

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

November 1, 2022

AN ORDER DETAILING THE MANNER IN WHICH INDIVIDUALS, ORGANIZATIONS OR BUSINESSES MAY PROVIDE SUPPORT FOR THE CONSTRUCTION AND MAINTENANCE OF MARKET LANDING PARK

WHEREAS, Order 385 is an order approving the final schematic plans for the expansion of Market Landing Park, et al. and,

WHEREAS, as the City of Newburyport moves from design phase into the construction phase, this order will create a mechanism for members of the public (individual, organization or business) to contribute to the financial support of the Market Landing Plan's costs to build and maintain the park while at the same time increasing their image and brand as well as promoting goodwill;

WHEREAS, the City Council will consider the issuing of Naming Rights for certain Park Amenities

NOW THEREFORE, the City Council will establish the following application process and evaluation criteria:

Purpose:

The intent of this process is to set forth criteria and parameters to guide naming rights opportunities for amenities within the Market Landing Park. This process provides the City Council the authority to consider and approve the naming of park amenities after an individual, an organization, or a business that has provided a financial contribution to support the park construction and its' ongoing maintenance needs.

Definitions:

- **A Park Amenity** in this context is defined as a smaller support structure or park feature within the larger Market Landing Park.
- **Naming Rights** refers to the opportunity to name an amenity, comes with a financial obligation, and expires every 5 years.
- **Naming Rights in Consideration** refer to consideration of significant financial contributions, sponsorships or other commercial transactions
- **Naming Rights in Memoria** in this context are defined as a classification of naming Rights in Consideration
- **Naming Rights in Recognition** refer to recognition of significant contributions to the City, be they financial or of meritorious service; have performed outstanding community service; or be an

outstanding civic leader on a local, state or national level. Names in Recognition bestowed are intended to be permanent.

Guidelines

All Park amenities eligible for naming rights shall be determined by the City Council or its designee. The naming right opportunity application, as listed in Appendix A, must include the names, reason for requesting naming rights, and a detailed proposal of the signage requested, including design, layout, verbiage, and cost in writing for review and approval.

*The City Council will evaluate applications based upon whether they are **in Consideration** or **in Recognition** as defined as following criteria:*

- *In Consideration: A Financial contribution to the construction and ongoing maintenance support.*
- *In Recognition: A distinguished resident and/or community leader who performed extraordinary public service or who made significant civic contributions,*

The above procedures notwithstanding, no naming rights shall be granted to support commercial activity associated with tobacco, alcohol, illegal drugs, or weapons; which contains vulgar and plainly offensive, obscene, or sexually explicit language; advocates the violation of the law or city policy; advances any religious or political organization; promotes supporting or opposing of a candidate for elected office or a ballot measure; which discriminate on the basis of gender, ethnicity, religion, economic status, national origin, disability, medical condition, sexual orientation or age; which is associated with any company, group or individual whose actions are inconsistent with the City's mission or goals or community values.

The City Council will retain the right of early termination of naming rights if situations change, or if the City Council should discover information that would alter the original approval basis. Any prepaid fees will be refunded proportionally.

Limit of Naming Rights

The named party after whom an amenity is named shall have no rights to the purpose to which the park amenity is applied unless provided for in a specific contract between the names party and the City. In turn, the named party shall bear no liability in respect of that entity unless provided for in a specific contract between the named entity and the City. Any such limits must be included in any naming right agreement.

Councillor James J. McCauley

Appendix A

Application

Name of Individual/Organization/Business: _____
(Please include D/B/A)

Address _____

City _____ State _____ Zip _____

Contact Persons' Info

Name _____

Address (if different) _____ City _____ State _____

EMAIL _____

Phone _____

The Amenity Interested in Naming Rights for _____

Please state your reasons:

Please email or mail to Clerk's Office, 60 Pleasant St, Newburyport, MA 01950

Attachment A

List of Potential Amenities - SAMPLE

Amenities List	Rates per year for 5 years
Bicycle Racks	\$500/yr
EV Spots	\$500/yr
Picnic tables	\$500/yr
Benches	\$500/yr
Hammocks	\$500/yr
Swing Trellis - Seat	\$1000/yr
Swing Trellis - Lounge	\$2000/yr
Planting Areas	\$200 per sf/yr or 75% of mtce.
Plants - Trees	\$1200 per tree
Seating Area/amphitheater	\$500 per sf/yr
Sculpture Plaza	\$500 per sf/yr
Visitor Center	\$30k/yr
Plaza	\$500 per sf/yr
In memoria engraved brick or mounted plaque	TBD (1x fee only)

Level of Investment

Timeframe: 5yrs _____, 10yrs _____, other _____