

# **POLICY ON THE INSTALLATION OF BANNERS ON CITY-OWNED STREET LIGHT POLES**

## **Purpose**

This policy shall cover the installation of banners, both permanent and temporary, on all City-owned street light poles in conformity with the conditions and restrictions set forth in Section 66.0425 of the Wisconsin Statutes and the criteria outlined below. This policy establishes minimum standards to promote health, safety, and welfare of the public by regulating the design, quality of materials, location, and maintenance of banners visible from public rights of way. This article must be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.

## **Banner Application and Selection Process**

1. Application for all banners, which shall include proof of insurance together with a deposit of \$15 per temporary banner and/or \$30 per permanent banner and a hold harmless agreement, shall be made on the appropriate application form as provided by the Office of the City Engineer, Room 304, City Hall, 730 Washington Avenue, Racine, WI 53403.
2. Completed applications should be sent to:  
  

Commissioner of Public Works  
Department of Public Works  
730 Washington Avenue, Suite 304  
Racine, WI 53403
3. The Commissioner of Public Works shall approve applications for proposed banner designs consistent with the criteria set forth in this policy.
4. The Commissioner of Public Works may deny an application or proposal for a banner if it fails to meet the criteria set forth herein. In the event of a denial, the Commissioner shall send written notice to the applicant. Any applicant aggrieved by a decision of the Commissioner may appeal, within 30 days of the date of such denial, by submitting a written appeal to the Commissioner of Public Works. The matter shall be forwarded to the Public Works and Services Committee, who may affirm or reverse the decision of the Commissioner.

## **Criteria for Approval for All Banners:**

5. The maximum surface area of the banner shall be 20 square feet with a maximum dimension of 96-inch height by 30-inch width.
6. Banners shall be constructed of lightweight material such as canvas, polyester, or similar material.
7. Banner shall be suitable and acceptable for public viewing of all ages.
8. Banners shall further the City's goals of promoting public health, safety, morals, inclusivity, diversity, positivity, and general welfare of the people.
9. Applicant shall provide proof of general liability insurance in the minimum amount of \$350,000 per person/per occurrence to the satisfaction of the City Attorney.

## **Installation, Maintenance, and Removal of All Banners**

10. The applicant shall be responsible for the purchase, installation, maintenance, and removal of the banners (including all mounting hardware).
11. Banners shall be installed a minimum of 16 feet above the crown of the roadway if the banner is to project over the roadway. This minimum height can be reduced to 12 feet if the banner does not project over the roadway.
12. Banners shall be installed only on poles at locations approved by the City Engineer. A banner location may be rejected due to a conflict with a traffic control device, due to inadequate support for the proposed load of the banner or for situations that pose a safety hazard to the public.
13. Mounting brackets shall be of a spring-loaded design, as approved by the City Engineer, to reduce wind load. Openings in the banner may also be necessary to further minimize wind load, determined by the City Engineer.
14. In the event of improper banner installation or damage to the banner or its supports, the banner shall be removed or repaired by the applicant within 48 hours after notification by the City. In case of emergencies, the City may require immediate re-installation, removal, or repair. If re-installation, removal, or repair is not done as required, the City may correct the problem and bill the applicant or deduct said amount from the deposit, where applicable.

## **The Following Criteria Shall Apply to All Permanent Banners:**

15. Permanent banners shall be installed for a period longer than one month.

16. Permanent banners shall promote a recognized business association, neighborhood association, government institution or school of higher learning or be of a decorative nature (i.e., seasonal, promoting a holiday, etc.).

**The Following Criteria Shall Apply to All Temporary Banners:**

17. Temporary banners shall be installed for a maximum period of 30 days.
18. Temporary banners shall promote a local cultural event that is open to the public.
19. Temporary banners shall be placed no sooner than 30 days prior to the event.
20. Temporary banners shall be placed only in the district in which the event is held. The district association, if any, shall review and recommend approval or disapproval of the content and location of the banners.
21. The area on the banner for sponsors shall not exceed 15% of the total banner area.
22. Temporary banners shall not contain commercial logos, trademarks, etc.
23. Deposits for banners for an approved Business Improvement Districts (BID) be waived and any costs to the City to maintain or remove such banners shall be charged to the BID.
24. The applicant shall remove the banners upon expiration of the 30-day maximum period or within 5 days after the end of the event, whichever is lesser. In the event that the banners are not removed in this time period, the deposit will be forfeited.