

**ATTACHMENT A:  
ADVERTISING POLICY**

**CITY OF RACINE  
BELLE URBAN SYSTEM**

EXISTING POLICY  
no reference to  
"shrink-wrap"  
Commission Approval: 6/25/97

**Policies and Procedures**

**No. 1**

**SUBJECT:**

BELLE URBAN SYSTEM (BUS) REVENUE GENERATING DISPLAY ADVERTISING, CONCESSIONS AND MERCHANDISE

**PURPOSE:**

To establish a policy and guidelines concerning a revenue generating advertising, concessions and merchandise program encompassing buses, bus stops, City of Racine BUS property and facilities, and selected printed materials.

**BACKGROUND:**

Public transit operators and administration agencies have historically utilized advertising, concessions and merchandising programs to supplement operational and capital funds. A sound advertising and concessions program can be a viable, alternative revenue source while maintaining aesthetic standards and promoting transit use.

**POLICY:**

The following guidelines will be reviewed annually to reflect the current policies of the City of Racine Transit and Parking Commission, and to reflect changes in the trends of social and economic acceptance and appropriateness of various forms of advertising and concessions. Advertising, for the purpose of this policy, means the use of paid and unpaid announcements for the purpose of calling something to the attention of the public.

**1.1 Advertising - General**

- 1.1.1 Any advertising that might interfere with the safe, timely, convenient operation of the buses or the safety of riders or the general public will not be permitted.
- 1.1.2 Quantity, quality and placement of all advertising will be controlled by and subject to the approval of the Transit and Parking Commission.
- 1.1.3 The Transit and Parking Commission, either directly or through its contractor, reserves the right to reject any advertisement, poster, piece of print material, concession or item of merchandise, commercial or noncommercial, which does not meet the Commission's standards as set forth in this policy.

- 1.1.4 The advertising program will serve the needs of local as well as national advertisers and encourage the promotion of public transit. Advertisers agreeing to promote public transit use within each advertisement in a manner approved by the Transit and Parking Commission shall be granted a 10 percent (10%) discount on the total gross advertising rate. Advertisers will be guided by the appropriate transit agency staff in promoting specific routes/lines serving their areas.
- 1.1.5 No advertisement will be permitted that:
- a. Appears to defame any person, product or institution.
  - b. Might be reasonably interpreted to be offensive to any religious, ethnic, racial or political group.
  - c. Might be reasonably interpreted as condoning any type of criminal act, or which might be considered as derogatory toward any aspect of the law enforcement profession.
  - d. Portrays acts of violence, murder, sedition, terror, vandalism.
  - e. Depicts nudity or partial nudity that would be obscene, offensive, distasteful, or pornographic. The rule of "public acceptance" should be used in such cases, i.e., if the advertisement has already gained public acceptance, then it may be considered as acceptable.
- 1.1.6 Advertisements will not be permitted that are in conflict with any applicable federal, state or local law, statute or ordinance.
- 1.1.7 Advertisements will not be permitted that contain false, deceptive or misleading information.
- 1.1.8 Tobacco advertisements will not be permitted.
- 1.1.9 Distribution of flyers, prizes and the like as an advertising medium is prohibited.
- 1.1.10 Upon written demand by the City, on stated grounds which shall be reasonable, any advertisement, public service or other display which violates this policy will be removed. No refund shall be made for the time such objectionable material was on display.

## 1.2 Advertising - Buses

- 1.2.1 Buses will have interior and exterior advertising.
- 1.2.2 Transit information material may be placed on buses at the discretion of the Transit and Parking Commission. Such information may include, in accordance with this Policy, the promotion of regularly scheduled public transit routes which will serve major community events open to the public with no admission charge.
- 1.2.3 At the request of government agencies or charitable or non-profit organizations, as defined by being exempted from Federal taxes under 26 U.S.C. Section 501(c)(3) (Internal Revenue Service Code), and with the approval of the Transit and Parking Commission, buses may carry notices of events which are served by regularly scheduled transit routes and are open to the public for an entrance or other fee, in accordance with this policy and under the following conditions only:

- Such space will be available for public service ads subject to the demand for paid advertising space. Public service ads may be removed at any time if the space has been sold to a paying advertiser.
- More than one event, activity or program may be shown on the same notice.
- Ad content must be directed toward promoting an entity's services to the community or a substantial segment of the community. Ads which are for internal promotion or are designed primarily for the benefit of an organization are not eligible for free space.
- Notices to be displayed shall be provided to the City or its contractor at no cost. It is the responsibility of the advertiser to deliver and reclaim advertisements (if desired) in a timely fashion.
- Ads which promote political activity, i.e. campaigns or fund raisers, or which advocate positions on political issues or matters of public policy are not eligible for free space.

### 1.3 Advertising - Transit Centers, Major Transit Points, Stations and Stops

- 1.3.1 Advertising treatments (housings) will be designed to complement the architecture of the transit centers/stations and the flavor of the surrounding community. Advertising treatments will be designed, constructed and placed in accordance with all applicable local, state and federal standards, including zoning ordinances.
- 1.3.2 Any unsold transit center, major transit points and station display advertising space will be allocated for graphics and/or other non-revenue producing functions approved by the contractor and/or the Transit and Parking Commission. At least one (1) full display panel per transit center and station will be reserved exclusively for transit related items.
- 1.3.3 Advertising treatments will not impede vehicular or pedestrian traffic, will not restrict the visibility of directional/traffic signs and informational material, and will not encroach on necessary sight lines (e.g., driver/operator view of waiting patrons).
- 1.3.4 Advertising industry standard sizes will be used for all advertising treatments.
- 1.3.5 Advertising treatments will be maintained by the contractor, in "like new" condition. Damage to the advertisement or its housing will be corrected by the contractor within forty-eight (48) hours after notice of damage. Replacement ads will be provided by the advertiser and replacement housings will be provided by the City or its contractor.

### 1.4 Advertising - BUS Printed Materials

- 1.4.1 Advertising space may be allowed on printed materials (e.g., timetables, maps, informational brochures) at the discretion of the Transit and Parking Commission.
- 1.4.2 Advertising space may be allowed on the reverse side of regional passes, tickets and transfers at the discretion of the Transit and Parking Commission.
- 1.4.3 Advertising space shall not supersede necessary transit information and/or regulations.

### 1.5 Concessions

- 1.5.1 Concession formats, quantity and placement will be approved and controlled by the Transit and Parking Commission.
- 1.5.2 Acceptable concession formats are: pay telephones, Automatic Teller Machines (ATMs), child care facilities, and kiosks/shops for the sale of prepaid transit fares, transit-related merchandise and rider convenience items approved by the Transit and Parking Commission. Any additional concession formats are subject to Commission approval.
- 1.5.3 Contracts for any concession format or related development will be awarded in accordance with existing City policies and shall be subject to Federal, State and local statutes, ordinances and regulations.
- 1.5.4 During hours of business, concessionaires will provide the public with transit information materials as directed and supplied by the BUS or its designated representative.
- 1.5.5 Concession treatments/structures will be designed to complement the architecture of the transit centers/stations and the flavor of the surrounding community.
- 1.5.6 Concession treatments/structures will not impede vehicular or pedestrian traffic, will not restrict the visibility of directional signs and informational material, and will not encroach on necessary sight lines.
- 1.5.7 Concessionaire contracts will require monthly remittance to the BUS and shall include a flat rate plus percentage of gross revenue, as agreed by the parties.

#### 1.6 Merchandise

- 1.6.1 Any and all system-related merchandise will be of high quality and project a positive transit image.
- 1.6.2 Merchandise licensing agreements and royalty payments will be made in accordance with City policies.

#### 1.7 Revenue

- 1.7.1 All revenue generated from advertising in transit centers, major transit points, stations, and stops, vehicle and printed material advertising, concessions, merchandise, advertising on the reverse side of passes, tickets and transfers will be retained by the BUS and used to offset the need for City of Racine public subsidy by being placed in a specific advertising revenue account in the annual BUS budget.

#### 1.8 Contractor Services

- 1.8.1 The City may engage contractual services for the development, implementation, management and maintenance of advertising, concessions and/or merchandise programs in accordance with existing City policies.

#### 1.9 Appeal Process

- 1.9.1 The Transit and Parking Commission shall appoint a staff person, or utilize a contractor, to approve paid advertisements, eligible non-profit organizations, and public service ads.
- 1.9.2 Any person submitting as advertisement for display may appeal the designated staff person's or contractor's decision on the acceptability of an ad by written appeal to the Transit and Parking Commission, attention Michael Glasheen, Transit Planner, Room 304, City Hall, 730

Washington Avenue, Racine, WI. 53403. The appeal will be addressed at the next regularly scheduled meeting of the Transit and Parking Commission after the appeal has been received.

- 1.9.3 An entity may appeal the designated staff person's or contractor's decision either with respect to that organization's non-profit status or the eligibility of an ad for free space utilizing the same process in Section 1.9.2.
- 1.9.4 When an advertisement is not accepted, the person presenting the advertisement shall be notified of the appeals procedure in writing. Final disposition of the appeal and the reasons therefor shall be reported to the applicant in writing.

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