

**TOWNSHIP OF MOORESTOWN**

**ORDINANCE NO. 8-2013**

**AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN ESTABLISHING A SPONSORSHIP PROGRAM FOR TOWNSHIP ATHLETIC AND RECREATIONAL FIELDS AND FACILITIES**

**WHEREAS**, the Township Council of the Township of Moorestown has developed a Field Sponsorship Program to permit the periodic sponsorship, or naming, of Township athletic fields, as well as seasonal sponsorship, in the form of temporary field banners, as a means of generating additional revenue for the Township, which will be utilized for defraying the costs of recreational improvements and maintenance in Township parks and open space areas; and

**WHEREAS**, the Field Sponsorship Program is intended to promote the general welfare by increasing recreational opportunities within the Township without imposing additional financial burdens on taxpayers, and by promoting pedestrian wayfinding at public parks facilities; and

**WHEREAS**, the Field Sponsorship Program seeks to identify local community sponsors, and to encourage those interested in providing ongoing assistance to the Township in maintaining and improving the Township parks and recreation fields by affording them an opportunity to sponsor the Township's athletic fields; and

**WHEREAS**, as a central requirement of the Field Sponsorship Program, all funds received as a result of the Field Sponsorship Program shall be deposited by the Township in the Current Fund; and

**WHEREAS**, the Township Council will spend the proceeds that are derived from the Field Sponsorship Program to fund recreation improvements and the cost of maintenance in Township Parks and Open Space areas as well as the athletic fields, and any net revenue generated from those proceeds shall be shared on an equal basis between the Township and the respective Township-based sports organization(s) responsible for securing the sponsors; and

**WHEREAS**, the Township deems it desirable to memorialize certain rules of the Field Sponsorship Program, as appropriate, in order to ensure the orderly functioning of the Program, and to do so by way of an Ordinance;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Moorestown, County of Burlington, as follows:

1. Field Sponsorship Program. Program Goals and General Regulations.
  - A. The purpose of the Field Sponsorship Program is to encourage local supporters of the Township of Moorestown to take an active role in maintaining the Township's recreational fields and park areas, to improve the conditions of the parks and

fields, to reduce the related financial burden on taxpayers, and to identify local community partners seeking to promote long-term community commitment by assisting in the maintenance of the recreation fields and parks. In return, the Township will permit sponsors to advertise on athletic fields and on buildings and recreational amenities located on Township property, in order to promote community spirit and to encourage public participation in the creation and maintenance of recreation facilities and in programs that foster the general welfare, and in the upkeep and upgrades to recreational facilities and public gathering places in the Township.

- B. Sponsorship under this program will include the placement of banners, or signage, or other media recognition expressly set forth herein, but shall in no way entitle the Bidder or Sponsor to any rights of use or access, or ownership in any way, of any facility.
- C. All revenue generated as a result of the Field Sponsorship Program shall be deposited by the Township in the Current Fund, and shall be spent by the Township to fund the construction, maintenance and improvement of Township Parks, Open Space Areas, Athletic Fields and Recreation Facilities. Sponsorship funds may also be used to repair or establish facility fencing, the renovation or rehabilitation of fields, general facility maintenance, capital improvement projects, and debt services, as well as lawn maintenance, fertilization, aeration, reseeding, court striping or other improvements, as determined by the Township Council.
- D. Disbursement of Funds to the Organization.
  - 1. Each organization(s) that is responsible for, and credited with, obtaining a field sponsorship shall receive half of the net proceeds of the sponsorship, after deductions. Should more than one organization receive credit for a single sponsorship, the proceeds shall be divided equally among the organizations.
  - 2. Allowable deductions to the proceeds shall include the costs for the design, fabrication, installation and removal of the signs and/or banners, as well as the costs of updating the Township's website, along with such other costs as may be specifically allowed by the Township.

2. Program Rules

A. General Bidding Rules for Field Title/Naming Sponsorships:

Each bid for Field Title/Naming Sponsorship must be based upon prescribed forms that the Township will furnish with its Notice to Bidders, and each bid must be accompanied by a bid guarantee consisting of a certified check, cashiers check, or a bid bond, in an amount equal to 10 per cent of the bid, and payable unconditionally to the Township of

Moorestown. The check or bid bond of the bidder to whom the bid is awarded shall be held by the Township as a guarantee that a sponsorship agreement shall be executed and its performance properly secured and in default thereof, the check or bid bond and the dollar amount represented will be forfeited to the Township as liquidated damages. The signed bid form and bid security must be delivered to the Township Clerk on or before the date specified in the Township's Notice to Bidders. All bids must conform with the minimum bid amount that the Township establishes in the Notice to Bidders. A written request for the withdrawal of a bid or any part thereof will be granted if the Township Purchasing Agent receives the request prior to the specified time of bid opening. Bid securities will be returned to all but the three apparent highest, responsible bidders. All other bid securities, except that of the successful bidder, will be returned by the Township within three business days after bid award. All bids shall be referred to the Township Manager for review and final approval. The Township Council will make its decision for field naming known by Resolution no later than 30 days after the bids are received.

Bidders are encouraged to bid on all field sponsorships that they would consider purchasing at the same time. If a Bidder for any one sponsorship is unsuccessful, but other sponsorships remain available at other locations, the Township shall conduct an open public auction among any and all such bidders in order to award the remaining sponsorship rights.

B. Signs and Banners.

1. General Provisions.

a. The Township shall be responsible for the ordering, installation and removal of any sign or banner on any Township athletic field or recreational facility, and as such, all signs and banners shall be considered the property of the Township. No individual, including sponsors, shall have the authority to move or otherwise alter an installed sign or banner in any manner unless that individual is acting under the direction of the Township.

b. No sign or banner shall be installed as to intentionally face any roadway.

c. The signs and banners created as a result of the Field Sponsorship Program shall be considered 'official government agency signs' as defined by §180.80.1.A of the Code of the Township of Moorestown.

d. Township Council may reject any Field Sponsorship Program application which Council deems inconsistent with promoting youth sports programs and/or the positive image of the Township.

2. Size and shape of banners.

Banners shall be no larger than 3'x 6' in area, and shall be constructed of materials that are flexible and are suitable for outdoor use.

3. Quantities.

Banners shall be available at the quantities set forth in the Bid Form, and will be awarded to successful bidders in the same order that the Township received a complete application and payment in full from each bidder.

4. Design.

a. Sponsors are encouraged to keep the amount of text on any banner to a minimum. In that regard, larger-type font sizes are encouraged in order to maximize visibility. Limiting such text to a sponsor's logo and contact information is preferable.

b. No derogatory, offensive or profane remarks or insults shall be permitted on any sign or banner. Further, tobacco, alcohol and adult business advertising or promotion, is prohibited.

C. Field Title/Naming Sponsorship Specifications.

Sponsors may apply for one 3' x 4' sign which will be located prominently on field property. Specific field placement shall be determined by the Township in order to ensure public safety.

1. General Provisions.

a. The sponsor's name shall be located on all Township and Moorestown Sports Organization information that the Township may generate in electronic or print format, including practice schedules, game schedules, tournament information and maps.

b. All Field Sponsorship (naming) bids will be awarded to the highest responsible bidder. The Township reserves the right to reject any and all bids.

c. Multiple-year Field Sponsorship shall be renewable, at the Township's option, at the end of the initial term, on an annual basis, provided that the payment for each such annual extension is equal to the averaged annual rate of the original bid, plus a 2% escalation rate calculated, with compounding, from the original bid year.

d. Exclusive Field Title/Naming Sponsorship Specifications

1. Exclusive Field Title Sponsorship/Naming shall include all of the provisions and recognition included in the Field Title Sponsorship (naming) rules set forth above, together with every available Seasonal Banner for that field, as shown on the Bid Form, for the entire Term of the Sponsorship.
2. Field Title and Naming Signs.
  - a. Location. Field naming signs shall be located on backstops, field fencing or on new posts, in exact locations as determined by the Township.
  - b. Size and Design. Signs shall be no larger than 3’x4’ in total area, and shall be constructed of coated aluminum, with vinyl logo graphics and text copy.

D. Payment Schedule.

A payment schedule for all field sponsorship/naming rights and for sign banners shall be established by duly-adopted Resolution of the Township Council, which may be amended from time to time.

E. Contracts.

The Township shall enter into contracts with the sponsors in order to fulfill the requirements of the Field Sponsorship Program and this Ordinance. If a successful bidder fails to enter into such contract or fails to meet the contract requirements within ten (10) days after the notice of award, or neglects to perform after acceptance of bid by the Township then the bid guarantee shall, at the option of the Township, be retained as liquidated damages, or if a bid bond has been supplied, principal and surety shall be liable for the amount of the bid.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on April 22, 2013. This ordinance will be further considered for final passage by the Township Council at a meeting to be held in the IT Room at the Moorestown High School, 350 Bridgeboro Road, Moorestown, NJ on May 6, 2013. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk’s Office to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC  
Township Clerk