

WAUKESHA PUBLIC LIBRARY

POLICY: **NAMING RIGHTS AND COMMEMORATION**

Approved by Library Board: 5/13/21

Number: F-6

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I. Purpose

The Waukesha Public Library considers and promotes commemorative philanthropic naming of specific areas, rooms, and items within the Library facility. The Library seeks to recognize persons who have supported the Library's mission through significant financial contributions or other supportive actions by naming areas in their honor. The Naming Rights and Commemorations Policy provides guidelines to recognize individuals, corporations, service groups, or foundations and facilitates the strengthening of relationships between the Library and its supporters.

Please note that the following guidelines and fee structures are suggestions. The Library Board of Trustees may entertain alternate proposals made by an applicant. Not all opportunities are listed below, so applicants are encouraged to propose alternate sponsorships ideas as well. Final decisions on naming rights and commemorations rests with the Library Board of Trustees, and any or all requests or proposals may be rejected.

II. Guidelines for Naming

- 1.** The Library Board of Trustees must approve all recommended names.
- 2.** Gifts of money, real estate, and/or stock may be accepted if conditions attached to the gift are acceptable to the Library Board of Trustees.
- 3.** The individual, corporation, service group, or foundation being recognized must have been responsible for a major development in improving the quality of library service either through a financial contribution to the Waukesha Public Library or through specific, identifiable actions in support of library service over a sustained period of years that merits recognition.
- 4.** The Library Board of Trustees shall retain the right to manage or control all named facilities, and donors shall have no right to manage or control named facilities.
- 5.** The naming of portions of the Library is considered permanent. The designated name will not change except under extraordinary circumstances. Any proposed name change must be formally submitted in writing to the Library Board and approved by the Library Board in consultation with the donor(s) or their designee(s).

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- 6.** The Trustees shall bear the expense of and determine the propriety of the named recognition display, which shall conform to the architectural standards approved by the Trustees. No product logos, trademarks, service marks, or commercial signatures shall be included in the design of the named recognition display. Should the name of the recognized individual or entity change during the duration of the recognition, the Library shall not bear the expense of altering the recognition display to reflect the name change.
- 7.** In conjunction with the construction and renovation of library facilities or the purchase of major assets, the Trustees may approve a private fundraising plan designating the portion(s) of the facilities or asset suitable for named recognition and the amount of financial contribution required for naming.
- 8.** In the event of a substantial building renovation, remodeling, expansion, or redesign, the Library Board reserves the right to demolish, retrofit, add to, or maintain the named area(s) as the Board's property and programmatic needs evolve.
- 9.** The Trustees reserve the right to revoke a prior grant of named recognition whenever compelling reasons or circumstances justify such action.
- 10.** No conditions other than the naming rights described herein may be attached to any donation, except as specifically approved by the Library Board of Trustees.

III. Request Procedure

- 1.** All requests for naming shall be submitted in writing to the Library Director.
- 2.** The Library Director will review and recommend naming opportunities to the Library Board.
- 3.** The Library Board will vote to approve or deny recommendations.
- 4.** No publicity shall be given to the recommendation for naming until it is approved by the Board.

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Addendum

Waukesha Public Library

Donor Naming Gift Agreement

This Gift Agreement ("Agreement"), effective as of _____, 20__ ("Effective Date"), is made and entered into by and between _____, whose address is _____ ("Donor") and the Waukesha Public Library as represented by the Library Board of Trustees for the use and benefit of the Waukesha Public Library ("Library"). Based upon the Recitals below, and in consideration of the mutual promises and benefits hereunder, the parties hereto hereby agree as follows:

RECITALS

Donor wishes to make a charitable gift to the Waukesha Public Library for the use and benefit of the Library as set forth in this Agreement.

The Library desires to accept such gift, subject to the terms and conditions set forth in this Agreement.

AGREEMENT

1. **Gift.** Donor hereby pledges the following gift for the use and benefit of the Library: \$_____ ("Gift").
2. **Payment of the Gift.** The Gift is an irrevocable pledge that will be paid to the Library over a period of _____ (__) years. Payments in support of this pledge will begin immediately upon the execution of this Agreement with an initial payment of \$_____ and will continue annually thereafter on the anniversary of the Effective Date according to the following schedule:

Amount of payment by Donor

Due Date

\$
\$
\$

_____, 20__
_____, 20__
_____, 20__

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Donor may accelerate the payment of any or all of this pledge at any time in Donor's discretion so long as the cumulative total of all gift payments meets the foregoing schedule. Payments shall be paid by Donor to the Library through the Library's fund held by the Waukesha County Community Foundation for the specified purpose.

3. **Use of the Gift.** The Gift shall be used for any purposes within the Library's capital campaign project or with the Library's mission or purposes.
4. **Acknowledgment.** In consideration for the Gift, the Library will acknowledge the Gift by naming the [*insert area or location to be named, and then the new name of the area or location*]. Before the Naming recognition is erected, Donor shall demonstrate reasonable and timely pledge payments. After the Naming is affixed, Donor will continue pledge payments in accordance with the foregoing schedule.

The Naming recognition for the designated area will consist of [*description of the signage, or plaque to be affixed to the room or area – or reference to attached mock-up of the recognition*]. In addition to recognizing the donor on signage in the designated area, the Library will refer to the area using the Naming recognition in marketing, publicity, and other print and online materials for the duration of this agreement.

5. **Termination of Naming.** The Library may terminate this Agreement and all rights and benefits of the Donor hereunder, including terminating the Naming:
 - a. In the event of any default in payment of the Gift as provided in this Agreement, or
 - b. In the event the Board determines in its sole discretion that circumstances have changed such that the Naming chosen by the Donor would adversely impact the reputation, image, mission, or integrity of the Library.

Upon any such termination of this Agreement and/or the Naming hereunder, the Library shall have no further obligation or liability to Donor and shall not be required to return any portion of the Gift already paid. The Library, however, may in its sole and absolute discretion determine an alternative recognition for the portion of the Gift already received.

6. **Modification of Naming.** If during the useful life of the Library, the building is closed, deconstructed, destroyed, or severely damaged, significantly renovated, upgraded, or modified; relocated, or replaced, then the Naming will cease. In such event, however, the Donor, if available, and in consultation with and as mutually

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agreed by the Library, will have the right, for no additional payment, to have another available and equivalent Library area named after the Donor.

- 7. **Assignment.** This Agreement and the rights and benefits hereunder may not be assigned by either party without the prior written consent of the other party, which consent shall be in the sole and absolute discretion of the non-assigning party.
- 8. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties with regard to the matters referred to herein, and supersedes all prior oral and written agreement, if any, of the parties in respect hereto. This Agreement may not be modified or amended except by written agreement executed by both parties hereto.
- 10. **Governing Law and Venue.** This Agreement will be governed by and construed in accordance with the laws of Wisconsin without regard to any conflict of laws rule or principle that might refer the governance or construction of this Agreement to the laws of another jurisdiction.
- 11. **Library Board Approval.** This Agreement and the recognition and naming provided for herein are subject to the approval by the Board of the Waukesha Public Library and this Agreement will not be effective unless and until approved by the Board.

ACCEPTED AND AGREED TO:

DONOR NAME

FOR THE WAUKESHA PUBLIC LIBRARY

Name

By: _____

Name: President
Library Board of Trustees