

COUNCIL POLICY			
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PURPOSE

The purpose of the banner policy is to establish procedures and regulations for the placement of banners by nonprofit organizations on City streetlight poles in the public right of way. Signage and banners on private property or outside of the City's right of way are governed by Santa Rosa City Code 20-38. Council Policy 000-70 outlines the City's advertising policy and guidelines of non-City services on City owned facilities, equipment and social media sites.

The City of Santa Rosa (City) intends that its streetlight poles constitute nonpublic forums that are subject to the viewpoint-neutral restrictions set forth in this policy.

This policy does not apply to the City's own placement of banners on streetlight poles.

REFERENCES

Santa Rosa City Code sections 13-04, 20-38, 20-50.020 and 20-52.030.

Santa Rosa Council Policy 000-70.

DEFINITIONS

"Applicant" means an individual or party that has submitted a permit application under the Streetlight Pole Banner Program.

"Banner Application" means the application for a permit under this policy in a form approved by the City Manager.

"Banner(s)" mean pole banners that hang on a streetlight pole and display a message for a set time period, per the specifications of this policy.

"Streetlight Pole Banner Program Guidelines" means guidelines developed by the Economic Development Division to assist with implementing this policy.

"City Manager" means the City of Santa Rosa City Manager or the City Manager's designee.

"Installer" means a licensed contractor who holds the proper liability insurance requirements and a City of Santa Rosa Business Tax Certificate (unless exempt).

"Organization" means a nonprofit organization or a community or neighborhood association with a governing body.

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“Permittee” means an individual or party who has been approved and granted a permit to display a Banner or Banners on streetlight poles.

“Public Right of Way” or “Right of Way” means the area along, over, and upon any public road or highway within the City of Santa Rosa.

“Streetlight Pole” means City owned vertical streetlight poles in the public right of way.

POLICY

The goals of this Policy are to:

- Enhance placemaking, and identify and define areas;
- Promote community-oriented activities;
- Establish procedures for the design, installation, maintenance and removal of Banners; and
- Ensure the safe use of the public right of way for drivers, cyclists and pedestrians.

The City will not display or permit to be displayed any Banners on Streetlight Poles in the Public Right of Way that fall within one or more of the following categories:

- Banners that violate the Santa Rosa City Code;
- Content that violates Council Policy 000-70, Advertising Policy and Guidelines, as that content relates to Banners requested under this policy;
- Banners promoting any activity that is not open to the general public;
- Commercial advertising;
- Advertising or promoting of any political candidate, parties or issues;
- Identifying, advertising or promoting of any religion;
- Banners containing any image or message that is inconsistent with this policy.

BANNER APPLICATION AND ENCROACHMENT PERMIT REQUIRED

- A. Organizations desiring to place banners on streetlight poles must submit a Banner application to be considered for an encroachment permit.
- B. Banners may not be installed without an encroachment permit. The number and location of banners are subject to space availability and are at the discretion of the City Manager.
- C. Banner Applications will be denied or permits revoked when the proposed or final Banner design and/or specifications do not conform to the requirements established by this policy.

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- D. City sponsored Banners have precedence over non-City organization Banners for the use of streetlight poles.

BANNER APPLICATION PROCESS

- A. Applicant must complete and submit a Banner Application that includes, but may not be limited to, the following information:
1. The name of the Organization requesting a permit (“Applicant”), and the mailing address, email address and telephone number of the person authorized to act on behalf of Applicant;
 2. Name of the authorized and licensed Installer who will perform the installation and removal of the banners;
 3. A proposed schedule for the installation and removal of the Banners based on limits established in this policy;
 4. The number of Banners, Streetlight Poles, and map of pole locations requested;
 5. Camera-ready artwork of the proposed Banner design with colors and dimensions adhering to the design requirements herein;
 6. Signature of the person authorized to submit the application on behalf of Applicant.
- B. Banner Applications must be submitted to the Economic Development Division at least 60 days before the desired date of installation. In addition to a completed application, the Applicant must submit a map identifying the Streetlight Poles on which the Applicant proposes the installation of the Banners, as well as the application fee.
- C. Applications will be reviewed, and either approved and permit process initiated, or denied within 30 days of receipt by the City.
- D. Permit fees are due prior to issuance of the encroachment permit.

LIABILITY AND INSURANCE REQUIREMENTS

- A. Applicant shall provide a Certificate of General Liability insurance to the City in a form approved by the City Attorney. Coverage shall be provided by a comprehensive

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general liability insurance policy in the amount determined by the City’s Risk Manager to cover any property damage or personal injury caused during the permitted banner installation, display, maintenance and removal. The City of Santa Rosa, its officers, officials, employees and volunteers shall be named as additional insureds through an endorsement to the General Liability insurance policy.

- B. Banners are the property and responsibility of the Permittee. The Permittee is also responsible for all costs associated with creating and displaying the Banners, and securing all necessary approvals related to the banners.
- C. Installer shall provide a Certificate of General Liability insurance as specified in the Encroachment Permit. Coverage shall be provided by a comprehensive general liability insurance policy in the amount determined by the City’s Risk Manager to cover any property damage or personal injury caused during the permitted banner installation, display, maintenance and removal.
- D. All Encroachment Permits have indemnification language which requires Permittee and Installer to defend and indemnify the City for all liability that may result from the installation, display, maintenance and removal of the Banners. Permittee is ultimately responsible for all costs to repair damage to the City’s Streetlights, Streetlight Poles, or other City property caused by the Banners or the installation or removal of the Banners.

DESIGN REQUIREMENTS

- A. All banners shall comply with the following design requirements; additional guidelines are included in Streetlight Pole Banner Program Guidelines:
 - 1. Banners shall be two-sided with information contained on both sides. Banners should be readable from both sides.
 - 2. If the Banner includes corporate sponsorship logo(s), the logo(s) shall occupy no more than 15 percent of the overall size of the Banner. Sponsor logos or company names shall be restricted to the bottom 15 percent of the proposed Banner.
 - 3. Banner content, text font size and style should be sufficient for maximum multi-modal transportation visibility.
 - 4. Banners shall be 30 inches wide by 72 inches tall.
 - 5. Banners shall be made from industrial grade matte finish vinyl, marine acrylic canvas

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or other durable cloth, nylon, or substance of similar affect. Fabric must be durable, fade and weather resistant, repel water, be impervious to rotting, guaranteed non-shrink, allow printing with no bleeding.

6. Banners shall include:

- One-inch reinforced loop on the top and bottom borders of the Banner for slide-mounting onto horizontal bracket poles (pole pockets).
- Grommets on the top and bottom corners of the pole side of the banners;
- A reinforced hem to include at least two fabric layers along all sides and around the grommets at both corners.

7. Banners shall be zip-tied to the horizontal bracket poles to ensure safety.

HARDWARE REQUIREMENTS

- A. Standard Banner hardware has been installed on numerous streetlight poles in the City. Applicants proposing to install Banners on streetlight poles that do not have Banner hardware may propose to install hardware at Applicant’s cost. The hardware must be installed at the height specified by the City to match the height of existing Banner hardware on other Streetlight Poles. The City will retain ownership of all Banner hardware once installed. Hardware specifications will be provided by the City prior to the permit approval and installation of the hardware, if necessary.

TIME LIMITS

- A. The maximum time limit for banners on streetlight poles will be based upon availability, and the purpose and promotional focus of the Banners. Banners with a general promotional message or placemaking Banners designating a geographic area of the city will not have specific time limits but will be subject to periodic review following their installation.
- B. Banners that promote date-specific activities shall be limited to thirty (30) days. The Banners shall be installed not more than twenty-five (25) days prior to the event and shall be removed within five (5) days after the last day of the event.
- C. Notwithstanding these standard time limits, the City Manager may authorize an extended time limit, considering specified reasons. Conversely, the City Manager may reduce the time limit in consideration of specified factors including the physical condition of the Banners.

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D. Any permit issued in accordance with this policy is subject to revocation at any time by the City Manager. The City retains the right to remove Banners and change or eliminate the location of an installed Banner. Any Banner removed by the City, under specified circumstances, will be stored for a period of no more than thirty (30) days for the Permittee to retrieve. If the Permittee does not retrieve their Banners within this reasonable timeframe, the Banners will be deemed abandoned and will be recycled or discarded.

INSTALLATION AND REMOVAL REQUIREMENTS

- A. All Applicants shall contract with a qualified and licensed Installer (e.g. a private sign or banner company) to install the Banners and any required hardware, to perform any necessary maintenance while the Banners are installed, and to remove the Banners when required under the permit.
- B. Permittees are responsible for payment to Installers. Installers must hold a City of Santa Rosa Business Tax Certificate (unless exempt), and insurance coverage as specified in the Encroachment Permit.

MAINTENANCE REQUIREMENTS

- A. The Permittee is responsible for maintaining its Banners in good condition.
- B. Banners shall be inspected frequently by the Permittee for any damage or tears to the Banner, associated hardware, or the approved pole. If any damage or tears exist, the Banner shall be removed immediately by the Installer at the Permittee’s cost.
- C. Permittees will be solely responsible, through their preferred Installer, for maintaining, cleaning, replacing or removing the Banners upon the City’s written request. If the Permittee does not address the issue as specified in the written request, the City may remove the banners, and the Permittee shall pay any costs incurred by the City, based on actual staff time and cost to perform the removal.