



# POLICY

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<b>POLICY NO:</b>	705	<b>APPROVAL DATE:</b>	March 7, 2016
<b>TITLE:</b>	Advertising on City Buses and Transit Property	<b>REVISION DATE:</b>	January 25, 2021
<b>SECTION:</b>	Material, Equipment and Services	<b>PAGE</b>	<b>1 OF 5</b>
<b>DEPARTMENT:</b>	Transit Department		

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## POLICY STATEMENT

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The City recognizes the need to balance the City's standards, with respect to the display of Advertisements in or on City Buses and Transit Property, with an individual's freedom of expression. The City's objective in setting standards with respect to such Advertisements is to protect the public from content that is reasonably deemed by the City to be immoral, vulgar, disreputable, misleading or offensive to the general public.

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## REASON FOR POLICY

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To ensure that all Advertising on City Buses and Transit Property is consistent with the City's corporate values, image and strategic goals.

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## RELATED INFORMATION

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1. The display of acceptable Advertisements on City Buses and Transit Property is accepted as a means of generating revenue for the City.
2. The *Canadian Charter of Rights and Freedoms* (the "Charter") guarantees certain rights and freedoms including freedom of expression. Should the City choose to accept Advertisements in or on City Buses and Transit Property, it may only limit a potential advertiser's freedom of expression by refusing Advertisements, as permitted under Section 1 of the *Charter*. The *Charter* makes all guaranteed *Charter* rights subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society".

The standards and limitations on Advertising content set out in this Policy must be viewed in the context of the City's limited legal ability to deny Advertisements under the *Charter*, as described in the preceding paragraph.

3. The City shall ensure that all Advertisements on City Buses and Transit Property are appropriate and meet specific criteria, as outlined in this Policy without unreasonable interference with rights under the *Charter*.

**APPLICATION**

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1. The acceptability of Advertisements for display on City Buses and Transit Property shall be governed by this Policy as interpreted by the City's Transit Manager or by any other person to whom the City Transit Manager's authority has been delegated.
2. The content of all Advertisements on City Buses and Transit Property shall comply with the Canadian Code of Advertising Standards. In addition all Advertisements must meet the following criteria:
  - (a) All Advertisements must comply with all Federal, Provincial and Municipal laws, statutes, regulations and bylaws in force or amended or promulgated hereafter;
  - (b) No Advertisement will be accepted which the City, in the exercise of its sole discretion, considers:
    - i. to be of questionable taste or in any way offensive in the style, content or method of presentation to the general public, or
    - ii. does not comply with the Canadian Code of Advertising Standards.
  - (c) All Advertisement shall be of a moral and reputable character;
  - (d) All Advertisements shall be free of any demeaning, derogatory, exploitative or unfair comment or representation of any person or group of persons, or any such comment or representation based on race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons;
  - (e) No Advertisement will be accepted which promotes the use of cannabis, tobacco, alcohol or illegal drug products;
  - (f) The City will not solicit or accept sponsorship or Advertising from companies whose reputation could prove detrimental to the City's public image and/or whose main business is derived from:
    - i. the sale of tobacco;
    - ii. pornography;
    - iii. the support of, or involvement in the production, distribution, and sale of weapons and other life-threatening products;
    - iv. the sale of cannabis; and
    - v. alcohol.
  - (g) The City will not allow Advertisements, either directly or through third party arrangements, that:
    - i. convey a negative religious message that might be deemed prejudicial to religious groups;
    - ii. promote alcohol and other addictive substances, at venues geared primarily to children; and
    - iii. present demeaning or derogatory portrayals of individuals or groups or contain anything, which, in light of generally prevailing community standards, is likely to cause deep or widespread offence.

- (h) Advertisements, which are otherwise acceptable under this Policy, which convey information about a meeting, gathering or event must contain the name of the sponsoring group, the name of the persons participating in the event, and the location, date and time of the event;
- (i) An Advertisement, otherwise acceptable under this Policy, which:
  - i. promotes or opposes a specific theology or religious ethic, point of view, policy or action;
  - ii. advocates or opposes any ideology or political philosophy, point of view, policy or action; or
  - iii. conveys information about a political party or the candidacy of any person for a political position or public office.

must visibly display the name of the sponsoring group;

These Advertisements must also display the following disclaimer:

“The opinions expressed in this Advertisement, or by the sponsor of this Advertisement, do not in any way represent the opinions of, and are not endorsed by, the City of Grande Prairie”.

This endorsement disclaimer extends to and includes content that may be found via internet addresses, quick response (QR) codes, and telephone numbers that may appear in posted Advertisements and that directs viewers to external sources of information;

- (j) No Advertisement will be accepted on City Buses or Transit Property which promotes any adult entertainment business, escort service, massage parlour, cannabis business (retail, production or distribution), liquor companies, and related products or brand promotions;
- (k) The Advertisement does not breach or conflict with an existing City Advertising agreement;
- (l) There are no adverse effects on public safety from the Advertisement;
- (m) The Advertisement shall not in any way invoke future consideration, influence or be perceived to influence the day-to-day business of the City;
- (n) The Advertisement will not cause a specific City employee to receive any product, service or assets for personal gain or use; and
- (o) The Advertisement will not impact the quality and integrity of City Buses or Transit Property and will provide no added risks to safety.

- 3.1 The City reserves the right to require the Contractor to:
- (a) reject an application for an Advertisement; or
  - (b) change or remove an Advertisement from a City Bus or Transit Property;
- that is deemed unacceptable by the City in accordance with this Policy, at the City's sole discretion.
- 3.2 The Contractor shall change or remove the Advertisement within five (5) days of receipt of notice from the City requesting its change or removal.
- 3.3 If the Contractor fails to change or remove the Advertisement as directed by the City, the City may change or remove the Advertisement at the sole cost and expense to the Contractor. The Contractor will pay the City forthwith upon receiving notice of any such expenses.
4. Any person who does not agree with the City's decision to allow a particular Advertisement on a City Bus or Transit Property, may file a complaint with Advertising Standards Canada at: [www.adstandards.com](http://www.adstandards.com).
5. Any person who submits an Advertisement to the Contractor, which is found to be unacceptable by the Contractor in accordance with this Policy, and who does not agree with the Contractor's decision to not permit a particular Advertisement on City Buses or Transit Property, may appeal that decision to the City's Transit Manager or to his/her delegate at the City.
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## **DEFINITIONS**

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**"Advertisement"** means a public notice or announcement or the act or process of Advertising.

**"Advertising"** means the sale to an external company, organization, association or individual of advertising space on a City Bus or Transit Property in which to place an Advertisement for the purposes of influencing, educating or informing the public.

**"Bus"** means a Public Transit Vehicle, as defined in the City's Public Transit Bylaw C-709, serving public passengers for a fare.

**"Canadian Code of Advertising Standards"** ("ASC Code") means the advertising industry's principal instrument of advertising self-regulation, administered by Advertising Standards Canada. The ASC Code sets the criteria for acceptable advertising in Canada and forms the basis upon which advertising is evaluated in response to consumer, trade, or special interest group complaints.

**"City"** as referred to in this Policy, shall include all departments and offices comprising the municipal corporation of the City of Grande Prairie.

**“City Transit Manager”** means the City of Grande Prairie employee appointed to this position.

**“Contractor”** means any agency or entity contracted by the City to provide Advertising services by way of marketing, materials and labour on City Buses and Transit Property.

**“Transit Property”** means City-owned property located on a fixed City bus route including benches, waste receptacles and bus shelters.

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## **RESPONSIBILITIES**

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City Council will review and approve any revisions to this Policy.

City Manager will review and approve any procedures related to this Policy.

City Administration will carry out the policy based on established procedures.