



Town of Buena Vista Policy Statement on Use of the Town Logo by Non-Town Organizations

Purpose

To protect the Town's property rights inherent in the Town of Buena Vista logo by governing third-party use of the image, in order to ensure it is presented in a consistent and professional manner.

Policy

The Town of Buena Vista logo is an official trademark of the Town of Buena Vista and represents the Town's distinctive brand. Pursuant to Ordinance 17, Series 2017, the Town logo is to be used exclusively for official Town business – Town communications, merchandise, facilities, signage, events, services, and the like. There are limited circumstances under which third parties may be granted permission to use the Town logo, to be determined on a case-by-case basis. Any use that falls outside policy specifications is strictly prohibited. Any assumption of permission to use the Town logo, based for example on past usage, is not valid. Permission to use the Town logo is a privilege and requires written Town approval and execution of a trademark license agreement in every case.

No person shall use a symbol that imitates the Town logo or that is substantially similar to the Town logo.

Procedure

1. Eligibility

With the exception of government agencies and public institutions, inaugural or one-time events or programs primarily sponsored by third parties that are unfamiliar to the Town or without a direct collaborative history with the Town are ineligible to use the Town logo. These parameters help the Town manage community expectations and protect the Town's public image by building and assessing new relationships with third-party entities over time.

2. Application

Organizations requesting permission to use the Town logo shall submit the application form available on the Town website and at Town Hall. The application shall include an explanation of the proposed use of the Town logo, how the Town logo shall appear, identification of the associated event/program, and the proposed scope of distribution.

3. Evaluation Criteria

The Town Administrator or his/her designee shall consider the following criteria to evaluate the merits of the third party entity's proposal, and the benefits to Town of co-branding an event/program with the third-party entity:

- Demonstrated commitment to the Town's mission and core values;

- Impact on core Town services, operations, assets, and facility resources;
- Financial viability;
- Media exposure value for key Town messages;
- Economic impact to the Town;
- Protection of the Town’s best short- and long-term interests;
- Project timelines;
- Third-party entity’s experience, qualifications, and reputation;
- Communications strategy; and
- Other relevant criteria as determined the Town Administrator or his/her designee.

4. Notice

The Town Administrator or his/her designee shall review all applications and issue a written decision, approving or denying the request, within 14 business days. Any applicant may appeal the Town Administrator’s decision to the Buena Vista Board of Trustees within 14 calendar days of receiving written notice of the decision. In order to do so, the applicant must submit the appeal in writing to the Town Clerk. To the extent feasible, the Board of Trustees will consider the appeal at the next regularly scheduled Trustee meeting. The Board’s determination shall be final.

5. License Agreement

Third-party entities granted permission to use the Town logo for approved activities shall sign a license agreement accepting the Town’s terms and conditions.

Not-for-profit organizations recognized by the Town, State of Colorado, and/or the United States may be granted the use of the Town logo without a license fee in connection with merchandise for sale at the Town’s discretion.

For-profit entities granted permission to use the Town logo in connection with merchandise for sale shall pay a license fee. The license fee is five percent of the gross sales amount of the first sale of all items bearing the Town logo unless otherwise specified. The for-profit entity shall register the Town of Buena Vista as the point of sale for said merchandise.

6. Guidelines

The Town Administrator or his/her designee shall ensure adherence to the following guidelines:

- Reproduction of the Town logo shall adhere to the Town’s published “Brand and Logo Guidelines”; improper use may result in termination of the logo agreement and denial of future logo use requests.
- Third-party entities must submit a pre-event copy of final artwork to the Town Administrator or his/her designee for approval.
- It should be understood that permission to use the Town logo does not imply endorsement or sponsorship of any kind.

- Unacceptable uses of the Town logo include:
 - i. Advocacy or promotion of the sale or use of tobacco, alcohol, controlled substances, or firearms/other weapons.
 - Partnership agreements with retail or food establishments that may sell alcohol or tobacco shall be permitted provided that the Town's collaboration with such establishments may not relate to, advertise, or promote the prohibited items.
 - ii. Promotion of pornography, obscenity, indecency, or other material offensive to prevailing community standards or persons of ordinary sensibilities.
 - iii. Promotion of adult-oriented businesses.
 - iv. Promotion of religious messages or beliefs.
 - v. Promotion of or opposition to any political candidate or ballot measure.
 - vi. Promotion of political messages not endorsed by the Board of Trustees.
 - vii. Denigration of the Town of Buena Vista, its operation, officers, agents, or employees.