

ENROLLED ORDINANCE 176-97

CREATE WAUKESHA COUNTY NAMING RIGHTS AND SPONSORSHIP POLICY, AMEND COUNTY DONATION POLICY AND AMEND THE TEXT OF THE CODE OF ORDINANCES

WHEREAS the County occasionally receives requests to name County property, buildings, facilities and rooms in honor of groups, businesses or individuals or such groups, businesses or individuals are willing to donate a percentage of construction or remodeling costs to a building, facility or room improvement project in exchange for sponsorship or naming rights; and

WHEREAS the County's previous sponsorship policy was adopted in 2001 by Enrolled Ordinance 155-141, but was not included in the recodification of the County Code in 2003; and

WHEREAS it is desirable to adopt and maintain a codified policy establishing uniform requirements for the granting of naming and sponsorship of County buildings, facilities and rooms and setting forth the duration of those rights once granted; and

WHEREAS it is desirable to amend the County's existing donation policy to integrate the Naming Rights and Sponsorship Policy and harmonize the two policies.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS:

Section 1. The Waukesha County Code of Ordinances shall be amended with the creation of a new Section 3-5 which shall read as follows:

Sec. 3-5. Naming and Sponsorship Rights and Recognition Markers.

- (a) Naming rights relating to a county property, building, facility or room shall only be granted for a contribution equal to or exceeding one hundred percent (100%) of the value of a proposed property dedication, building, facility or room construction or remodeling project based upon construction costs. Final authority to grant the naming rights in accordance with this section shall be vested in the County Board.
- (b) Naming rights shall only be granted for a building, facility or room construction or remodeling project that has been approved as an existing capital project in the five-year capital plan established under Sec. 7-16 and approved by the County Board under Sec. 4-216, or to any such capital project added by amendment to the approved five-year capital plan.
- (c) Sponsorships may be granted for donations to a building, facility or room construction or remodeling project in an amount less than one hundred percent (100%) of the value of a proposed building, facility or room construction or remodeling project or for donations to a project that falls below the capital project threshold. Placement of sponsorship recognition markers appropriate to the level of the donation toward the project may be authorized.

- (d) The name and/or logo of the donor awarded naming rights or sponsorship may be included in routine signage throughout the building, facility or room as applicable and in collateral materials, provided that the signage is consistent with the architectural style and landscaped appearance of the building, facility or room and has been approved by the County Executive or his designee.
- (e) Any special rights or benefits desired as a condition of a donation for naming rights or sponsorship, including preferential use rights or rights of first refusal for subsequent renewal or extension, shall be incorporated into a written affiliation agreement presented to the County Board for approval. Such special rights or benefits may be subject to conditions established by the County Board and shall be consistent with County policies.
- (f) The award of naming rights or sponsorship and the placement of recognition markers shall be for the replacement life of the improvement for which the donation was made, unless otherwise specified in an affiliation agreement.
- (g) Receipt of donations for naming rights or sponsorship or for recognition markers are subject to the acceptance and use of cash and noncash donation provisions of Sec. 7-90 and 7-91. The County explicitly reserves the right to decline any donation which is deemed to conflict with the mission, services, values or best interests of Waukesha County.

Section 2. Sec. 7-91(a)1. of the Waukesha County Code of Ordinances shall be amended to include the following:

- C. Notwithstanding Sec. 7-90, no cash donation proposed for a use that would place any fixture or structure in county facilities or on county lands may be accepted by a department unless the proposed use has been first reviewed by the Directors of the Department of Parks and Land Use and Department of Public Works, or their respective designees, for safety and costs related to installation, ongoing maintenance and operation, and for consistency with county buildings and grounds current and future needs.

Section 3. Sec. 7-91(a)2. of the Waukesha County Code of Ordinances shall be amended to include the following:

- C. Budgeted anticipated cash donations. No further action by the county board is required to accept or appropriate a donation received in association with the county's Naming Rights and Sponsorship policy if receipt of the donation has been anticipated and budgeted for within an existing approved capital project or departmental budget.

Section 4. Sec. 7-91(b)2.B. of the Waukesha County Code of Ordinances is repealed and recreated to read as follows:

- B. The corporation counsel, in reviewing a special condition determination request, may employ assistance from other administrative staff, and shall consult with

the Department of Parks and Land Use and the Department of Public Works when evaluating any in-kind donations of fixtures or structures that would be placed in county facilities or on county lands.

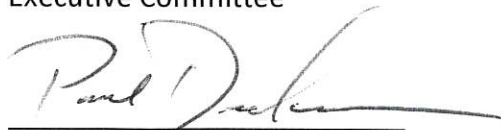
Section 5. Sec. 7-91(c) of the Waukesha County Code of Ordinances shall be amended to include as an exemption, the following:

(4) In-kind donations received for and within the scope of an existing building, facility or room capital project approved by the county board in association with the County's Naming Rights and Sponsorship Policy may be accepted by the county without further action regardless of value or special condition.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall be included and incorporated in the Waukesha County Code of Ordinances and shall be appropriately renumbered to conform to the numbering system contained therein.

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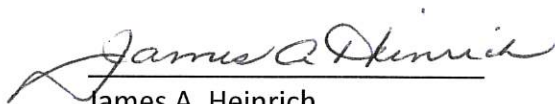
Presented by:
Executive Committee



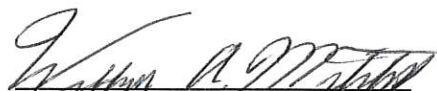
Paul L. Decker, Chair



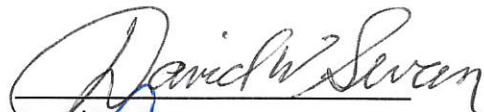
Timothy Dondlinger



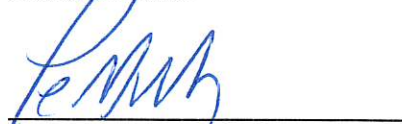
James A. Heinrich



William A. Mitchell



David W. Swan



Peter M. Wolff

Absent

David D. Zimmermann

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 1/31/2022, Margaret Wartman
Margaret Wartman, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X
Vetoed: _____

Date: 1/31/2022, Paul Farrow
Paul Farrow, County Executive

Sup. Nelson voice voted "aye"
 Ordinance Adopted 21-0

VOTING RESULTS

AYE 20 | NAY 0 | ABSTAIN 4 | ABSENT 1 | Did Not Vote: 1

Ordinance 176-O-102

Ordinance 176-O-102: Create Waukesha County Nami...

 Passed By Majority Vote

D1 - Foti	AYE	D14 - Moinhardt	ABSENT
D2 - Zimmermann	AYE	D15 - Mitchell	AYE
D3 - Morris	AYE	D16 - Crowley	ABSENT
D4 - Batzko	AYE	D17 - Paulson	AYE
D5 - Dondlinger	AYE	D19 - Vacant	ABSENT
D6 - Walz	AYE	D20 - Schellinger	AYE
D7 - LaFontain	AYE	D21 - Gaughan	AYE
D8 - Michalski	AYE	D22 - Wysocki	AYE
D9 - Heinrich	AYE	D23 - Hammitt	AYE
D10 - Swan	AYE	D24 - Whitcomb	ABSENT
D11 - Howard	AYE	D25 - Johnson	AYE
D12 - Wolff	AYE		
D13 - Decker	AYE		

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