



**Resolution 1904**

**IVGID Districtwide Advertisement Policy**

**WHEREAS**, the Incline Village General Improvement District (IVGID) publishes or displays advertisements in IVGID publications and at IVGID facilities; and

**WHEREAS**, IVGID wishes to adopt this policy to outline the rules and regulations regarding these advertisements to ensure compliance with law and best practices; and

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT**, that it hereby adopts the attached Districtwide Advertising Policy.

**BE IT FURTHER RESOLVED**, that the attached Policy and procedures will remain in effect until changed or rescinded by the Board of Trustees.

\* \* \* \* \*

I hereby certify that the foregoing is a full, true and correct copy of Resolution No. 1904, Policy and Procedure Resolution No. 143, as amended and adopted by the Board of Trustees of the Incline Village General Improvement District on the 25th day of October, 2023, by the following vote:

AYES and in favor thereof, Trustees Michaela Tonking, Raymond Tulloch, Dave Noble, Sara Schmitz, and Matthew Dent

NOES, None  
ABSENT, None

  
Clerk, IVGID Board of Trustees



## Policy and Procedure No. 143

### IVGID Districtwide Advertisement Policy

The Incline Village General Improvement District (“IVGID” or the “District”) is a general improvement district organized pursuant to NRS Chapter 318. As part of its services to local residents and visitors to the area, the District publishes regular editions of the “IVGID Magazine,” and owns and operates a number of publicly available facilities such as parks and tennis courts, among other things. In addition, the District owns and operates a number of public facilities and runs a number of public events where advertisements and sponsorship opportunities may exist, including but not limited to the Incline Open Tennis & Pickleball Tournament, IVGID Parks and Recreation facilities and events, Diamond Peak event sponsorships and Lakeview chairlift ad blocks, and the IVGID ball fields. To support the publication of the IVGID Magazine, raise revenues for lawful District purposes, and facilitate oversight of advertisement/sponsorship opportunities at other District venues and events, the District accepts paid advertisements and sponsorships from third parties (hereafter, collectively referred to as “Advertisements”), subject to rates published by the District for such purposes and this Policy.

In keeping with its functions noted above, and to the extent allowable by law, the District does not intend by accepting Advertisements to convert the IVGID Magazine or venues/events that it owns and operates into open public forums for public discourse, debate, or expressive activity. Rather, the District accepts Advertisements as a means of generating revenue to support its operations, and communicating information about District services and events to the public. In furtherance of this limited objective, the District retains strict control over the nature of Advertisements accepted for publication in the IVGID Magazine, in its venues, and at its events, and maintains such advertising spaces and opportunities as a non-public forum. This Policy prohibits Advertisements that could detract from the District’s goal of generating revenue or interfere with the safe and convenient delivery of District services to the public. This Policy is intended to be an objective and enforceable standard for advertising that is consistently applied, and which is consistent with the free speech guarantees of the constitutions of the United States and the State of Nevada. Through this Policy, the District intends to establish the following uniform, viewpoint-neutral standards for advertisements in the IVGID Magazine and in other venues owned and operated by the District:

1. In accordance with the revenue-generating purpose of this Policy, the District shall accept only third-party Advertisements which contain either “Public Service Announcements” (PSAs) or “Commercial Speech.”
  - a. Commercial Speech is defined as speech for which the sole purpose is to sell products, goods, or services for a profit. Commercial Speech does not include advertising that combines a commercial message with a message that is not permitted under this Policy, e.g. an advertisement that both offers a product for sale and promotes the election of a certain candidate for public office.



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- b. An advertisement shall satisfy the following criteria in order to qualify as a PSA that may be accepted pursuant to this Policy:
  - i. The sponsor of a PSA must be a local, state, or federal government agency or legally affiliated entity (including IVGID itself), or an eligible non-profit, defined as a local non-profit, national non-profit with a local chapter, or local government agency or school district providing services to the local community. Qualifying non-profits shall be an IRS 501(c)(3) non-profit corporation, shall provide supporting documentation of their non-profit status when submitting Advertisement requests, and shall otherwise comply with all applicable requirements in this Policy.
  - ii. The PSA must be directed to the general public or a significant segment of the public, and must relate to:
    - (a) Promotion of IVGID services or programs, including co-sponsorships with third parties that relate to or support IVGID's function and services;
    - (b) Prevention or treatment of illness, or promotion of safety, health, or personal well-being;
    - (c) Provision of family or child social services;
    - (d) Local (within the Incline Village/Crystal Bay community) fundraising or community events.
  - iii. A PSA may not include any Commercial Speech or mention a festival, show, concert, lecture, or other event for which an admission fee is charged for commercial purposes.
2. Advertisements that infringe on any copyright, trade or service mark, title, or slogan without the written consent of the owner of said copyright or mark will not be accepted.
3. Advertisements that are obscene or pornographic will not be accepted.
4. Advertisements that promote or oppose a political party, the election of any candidate or group of candidates for public office, any legislation, initiative, referendum, or ballot measure, or any political action committee, political campaign, or political group advocating for a particular economic, political, religious, or social issue will not be accepted.
5. Advertisements that may be perceived as offensive to any religious, ethnic, or racial group will not be accepted.
6. Advertisements that are clearly defamatory or contain false, deceitful, or grossly misleading information will not be accepted.
7. Advertisements that advocate for or portray acts of violence, murder, sedition, terror, vandalism or other acts of violence against persons, animals, or institutions will not be accepted.



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8. Advertisements that directly or indirectly promote any form of religion or religious practice will not be accepted, except that local churches may advertise programs or events that are available to all members of the community.
9. Advertisements that imply or declare an endorsement by IVGID of any service, product, or point of view without prior written authorization from IVGID will not be accepted.
10. Advertisements for tobacco, firearms, non-carbonated bottled water, cannabis products and services, CBD products and services, and short-term rentals and services will not be accepted.
11. Advertisements for ski areas, ski lesson providers, golf courses and golf shops, tennis and pickleball centers, wedding and event venues, and recreation centers, fitness centers, and gyms—or services other than those that the District owns, operates, or manages—are prohibited.
12. Advertisements that otherwise are in conflict with any applicable federal, state, or local law, statute, or ordinance will not be accepted.
13. All Advertisements must clearly identify the sponsor(s) of that Advertisement.
14. Any person or entity who has previously violated any provision of this Districtwide Advertisement Policy may be prohibited from posting any Advertisements.
15. All Advertisements published by the District shall be formatted in such a way as to not be confused with IVGID's editorial content, and any "advertorial" style Advertisements shall clearly state that the content is a paid advertisement. The District reserves the right to place a statement in all publications that says: "The views expressed in the advertisements in this publication do not necessarily reflect the views of the Incline Village General Improvement District."
16. Quantity, quality, and placement of all Advertisements will be controlled by and subject to the specific approval of the District's General Manager or designee, who reserves the right to review each Advertisement in advance and reject any proposed Advertisement that does not meet the District's standards as set forth in this Policy.

The District reserves the right, from time to time, to amend, suspend, modify or revoke the application of any or all of these standards as it deems necessary to comply with legal mandates, or to facilitate its primary functions, or to fulfill the goals and objectives referred to herein. All provisions of this Policy shall be deemed severable.

District contracts granting advertising rights shall include this Policy as an attachment. The District reserves the right to contract with third party companies or agencies to manage and oversee the District's Advertisement sales, but all such sales must be contingent upon compliance with this Policy.