



# Street Banner Policy



# Street Banner Policy

- Adopted in 1998 governing the placement of banners within the public right-of-way
- Policy allows for agreements with non-profits to manage the street banner program in certain areas of the City
  - Four agreements with non-profit organizations:
    - DFWI – downtown PIDs 1 and 14
    - Camp Bowie District Inc – PID 19
    - Artes de la Rosa
    - Stockyards Business Association

# Non-Profit Managed Banner Locations

- DFWII
  - Main
  - Houston
  - Throckmorton
  - Convention center poles
- Latin Arts Association (Artes de la Rosa)
  - North Main Street from Northside Drive to NE 23<sup>rd</sup> Street
- Stockyards Business Association
  - North Main Street from NW 23<sup>rd</sup> Street to NW 28<sup>th</sup> Street
  - Exchange Avenue from Clinton Avenue to Packers Avenue
- Camp Bowie District Inc
  - Camp Bowie Boulevard and Camp Bowie Boulevard West

# Purpose

- Explain what banners can be displayed on City street light poles and over streets
- Street lights owned and operated by City and maintained by TPW
- Banners do not constitute a public forum
- Announcing and promoting community-based, cultural, educational and civic information and events

# Changes to Banner Policy

- Add overhead banners to policy
- Remove “on-site” “off-site” distinctions
- Continue special agreements with nonprofits to run program
- Update specifications, maintenance
- Changes to duration/ removal
- Add definitions: event, tourism entity
- Change/Increase Fee Structure

# Elements of New Policy

- Purpose
- Definitions
- Locations/structures
- Allowed usage
- Prohibited usage
- Reservation dates and priority
- Fees
- Specifications
- Installation removal
- Permit terms
- Hold harmless/Insurance
- Application
- Permit denial and appeal

# Current Policy – Event/Exhibition

- **No definition** included in banner policy for event/exhibit
- Non-profits may use banners to promote the organization or events/exhibits held by the organization in the City which are open to the public, of common interest, or recognize or contribute to the cultural fabric of the City
- Examples in policy:
  - Arts
  - Entertainment
  - Education related activity
  - Public social occasion
  - Sports contest
  - Public concert

# Definition of Event

- **“Event”** means an event of an interest to a **significant portion of the residents** of the City for cultural, civic or major event or program (art shows, concerts, festivals, major sporting events, parades and walk/run events) **of broad interest** to a significant portion of residents of the City and/or tourists, which will benefit a governmental agency, **generate significant tax revenue** to the benefit of most City residents, or support a city sanctioned event promoted by a charitable nonprofit organization.

# Allowed usage

- Events hosted by the City
- Events sponsored or co-sponsored by the City.
- Events which support or attract tourism, are open to the public, and benefits the City
- Events being held at City Convention Center, Will Rogers Complex, Dickies Arena, major colleges and universities
- Welcome messages for those attending conventions, conferences and other city-wide events
- Identify and promote public improvement districts or other particular districts of the City
- Promote educational institutions including universities, colleges, public and private schools

# Prohibited Usage

**Banners which are prohibited include, but are not limited to, the following:**

- Promotion of a profit-generating activity by a commercial enterprise, including direct or indirect sales of goods and/or services. (commercial advertising)
- Messages with political, religious or public issue advertising.
- Messages with profane language or personal attacks.
- Messages which promote, foster, or perpetuate unlawful discrimination.
- Messages which advocate illegal activity.

# Prohibited Usage

**Banners which are prohibited include, but are not limited to, the following:**

- Messages which infringe on copyrights or trademarks.
- Messages which may compromise the safety, security or proceedings of public systems.
- Any banner which would constitute a hazard to traffic or safety. Including, but not limited to, the words "stop," "look," "danger," "drive-in," or any other words or graphics which could negatively impact traffic or public safety are not allowed.
- Any other use that would violate a local, state, and/or federal law or regulation

# Reservation / Duration

- First come, first served except priority for (in order):
  - City hosted events
  - Events hosted by a tourism entity
  - Events sponsored by City but organized and managed by a local non-profit
- Duration:
  - Limited to 14 days prior to event
  - Banners not promoting a date specific event:
    - allowed for 3 months/90 days.
    - can request additional time as allowed by TPW director

# Fees

## Vertical Banner Fees

- Program Fee **\$100**
- Pole Rental
  - **\$25/pole** per 2 week period (no commercial logo)
  - **\$50/pole** per 2 week period (commercial logo limit to 10%)
- Security Deposit (refundable) **\$1,000**

## Overstreet Banner Fees

- Program Fee **\$100**
- Flat fee **\$500** per 2 week period
- Security Deposit (refundable) **\$1,000**

# Street Banner Special Agreements

- Continue agreements with DFWII, Camp Bowie Inc, Latin Arts Association (Arts de la Rosa) and Stockyards Business Association
- Changes to agreement:
  - Limit authority under special agreement to provide that final approval of banners is by the TPW director or designee
  - City retain a percentage of the fee collected by organization
    - Currently the nonprofit reviews, approves, and keeps fees

# Installation, Maintenance and Removal

- Installation and removal by contractor licensed by City and bonded to work in ROW
- Removal of banners by TPW if applicant has not removed banners within 7 days of removal time stated in permit
- Maintenance and upkeep responsibility of applicant
- Removal of banners required if banner could cause injury, damage to property or a traffic hazard

# Application Process

- Submit application to TPW including:
  - At least 90 days before reservation date
  - Required list of documentation: purpose and date of event, dates and times for installation, display and removal, map showing location of banners, traffic control plan
  - Certificate of insurance
  - Sample of banner design and content
  - Identification of any sponsorship logos – limited to bottom 10% of overall size of the banner

# Approval and Denial of Permit

- Approval:
  - Sole authority of TPW director to approve design/content, location and installation dates
  - Review and approval within 10 business days of submission
- Denial:
  - May be appealed in writing to City Manager for final determination
  - Appeal must be received within 5 business days of denial by TPW Director

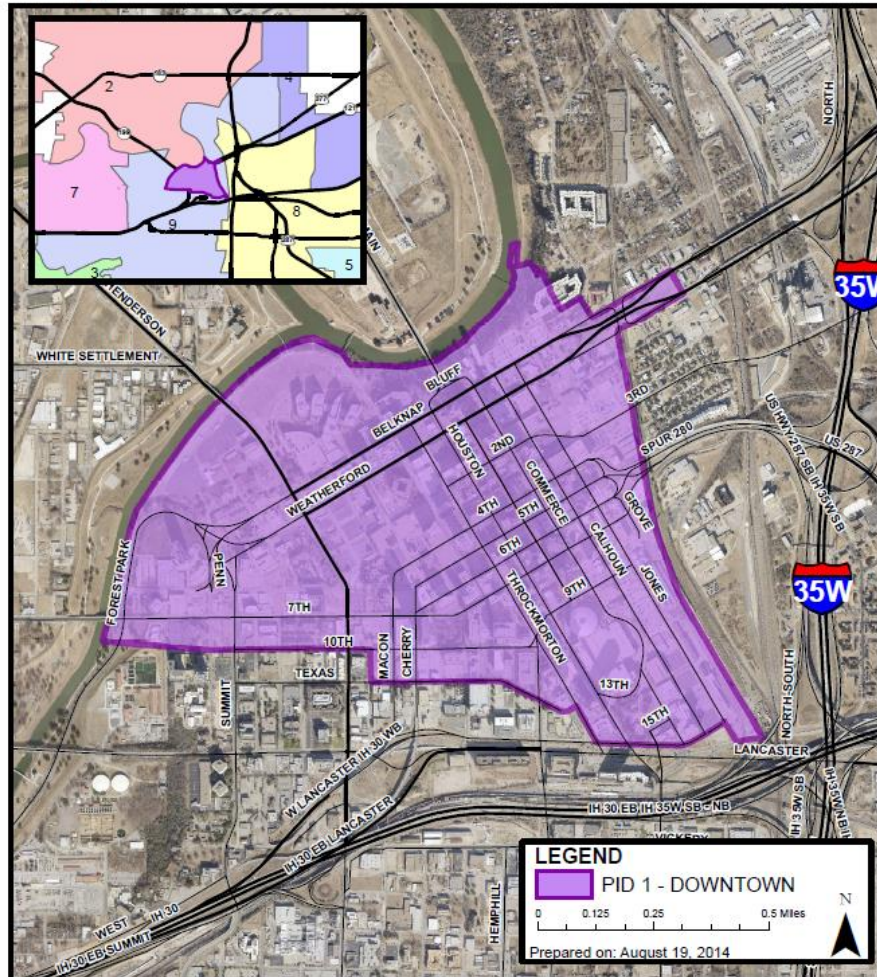
# Appeal Review Criteria

- Whether the proposed banner meets the criteria for an allowable display;
- Whether the banner is likely to promote tourism or a local event provided for under "Allowed Usage," likely of great interest to a majority of city residents;
- Whether another proposed banner which seeks the same time slot has, under the policy, a higher priority for approval; and
- Any other lawful basis for the determination.

# Thank you

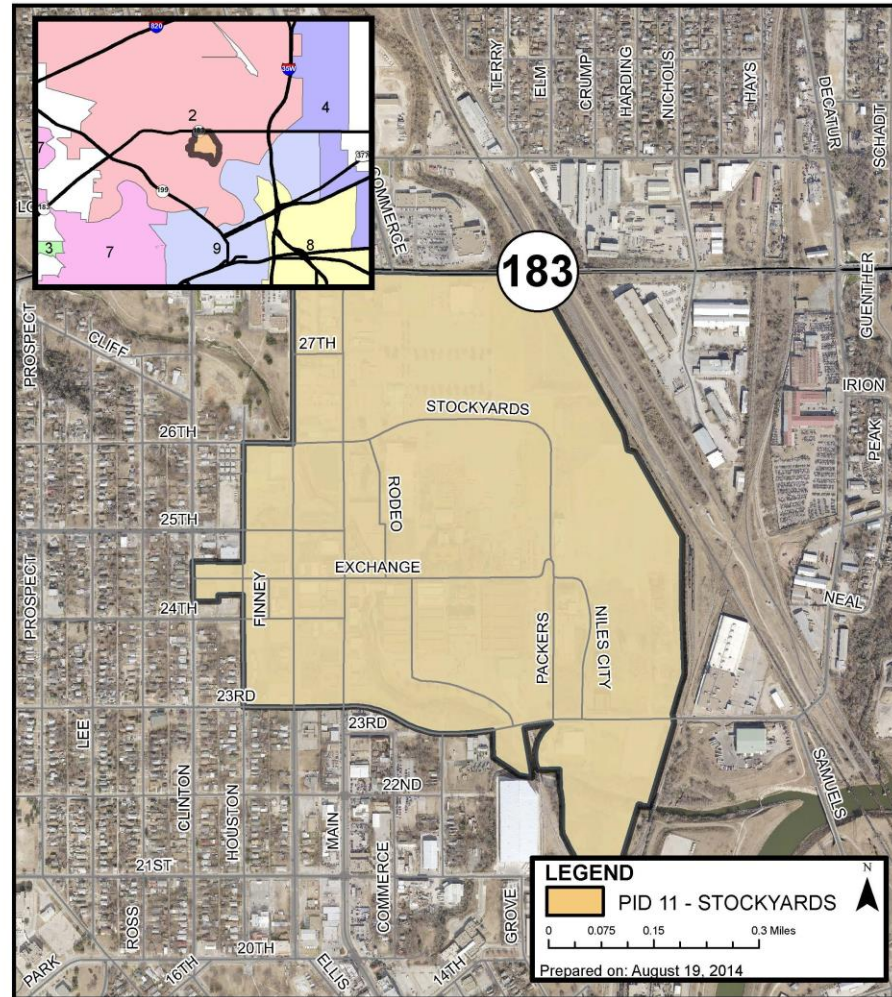


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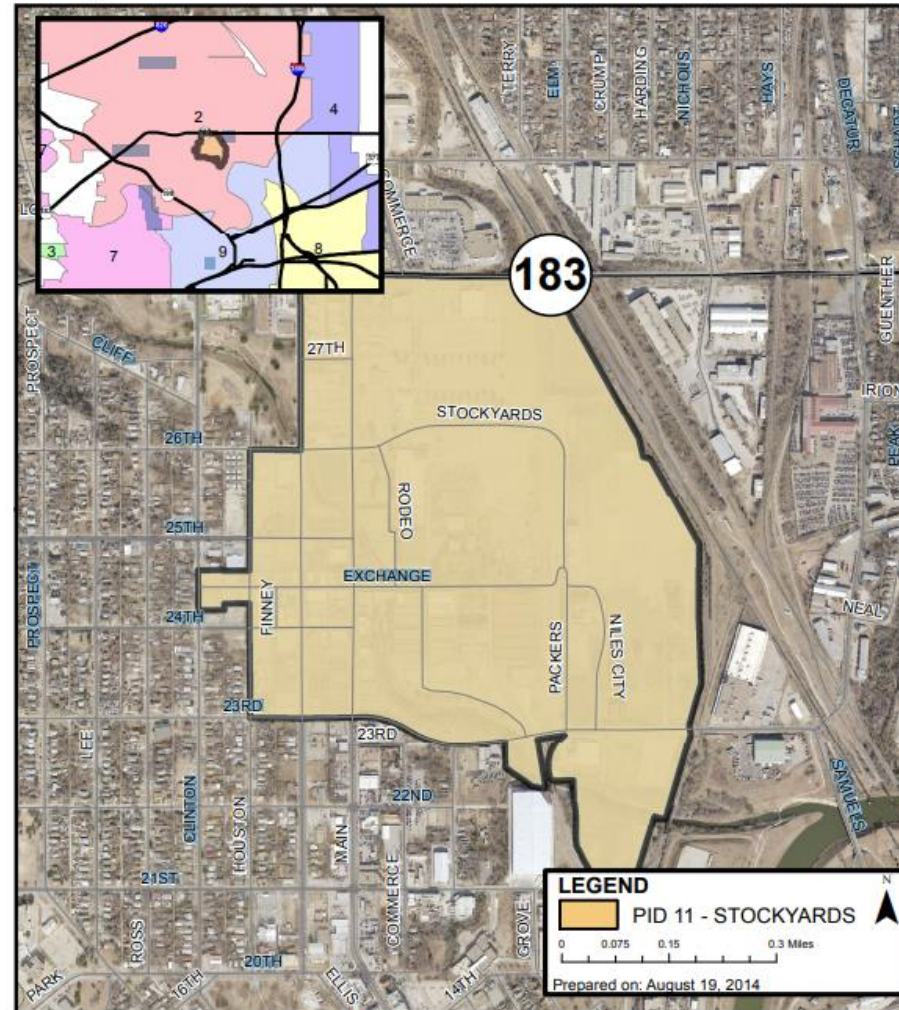
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## Other Definitions

- Nonprofit: A community organization having current IRS 501(c) status and primarily operating within the city of Fort Worth or proof of substantial work or activities conducted in the city.
- “**Sponsored**” means either in-kind donations for longstanding events which have become a community tradition, or in the form of in-kind services or grant funding awarded by the City for the event.
- “**Tourism Entity**” means an entity that may apply for lodging tax funding under state law which includes convention and visitors’ bureaus; destination marketing organizations; and nonprofits, including main street organizations, lodging associations, or chambers of commerce