

City Policy/Procedure

Subject: Use of City Logo and Ancillary City Logos by Non-City Organizations

Reference: Ordinance 11-04

Purpose

To protect the City's valuable property rights inherent in the City of Irvine logo and ancillary logos by governing its limited use by third party entities in a professional, consistent manner.

Policy

The City of Irvine logo and ancillary logos (e.g., Orange County Great Park) are official trademarks of the City of Irvine and represent the City's distinctive brand and world-renown reputation for excellence and innovation in municipal governance and public services. Pursuant to municipal law, City logos are exclusively used for official City business – for example, City communications, merchandise, facilities, signage, events and services. There are limited circumstances under which third parties may be granted permission to use the City logos on a case by case basis for reproduction (e.g., website, publications, print material, email, products, and signage). Any use that falls outside of the policy specifications is strictly prohibited. Any assumption of use, including past usage, is unacceptable.

Procedure

1. Eligibility

To be eligible for consideration, third party entities shall meet the established criteria set forth in the Community Collaborations, City Supported Partnerships and Sponsorships Policy and have an agreement with the City as defined by this policy.

With the exception of government agencies and public institutions, inaugural or one-time programs and events primarily sponsored by third parties that are unfamiliar to the City or without a direct collaborative history with the City are ineligible to use City logos. These parameters help the City manage community expectations and protect the City's public image by building and assessing new relationships with third party entities over time. Permission to use the City logos is a privilege and requires direct, written City approval in every case.

In the case of the Orange County Great Park logo, applicants must have a fully executed agreement with the Orange County Great Park Corporation before permission can be granted to use the “@ Orange County Great Park” logo or the “Orange County Great Park” corporate logo. All usage of any Great Park logo or logos must adhere to the logo usage guidelines set forth in the Site Rental and Marketing Agreement.

2. Application

Organizations requesting permission to use the City logo or ancillary logos shall submit the application form available from the Public Information Office.

The application shall include, but not be limited to the following information: explanation of the proposed use of the City logos, how the City logos are proposed to appear, identification of project, and proposed scope of distribution.

3. Evaluation Criteria

The City Manager or his/her designee shall consider (as appropriate) any of the following criteria to evaluate the merits of the third party entity's proposal and the City's benefits of co-branding an event or program with the third party entity:

- Demonstrated commitment to the City's mission, core values, City's Strategic Business Plan, and City's Strategic Plan for Children, Youth and Families;
- Impact on City core services, operations, assets, and facility resources;
- Financial viability;
- Media exposure value for key City messages;
- Economic impact (e.g. alternative funding sources gained for City priority programming and services);
- Protection of the City's best interests in the short/long term;
- Project timelines;
- Third party entity's experience, qualifications, and reputation;
- Communications strategy;
- Other relevant criteria as determined by the City Manager or his/her designee.

4. Notice

The City Manager or his/her designee shall review all applications for approval, modification or denial. Any applicant may appeal the City Manager's decision to the City Council within 14 days of receiving written

notice of the City Manager's decision. To the extent feasible, the City Council will consider the appeal at the next regularly scheduled City Council meeting. The City Council's determination shall be final.

5. License Agreement

Third party entities granted permission to use City logos for approved activities shall sign an agreement accepting the City's terms and conditions.

Not-for-profit organizations recognized by the City, State of California and/or United States may be granted use of the City logos without a license fee in connection with merchandise for sale.

For-profit corporations granted permission to use the City logos in connection with merchandise for sale shall enter a license agreement and pay a license fee. The license fee is five percent of the gross sales amount of the first sale of all items bearing the City logo unless otherwise waived. The for-profit corporation shall register the City of Irvine as the point of sale for said merchandise.

6. Guidelines

The City Manager or his/her designee shall ensure the following guidelines are adhered to:

- Reproduction of City logos shall adhere to the City's Logo Guidelines; improper use may result in termination of logo agreement and future use of City logos.
- Third party entities must submit a pre-event copy of final artwork for approval by the City's Public Information Office or if applicable the Orange County Great Park Corporation's Public Information Office.
- City logos do not imply endorsement or sponsorship of any kind.
- Unaccepted use of the City logos include:
 - Use that advocates or promotes the sale or use of tobacco, alcohol, controlled substances, firearms or weapons;
 - Partnership agreements with retail, food or pharmaceutical establishments that may sell, in part, tobacco, alcohol, controlled substances, firearms or weapons (e.g., Ralph's, Target, Big 5 Sporting Goods) shall be permitted provided that the City's collaboration with such establishments may not relate to, advertise or promote the prohibited items.
 - Use that promotes pornography, obscenity, indecency, or other material offensive to prevailing community standards or persons of ordinary sensibilities;

- Use that promotes adult-oriented businesses;
- Use that promotes religious messages or advocates or promotes religious beliefs;
- Use to promote, or support, or in opposition to any political candidate or ballot measure;
- Use to promote or support political messages not endorsed by the City Council; and
- Use that in any way denigrates the City of Irvine, or its operation, or its officers, agents, or employees.