



## **BY-LAW NO. 179-99**

### *A BY-LAW RESPECTING SPONSORSHIPS*

#### **1 PREAMBLE**

- 1.1 Whereas Section 31 of the *Police Services Act*, R.S.O. 1990, c.P.15 and amendments thereto, sets out the responsibilities of Police Services Boards, including the responsibility to provide adequate and effective police services in the municipality;
- 1.2 And whereas Section 31(1)(b) provides that the Board shall generally determine, after consultation with the Chief, objectives and priorities of the Police Service;
- 1.3 And whereas Section 31(1)(c) provides that the Board shall establish policies for the effective management of the police force;
- 1.4 And whereas the Board considers it expedient to enact this by-law to provide guidelines to the Police Service and the Board in respect of Sponsorships.

#### **2 DEFINITIONS**

- 2.1 “Act” means the *Police Services Act*, R.S.O. 1990, c.P.15 and amendments thereto.
- 2.2 “Article” means an Article or Subarticle of this By-law.
- 2.3 “Board” means the Regional Municipality of Niagara Police Services Board.
- 2.4 “Chief” means the Chief of Police of the Niagara Regional Police Service.
- 2.5 “Member” means a Member of the Niagara Regional Police Service as defined by the Act.
- 2.6 “Qualified Program” means a policing program which meets the approval criteria set out in Article 11.4 of this by-law.
- 2.7 “Qualified Sponsor” means a Sponsor which meets the approval criteria set out in Article 11.5 of this by-law.
- 2.8 “Section” includes subsection, paragraph, subparagraph, clause and subclause and refers to sections of the Act.
- 2.9 “Service” means the Niagara Regional Police Service.

- 2.10 *“Sponsor”* means a private individual, or a corporation, partnership or organization, whether for profit or not, which contributes money, goods or services to the Service pursuant to a Sponsorship arrangement;
- 2.11 *“Sponsorship”* means a contribution of money, goods or services to a Qualified Program by a private individual, or a corporation, partnership or organization, whether for profit or not, in exchange for the right to be associated with the Service, either for advertising or promotional purposes, or for a community service purpose.

**3 APPLICATION**

- 3.1 This by-law applies to:
  - 3.1.1 any solicitation or offer of a Sponsorship,
  - 3.1.2 any program proposed to be funded by a Sponsorship,
  - 3.1.3 any Sponsor,
  - 3.1.4 the receipt and/or disbursement of any monies received pursuant to a Sponsorship.
- 3.2 In the event that a Sponsor offers or is asked to contribute goods or services, any reports required to be made concerning the amount of money involved in the Sponsorship shall be read to include a requirement for a description and estimated value of the goods and services involved.

**4 RESTRICTIONS**

- 4.1 The Chief shall ensure that:
  - 4.1.1 no solicitation for any Sponsorship is made by any Service Member, and,
  - 4.1.2 no offer of any Sponsorship is accepted by any Service Member,  
except as approved by the Board in accordance with the provisions of this by-law.
- 4.2 Neither the Service nor the Board shall enter into any arrangement in which the Service or the Board endorses a product or service.
- 4.3 Neither the Board nor the Chief shall approve any Sponsorship which may compromise the integrity, objectivity or impartiality of the Service.

**5 SPONSORSHIPS NOT EXCEEDING \$5,000**

- 5.1 The Chief may accept an offer of Sponsorship, or may solicit a Sponsorship, without Board approval if,
  - 5.1.1 the amount of the funding offered by or solicited from the Sponsor, including past donations by that Sponsor, does not exceed \$5,000,

- 5.1.2 the cost of the program for which the funding is to be used does not exceed \$5,000, and
- 5.1.3 the Chief ensures that the approval criteria in Article 11 are met, and the Sponsorships so approved are included in the annual Sponsorship report made pursuant to Article 11.

**6. SERVICE PROCEDURE**

- 6.1 The Chief shall:
  - 6.1.1 develop a written procedure relative to Sponsorships in accordance with the provisions of this by-law on or before September 30th, 1999, and
  - 6.1.2 provide a copy of the said written procedure to the Board upon completion.

**7. INITIAL REPORTING REQUIREMENT**

**SOLICITATION OF SPONSORSHIPS**

- 7.1 Article 7.2 applies to any proposed solicitation of Sponsorships, except those defined in Article 5.
- 7.2 Prior to commencement of any solicitation of Sponsorships, the Chief shall make a written report to the Board containing the following information:
  - 7.2.1 full particulars of the proposed solicitation, including,
    - 7.2.1.1 the targets of the proposed solicitation,
    - 7.2.1.2 the amount of money, or the value of the goods and services to be solicited,
    - 7.2.1.3 the time frame within which the solicitation is to be made, and
    - 7.2.1.4 a statement as to whether or not, in the option of the Chief, the Sponsor is a Qualified Sponsor as defined in this by-law.
  - 7.2.2 full particulars of the proposed program to which the Sponsorship funding will be applied, including,
    - 7.2.2.1 a program budget,
    - 7.2.2.2 a statement as to whether or not, in the opinion of the Chief, the program is a Qualified Program as defined in this by-law, and
    - 7.2.2.3 the benefits of the program.
  - 7.2.3 the cost to the Board, if any, including personnel costs.

**8. INITIAL REPORTING REQUIREMENTS**

- 8.1 Article 8.2 applies to any unsolicited offer of Sponsorship and to Sponsorships solicited pursuant to Article 7, except for Sponsorships defined in Article 5.
- 8.2 Prior to acceptance of any offer of Sponsorship, the Chief shall make a written report to the Board containing the following information:
  - 8.2.1 full particulars of the offer,
  - 8.2.2 full particulars of the proposed program to which the Sponsorship funding will be applied, including:
    - 8.2.2.1 a program budget,
    - 8.2.2.2 a statement as to whether or not, in the opinion of the Chief, the program is a Qualified Program as defined in this by-law, and
    - 8.2.2.3 a statement as to whether or not, in the opinion of the Chief, the program is one that would benefit the Service, or the public, with reasons.
  - 8.2.3 full particulars of the Sponsor, including a statement as to whether or not, in the opinion of the Chief, the Sponsor is a Qualified Sponsor as defined in this by-law;
  - 8.2.4 the cost to the Board, if any, including personnel costs.

**9. INTERIM REPORTING REQUIREMENTS – ALL SPONSORSHIPS**

- 9.1 The Chief shall make a written report to the Board,
  - 9.1.1 in the event that the program or the program budget changes, with an explanation of such changes and an explanation of the cost, if any, to the Board, including personnel costs,
  - 9.1.2 in the event that further funding is offered and/or proposed to be solicited in respect of the program,

and shall ensure compliance with the procedures set out in this by-law in respect of such changes, subsequent offers or proposed solicitations.

**10. ANNUAL REPORTING REQUIREMENTS**

- 10.1 On or before March 31st of each year, the Chief shall make a written report to the Board containing the following information:
  - 10.1.1 the number of programs funded through Sponsorships together with a brief description of the programs,
  - 10.1.2 an explanation of the status of the program funded by the Sponsorship;

- 10.1.3 a statement of budgeted and actual program receipts and expenditures in respect of each Sponsorship, including the amount received from Sponsors in respect of each program,
- 10.1.4 the budgeted cost to the Board in respect of any of the programs so funded, including personnel costs,
- 10.1.5 the unbudgeted cost to the Board in respect of any of the programs so funded, including personnel costs,
- 10.1.6 in respect of Sponsorships approved by the Chief pursuant to Article 5, in addition to the above information, full particulars of the Sponsor and the program including a statement from the Chief as to whether or not the Sponsor and the program are Qualified Sponsors and programs within the meaning of this by-law.

**11. APPROVAL CRITERIA**

- 11.1 In deciding whether to approve an offer of a Sponsorship, the Board shall consider the criteria set out in this Article.
- 11.2 With respect to solicitations for Sponsorships:
  - 11.2.1 the solicitation must be approved by the Board,
  - 11.2.2 the solicitation must be in good taste in the opinion of the Board,
  - 11.2.3 there must be no general solicitation to the public at large,
  - 11.2.4 solicitations must be made to potential Sponsors who meet the requirements of Article 11.5,
  - 11.2.5 the solicitation must relate to a specific program or programs which meet the requirements of Article 11.4,
  - 11.2.6 the solicitation must not involve an operational program,
  - 11.2.7 the solicitation must not compromise, or appear to compromise, the integrity or impartiality of the Service.
- 11.3 With respect to Sponsorship arrangements:
  - 11.3.1 the proposed Sponsor must meet the requirements of Article 11.5,
  - 11.3.2 the Sponsorship must relate to a specific program or programs which meet the requirements of Article 11.4,
  - 11.3.3 the Board must approve the Sponsorship arrangement, subject to the provisions of Article 5.
- 11.4 With respect to programs funded through Sponsorships:
  - 11.4.1 the program must be consistent with the Service's mission, values and beliefs,

- 11.4.2 the program must not, in the Board's opinion, form a part of "adequate and effective policing" which the Board is obligated to provide pursuant to the Act.
- 11.5 With respect to Sponsors:
  - 11.5.1 a Sponsor's marketing methods must not compromise the integrity, objectivity or impartiality of the Service and its community partners,
  - 11.5.2 a Sponsor's promotional material must be compatible with the Service's community policing messages,
  - 11.5.3 the Sponsor's public image in the marketplace must be favourable,
  - 11.5.4 present and past activities of the Sponsor must not be in conflict with those of the Service,
  - 11.5.5 a Sponsor's products and services should not have a negative impact on the environment,
  - 11.5.6 a Sponsor must be a good corporate "citizen",
  - 11.5.7 a Sponsor must be of good standing in the community,
  - 11.5.8 a Sponsor must have corporate values consistent with the Service's mission, values and beliefs,
  - 11.5.9 a Sponsor must have a reputation of integrity and ethical standing,
  - 11.5.10 the Board shall consider whether or not the Sponsor is involved in the sale or distribution of tobacco or liquor, the nature of that involvement, and whether or not the nature of such involvement offends any aspect of public policy with respect to the above approval criteria.

**12. ENACTMENT**

- 12.1 This by-law shall come into force upon the date of its passage by the Board.
- 12.2 The short title for this by-law shall be the "Sponsorship By-law".
- 12.3 The Chief shall implement this by-law, where applicable, through General Order and shall ensure that all present and future Members of the Service are instructed as to the requirements of this by-law and of the General Order.

ENACTED AND PASSED this 12th day of August, 1999

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

CHAIRPERSON original signed by Shirley Cordiner

ADMINISTRATOR Original signed by Wendy Southall