

**HALIFAX REGIONAL MUNICIPALITY**  
**ADMINISTRATIVE ORDER NUMBER 56**  
**RESPECTING HRM SALE OF NAMING RIGHTS POLICY**

Whereas it is the desire of Halifax Regional Municipality to access private sector money to fund capital reinvestment in, and construction of, HRM assets to meet the municipality's growing infrastructure and programming needs;

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality as follows:

**Short Title**

1. This Administrative Order may be cited as Administrative Order Number 56, the HRM Sale of Naming Rights Administrative Order.

**Purpose**

- 2.1 This policy is intended to:
  - a) encourage continued investment in HRM assets for the benefit of HRM citizens;
  - b) provide a consistent evaluation framework and approval process regarding naming rights for HRM assets; and
  - c) ensure fairness, transparency and accountability of the naming process;

**Scope**

- 3.1 This policy applies to:
  - a) all HRM business units;
  - b) all HRM-owned, HRM-managed assets; and
  - c) HRM assets operated by third parties;

- 3.2 This policy does not apply to the following forms of naming:
- a) administrative naming and commemorative naming of HRM assets pursuant to Administrative Order Number 46, the HRM Asset Naming Administrative Order, as amended from time to time; and
  - b) event and program naming.

## **Definitions**

- 4.1 For the purposes of this policy:
- a) Administrative name means an asset name which is based on a locational reference to a community or a street;
  - b) Commemorative name means an asset name which commemorates a person or group of persons tradition or tradition bearers an historic event a topographic feature or native flora and fauna;
  - c) HRM asset includes an HRM-owned property, complex, structure, building, or portion thereof;
  - d) Naming entity means the entity (e.g. corporation, community organization or individual) to whom naming rights are granted pursuant to a naming rights agreement; and
  - e) Responsible business unit means the HRM business unit that is responsible for the care and maintenance of the asset.

## **General Principles**

- 5.1 The granting of naming rights is intended to support and promote investment in HRM owned assets.
- 5.2 Neither HRM, nor a third party operating an HRM asset, may relinquish, through a naming rights agreement, any aspect of its right to manage and control an HRM owned asset.
- 5.3 The granting of naming rights shall not include an express or implied obligation, on the part of HRM, its agencies, associations, boards, working groups, or commissions, to purchase the naming entity's products and services or to endorse either the naming entity itself, or the naming entity's products or services.
- 5.4 Naming rights agreements must not conflict with the terms and conditions of any existing agreement entered into between HRM and a third party.

- 5.5 The granting of naming rights shall not result in additional costs for HRM, excluding costs incurred during the solicitation and authorization process, or costs incurred to fulfill conditions for naming imposed by the naming entity and agreed to pursuant to the naming rights agreement.
- 5.6 Signage and acknowledgement shall comply with HRM's Corporate Identity Standards and applicable federal, provincial and municipal law.
- 5.7 HRM 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.
- 5.8 Prospective naming entities shall bear all costs associated with the preparation and submission of a naming rights proposal, and the Halifax Regional Municipality will, in no case, be responsible or liable for those costs.
- 5.9 Neither the submission of a naming rights proposal nor the acceptance of the proposal shall be construed as a contract.

### **Assessment Criteria**

- 6.1 HRM shall evaluate corporate naming proposals according to the following criteria:
  - a) desirability of association;
  - b) timeliness or readiness to make a deal;
  - c) value of the naming rights proposal; and
  - d) term of the agreement.

### **Naming Rights Proposal**

- 7.1 A proposal to name an HRM asset may be brought forward either by an HRM business unit, in the case of HRM-managed assets, or a third party, in the case of an HRM asset operated under an agreement.
- 7.2 The proposal to name an HRM asset shall include:
  - a) list of naming opportunities;
  - b) market valuation of the proposed naming opportunity;
  - c) proposed naming rights fee;

- d) proposed term of naming agreement;
- e) proposed rights and benefits;
- f) intended use of funds (e.g. capital, endowment, capital reserve plans);
- g) draft signage and acknowledgement plan; and
- h) draft naming rights agreement.

## **Roles & Responsibilities**

### 8.1 Regional Council shall:

- a) grant or refuse proposals to name HRM assets, based on this policy; and
- b) approve and revise this policy as necessary.

### 8.2 HRM business units will:

- a) determine the process by which naming agreements shall be solicited;
- b) solicit, negotiate, prepare and administer naming rights agreements, including contract management;
- c) seek third party professional advice regarding market valuation, as appropriate; and
- d) consult with HRM Legal Services, Finance and Corporate Communications, as appropriate.

### 8.3 Third parties managing an HRM asset under a Management Agreement or Facility Lease Agreement shall:

- a) in consultation with HRM staff, determine the process by which naming agreements shall be solicited;
- b) in consultation with HRM staff, solicit, negotiate, prepare and administer naming rights agreements, including contract management;
- c) secure HRM Legal Services approval, as to form and content, prior to executing any naming rights agreement; and
- d) assume any costs associated with the naming of an HRM asset.

## Use of Funds

- 9.1 Proceeds received by HRM through the sale of naming rights are to be used for:
- a) the construction, enhancement or maintenance of named HRM assets, or combination thereof;
  - b) investments whose proceeds contribute to the delivery of HRM services; and
  - e) such other purposes as agreed upon in the terms of the naming rights agreement.

Done and passed in Council this 5<sup>th</sup> day of March, 2013.

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Mayor

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Municipal Clerk

I, Cathy Mellett, Municipal Clerk of Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on March 5, 2013.

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Cathy Mellett, Municipal Clerk

Notice of Motion:

May 22, 2012

Approval:

March 5, 2013

Effective Date:

July 2, 2013