

CITY OF RACINE

BELLE URBAN SYSTEM

Commission Approval: 6-18-2014

BUS Advertising Policies and Procedures - Revision No. 3

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, Belle Urban System (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 (Transit 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. The Transit Commission and its auto and corporate insurance providers shall share responsibility for making such determinations.
- 1.1.2 Quantity, quality and placement of all advertising will be controlled by and subject to the approval of the Transit Commission. Materials are to be durable to maintain a quality image as determined by the Transit Commission and if they removed because of quality of material considerations and not replaced, the full contract payment shall be the responsibility of the agency placing the advertisements.

- 1.1.3 The Transit 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 Transit 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, where appropriate, encourage the promotion of public transit. National advertisements may be sold at a higher rate with the Transit Commission retaining the same percentage of contract revenue for national accounts as local advertisements.
- 1.1.5 No advertisement will be permitted that:
- a. Appears to defame any person, product or institution. Political advertisements shall be positive in nature regarding a specific candidate as opposed to derogatory or accusatory. An example of an advertisement that could appear defamatory or offensive is an "Issue" advertisement such as "Contact Senator Y to ask about why they voted for Senate Bill #1".
 - 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.
- 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 and alcohol advertisements will not be permitted.
- 1.1.9 Distribution of flyers, prizes and the like as part of an advertising campaign shall be considered at the Transit Commission's discretion and may involve an additional charge to be dispersed at a specific percentage to be established by the Transit Commission which may be unique and separate from general advertising revenue distribution percentages.

- 1.1.10 Any advertisement, public service or other display which violates this policy will be removed upon written demand by the Transit Commission on stated grounds. No refund shall be made for the time such objectionable material was on display.

1.2 Advertising - Buses

- 1.2.1 Buses will have available for sale both interior and exterior advertising on the 35 fixed route buses only. No advertising shall be allowed on DART (para-transit) vehicles.
- 1.2.2 Exterior advertisements may include full or partial shrink wraps on a total number of buses that shall not exceed 50% (17) of the total fleet of fixed route vehicles. Shrink wraps shall be durable enough to maintain a quality image through the life of the contract. If the Transit Commission determines that shrink wrap quality has deteriorated to the point that the image detracts from the overall image of the BUS system the shrink wrap shall either be removed or replaced at the expense of the agency selling the advertisement. If removed and not replaced, the full contract amount of the shrink wrap placement shall be due and payable to the BUS system by the agency.
- 1.2.3 There shall be no reduced rates for non-profit, public and political advertisements.
- 1.2.4 The deployment of specific buses on specific routes shall be at the sole discretion of the Transit Commission based on public transportation fleet requirements. The Transit Commission may agree to place certain ads on vehicles usually used for a specific purpose (i.e. special school service) subject to vehicle availability.

1.3 Advertising - Transit Centers, Major Transit Points, Shelters and Stops

- 1.3.1 Advertising treatments (housings) will be designed to complement the architecture of the transit centers/shelter 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 At least one side (full ad display panel) per transit shelter 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 shall be preferred 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 agency selling the ads at their expense unless the damage is caused by an accident or Act of God.

1.4 Advertising - BUS Printed Materials

- 1.4.1 Advertising space may be sold on printed materials (e.g., timetables, maps, informational brochures) at the discretion of the Transit Commission.
- 1.4.2 Advertising space may also be allowed on passes, tickets and transfers at the discretion of the Transit 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 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 Commission. Any additional concession formats are subject to Transit 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 free of charge 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/shelters 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 and possibly a percentage of gross revenue, as agreed by the parties. Payments past due after 30 days of invoice shall incur late fees as established by the Transit Commission.

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 of Racine policies.

1.7 Revenue

- 1.7.1 The agreed upon BUS share (percentage) of all revenue generated from advertising in transit centers, major transit points, shelters, and stops, vehicle and printed material advertising, concessions, merchandise, advertising on passes, tickets and transfers will be retained by the BUS and used to offset the need for City of Racine public subsidy. These funds and any mutually agreed upon special charges (per 1.1.9) and late payment fees are to be placed in a specific advertising revenue account in the annual BUS budget.
- 1.7.2 Advertising, concessionaire merchandising, royalty payments and other BUS revenue payments will require monthly remittance to the BUS. Payments that are past due after 30 days of invoice date shall incur late fees of 1% of the outstanding balance for each month overdue unless waived by the Transit Commission.

1.8 Contractor Services

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

1.9 Appeal Process

- 1.9.1 The Transit Commission shall designate the responsibility to approve paid advertisements to the Parking and Transit Systems Manager or his/her designee.
- 1.9.2 Any person submitting an advertisement for display may appeal the decision on the acceptability of an ad by written appeal to the Transit and Parking Commission, City Hall, 730 Washington Avenue, Racine, WI. 53403. The appeal will be addressed at the next regularly scheduled meeting of the Transit Commission after the appeal has been received.
- 1.9.3 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.