of competitive differences;
- l. Any representations of opinion or preference must reflect the genuine, reasonably current opinion of the individual(s), group or organization making such representations, must be based upon adequate information about or experience with the identified product or service and must not otherwise be deceptive;
- m. Advertisements must not distort the true meaning of statements made by professionals or scientific authorities;
- n. No Advertiser shall imitate the copy, slogans or illustrations of another advertiser in such a manner as to mislead the consumer;



- o. Advertisements must not without reason, justifiable on educational or social grounds, display a disregard for safety by depicting situations that might reasonably be interpreted as encouraging unsafe or dangerous practices or acts;
- p. Advertising that is directed to children must not exploit their credulity, lack of experience or sense of loyalty, and must not present information or illustrations that might result in their physical, emotional or moral harm;
- q. Products prohibited from sale to minors, including but not limited to alcohol, must not be advertised in such a way as to specifically appeal to persons under legal age, and people featured in Advertisements for such products must be, and clearly be seen to be, adults under the law;
- r. Advertisements shall not condone any form of discrimination, including based upon race, religious beliefs, colour, gender, physical disability, mental disability, ancestry, age, place of origin, marital status, source of income, family status or sexual orientation;
- s. Advertisements shall not appear in a realistic manner to exploit, condone or incite violence, nor appear to condone, or directly encourage, bullying or unlawful behaviour;
- t. Advertisements 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;
- u. Advertisements shall not undermine human dignity or display obvious indifference or encourage, gratuitously and without merit, conduct or attitudes that offend the standards of public decency prevailing among a significant segment of the population;
- v. Advertisements shall not promote the use of tobacco or illegal drug products;
- w. Advertisements of alcoholic products may be accepted in or on Town Assets that are not primarily geared towards youth, so long as they are permitted by Federal, Provincial or Municipal laws, statutes, regulations, bylaws and policies, including the Alberta Liquor and Gaming Commission. Notwithstanding this, the Town may at any time, by providing the Advertiser with 90 days advance notice, alter its policy on the Advertising of alcoholic products.



30. Advertisements, which are otherwise acceptable under this Policy, that convey information about a meeting, gathering or event must contain the name of the sponsoring group, the name of the persons participating in the event, and the location, date and time of the event.
31. Advertisements otherwise acceptable under this Policy, which (a) promote or oppose a specific theology or religious ethic, point of view, policy or action, (b) advocate or oppose any ideology or political philosophy, point of view, policy or action, or (c) convey information about a political party or the candidacy of any person for a political position or public office, must visibly display the name of the sponsoring group.
32. The Town reserves the right to require the following disclaimer be included on any Advertisement:

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 Town of Westlock.

#### **COMMUNITY BULLETIN BOARDS**

33. Advertisements placed on a Community Bulletin Board shall be in accordance with the guidelines established in sections 29 to 32 of this Policy.
34. The Town reserves the right to remove Advertisements from a Community Bulletin Board that are contrary to the guidelines established in sections 29 to 32 of this Policy.

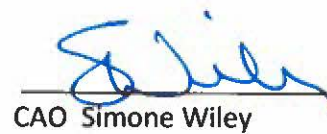
#### **RESPONSIBILITIES**

35. All costs associated with design, artwork and set up fees associated with an Advertisement are the responsibility of the Potential Advertiser or the Advertiser.
36. The Town will install approved Advertising Materials at the Town's expense and cover the Advertising Materials with appropriate protective materials, if necessary. The Town will be responsible for damages or problems arising in the installation of the Advertising Materials.
37. The Advertiser will be responsible for repair or replacement of the Advertising Materials, as a result of damage, destruction, defacing, alteration or vandalism.
38. In the event the Town identifies Advertising Materials are showing wear, the Advertiser will be notified and steps must be taken by the Advertiser to complete the necessary repairs and/or upgrades.



39. The Town will not be responsible for damaged or stolen Advertising Materials.
40. The Town will be responsible for the installation and maintenance of digital video display Advertising at the Rotary Spirit Centre & Aquatic Centre and the ice surface at Town arenas.

  
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Mayor Ralph Leriger

  
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CAO Simone Wiley



**SCHEDULE 'A'**

**Westlock Aquatic Centre Naming Rights**

- Facility
- All-Purpose Room
- Virtual Recreation Room
- 24-Hr Gym

**Westlock Rotary Spirit Centre Advertising**

- Rink Board Signs
- In-Ice Logos
- Ice-Logo & Rink Board Map
- Arena Score clock
- Zamboni
- Mini Rink Board Signs
- Arena Stairs
- Name a Room
  - First Aid Room
  - Referee Rooms
  - Training Rooms
  - Dressing Rooms

**Westlock Rotary Spirit Centre Naming Rights**

- Arena
- Fitness Centre
- Field House
- Meeting Room, Main Floor
- Meeting Room, Second Floor

**Sponsor a Free Skate**

**Sponsor a Free Swim**

**Digital Advertising**

**Print Advertising**

**Community Guide Advertising**