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|  | Department of Parks & Outdoors, Division; Title: Sponsorship | SOP Sub-Number | ADM-04 |
| | | Revision # | |
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| SOP Owner | DPO Administration | Last Reviewed by | Kim Etheredge |

Standard Operating Procedure

GENERAL POLICY STATEMENT

The Department of Parks & Outdoors (DPO) permits private sponsorships of government programs or services as a means to generate funds for improving or expanding those programs and services and exercises sole discretion over who is eligible to become a sponsor according to the terms of this Policy and **guidance of Resolution No. 25585** (See Attachment A). Whenever possible, sponsorships shall be linked to specific activities, events, programs, or publications. DPO will neither seek nor accept sponsors that manufacture products or take positions inconsistent with local, state, or federal law or with the Department of Parks & Outdoors policies, positions, or resolutions. The acceptance of a sponsorship offer or the establishment of a sponsorship agreement does not constitute an endorsement by the Department of Parks & Outdoors of the sponsor's organization, products, or services.

1. Purpose and Intent

The purpose of this Policy is to define the conditions upon which sponsorship messages may be placed upon property or in publications of DPO establish definitive guidelines for the acceptance and placement of such messages. It is the intent of DPO to preserve its full rights and discretion to reject or refuse placement of any or all sponsorship messages. To the extent that any such messages are accepted, DPO reserves the right of full editorial control over the placement, content, appearance and wording and to determine and prohibit types of sponsorship messages which are deemed inappropriate for or inconsistent with the business of DPO or the services provided to the City of Chattanooga residents.

2. Scope

The DPO recognizes that entering into a sponsorship agreement with an external entity 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 the City of Chattanooga- Department of Parks & Outdoors among its residents. Therefore, any proposal for sponsorship of a DPO program or service in which the involvement of an outside entity compromises the public interest will be rejected.

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

- Extent and prominence of public display of sponsorship;
- Aesthetic characteristics of the public display of sponsorship;
- Level of support provided by the sponsor;
- Cooperation necessary from other DPO Departments to implement the sponsorship;
- Inconsistencies between the DPO policies and the known policies or practices of the potential sponsor;
- Other factors that might undermine public confidence in the City of Chattanooga-Department of Parks & Outdoors impartiality or interfere with the efficient delivery of DPO services or operations, including, but not limited to, current or potential conflicts of interest between the sponsor and the City of Chattanooga-DPO employees, officials, or affiliates; and the potential for the sponsorship to tarnish the City's standing among its residents at large.

3. Responsibilities

Sponsorship agreements for DPO programs or services shall clearly outline:

1. The forms of support sought and offered,
2. The recognition to be given by DPO
3. Detail the following information, at a minimum:
 - Activities, products, and services of the private entity, its parent, subsidiaries, affiliates and predecessor companies;
 - Benefits to be given to the proposed sponsor by the DPO;
 - Benefits to be given to DPO by the proposed sponsor;
 - Prominence of the proposed public recognition of support;
 - Content of the proposed public recognition of support;
 - Duration of the proposed public recognition of support;

Conditions under which the sponsorship agreement may be terminated.

4. Procedure

PROHIBITED SPONSORS AND MESSAGE CONTENT

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

- Promotion of the sale or consumption of alcoholic or cereal malt beverages, in name, likeness or implication or promotion of establishments that are licensed for and primarily sell alcoholic or cereal malt beverages, including bars; provided, however, restaurants or other food services establishments and hotels or other places of lodging may be authorized when the commercial message or advertisement promotes only the food services or lodging;
- Promotion of the sale or consumption of tobacco or vaping products or depiction of the use of tobacco or vaping products;
- Commentary, advocacy or promotion of issues, candidates, campaigns or organizations of a social, political, religious, or rhetorical nature;

- Promotion of gambling, pari-mutual 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 nudity or semi-nudity, profanity, obscenity, or lewdness, or characterizations which suggest, depict or promote any such element or sexually oriented products, activities or materials;
- Promotion in any form of illegal drugs, illegal drug use, illegal drug paraphernalia, or characterizations which suggest or depict the promotion or glorification of any such products, activities or materials;
- Promotion of the use or sale of firearms, explosives or other weapons, or the depiction, suggestion or glorification of violence or acts of a violent nature;
- Use of language or descriptive material which when taken in form and context is deemed to be unsuitable for or contrary to community standards of appropriateness for governmental use for family publications;
- 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;
- Inclusion of materials, depictions, promotions or offerings which are the type prohibited by, or by their nature would violate, any federal, State, or local law, rule, or regulation. The DPO reserves the right and discretion to exercise full editorial control over the placement, content, appearance, and wording of sponsorship affiliations and messages.

DPO may make distinctions on the appropriateness of sponsors on the basis of subject matter of a potential sponsorship recognition message.

PERMISSIBLE RECOGNITION MESSAGES

Sponsorship recognition messages may identify the sponsor but generally should not promote or endorse the organization or its 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 ordinarily not be accepted. Typically, only the following content will be deemed appropriate:

- The legally recognized name of the sponsoring organization;
- The sponsor's organizational slogan if it identifies rather than promotes the organization or its products or services;
- The sponsor's product or services line, described in brief, generic, objective terms;
- Brief contact information for the sponsor's organization, such as a phone number, address, website, or QR code. Contact information should be stated in a manner that avoids an implication of urging the reader to action. DPO 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 the DPO's name, marks, or logo, may be issued without written approval from the City of Chattanooga's legal department, or their designees.

GENERAL CONDITIONS

1. Sponsor is solely responsible for obtaining necessary permission to use photographs, trademarks, trade names, copyrighted material or any other legally protected property. All

commercial messages or advertisements shall be accepted and published by DPO upon the representation that the agency or sponsor is authorized to publish the entire contents and subject matter thereof.

2. Sponsor assumes liability for all content and responsibility of any claim arising therefrom. Sponsor agrees to indemnify and hold harmless the City of Chattanooga, its officials, 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.

3. DPO is not liable for delays in publication or presentation of sponsorship messages in any event or for any reason, including acts of God, action by any governmental or quasigovernmental entity, lack of funds, fire, flood, insurrection, riot, explosion, embargo, strikes whether legal or illegal, labor or material shortage, transportation interruption of any kind, work slowdown, or any condition beyond the control of the Town affecting publication or presentation of sponsorship in any manner.

4. If an error or omission occurs in the publication or placement of any sponsorship message, DPO'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.

5. The words "a paid sponsorship", or some like term, may be added to sponsorship messages that, in the sole opinion of the City, might be confused with editorial matters.


AUTHORIZATION REQUIREMENTS AND PROCESS Placement of sponsorship messages on City property or in City publications shall require specific authorization from DPO via the creation and approval of a Sponsorship Agreement Form for each sponsorship opportunity. Interested sponsors shall submit a completed Sponsorship Agreement Form to the appropriate DPO designee for review in accordance with the Sponsorship Policy and be notified by such designee upon acceptance or denial of the sponsorship offer. DPO reserves the right to require Sponsorship Agreement Forms for specific sponsorship opportunities be reviewed by DPO Administration prior to approval or denial. This Policy shall be and become effective upon adoption by DPO 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.

Signed by DPO Administrator:



Date:

7/21/23

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References
ATTACHMENT A

RESOLUTION NO. 25585

A RESOLUTION ADOPTING THE "CITY OF CHATTANOOGA POLICY FOR FUNDRAISING, SOLICITATION, ACCEPTANCE AND DISTRIBUTION OF MONETARY CONTRIBUTIONS" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the "City of Chattanooga Policy for Fundraising, Solicitation, Acceptance and Distribution of Monetary Contributions," attached hereto and made a part hereof by reference, be and is hereby adopted.

ADOPTED: July 8, 2008.

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**CITY OF CHATTANOOGA POLICY FOR FUNDRAISING, SOLICITATION;
ACCEPTANCE AND DISTRIBUTION OF MONETARY CONTRIBUTIONS**

The City Council of the City of Chattanooga recognizes the value of encouraging contributions for the use of City departments in order to defer the need to raise taxes to provide necessary City services. Private contributions also allow individuals and organizations to take an active role in improving the quality of life and promoting wider enjoyment of community activities and resources. To promote consistent and best practices by all City employees and departments, and to ensure compliance with applicable laws and accounting procedures, the City Council establishes the following policy and guidelines related to fundraising, solicitation, acceptance, and distribution of donated monetary or property gifts for use by the City and its Departments.

1. Solicitation of voluntary contributions shall not violate the Code of Ethics for local officials under Tennessee statutes or Chattanooga City Code Sections regarding Ethics. In addition, no

solicitation shall state or imply that a donation will influence or affect how the party is treated by City officers and employees.

2. All fundraising and solicitation efforts shall be consistent with the missions, goals and mandates of the City. All donated funds become public funds upon acceptance and shall be used and expended for public purposes.

3. All fundraising and solicitation efforts to support City programs and projects shall be authorized by the City Council. When seeking City Council approval, the Department shall present a concise, detailed plan of the proposed fundraising or solicitation project. Council authorization may include continuing authorization or authorization for a one-time only project.

4. No Department shall be allowed to maintain a checking or savings account for fundraising activities that are separate from the City accounting system. All donated funds shall be accounted for and the total donations received from all fundraising and solicitation efforts shall be reported to City Council in departmental reports.

5. All donated funds collected by any City officer or employee shall be, within three (3) business days, provided to the City Treasurer. Said funds shall be accounted for separately by the Finance Administrator and not used for any purpose other than that which donations are authorized by City Council as provided in Section 3 of this Policy.

6. All donated funds shall be used for the specific purpose for which they were solicited and shall be subject to such policies and guidelines as the City Council may provide. All expenditures of donated funds shall comply with City purchasing requirements for expenditures of public funds and shall be accounted for in accordance with generally accepted accounting practices.

7. No cash funds may be received by any Department conducting fundraising or solicitation activities except for individual ticket purchases and in the case of individual ticket purchases said cash funds shall be handled in accordance with Finance Department guidelines.

8. The Department conducting the fundraising or solicitation activity shall implement an appropriate method of notifying the public of any fundraising or solicitation efforts. However, any donation letter or donation request by whatever form shall include at a minimum the following:

- a. A description of the specific use for any donation;
- b. An indication that any donations should be made payable to the City of Chattanooga;
- c. An address provided for the mailing of any donation to a specific Department to receive the donation;
- d. The following language: "The decision regarding whether to make a donation will not influence or affect in any way how you will be treated by City officers or employees."; and
- e. A contact person to which the donation should be directed.

9. The Department conducting the fundraising or solicitation activity shall implement an appropriate method of acknowledging and thanking donors based upon the type and/or amount of the donation. However, each acknowledgement or thanking of donors shall include at a minimum the following:

- a. A detailed description of the contribution or donation;

- b. A description of the specific use for any donation;
- c. An estimate of the value of any goods and services provided to the donor; and
- d. A reminder that for tax purposes, any contribution can only be deductible to the extent that it exceeds what was provided to the donor in goods or services.

10. City mail services may be used for' Council approved solicitation or fundraising projects. The City and its Departments shall not release mailing lists of City, employees or known donors to individuals or outside..organizations, except as required by the Tennessee Open Records Act.

11. This policy shall not be applicable to any internal collections to raise money for fellow employees or their families.

ADOPTED BY THE CITY COUNCIL ON ,2008.