

**THE CORPORATION OF THE TOWN OF SMITHS FALLS**

**BY-LAW NO. 8982-2017**

**BY-LAW TO A MUNICIPAL FACILITY & ASSET NAMING POLICY**

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WHEREAS Section 8 of the Municipal Act, SO 2001, as amended provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 9 of the Municipal Act, SO 2001, as amended provides that Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS pursuant to Section 5(3) of the Municipal Act, 2001, as amended provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

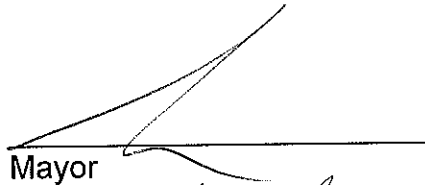
AND WHEREAS this policy outlines the provisions respecting Municipal Facility & Asset Naming;

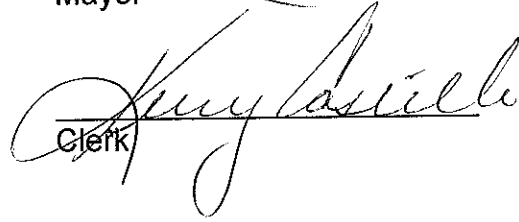
NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Smiths Falls enacts as follows:

1. THAT the Town of Smiths Falls Policy adopt the Municipal Facility & Asset Naming Policy attached as "Schedule A" forming part of this by-law is hereby adopted.
2. THAT this by-law shall take effect on the date of its passing.

Read a first and second time this 20<sup>th</sup> day of November, 2017

Read a third time and passed this 20<sup>th</sup> day of November, 2017

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk



# SMITHS FALLS

RISE AT THE FALLS

POLICY AND PROCEDURE (APPENDIX A TO BY-LAW 8982-2017)

**Subject: Municipal Facility & Asset Naming Policy**

Date of Adoption: November 20, 2017

## 1. LEGISLATIVE AUTHORITY

Town Council has the legislated authority under section 224 of the Municipal Act (the Act) to develop and evaluate policies of the municipality and ensures that practices and procedures are in place to implement these policies.

## 2. DEFINITIONS

**“Council”** means the Council of the Corporation of the Town of Smiths Falls

**“Facility or Asset”** means any property, street, road, lane, park, recreation facility, building, bridge, parking lot or component contained therein and any structures owned directly or indirectly by the Town or in which the Town has retained naming rights. For naming purposes, the term municipal park shall include other components such as sporting fields within a larger park.

**“Municipal Clerk”** means the Clerk of the Corporation of the Town of Smiths Falls

**“Significant Contribution”** means any human or financial contribution or contribution of property, plant or equipment that is considered to significantly impact the ability to construct, operate and / or maintain a municipal facility or that is considered to generate a significant revenue source.

**“Town”** means the Corporation of the Town of Smiths Falls

## 3. PURPOSE

The purpose of this policy is:

- to provide clear guidance to Council and the public for the naming of facilities and assets owned by the Corporation of the Town of Smiths Falls;
- to provide for the establishment of a Names Reserve List and a set of procedures for the naming of municipal facilities or assets to ensure

expediency for the Corporation, proponents and the community when naming facilities or assets;

- to recognize and commemorate significant contributions that organizations or individuals have made to the life and well-being of the people of Smiths Falls or the community in general;
- to ensure that names selected avoid duplication and promote emergency safety considerations.

#### **4. APPLICATION AND SCOPE**

- 4.1 Council reserves the right to address the naming of any facility or asset in accordance with this policy and any other applicable laws, contractual obligations or legal restrictions. Unless otherwise provided for, the municipal naming rights of a municipally owned facility shall cease upon the transfer of ownership from the Town.
- 4.2 This policy shall apply to all municipal facilities and assets as defined herein and may be amended by Council at any time.
- 4.3 Any member of the public or Council may submit a name to be considered by Council for the naming of a municipal facility or asset.
- 4.4 Council reserves the right to exclude any facilities and/or assets from this policy in favour of selling the naming rights of any facility or asset.
- 4.5 All applications will be vetted through staff to determine if there are revenue generating opportunities prior and this information will be relayed to Council in the form of a report.

#### **5. NAMES RESERVE LIST**

- 5.1 The Clerk's Office shall maintain a Names Reserve List for the Town.
- 5.2 When names are proposed to be added to the Names Reserve List, the Clerk shall review the request for compliance with the criteria detailed below and prepare a report to Council for consideration.

#### **6. NAMING CRITERIA**

- 6.1 The name of a person / organization proposed for inclusion on the Names

Reserve List for facilities and assets shall meet at least one of the following criteria:

- a. An original inhabitant/family within the Town of Smiths Falls who has historical significance
- b. A person / organization that demonstrates excellence, courage or exceptional dedication to service in ways that bring special credit to the Town of Smiths Falls, the Province of Ontario and / or Canada;
- c. A person / organization that volunteers and gives extraordinary help or care to individuals, families or groups, or supports community services or humanitarian causes. The quality of the contribution shall be considered along with the length of service by the individual/organization;
- d. A person who risks his or her life to save or protect others above and beyond expectations;
- e. A person who performs a deed or activity performed in an outstanding professional manner or of an uncommonly high standard that brings considerable benefit or honour to the Town;
- f. A person / organization that has made a significant contribution towards a facility or asset owned by the Town;
- g. An individual / organization that has a direct relationship or association that exists between the individual /organization and the facility or asset to be named;
- h. A Town employee, including an employee of any corporation in which the Town has ownership in whole or part or a member of Council who is deceased, has retired or is no longer active in their field;
- i. Reflects a historical event significant to Smiths Falls.

## **7. NAMING PRINCIPLES**

7.1 The following principles shall be considered in deciding on a name for a municipal facility or asset:

- a. only assets in common use by the public, such as parks, recreational facilities, arenas, roads, bridges and any structures owned directly or indirectly by the Town shall be considered specifically for naming;
- b. work areas or assets used by the Town's administration will generally be identified by geographical location or their specific use. Exceptions may be made to honour a long-time respected employee who was connected with the services being provided from that building, facility or organization;
- c. names shall be unique; name duplication and similar sounding names shall be avoided;

- d. names shall not be discriminatory, derogatory or political in nature;
- e. names shall assist with emergency response situations by being consistent with street names and geographical locations;
- f. Council makes all final decisions concerning signage including wording that is placed on municipal facilities and asset;
- g. names associated with a sponsorship contribution toward the acquisition, creation or development of a property, building or feature will be considered when a donation amount is significant in relation to the construction value of the facility or asset.
- h. All applications will be vetted through staff to determine if there are revenue generating opportunities prior and this information will be relayed to Council in the form of a report.
- i. Council shall retain the right to not name certain facilities and assets of broad importance i.e. Town Hall.

7.2 In addition to the principles identified in 7.1, the following additional principles shall be considered in deciding on a name for roads:

- a. names shall be unique, without duplication and and should not have more than 18 characters; names longer than 18 characters shall require additional review;
- b. names shall assist with emergency response situations by being consistent with street names and geographical locations;
- c. names shall continue across intersections;
- d. where street names in a development are based on a particular theme, the names of all streets within the development shall be consistent with the same theme;
- e. redundant street type designations are to be avoided i.e. 6<sup>th</sup> Line Road;
- f. names for public streets that could be construed as advertising a particular business shall be avoided;
- g. generally, streets shall not be renamed unless a situation exists that would cause a difficulty in a 9-1-1 emergency i.e. is the name problematic for dispatching of emergency services personnel.

7.3 Generally, facilities or asset shall not be renamed. They will only be considered for renaming if:

- a. the facility or asset was named for a geographic location, outstanding feature or subdivision. Parks that have been named by deed restriction shall not be reconsidered for renaming;
- b. Facilities and assets named shall not be changed unless it is found that because of new or updated information the continued use of the name would not be in the best interests of the community.

## **8. NAMING PROCEDURES**

The naming process for facilities and assets will involve a different course of action depending on the circumstances surrounding the request / requirement for naming. The following outlines four possible circumstances under this policy with respect to naming.

### **8.1 For Inclusion on the Names Reserve List**

8.1.1 Applicant(s) shall obtain and submit a written Naming Application Form and supporting documentation.

8.1.2. Upon receipt of an application, the Clerk shall circulate the application for review and comments as follows:

- a. Municipal staff, including the Fire and Police Departments for comment on the suitability of the application and to review all proposed external civic names for the purpose of minimizing confusion for emergency response situations
- b. Confirmation of criteria
- c. Reference checks (if applicable).

8.1.3 Following receipt of the information from the circulation, the Clerk shall then prepare a report to the Committee of the Whole providing a recommendation to either include or not include the proposed name on the Names Reserve List as requested by the applicant(s). The report shall include:

- a. recommendation
- b. rationale for recommendation
- c. confirmation of the individual's / organization's endorsement

The report may be considered "in camera" in accordance with Section 20 b. of the Town's procedural by-law, "personal matters about an identifiable individual, including municipal or local board employees."

8.1.4 Council shall make a decision based on the information contained in the Clerk's report.

8.1.5 Council has final authority to approve or amend any recommendation.

### **8.2 For Naming of a Particular Facility or Asset**

8.2.1 Applicant(s) shall obtain and submit a written Naming Application Form

(attached hereto as Schedule 'A') for civic naming of a particular facility or asset to the Clerk no later than 90 days in advance of the date that a decision is required by the proponent.

8.2.2 Where the Council or its Administration are the proponents for naming, the name may be drawn from the Names Reserve List or as otherwise determined by Council.

8.2.5 Upon receipt of an application, the Clerk shall circulate the application for review and comments as follows:

- a. Municipal staff, including the Fire and Police Departments for comment on the suitability of the application and to review all proposed external civic names for the purpose of minimizing confusion for emergency response situations and to determine if there are revenue generating capabilities with the proposed asset.
- b. The Community Services and Corporate Services Departments for new park development naming and park elements
- c. Public Works & Utilities Department for bridge naming
- d. To the County of Lanark for comments with regards to 9-1-1 and rural addressing
- e. Confirmation of criteria
- f. Reference checks (if applicable).

8.2.6 Following technical circulation, a brief report will be presented to Committee of the Whole for initial review of the application prior to public consultation.

8.2.7 The Clerk shall give public notice (at a minimum in the local newspaper). This notice shall provide the Clerk's contact information so that members of the public can provide comment on the proposed name to Council. In addition, advertisements will provide an opportunity for the public to comment on the proposed naming for a period of 14 days. Public Meetings will only be arranged if Council deems it necessary.

8.2.7 Following receipt of the information and public input, the Clerk shall then prepare a report for Council's consideration at the Committee of the Whole meeting providing a recommendation to either include or not to support the applicant's request. The report shall include:

- a. recommendation
- b. rationale for recommendation
- c. confirmation of the individual's / organization's endorsement
- d. Whether or not a ceremony is required and timing of same
- e. Future contributions to financing and ongoing maintenance (if applicable)

The report may be considered “in camera” in accordance with the Town’s procedural by-law, “personal matters about an identifiable individual, including municipal or local board employees.”

- 8.2.8 Council shall make a decision taking into account information obtained from the public, input and information contained in the Clerk’s report.
- 8.2.9 Council has final authority to approve or amend any recommendation.
- 8.2.10 A nominee shall have the right to request an appeal of Council’s decision.

### **8.3 Naming of Donated Land**

- 8.3.1 Park and park facilities that are donated to the Town can be named by deed restrictions by the donor. The naming and acceptance of land is subject to recommendation by the Committee of the Whole and approval of Council.
- 8.3.2 Naming rights are not guaranteed if the donation of parkland is a dedication as required by the subdivision agreement. If a developer requires naming rights, they shall be negotiated with Council as part of the subdivision agreement.
- 8.3.3 If naming has not been negotiated as part of the subdivision agreement, Council shall choose a name from the Names Reserves list or seek proposed names in accordance with Section 8.4.

### **8.4 Naming by Other Means**

- 8.4.1 Council may decide to name a particular facility or asset by involving the public at large i.e. a citizens’ contest.
- 8.4.2 Naming Application Forms shall be provided outlining the information that will be required in order for an individual to make a submission.
- 8.4.3 Seeking names in accordance with 8.4.1 shall commence no later than 90 days prior to the required deadline for a decision to be made.
- 8.4.4 Input shall be sought through the use of the Town’s website, newspaper and/or social media and any other identified means that are available.



8.4.5 The Clerk shall give public notice (at a minimum in the local newspaper). This notice shall provide the Clerk's contact information so that members of the public can provide comment on the proposed name to Council. In addition, advertisements will provide an opportunity for the public to comment on the proposed naming for a period of 14 days. Public Meetings will only be arranged if Council deems it necessary.

8.4.6 The Clerk shall then prepare a report for Council's consideration at the Committee of the Whole meeting providing a recommendation on the proposed name resulting from the public process. The report shall include:

- a. recommendation
- b. rationale for recommendation including input sought from public meeting and results of voting

The report may be considered "in camera" in accordance with the Town's procedural by-law, "personal matters about an identifiable individual, including municipal or local board employees."

## **8.5 Renaming of a Facility or Asset**

8.5.1 Consideration for renaming a facility or asset will be given only after a critical examination is conducted to ensure that renaming will not diminish the original justification for the name or the prior contributors, if applicable.

8.5.2 A decision to proceed with a renaming shall follow the process identified in 8.2 above or as otherwise determined by Council.



# SMITHS FALLS

RISE AT THE FALLS

Corporation of the Town of Smiths Falls  
77 Beckwith Street North  
PO Box 695  
Smiths Falls, ON K7A 2B8

## Municipal Facility & Asset Naming APPLICATION FORM APPENDIX B TO BY-LAW 8982-2017

<b>A. NOMINATOR'S INFORMATION</b> (*A COMMEMORATIVE NAME MAY BE USED ONLY ONCE IN THE TOWN OF SMITHS FALLS—SUBSEQUENT REQUESTS MAY BE DENIED)	
Name (Individual or Organization):  	
Mailing Address:  	
Telephone: <hr/>	
Home	Work
E-mail: _____	
Affiliation to Nominee:  	
<b>B. NOMINEE'S INFORMATION</b>	
Name:  	
Mailing Address:  	
Date of Birth:  	
Telephone: <hr/>	
Home	Work
E-mail: _____	

**D. NOMINEE'S INFORMATION (ACTUAL NAME TO BE COMMEMORATED)**

Name:

**E. APPLICABLE CRITERIA (SELECT ONE)**

ف The nominee is/was an original inhabitant/family of the Smiths Falls area having historical significance

ف The nominated person/organization demonstrates/demonstrated excellence, courage or exceptional dedication to service in ways that bring special credit to the Town of Smiths Falls, the Province of Ontario and / or Canada;

ف The nominated person/organization volunteers/volunteered and gives/gave extraordinary help or care to individuals, families or groups, or supports community services or humanitarian causes. The quality of the contribution should be considered along with the length of service by the individual;

ف The nominated individual risks/risked his or her life to save or protect others above and beyond expectations;

ف The nominated individual achieves/achieved a deed or activity performed in an outstanding professional manner or of an uncommonly high standard that brings/brought considerable benefit or honour to the Town;

ف The nominated person/organization has/had made a significant contribution towards a facility or asset owned by the Town;

ف The nominated person/organization has/had a direct relationship with the facility or asset to be named;

ف The nominated person is/was an employee, including an employee of a corporation which is owned by the Town in whole or part or a member of Council who is deceased, has retired or is no longer active in their field

ف The nominated name reflects an historical event significant to Smiths Falls

**F. RATIONALE FOR NOMINATION AND ATTACHED BACKGROUND INFORMATION RELATED TO THE CRITERION CHOSEN, WHICH SUBSTANTIATES ALL CLAIMS MADE: INCLUDE ITEMS SUCH AS BUT NOT LIMITED TO COPIES OF NEWSPAPER ARTICLES, CERTIFICATES, AWARDS, LETTERS OF SUPPORT OR COMMENDATION, SERVICE RECORDS, PICTURES.**

Please note all information provided below and/or attached to this Application Form will form part of the Naming Application Form and will therefore be released to the public in any public notices/advertisements produced, public Agenda and Minutes, Committee discussions/meetings and Reports which may go forward to Council.

**G. DO YOU WISH THE NAME TO BE USED FOR A SPECIFIC:**

Park

Facility

Road

Asset within a Facility

Other

Current Identification, Address or Location Information:

**H. ADDITIONAL INFORMATION: (ADD INFORMATION AS NEEDED)**

**I. CONSENT TO THE RELEASE OF INFORMATION PROVIDED IN SECTIONS C- J IN  
WHOLE OR IN PART**

CONSENT

I / We consent to the release of the information contained in this application in Sections C-H to members of the public for the purposes of allowing Council to receive public input into the proposed naming.

MFIPPA STATEMENT

The information collected on this form will be used as part of the Municipal Facility and Asset Naming Process.

Personal information on the form, attached to the form or subsequently submitted to be included or attached to the Application Form, and all subsequent information collected as a result of the research and the staff investigation of the person's information, including but not limited to information found on websites, in local archived materials, in newspapers articles, or as a result of a public consultation process, will be used by staff and will be made available to the members of the public, and councillors—except the information collected in Sections A and B .

\_\_\_\_\_  
Nominator's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Nominee's Signature<sup>1</sup> (if applicable)

\_\_\_\_\_  
Date

<sup>1</sup> The nominee or a representative on their behalf (next of kin, solicitor, notary public, etc.) must provide consent to this nomination.