

49 **Chapter 3.14. Naming Rights of Facilities, Public Places, Tributes, and Monuments.**

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58
59 **3.14.010. Purpose.**

60 (1) The purpose of this Chapter is to promote the City's image and enhance public
61 awareness of particular City assets by establishing guidelines for their naming or renaming.

62 (a) City assets include, but are not limited to, parks and parklands; landscape
63 elements such as trees, plants, plazas, and gardens; site furnishings such as benches,
64 playgrounds, and donated art; open spaces; facilities; recreation elements such as sports
65 fields; memorials, statues, and busts; and municipal buildings, properties, sites and
66 structures.

67 (b) The naming of City assets shall be consistent with adopted City policy and the
68 provisions of this Chapter.

69 (c) The policy set forth in this Chapter is to establish a systematic and consistent
70 basis for recognizing contributions and support to the City from citizens, volunteers,
71 organizations, financial donors, community leaders, officials, and others.

72
73 **3.14.020. Scope.**

74 (1) This Chapter shall apply to the naming or renaming of any City asset except City
75 assets named or renamed prior to the enactment of this Chapter.

76 (2) Asset Naming Parameters:

77 (a) City assets shall be classified as either major or minor assets based on dollar
78 value. Naming of major assets shall require Council approval while naming of minor
79 assets shall be in the Mayor's discretion.

80 (b) A City asset shall be considered major if the value exceeds \$500,000 as
81 determined by the Mayor or his designee.

82
83 **3.14.030. Naming Categories.**

84 (1) The following asset naming categories are hereby created:

85 (a) Category 1 – Sponsorships: Following a request for qualifications, a request
86 for proposals, or a request from the Administration, the City may enter into an agreement
87 with an individual or an organization whereby the naming of a City asset may be selected
88 by such individual or organization, pursuant to the requirements of this Chapter, in
89 exchange for cash or other sufficiently valuable contribution to the City.

90 (b) Category 2 – City Recognitions: The City may elect to name a City asset to
91 formally recognize significant contributions and support given to the City by individuals
92 or organizations.

93 (c) Category 3 – Tributes and Memorials: As provided in this Chapter, an
94 individual may petition the City to name a City asset as a tribute or memorial to an
95 individual, group, event, or other thing.

96

97 **3.14.040. Naming Standards.**

98 (1) Applicability: The provisions set forth in this section apply to the naming of any City
99 asset, including, but not limited to, the opening of a new or refurbished City asset; honoring an
100 individual, group, or organization; recognizing a gift, donation, sponsorship, joint
101 venture/partnership, or significant contribution to the City or the general public; or
102 improvements to existing City assets.

103 (2) General Provisions: The following provisions shall apply to the selection of any name
104 associated with a Sponsorship, City Recognition, or a Tribute or Memorial:

105 (a) Consent: When a City asset is proposed to be named for an individual, before
106 consideration of the proposal, consent shall be obtained from such individual or, if such
107 individual is deceased, the individual's next of kin.

108 (b) Neighborhood Chair Recommendation: When a direct relationship or
109 association exists between a group or an individual's former place of residence and an
110 asset to be named, the Mayor may consult with the neighborhood chair for the
111 neighborhood and receive the chair's recommendation.

112 (c) Prohibited Names: Unless otherwise determined by the City in its sole
113 discretion, no name shall be chosen that:

114 (i) causes confusion due to duplication of, or similarity to, an existing
115 name within Provo City;

116 (ii) is the name of an entity associated with tobacco, alcohol, obscenity or
117 a sexually oriented business, place or practice;

118 (iii) may have an inappropriate acronym, short form, or modification;

119 (iv) is discriminatory, derogatory or otherwise creates controversy within
120 the City, as determined by the Mayor or Municipal Council;

121 (v) is complex, unduly long, difficult to spell or pronounce; or

122 (vi) recognizes a single individual for a contribution similar or identical to
123 a contribution made by others within a particular group associated with that
124 individual.

125 (d) Asset Name Rejection: The City, in its sole discretion, may reject any
126 proposed asset donation or any proposed name for a new or existing City asset.

127 (3) Sponsorships and City Recognitions: The following provisions shall apply to the
128 selection of any name associated with Sponsorship or City Recognition:

129 (a) Context: The selected name should:

130 (i) have a longstanding or unusually significant identification with the City
131 or its residents; or

132 (ii) be consistent with the character and public value of the asset; the
133 financial sponsorship categories, as may be established by the Mayor; specific
134 geographical locations; or any other applicable City requirement.

135 (b) Personal and Organization Names: The name of an individual or an
136 organization shall be considered only when such individual or organization has made a
137 significant contribution to the City by:

138 (i) enhancing the quality of life and well-being of the City;

139 (ii) contributing to the historical, cultural, or societal preservation of the
140 community;

141 (iii) contributing a significant portion of project costs used for acquisition,
142 development, or conveyance of land or construction or renovation of a City
143 building; or

144 (iv) achieving personal or organizational excellence that represents Provo

145 City in a positive manner.

146 (c) Public Gifts: When selecting a name connected with a Sponsorship, the
147 following additional factors shall be considered:

148 (i) The dollar value of the contribution compared to the construction and
149 ongoing operating and maintenance costs of the City asset to be named;

150 (ii) Any financial sponsorship categories, as may be established by the
151 City, to recognize different contribution amounts;

152 (iii) The cost of establishing the naming; and

153 (iv) In the case of a donated asset, projected ongoing operating and
154 maintenance costs.

155 (4) Tributes and Memorials: The following provisions shall apply to the selection of any
156 name associated with a Tribute or Memorial:

157 (a) Quality: An asset donated to the City shall conform to applicable City
158 standards including, but not limited to, design, durability, location, and applicable safety
159 considerations. The City, in its sole discretion, may reject an offer to donate an asset that
160 does not meet City standards.

161 (b) Maintenance: An asset donated to the City that is unique and not within any
162 asset class ordinarily purchased and maintained by the City shall be maintained by the
163 donor unless otherwise provided in an asset naming agreement. The City will not
164 consider for approval Tributes and Memorials which will impose a significant financial
165 burden on the City to maintain.

166 (c) Content: It is in the City's discretion to approve or reject the design, size,
167 material, text, and graphics to be used for Tributes and Memorials and to approve species
168 of memorial trees. Any written content on a City asset is subject to review and may be
169 rejected if it:

170 (i) is discriminatory, derogatory, or may otherwise create controversy, as
171 determined by the Mayor or Municipal Council; or

172 (ii) contains statements of religious principles or scriptural verses unless
173 such principles or verses are unavoidably entwined with an otherwise historically
174 significant event or person proposed to be honored.

175 (d) Ownership: Unless otherwise agreed to in advance and in writing, all donated
176 property of whatever kind becomes and remains City property. The City assumes no
177 liability for the loss, damage and/or replacement of City assets.

178
179 **3.14.050. Changing an Existing Asset Name.**

180 (1) Criteria: The name of a City asset shall be changed only after consideration of the:

181 (a) Historical significance of the name;

182 (b) Impact on the currently-named individual or organization;

183 (c) Cost and impact of:

184 (i) changing existing signage, if any;

185 (ii) rebuilding community recognition; and

186 (iii) updating records such as letterhead, databases, and promotional
187 materials; and

188 (d) Financial contribution of both the person or organization of the currently-
189 named asset and the person or organization proposing the new name.

190 (2) Consideration: Each petition to change an existing name shall be considered on a
191 case-by-case basis pursuant to applicable provisions of this Chapter.

192

193 **3.14.060. Asset Name Removal.**

194 (1) End of Service Life: When the City determines an asset has exceeded its service life
195 or the asset is destroyed or damaged beyond feasible and economic repair, the asset and its
196 associated name may be removed as provided by law.

197 (2) Extension: A named asset that has exceeded its service life may thereafter remain in
198 service only if remaining in service poses no danger to the public and is approved by the City
199 Council pursuant to an asset naming agreement that specifies the length of time that the asset
200 name may be used, and provides for an endowment fund or other financial resources sufficient to
201 pay the asset's ongoing maintenance and operation costs.

202
203 **3.14.070. Rules and Procedures.**

204 The Mayor or the Mayor's designee may adopt rules, regulations, and procedures,
205 including asset naming parameters, to implement the provisions of this Chapter consistent with
206 the guidelines and limitations set forth in this Chapter.

207
208 **PART II:**

209
210 A. If a provision of this Ordinance 2012-16 conflicts with a provision of a previously adopted
211 ordinance the provision in this Ordinance shall prevail.

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213 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
214 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the
215 remainder of the ordinance shall not be affected thereby.

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217 C. The Municipal Council hereby directs that the official copy of the Provo City Code be
218 updated to reflect the provisions enacted by this ordinance.

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220 D. This ordinance shall take effect immediately after being posted or published as required
221 by law.

222
223 **END OF ORDINANCE.**