

ORDINANCE NO. 2021-\_\_\_\_\_

AN ORDINANCE OF THE SOUTH SALT LAKE CITY COUNCIL ENACTING CHAPTER 71 OF TITLE 2 AND AMENDING SECTIONS 12.38.10 AND 12.38.160 OF THE SOUTH SALT LAKE CITY MUNICIPAL CODE TO CREATE A FRAMEWORK FOR NAMING OF CITY FACILITIES AND ACCEPTANCE OF SPONSORSHIPS IN SOUTH SALT LAKE CITY.

**WHEREAS**, The South Salt Lake City Council (the “City Council”) is authorized to enact and amend ordinances establishing regulations related to City owned facilities, including parks; and

**WHEREAS**, the City Council finds that a framework for the standardized naming of City Facilities is in the best interest of the City of South Salt Lake; and

**WHEREAS**, the Mayor, in an attempt to lessen the financial burden to the City’s residents has sought out and received offers of sponsorships and donations to City parks and other facilities; and

**WHEREAS**, the Mayor and the City Council have determined that it is in the best interest of the City and its residents to have a standardized manner of accepting sponsorships and donations; and

**WHEREAS**, the City Council hereby determines that enacting Chapter 71 of Title 2 of the South Salt Lake Municipal Code to create a framework for the standardized naming and renaming of City facilities and the acceptance of sponsorships is in the best interest of the health, safety, and welfare of the residents of South Salt Lake City;

**NOW THEREFORE, BE IT ORDAINED**, by the South Salt Lake City Council as follows:

**SECTION 1. Enactment.** Chapters 71 of Title 2 of the South Salt Lake Municipal Code is hereby enacted and Sections 12.38.10 and 12.38.160 are amended, as attached hereto and incorporated by reference in “Exhibit A.”

**SECTION 2. Severability.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 3. Conflict with Existing Ordinances, Resolutions, or Policies.** To the extent that any ordinances, resolutions, or policies of the City of South Salt Lake conflict with the provisions of this ordinance, this ordinance shall prevail.

**SECTION 4. Effective Date.** This ordinance shall become effective upon Mayor's signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

(signatures appear on separate page)

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DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

BY THE CITY COUNCIL:

\_\_\_\_\_  
Sharla Bynum, Council Chair

ATTEST:

\_\_\_\_\_  
Craig D. Burton, City Recorder

City Council Vote as Recorded:

Huff	_____
Thomas	_____
Bynum	_____
Mila	_____
Siwik	_____
deWolfe	_____
Pinkney	_____

Transmitted to the Mayor's office on this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Craig D. Burton, City Recorder

MAYOR'S ACTION: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Cherie Wood, Mayor

ATTEST:

\_\_\_\_\_  
Craig D. Burton, City Recorder

## Exhibit A:

### Naming of City Facilities and Acceptance of Sponsorships

#### 2.71.010 – Purpose and Definitions

##### A. As used in this chapter:

1. “City asset” means a city property substantially owned and operated by the city, including real estate, parks, and buildings, or elements within a piece of real estate, a park, or a building.
2. “City park” means a park owned and operated by the city.
3. “De Minimis Asset” means a park bench, tree or plant, bike rack, or similar object installed by the City in a public place owned by the City.
4. “Major Asset” means a city asset for which one or more of the following apply:
  - (1) It provides material economic value to the city;
  - (2) It is iconic to the city;
  - (3) It is a structure or facility, including a portion of structure or facility; or
  - (4) It is land, regardless of acreage.
5. “Minor Asset” means a park facility in its entirety. For example, a contiguous playground is considered a single park facility and may be named in its entirety as a minor asset; a slide within the playground may not be named as a minor asset.
6. “Park facility” means a defined physical subset of a park, not to exceed 25% of the total area of the park. Park facilities include, but are not limited to, a pavilion, a score board, a court, or a splash pad.

##### B. The purpose of this chapter is to establish policy and guidelines for :

1. naming or renaming a city asset, with more specific guidance for the naming or renaming of city buildings; and
2. accepting sponsorships that involve donor name recognition in a manner outside of a formal naming or renaming of a City asset.

##### C. The naming of city assets and sponsorship of city assets shall be consistent with the provisions of this chapter.

##### D. The policy set forth in this chapter is to establish a systematic and consistent basis for recognizing contributions and support to the city from citizens, volunteers, organizations, financial donors, community leaders, officials, and others.

##### E. Any physical feature that acknowledges the official name of a city asset shall be placed on city property and considered city property.

##### F. This chapter does not apply to naming or renaming public thoroughfares.

#### 2.71.020: Naming major, minor, and de minimis city assets.

A. Asset Classes. When evaluating a city asset for naming, a city asset shall be classified as major, minor, or de minimus. Naming of major assets shall require city council approval. Naming of minor assets shall require mayor approval. Naming of de minimis assets shall require the approval of the Neighborhoods Department.

##### B. Naming process.

1. To name a Major Asset, the city council shall:

- a. hold at least one public meeting where there is an opportunity for public comment on the proposed name; and
  - b. pass a resolution identifying the asset and explaining the rationale for the chosen name of the asset, including addressing any relevant factors listed in this chapter.
2. To name a Minor Asset, the mayor shall issue an executive order. The executive order shall identify the asset, explain the rationale for the chosen name of the asset, and address any relevant factors listed in this chapter.
3. If a De Minimis Asset is named, it shall be designated only by a small plaque placed on or near the asset. The plaque shall be no larger than 8 x 12 inches and shall be approved, in advance, by the Neighborhoods Department pursuant to written rules made by the Neighborhoods Department. A plaque, as described in this paragraph, does not constitute a sign under Title 17.

### **2.71.030: Naming categories.**

The following asset naming categories are created:

A. Category 1 - Sponsorships. Following a request for qualifications or a request for proposals, the city may enter into an agreement with an individual or an organization whereby the naming of a city asset may be selected by such individual or organization, pursuant to the requirements of this chapter, in exchange for a cash or other contribution to the city. Naming requests of city assets that are conditioned upon financial contributions offered to the city shall be considered by the council and mayor. The council and mayor shall jointly make all decisions regarding the offering, acceptance of funds, or any other arrangement regarding the sale of naming rights on city-owned assets. The naming of a city asset pursuant to a sponsorship agreement shall comply with this chapter.

B. Category 2 - City Recognitions. The city may elect to name a city asset to formally recognize significant contributions and support to the city by:

1. An individual or organization; or
2. A group of similarly situated individuals.

C. Category 3 - Tributes and Memorials. An individual may request that the city name a city asset, such as a room, tree, flagpole, or park bench, as a tribute or memorial to an individual, group, event, or other thing.

D. Category 4 - Discretionary. If a request does not apply to an asset naming category, it shall be left to the discretion of the city to name the asset.

### **2.71.040: Naming standards.**

A. Applicability. The provisions set forth in this section apply to the naming of a city asset, including, but not limited to:

1. Opening of a new or refurbished city asset;
2. Honoring an individual, group, or organization;
3. Recognizing a gift, donation, sponsorship, joint venture/partnership, or significant contribution to the city or the general public; and
4. Improvements to an existing city asset.

B. General Provisions. The following provisions shall apply to selection of any name associated with a sponsorship, city recognition, or a tribute or memorial:

1. Consent: When a city asset is proposed to be named for an individual, consent shall be obtained from such individual or, if the individual is deceased, the individual's next of kin if reasonably feasible.

2. Prohibited Names. No name shall be chosen that:

a. Causes confusion due to duplication of or similarity to an existing named location within the city;

b. Is the name of:

(1) An entity associated with tobacco, alcohol, firearms, obscenity, or a sexually oriented business;

(2) A religious or political organization; or

(3) A religious leader, unless the leader being honored is recognized solely for the leader's civic contribution;

c. May have an inappropriate acronym, short form, or modification;

d. Is discriminatory or derogatory;

e. Relates to or may create a controversial situation within the city; or

f. Recognizes a single individual for a contribution similar or identical to a contribution made by others within a particular group associated with that individual.

3. Asset Name Rejection. The city, in its sole discretion, may reject any proposed sponsorship, asset donation, or any name proposed for a new or existing city asset.

C. Sponsorships And City Recognitions. The following provisions shall apply to the selection of any name associated with sponsorship or city recognition:

1. Context: The selected name shall:

a. Have a longstanding or significant identification with the city or its residents;

b. Be consistent with:

(1) The character and public value of the asset;

(2) Financial sponsorship categories as may be established by the mayor;

(3) Geographical locations; and

(4) Any other applicable city requirement.

2. Personal And Organization Names. The name of an individual or an organization shall be considered only when the individual or organization has made a significant contribution to the city by:

a. Enhancing the quality of life and well being of the city;

b. Contributing to the historical, cultural, or societal preservation of the community;

c. Contributing a significant portion of project costs used for acquisition, development, improvement, or conveyance of land or a building; or

d. Achieving personal or organizational excellence that represents the city in a positive manner.

3. Public Gifts: When selecting a name connected with a sponsorship, the following additional factors shall be considered:

a. The dollar value of the contribution compared to the construction and ongoing operating and maintenance costs of the city asset to be named;

b. Any financial sponsorship categories as may be established by the city to recognize different contribution amounts;

c. The cost of establishing the naming; and

d. In the case of a donated asset, projected ongoing operating and maintenance costs.

D. Tributes and Memorials: The following provisions shall apply to the selection of any name associated with a tribute or memorial:

1. Quality: An asset donated to the city shall conform to applicable city standards including, but not limited to, design, durability, and location. The city, in its sole discretion, may reject an offer to donate an asset that does not meet city standards.

2. Maintenance: An asset donated to the city that is unique and not within any asset class ordinarily purchased and maintained by the city shall be maintained by the donor, unless otherwise provided in an asset naming agreement.

**2.71.050: Changing an asset name.**

A. Criteria: The name of a city asset with an existing name shall be changed only after consideration of the:

1. Historical significance of the name;

2. Impact on the currently named individual or organization; and

3. Cost and impact of:

a. Changing existing signage, if any;

b. Rebuilding community recognition; and

c. Updating records such as letterhead, databases, and promotional materials.

B. Consideration: Each request to change an existing name shall be considered on a case by case basis pursuant to applicable provisions of this chapter.

**2.71.060: Asset name removal.**

A. End Of Service Life: When a city asset exceeds its service life, as reasonably determined by the city, or is destroyed through no fault of the city, the asset and its associated name may be removed.

B. Extension: A named asset that has exceeded its service life may continue to remain in service only if:

1. The named asset is approved by the city pursuant to an asset naming agreement; and

2. The asset naming agreement:

a. Specifies the length of time that the asset name may be used; and

b. Provides for an endowment fund or other financial resources sufficient to pay the asset's ongoing maintenance costs.

C. Asset Parameters: If an asset was named before the effective date hereof, classification of the asset shall be accomplished as provided in section 2.71.020 of this chapter. The city council shall be given the opportunity to decide whether to remove or extend an asset name using the procedure set forth in subsection 2.71.020 B of this chapter as if it were applicable to the removal or extension of an asset name.

D. Council Action. Unless otherwise provided in an active contract, the city council may review, change, or remove the name of a city asset at any time consistent with the provisions of this chapter.

E. Expiration. Except as otherwise provided in subsection C, an asset name expires and may be available for renaming upon:

1. The passage of twenty five (25) years;

2. Unexpected natural events, such as flooding, earthquakes, or windstorms;

3. The end of the asset's useful life or when the asset becomes beyond repair and must be replaced; or

4. The termination date or event stated in any written agreement of the city with respect to such asset name.

F. Exemptions. City assets that have longstanding and historically significant names are exempt from this section.

**2.71.070 – Guidelines for naming or renaming city buildings.**

A. All city buildings completed after July 1, 2021 shall be identified as being owned and operated by the city as set forth in this section. The city shall include the words "South Salt Lake," or similar, in the name of each building. All permanent on-site signs identifying city buildings shall be clearly visible and shall include the full name of the building as adopted under the guidelines set forth in this section.

1. For a city building completed prior to July 1, 2021, the mayor and city council shall create a schedule to bring the building into compliance with this subsection A within a reasonable time. The schedule shall consider budget restraints, scheduled replacement dates for signage, and other relevant factors.

2. The city may use temporary signage for a building completed prior to July 1, 2021, until the city is able to bring the building into compliance with this subsection A.

B. If the city and another entity jointly construct, own, or operate a building, the city shall work with the other entity to recognize the collaborative nature of the project and to recognize the interests of the other entity in the naming of the building.

C. Before approving a recommendation for the naming or renaming of a city building, the city council shall consider the following factors:

1. The names or public identification of adjacent or nearby streets or prominent physical or geographic features;

2. The community or subdivision in which the building or park is located;

3. Significant historical features or events that are associated with the public place or the area in which it is located;

4. Whether the individual, or entity on the individual's behalf, has made a significant contribution to the public place's existence or development. In considering this criteria, the city council shall also consider the contributions of others to the public place's existence or development; and

5. Whether the naming suggestion is supported by the community at large.

6. Whether a city entity has invested funds to brand its name.

D. If the city council is considering naming a public place after a deceased individual, the individual must have been deceased for a minimum of six months.

E. If the city council is considering naming a public place after a government official, the government official must have been out of office for a minimum of five years.

**2.71.080. Sponsorships.**

A. A city asset may be sponsored by a non-city entity, pursuant to a written agreement reviewed by the City Attorney Office and signed by the mayor.

B. Before the city may accept a sponsorship, it shall consider the following factors:



1. the relative value of the sponsorship the city receives versus the burden of maintaining the sponsorship; and
2. whether the sponsorship will imply an endorsement on the part of the city or on the part of city officials of a particular entity.

C. A city sponsorship agreement may not exceed ten years from the day on which the written agreement establishing the sponsorship is executed.

D. Sponsorship of a city asset may be recognized by up to two physical features that acknowledge the sponsorship. Such physical features could include a banner, a logo on city property, or similar element. Acknowledgement of sponsorship on a physical feature owned and operated by the City does not constitute a sign under Title 17.

### **2.71.090. Rules and procedures.**

The mayor or the mayor's designee may adopt rules and policies, including asset naming parameters or the designation of sponsorship levels, to implement the provisions of this chapter within the guidelines set out in this chapter.

### **12.38.10 - Definitions.**

Terms used in this chapter have the following meanings:

(1) “Advertisement” means a notice or announcement in or on a public medium promoting a product, service, or event, or otherwise publicizing a company or organization, but does not include a sponsorship feature.

~~(1)~~ (2) “Bicycle” means the same as that term is defined in UCA 41-6a-102 or its successor provision.

~~(2)~~ (3) “Golf cart” means the same as that term is defined in UCA 41-6a-102 or its successor provision.

~~(3)~~ (4) “Motor vehicle” means the same as that term is defined in UCA 41-6a-102 or its successor provision.

~~(4)~~ (5) “Park” means real property owned by the city or other government entity and designated for public use and enjoyment for recreation purposes.

(6) “Park facility” means a physical subset of a park.

(7) “Sponsorship feature” means a logo or similar visual acknowledging a private entity and designed to acknowledge the contributions of the private entity to a park or park facility.

Notwithstanding Title 17 or its successor provisions, a city-approved sponsorship feature does not constitute a sign.

### **12.38.160 – Advertising material in a park – Sponsorship features.**

(1) No person shall distribute any handbills or circulars or post, place or erect any bills, notice, paper, or advertising device or matter of any kind in a park except:

(A) as authorized by the Mayor; and

(B) in conjunction with a City-sponsored event.

(2) The City may approve the placement of a sponsorship feature in a park if:

(A) the City owns and operates the park;

(B) the private entity being acknowledged by the feature contributed to the acquisition or material improvement of the park;

(C) there are no more than two sponsorship features total in the park;

(D) the size of the sponsorship feature is no larger than 10% of the total square footage of the park or park facility being sponsored; and  
(E) the City Attorney's Office approves the feature to ensure legal compliance.