



Town of Stoneham General Policies and Procedures

Document Number: BOS-03-002

Effective Date: 28 July 2010

Title: Advertising on Town land and buildings under the jurisdiction and control of the Town Administrator

Process Owner:

1. Purpose/General Policy Statement

- 1.1 The Town's buildings and land are the property of the people of Stoneham and their use is restricted to the business of the people.
- 1.2 Except as specified by this policy, town land and/or buildings under the jurisdiction and control of the Town Administrator shall not be used for advertising by or for parties other than the Town.
- 1.3 This advertising policy ("policy") is promulgated to assist the Town Administrator in the Administrator's exercise of authority regarding the use of town land and/or buildings. This policy shall not be deemed to grant any rights or privileges to any person or entity to advertise in or on Town land or buildings. Nothing in this policy shall require the Town Administrator to grant written authorization for advertising in or on Town land or buildings to any party.

2. Applicability

- 2.1 This policy is applicable to all town land and buildings under the jurisdiction and control of the Town Administrator, except as specified below with respect to the Stoneham Arena, Unicorn Golf Course, Stoneham Oaks Golf Course, and the Senior Center.
- 2.2 Pursuant to Section 10(h) of the Town of Stoneham Selectmen-Administrator Act, Chapter 26 of the Acts and Resolves of 1981 (the "Selectmen-Administrator Act"), as amended, "[t]he Town Administrator shall have jurisdiction over the leasing, rental and use of all town land and buildings, except land and buildings under the control of the school committee, library trustees, and the conservation commission.
- 2.3 This policy applies only to land and buildings under the jurisdiction and control of the Town Administrator.

3. References

- 3.1 Selectmen-Administrator Act, Chapter 26 of the Acts and Resolves of 1981, as amended, Section 10(h). ("The Town Administrator shall have jurisdiction over the leasing, rental and use of all town land and buildings, except land and buildings under the control of the school committee, library trustees, and the conservation commission.")

4. Definitions

- 4.1 "Business entity" shall mean a sole proprietor, partnership, corporation or other organization with a primary purpose to make a profit.
- 4.2 "Non-profit entity" shall mean an organization organized under applicable state law as a non-profit organization with Section 501(c)(3) tax status from the Internal Revenue Service.
- 4.3 "Advertising" shall mean printed, electronic, or banner media for the purpose of promoting the entity to the public, including for the sale of goods or services.
- 4.4 "Town Partner" shall mean any person, business or organization that donates service, hardware, or money for the benefit of the Town

5. Policy

- 5.1 Except as specified by this policy, Town land and/or buildings under the jurisdiction and control of the Town Administrator shall not be used for advertising for parties other than the Town.
- 5.2 Except for the Stoneham Arena, Unicorn Golf Course, Stoneham Oaks Golf Course, and the Senior Center, business entities shall not be allowed to advertise in or on Town land or buildings, unless: (a) the town land or building is leased/rented by them, and (b) prior written authorization for such advertising is provided by the Town Administrator
- 5.3 Non-profit entities based in Stoneham may be allowed to put identification or promotional material about their organization in or on Town land or buildings, with the prior written authorization of the Town Administrator.
- 5.4 Non-profit entities based in Stoneham may be allowed to put commercial advertising, including commercial advertising by third parties, in or on Town land or buildings they are utilizing, but only for the time the land and/or building is actually being so utilized, with the prior written authorization of the Town Administrator.
- 5.5 Town Partners who have donated hardware or equipment to the Town, may be allowed to place their name on the item as “donated by”, with the prior written authorization of the Town Administrator.
- 5.5.1 The Town Administrator shall maintain a list of town partners in a conspicuous place in the Town Hall.
- 5.6 No person or entity shall be allowed to advertise on Town property governed by this policy if such person or entity is overdue on any financial obligation to the Town, including any taxes, fees, charges or other obligation(s).
- 5.7 Except as referenced in Section 3.2 above, advertising on or in Stoneham Arena, Unicorn Golf Course, Stoneham Oaks Golf Course, and the Senior Center is not addressed by this policy. Advertising at these buildings is within the jurisdiction, control and discretion of the Town Administrator.
- 5.8 This policy shall not be interpreted or deemed to restrict the rights of any person with respect their First Amendment rights in a public forum.

6. Responsibilities

- 6.1 The Town Administrator is responsible for the implementation and enforcement of this policy. Nothing in this policy shall be interrupted in a manner, or deemed to be, in conflict with “Selectmen-Administrator Act”.

7. Notes and Comments

None.

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