

June 16, 2014

**OFFICE OF THE CAO – CORPORATE COMMUNICATIONS
AND CORPORATE POLICY COMMITTEE JOINT REPORT 2014-02**

TO: Committee of the Whole

SUBJECT: Revised Corporate Policy – Use of Corporate Logo COMM 2-01

ORIGIN: Corporate Communications and Corporate Policy Committee

RECOMMENDATIONS

THAT Corporate Communications and Corporate Policy Committee Joint Report 2014-02 dated June 16, 2014 regarding amended Corporate Policy – Use of Town Logo Policy be received and the following recommendations be adopted:

THAT Council approves the attached amended Use of Corporate Logo, Crest & Images Policy COMM 2-01.

COMMENTS


The Town's corporate identity is a valuable organizational asset that distinguishes Newmarket's services from those of other organizations.

As the Town's logo was recently registered as a Trademark, the policy has been updated to add more information and to expand on the importance of protecting the brand and the use of copyrighted intellectual property including logos, images, and mascots.

Using the corporate identity for Town of Newmarket corporate activities only safeguards the Town's brand. With consistent application, the public can easily identify with a Town of Newmarket service or program when they see the government logo. This brand equity represents quality, security, standards, adherence to legislation, credibility, and excellent customer service. The Town's logo or marketplace identity infers that it is a formal program of the Town of Newmarket, supported, approved and budgeted for by Council.

Unrestricted or unauthorized use of the logo(s) or images could result in a loss of control of the attributes that define our brand or damage the Town's brand and/or reputation.

"The brand is the most valuable piece of your organization and without proper care and attention, it could become damaged or disappear completely. Protecting the brand use and maintaining its consistency across products and locations is the single most important role of the corporate office." Brand management white paper -FranChoice



BACKGROUND

On November 24, 2008, Council adopted a new corporate logo. The current Use of Corporate Logo Policy COMM 2-01 was adopted by Council on October 25, 2004 and does not address the use of the new logo or the use of images.

In September 2013, the Executive Assistant to the Councillors, in conjunction with outside legal counsel, successfully registered the Town of Newmarket logo pursuant to the *Trade-marks Act*.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

This policy is consistent with the Town's vision of being "well- equipped and managed" and "well-respected" by providing guidelines on the proper use and display of the official Town logo, Town crest and other Town images.

CONSULTATION

The research conducted in drafting the revised policy included consultation with outside legal counsel from the law firm of WeirFolds LLP, as well as the Town of Newmarket's Associate Solicitor.

The draft policy was reviewed by the Corporate Policy Committee and presented to the Operational Leadership Team.

The attached policy incorporates the feedback and comments from all of the stakeholders noted above.

HUMAN RESOURCE CONSIDERATION

The recommendations in this report have no impact on staffing levels.

BUDGET IMPACT

The adoption of this policy has no direct impact on the Operating or Capital budget.

CONTACT

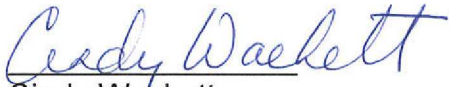
For more information on this report, contact Wanda Bennett at 905-895-5193 ext. 2041 or wbennett@newmarket.ca



Wanda Bennett
Director, Corporate Communications



Darlene Murray
Executive Assistant to the Councillors



Cindy Wackett
Corporate Policy Committee



for
Bob Shelton
CAO

CORPORATE POLICY

Sub Topic: Use of Corporate Logo,
Crest & Images

Policy No.: COMM.2-01

Topic: Corporate Image & Identity

Applies to: All Employees, Elected
Officials, Stakeholders

Section: Corporate Communications

Council Adoption Date:

Effective Date:

Revision No:1

Date:

Policy Statement

The Town of Newmarket believes that one of the means of building a consistent, professional and distinct image is through the use of an official corporate logo and crest, as well as various other Images (defined below) that are easily recognized and associated with our community. The Town's corporate identity is a valuable organizational asset that distinguishes Newmarket's services from those of other organizations. This policy safeguards the appropriate use of the logo, crest and other Town Images, in line with the Town's Community Vision direction "Well Equipped and Managed" and "Well-Respected", as well as the Town's Strategic Plan via sound governance, accountability and a focus on service excellence.

Purpose

This policy guides the proper use and display of the official Town logo, the Town crest, and other Town Images. It clarifies and defines the use of the Town crest by Town employees and the use of the Town logo and Images by organizations, businesses, individuals, and/or Elected Officials. By governing the use of the logo, crest and Town Images, the Town can ensure that only those initiatives being supported or endorsed by the Town are granted permission to use the Town logo, the Town crest, and/or the Town Images as applicable.

Definitions

Elected Official: a member of Town of Newmarket Council including the Mayor and Regional Councillor.

Images: means all images owned by the Town other than the Town Crest and the Town Logo, including but not limited to digital photos, mascots, mascot images, artwork, slogans, audio clips and video clips.

Person: an individual, corporation, partnership or any other legal entity.

Stakeholder: a resident, business, municipal neighbour, elected official, staff, upper tier level of government, board, committee, authority, agency, association and anyone with an interest in municipal affairs.

Procedures

Use of the Town Crest

The Town crest symbolizes the early heritage of the community and is only used internally, for official purposes, which include, Town Clerk's use, Office of the Mayor's use and Town flags.

Use of Images

The use of Images is restricted to corporate activities and Images shall not be modified, copied, distributed, reproduced, published, licensed, transferred, in whole or in part, without the written consent of the Town. Use of an Image, without the express prior written consent of the Town is a violation of the Town's intellectual property rights and the Town will protect such right to the fullest extent of the law.

Use of the Town Logo

Use of the Town logo is restricted to corporate activities, including but not limited to official Town letterhead, business documents, flags, awards, wearing apparel and uniforms, Town-owned property, vehicles and buildings. The logo is to be used in a manner that is consistent with the requirements of the Corporate Identity Standards manual.

- **Conditions for Use of the Town Logo**

Upon approval, Corporate Communications will grant permission to display or otherwise use the Town logo subject to the provisions of this Policy, including the following seven conditions:

- Reproduction of the Town logo shall adhere to the Corporate Identity Standards manual wherein the technical specifications of the logo are prescribed
- Permission to use the Town logo may not be transferred or extended to any other person
- Unless otherwise authorized by the Town in writing, the Town logo does not imply endorsement or sponsorship by the Town of any kind and an external user shall not use the logo to imply such endorsement or sponsorship
- Users acknowledge and agree that the Town assumes no liability with respect to the use of the logo and shall release, defend and indemnify
-

the Town and hold it harmless from any demands, claims, damage losses or liabilities which directly or indirectly arise from:

- a) the use of the logo
 - b) the user's failure to comply with any provision of this Policy
 - Users shall, at their own expense, provide to the Town a sample of each product and any material upon or in which the logo is used
 - Permission constitutes a license to use the logo and the Town reserves the right, in its sole discretion, to terminate or modify permission to use the logo at any time and without prior notice – upon termination, all use of the logo must cease immediately
 - Users shall not threaten or commence any claim against a third party regarding the logo, and shall notify promptly Corporate Communications of any use or suspected use of the logo by a third party
- **Unacceptable Use of the Town Logo**
A user shall not use the logo in any manner that the Town at any time considers unacceptable including the following nine situations for uses that:
 - are inconsistent with:
 - a. the request for permission to use the logo
 - b. any provision contained in the grant of permission by Corporate Communications, or
 - c. any provision contained in this Policy
 - advocate or promote the use of tobacco, alcohol, controlled substances, firearms or weapons
 - are within a partnership agreement or in the context of a relationship with retail, food or pharmaceutical establishments that may sell, in part, tobacco, alcohol, or controlled substances
 - promote unlawful conduct, pornography, obscenity, indecency, or which offends prevailing community standards
 - promote religious messages or beliefs
 - promote, or support or in opposition to any political candidate or party
 - promote or support political messages not endorsed by Council
 - criticize or damage the reputation of the Town of Newmarket, or its operations, or its officers, agents or employees
 - impair or diminish the Town's interest and rights in the logo

Responsibilities of Elected Officials

- Make request to use the Town's logo or any other Image to the Director, Corporate Communications. This will ensure consistency and equity is applied to all requests by Elected Officials wanting to use the Town's logo or other Image and most importantly, it will ensure the brand of the Town is maintained and upheld.

- Expenses incurred by Elected Officials related to the unauthorized use of the logo or other Image will not be allocated to the Elected Officials corporate promotional account.

Responsibilities of All Employees and Stakeholders

- Obtain permission/written authorization from Corporate Communications to use the Town Logo or any other Image for any reason or purpose to display, copy, redistribute, reproduce, republish, modify or otherwise use the logo or other Image.
- Contact Corporate Communications to use the logo in writing at:

Town of Newmarket
Corporate
Communications
395 Mulock Drive
Newmarket, Ontario
L3Y 4X7

(905) 895-5193

[Email: communications@newmarket.ca](mailto:communications@newmarket.ca)

Responsibilities of Corporate Communications

- Approving the use of the crest to ensure the use of the crest is accurate and consistent
- Applying the Corporate Identity Standards manual for any use of the logo by Town employees, Elected Officials or any stakeholder
- Reviewing, approving or denying requests for the use of the Town logo or other Image(s) in accordance with the Corporate Identity Standards manual
- Revoking permission to use the logo or other Image(s) upon determining that the logo and/or other Image(s) has been used in an unacceptable manner
- Responding to unauthorized or unacceptable use of the Town logo or other Image by pursuing legal action and/or all other available remedies against the responsible Person(s)
- Approving requests for use of the Town logo or other Image that at minimum, meet the following four criteria (while reserving the right to review other factors):
 - use is for genuine Town of Newmarket business activity
 - use is consistent with the Town's brand
 - appropriate and acceptable material on which the logo or other Town Image will appear

- placement in material (brochures, posters, business cards etc.), on websites, social media sites, or otherwise, shall not be used to promote election candidates, even if that candidate has been previously elected as a member of Council, or in other items that could be perceived to imply support for one candidate over another.

Cross References

Wearing Apparel Policy HR.7-01

Drug & Alcohol Policy HR.5-02

Employee Code of Conduct CAO.3-01 (adopted by By-law 2007- 43)

Council Code of Conduct CO.1-01(adopted by By-law 2007- 42)

Corporate Identity Standards Manual

Progressive Discipline Policy HR.4-01