

**ORDINANCE NO. 954
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
TO PROVIDE FOR COMMERCIAL USES
OF CERTAIN RIVERSIDE UNIVERSITY HEALTH SYSTEM PROPERTY
PURSUANT TO GOVERNMENT CODE §§ 26109 AND 26110**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. PURPOSE. The purpose for this Ordinance is to adopt procedures for the review and approval of proposed commercial uses of certain County property.

Section 2. AUTHORITY. This Ordinance is adopted pursuant to the authority of Government Code Sections 26109 and 26110.

Section 3. COMMERCIAL USES OF CERTAIN COUNTY PROPERTY.

The Board of Supervisors may authorize any of the following commercial uses of certain County property, consistent with an approved County marketing plan supporting the development and operations of the County's Health System:

- a. The licensing, for a fee or other consideration, of the private commercial uses of the County name, logos, or other intellectual property, or the depiction of certain County property;
- b. The donation of facilities or informational brochures, messages, or broadcasts which publicize acknowledgment of a sponsor's financial assistance; and,
- c. The sale of advertising space on certain County real or personal property, or in County printed or electronic publications, including website pages, informational brochures, broadcasts, and other messages, for the sole purpose of raising revenue for the County's Health System.

Section 4. REQUIREMENTS FOR AGREEMENTS.

Agreements to confer any of the rights enumerated in Section 3 of this ordinance and to acknowledge donated moneys, goods, or services may be made in the manner and under terms and conditions approved by the Board of Supervisors. Any agreement which the County seeks to enter into pursuant to this ordinance is solely at the discretion of the Board of Supervisors and shall be presented at a duly noticed public hearing in compliance with the requirements of Government Code §54954.2.

Section 5. RESTRICTION AGAINST IMPERSONATION.

No commercial arrangement may be entered into under which the logo or seal of the County or any of its departments can be reproduced and distributed in a manner to enable impersonation of a County official or employee.

Section 6. INTERPRETATION.

- a. The authorities granted under this ordinance shall apply only to County property used, operated, leased or held by or on behalf of the County's health system – known as "Riverside University Health System."
- b. Nothing in this section is intended to vest in any person the right to enter into an agreement with the County.

Section 7. LIMITATIONS.

- a. The requirements of this Ordinance are in addition to, and do not replace, any or all requirements that apply to advertising, advertising displays and advertising structures that are subject to the requirements of the California Outdoor Advertising Act and any legislative amendments or reenactments of the Act. To the extent that there are any inconsistencies between the requirements of this ordinance and the Act, the requirements of the Act shall control.
- b. The type, location, size, content and duration of the advertising display that may be placed by any party pursuant to this ordinance shall be specified by the Board of Supervisors in a written agreement.
- c. A person to whom the right to advertise is conferred shall comply with all terms and conditions of the written agreement, the regulations of the California Outdoor Advertising Act, or any legislative amendments or reenactment of the regulations provided for in that Act, and the ordinances of Riverside County.

Section 8. MARKETING PLAN; ANNUAL REVIEW.

Prior to the granting of any rights under this ordinance, the Assistant County Executive Officer (CEO) RUHS Health and Hospital Services shall develop a marketing plan which complies with the requirements of Government Code § 26110(a)(1), and the Board of Supervisors shall adopt such marketing plan by resolution. The Assistant CEO shall annually review the marketing plan and the performance of agreements issued under this ordinance. The Assistant CEO shall draft written findings of the annual review which shall be adopted by the Board of Supervisors with or without modification.

Section 9. SEVERABILITY.

If any provisions, clause, sentence or paragraph of this ordinance or application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 10. EFFECTIVE DATE.

This ordinance shall take effect thirty (30) days after its adoption.

ADOPTED: 954 Item 15.5 of 01/07/2020 (Eff: 02/06/2020)