


# POLICY

	Policy:	<b>Digital Gateway Signage</b>		
	Department:	Development Services		
	Division:	Economic Development and Tourism	By-Law No.:	2024-081
	Administered By:	Manager of Economic Development and Tourism	Approval Date:	October 28, 2024
	Replaces:	Municipal Digital Signage – November 9, 2020		
	Attachment(s):	N/A		

## 1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to providing its residents, ratepayers and visitors with accurate and appropriate information through the inclusion of digital signage designed to promote and enhance the communication strategies of the municipality in disseminating information about events, meetings and public messages from the Town, Registered Amherstburg Businesses and Not-for-Profit Organizations.

## 2. PURPOSE

- 2.1. This policy facilitates effective digital communication tools for important community messaging.
- 2.2. This policy ensures open, honest and clear channels of communication in the use of the Digital Gateway Signage in the Town of Amherstburg.
- 2.3. This policy provides direction for the appropriate use of the Town’s Digital Gateway Signage.
- 2.4. This policy defines who may advertise on Digital Gateway Signage.

## 3. SCOPE

- 3.1. This policy applies to all digital communication utilizing the programmable electronic signs at the North and South entrances of the Town on Sandwich Street.
- 3.2. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO or designate.

## 4. DEFINITIONS

- 4.1. **Digital Gateway Signage** refers to Town owned and maintained programmable electronic signs at the North and South entrances of Town on Sandwich Street.
- 4.2. **Eligible Amherstburg Business** means all entities operating with a business presence in the Town of Amherstburg.

- 4.3. **Amherstburg Not-For-Profit Organization** refers to organizations that provide products or services to improve or benefit the Town of Amherstburg, where any profit made is not for the personal gain of its directors, members or officers.
- 4.4. **Third-Party Advertising Service** means a party that has been granted a contract with the Town for the sale and management of advertising on the North and South Digital Gateway Signs for:
- 4.4.1. Eligible Amherstburg Business advertising;
- 4.4.2. Amherstburg Not-For-Profit Organizations which elect to advertise through this service should the Town, based on the priorities outlined in Section 6.2.7, be unable to accommodate their request;

Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

## 5. **INTERPRETATIONS**

Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a by-law or Town policy shall be deemed to be a reference to the most recent passed policy or by-law and any replacements thereto.

## 6. **GENERAL CONDITIONS**

### 6.1. **Content on Digital Gateway Signage**

- 6.1.1. Digital Gateway Signage conveys information to the public as a representation of the Town, and therefore will be operated in a manner that represents Amherstburg positively.
- 6.1.1.1. The following information shall not be permitted to be posted on Digital Gateway Signage:
- a. Fund-raising announcements for causes that are not directly supported and formally endorsed by the Town of Amherstburg;
  - b. Promotion of political, factional, or religious viewpoints;
  - c. False, misleading or deceptive messages;
  - d. Messages expressing discriminatory views pursuant to the Ontario Human Rights Code;
  - e. Material that is protected by copyright without the express written permission of the copyright holder;
  - f. Messages promoting and/or encouraging the sale or consumption of alcohol, tobacco, marijuana, or drugs;

- g. Messages promoting and/or encouraging the participation in gambling or games of chance;
- h. Messages with the words or phrases "Stop," "Go Slow," "Caution," "Danger," "Warning," "Emergency," "Yield," or "Detour," unless these terms are part of a business or product name and are displayed solely for the purpose of identifying that business or product or unless in the instance of an emergency as determined by the Town of Amherstburg in its sole discretion;
- i. Material that may violate individuals' privacy;
- j. Events and/or functions open only to members of an organization.

## **6.2. Appearance, Use, and Functionality of Digital Gateway Signage**

- 6.2.1. The Town may utilize its Digital Gateway Signage to thank sponsors for supporting Town events.
- 6.2.2. The Town is not liable for power outages or other acts beyond its control which affect the ability to utilize Digital Gateway Signage to convey information on behalf of Third-Parties.
- 6.2.3. Messages may be edited for clarity and conformity to the requirements of the medium.
- 6.2.4. The Town offers no guarantee with respect to the appearance of any conveyance of information on Digital Gateway Signage, or the length of time that a message will be displayed.
- 6.2.5. Appearance of messages are subject to constraints of priorities, as well as electronic and mechanical limitations.
- 6.2.6. The Third-Party Advertising Service will determine the priority of messages for those advertising spaces allotted to them based on the number of allotted advertising spots in accordance with their contractual agreement and Town's policy.
- 6.2.7. Town advertising spots are exclusively for the use of the Town and Amherstburg Not-For-Profit Organizations. Priority will be given to:
  - 6.2.7.1. Town initiatives/affairs
  - 6.2.7.2. Town events
  - 6.2.7.3. Paid Amherstburg Not-For-Profit advertising
- 6.2.8. In the event that the Town is not able to accommodate an Amherstburg Not-For-Profit Organization request due to the priorities as stated above, the Not-For-Profit Organization can elect to submit an advertising request to the Third-Party Service.

- 6.2.9. Messages unrelated to Town affairs or initiatives shall not state, insinuate and/or imply the endorsement and/or approval of the Town of Amherstburg.

### 6.3. **Application**

- 6.3.1. All terms, conditions, fees, and payments shall be handled by the Third-Party Advertising Service for Eligible Amherstburg Businesses and Amherstburg Not-For-Profit Organizations advertising in accordance with contractual agreement with the Town, including compliance with this policy.

- 6.3.2. Requests to utilize Town allotted advertising spots on digital Gateway Signage will only be considered from Amherstburg Not-For-Profit Organizations.

- 6.3.3. Eligible Amherstburg Businesses and Amherstburg Not-For-Profit Organizations using the Third-Party Advertising Services shall:

- 6.3.3.1. Submit their request directly to the Third-Party Advertising Service;

- 6.3.3.2. Comply with all contract terms and conditions;

- 6.3.3.3. Comply with the Digital Gateway Signage Policy; and,

- 6.3.3.4. Provide payment in accordance with the Third-Party Advertising Service agreement.

- 6.3.4. Registered Amherstburg Not-For-Profits which seek advertising from the Town shall:

- 6.3.4.1. Submit their request directly to the Town through the Town website;

- 6.3.4.2. Comply with all contract terms and conditions;

- 6.3.4.3. Comply for the Digital Gateway Signage Policy;

- 6.3.4.4. Provide payment in accordance with the Town's User Fee By-Law, as amended from time to time.

### 6.4. **Notwithstanding Clauses**

- 6.4.1. The Town reserves the right to suspend all messages, despite the priority conditions outlined in the policy, and use signage for emergency messaging.

- 6.4.2. The Town is not liable for the terms, conditions, fees and services provided by the Third-Party Advertising Service.

## 7. **RESPONSIBILITIES**

- 7.1. **Council** has the authority and responsibility to:

- 7.1.1. Approve the Digital Gateway Signage Policy.

- 7.2. The **CAO** has the authority and responsibility to:
  - 7.2.1. Ensure compliance with the Digital Gateway Signage Policy.
- 7.3. The **Director of Development Services** has the authority and responsibility to:
  - 7.3.1. Review the effectiveness of the Digital Gateway Signage program.
- 7.4. The **Manager of Economic Development and Tourism** has the authority and responsibility to:
  - 7.4.1. Determine the priority of Town allotted advertising spots.
  - 7.4.2. Communicate or delegate the communication of any scheduled maintenance, outage, interruption or other condition affecting the display of paid programming on digital gateway signage for a period exceeding 24 hours to the contact of the Third-Party Advertising Service.
- 7.5. **Staff** have the authority and responsibility to:
  - 7.5.1. Comply with the Digital Gateway Signage Policy.

## **8. REFERENCES AND RELATED DOCUMENTS**

- 8.1. Accessible Customer Service Standards Policy
- 8.2. Code of Conduct for Staff Employees Policy
- 8.3. Ontario Human Rights Code
- 8.4. Use of Corporate Resources for Elections – Not Permitted Policy
- 8.5. Sponsorships and Advertisements Policy
- 8.6. Income Tax Act
- 8.7. Not-for-Profit Corporations Act, 2010