



MEMORANDUM

Town of Nags Head

Planning & Development Department

To: Board of Commissioners
From: Paige Griffin, Event Coordinator

Date: July 28, 2022

Subject: Continued discussion of Dowdy Park Event Sponsorships.

OVERVIEW AND BACKGROUND

At the Nags Head Board of Commissioners June 1, 2022 meeting, Planning Staff presented a draft Event Sponsorship Policy following the inclusion of sponsorship opportunities within the updated consolidated fee schedule to accompany the FY 22/23 operating budget. The policy speaks to the criteria for sponsorships, sponsorship agreements, permissible and impermissible sponsors, and message content as well as general conditions. At this meeting, Board members expressed an interest in receiving citizen input and feedback, concerned that this type of sponsorship opportunity may be viewed as a type of commercialization of town parks and spaces.

Staff utilized several avenues to solicit citizen feedback on the proposed event sponsorship opportunities. These included the following:

- Posting/posing the question of community sentiment on the Town's social media platforms such as the Dowdy Park Farmers Facebook and Instagram page as well as the Town's Facebook page.

These social media posts did not generate a lot of feedback but what was received was generally positive. Between the Town's Facebook page and the Dowdy Park Farmers Market Facebook page the post received a total of 9 "Likes", 8 "Shares" and one comment. Analytics of these posts say that approximately 3,783 people were reached/viewed the post. The social media post (included below) also encouraged interested citizens to contact Event Coordinator, Paige Griffin directly. Paige received several emails, some of which led to follow up phone calls. Some of the comments received were, "I love the park, and the events for the community", "We like the idea of more events and would love to be a part of what you are doing", "We have been looking for the right opportunity to be more involved in community events", "Needs to have clear boundaries and incentives", "I don't see any issue with allowing sponsors. It is a great way to obtain funding and expand offerings".

- Surveying guests (locals and visitors) at the Farmers Market and Concerts.

Event Coordinator, Paige Griffin spoke to upwards of 65 people attending these events and the overwhelming consensus was to accept sponsorships therefore increasing the frequency of events and educational offerings. Many of those

surveyed spoke to a desire for more Spring and Fall opportunities when schedules are less hectic, allowing more time for locals to attend.

- Calling on local business owners via text message, phone calls, and face to face conversations for their input.

Most business owners were in favor of the sponsorship opportunities noting that it would provide increased events within the community. A few were hesitant and non-committal at first, until they were provided with, and understood the proposed guidelines, parameters and restrictions that would be adhered to as part of the sponsorship. Once they understood the proposed rules regulating the sponsorship, they were in favor of proceeding.

It's important to note that at this time, the consolidated fee schedule only contemplates sponsorships for movies and music. Sponsorship of a movie would not exceed \$650 and would include the set up and tear down of movie equipment and a small treat for attendees, such as popcorn. Sponsorship costs of a music performance may vary based upon the band. The bands that currently perform as part of the Dowdy Park Summer Concert Series are selected such that there is a genre of music for everyone, and prices range from \$300 to \$1,000. In addition, the fee for sound set up through Sea Level Sound for each concert is a set fee of \$800. With the consolidated fee schedule only speaking to these two opportunities, any other considerations would need to come before the Board of Commissioners for their consideration and approval as part of an amendment to the fee schedule.

Should a business or individual wish to sponsor a movie or music event the following are ways in which we are proposing they be recognized:

- Sponsor recognition on advertisements approximately one week in advance of the event which typically includes email broadcasts, social media posts, e-newsletters, placement of the sponsor's logo on the Dowdy Park Events webpage.
- Sponsor recognition during stage announcements.
- Sponsor will be permitted to place an approved banner (not to exceed 36 square feet in area) internally facing within the park during the event. Staff envisions this being placed inside the pavilion, as a backdrop for the band, or visible during a movie. This banner should not be highly visible from US 158 or Bonnett Street.

Staff has included the draft Event Sponsorship Policy for the Boards review as well. Following the June 1st, meeting, Town Attorney Leidy reviewed the policy and recommended that two areas of the policy be deleted as they are overbroad and vague. This policy was adopted at the June 1st meeting, however after review of the revised policy the Board of Commissioners will need to consider re-adoption of the policy with the suggested revisions.

Staff will be available at the Board of Commissioners August 3rd, 2022 meeting to participate in discussion and address any questions that may arise.



Dowdy Park

Published by Roberta Thuman · July 20 at 5:23 PM ·



We're considering event sponsorship opportunities for events at Dowdy Park, to include evening concerts, movies, and other activities.

Programs at Dowdy Park are free and open to the public and it is the Town's intent to keep it that way! !!

Exploring the possibility of allowing businesses to sponsor one of these events would allow the Town to expand its offerings to the community. As part of this, sponsors of an event will be recognized in one or more of the following ways: sponsor recognition on advertisements in advance of the event, which typically includes email broadcasts, social media posts, or e-newsletters, placement of the sponsor's logo on the Dowdy Park events web page, recognition during stage announcements, and a banner to be located within the park (up to 36 square feet) internally facing during the event.

We take great pride in discouraging "commercialization" of public spaces. Prior to establishing a sponsorship program, the Town would like to receive input from the community on whether there is support for a sponsorship program and also how we may structure this to best align with community objectives.

Please share your thoughts with us by either commenting below or contacting Event Coordinator Paige Griffin directly at paige.griffin@nagsheadnc.gov.



Town of Nags Head
Post Office Box 99
Nags Head, NC 27959
Telephone 252-441-5508
Fax 252-441-0776
www.nagsheadnc.gov

Board of Commissioners Policy

Event Sponsorship Policy

Adopted June 1, 2022

I. GENERAL POLICY STATEMENT

The Town of Nags Head may permit private sponsorships of government programs, services and events in limited circumstances as a means to generate funds for improving or expanding those programs, services, and events and exercises sole discretion over who is eligible to become a sponsor according to the terms of this Policy. Whenever possible, sponsorships shall be linked to specific activities, events, programs, or publications. The Town of Nags Head will neither seek nor accept sponsors that manufacture products or take positions inconsistent with local, state, or federal law or with the Town of Nags Head's policies, positions, or resolutions. The acceptance of a sponsorship offer or the establishment of a sponsorship agreement does not constitute an endorsement by the Town of Nags Head of the sponsor's organization, products, or services.

II. PURPOSE AND INTENT

The purpose of this Policy is to define the conditions upon which sponsorship messages may be placed upon Town property or in publications of the Town and to establish definitive guidelines for the acceptance and placement of such messages. It is the intent of the Town of Nags Head 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, the Town of Nags Head 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 the Town or the services provided to the Town of Nags Head residents. It is also the intent of the Town to offer fair and equitable opportunities for businesses, individuals, and other organizations to sponsor activities and events. The Town will work to design a process that allows for participation by a wide variety of interested parties.

III. CRITERIA FOR SPONSORSHIP

The Town of Nags Head 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 Town of Nags Head among its residents. Therefore, any proposal for sponsorship of a Town of Nags Head program or service in which the involvement of an outside entity compromises the public interest will be rejected. The Town of Nags Head 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 Town of Nags Head Departments to implement the sponsorship;
- Inconsistencies between the Town of Nags Head's policies and the known policies or practices of the potential sponsor;
- Other factors that might undermine public confidence in the Town's impartiality or interfere with the efficient delivery of Town services or operations, including, but not limited to, current or potential conflicts of interest between the sponsor and the Town of Nags Head employees, officials, or affiliates; and the potential for the sponsorship to tarnish the Town's standing among its residents at large.
- Number of available sponsorships as compared to the number of interested parties seeking a sponsorship opportunity.

IV. SPONSORSHIP AGREEMENTS

Sponsorship agreements for Town of Nags Head programs or services shall clearly outline the forms of support sought and offered, the recognition to be given by the Town, and should 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 Town of Nags Head;
- Benefits to be given to the Town of Nags Head 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.

V. IMPERMISSIBLE 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 the Town of Nags Head, is deemed to be unsuitable for and contrary to community standards or appropriateness for government publications,~~ shall be prohibited on any Town property or in Town 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 Town of Nags Head reserves the right and discretion to exercise full editorial control over the placement, content, appearance, and wording of sponsorship affiliations and messages. The Town of Nags Head may make distinctions on the appropriateness of sponsors on the basis of subject matter of a potential sponsorship recognition message.

VI. 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.

The Town of Nags Head 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 Town of Nags Head's name, marks, or logo, may be issued without written approval from the Town of Nags Head's Commissioners and Town Attorney, or their designees.

VII. 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 the Town 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 Town, 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. The Town 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, the Town'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 Town, might be confused with editorial matters.

VIII. AUTHORIZATION REQUIREMENTS AND PROCESS

Placement of sponsorship messages upon Town property or in Town publications shall require specific authorization from the Town of Nags Head Board of Commissioners 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 Town designee for review in accordance with the Sponsorship Policy and be notified by such designee upon acceptance or denial of the sponsorship offer. The Town of Nags Head's Board of Commissioners reserves the right to require Sponsorship Agreement Forms for specific sponsorship opportunities be reviewed by the Board of Commissioners prior to approval or denial.

This Policy shall be and become effective upon adoption by the Town of Nags Head Board of Commissioners 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 shall be construed and completed, if necessary, in the manner most consistent with the Policy.

Sponsorship Opportunities

Movies in the Park = \$650

(Includes set up and tear down of equipment and small snack for attendees, such as popcorn, etc.)

Music in the Park (Levels I, II, & III)

(Includes fee for band and professional sound)

Level I = \$1,100

Level II = \$1,500

Level III = \$2,000

For Information Contact

Paige Griffin, Event Coordinator

Paige.griffin@nagsheadnc.gov

252-489-8551



Recognition with Sponsorship

- Recognition on advertisements one week in advance of the event, typically includes email broadcasts, social media posts, e-newsletters, placement of the sponsor's logo on the Dowdy Park Events webpage.
- Recognition during stage announcements.
- Sponsor will be permitted to have an approved banner (maximum 36 sf in area) internally facing within the park during the event.