



## ST. GEORGE CITY POLICY FOR CITY OWNED STREETLIGHT POLE BANNERS

The City of St. George, as a public service, will allow banners to be placed on City owned streetlight poles on St. George Boulevard and Bluff Street as provided in this policy. It is not the intent of the City to create a public forum on these streetlight poles or to allow non-City entities or persons to post messages. The streetlight poles are reserved for the exclusive use and benefit of the City. Nothing herein shall be deemed to express, imply, or create in any way a right to display banners on any particular streetlight poles, the right to require the City to make any streetlight poles available for banners, or a right to require the City to remove any banner to allow for the placement of another banner.

The City shall not discriminate based on the content of the requested event banner, nor based on the nature of the event. All approved banners must meet all requirements of this policy. In no way shall this policy be construed to limit the City's inherent right to hang City banners from municipal streetlight poles. City reserves the right to determine whether a banner is eligible for placement on a streetlight pole.

### 1. Definitions:

- a. **"City Event"** is defined as an event or series of events that is organized and administered by the City whether directly or by contract with a third-party operator to act on behalf of the City.
- b. **"City Sponsored Event"** is defined as an event or series of events that is organized and administered by a third party and is sponsored by the City. "Sponsored by the City" means the City contributed at least \$5,000 to the event, exclusive of RAP tax funding appropriations.
- c. **"Community message"** is defined as holiday banners and banners of logos or symbols for Utah Tech University, Dixie Technical College, Washington County, or Washington County School District.
- d. **"Other Government Entity Event"** means Utah Tech University sporting events, Dixie Technical College, Washington County events, or Washington County School District events.

### 2. Banner Display Criteria:

- a. Eligible participants: Banners may be displayed on the City of St. George designated streetlight poles on St. George Boulevard and Bluff Street for a City event, a City sponsored event, other government entity events and for a community message.
- b. Priority for Banner Display shall be in the following order:
  - i. City use shall take priority over any other user. The City has the right to place banners on its streetlight poles at any time;
  - ii. City sponsored events;
  - iii. Other government entity events; and

- iv. Community messages.
- c. The City shall establish a banner schedule and shall allow all eligible participants to submit their request for dates for banners. Participants shall be scheduled based on the above priority. The City reserves the right to deny multiple requests from one entity for banners during a fiscal year based on availability.

### **3. Banner Application and Design:**

- a. An application shall be submitted to the City for approval. The application fee shall be paid at the time the application is submitted. The application shall be reviewed for aesthetics and compliance with applicable laws and with this policy. The application shall contain the following:
  - i. Graphic showing design, layout and colors to scale; and
  - ii. Contact information for company responsible for installation, maintenance, and removal; and
  - iii. The details on the banner fabric, which shall:
    - 1. weigh a minimum of 18-oz. per square yard;
    - 2. be a vinyl coated polyester or equivalent;
    - 3. be weather and fade resistant; and
    - 4. be stitched with #92 polyester threads.
- b. The banner shall be 29" wide by 96" long.
- c. A 4" pocket sewn into the top and the bottom with grommets and all four sides, two grommets at the top on each side and two at the bottom on each side.
- d. The banner shall be hemmed on all sides.
- e. No sponsorship logos or names shall be allowed on the banner except City and other government entity names and logos.
- f. No ads, logos, pictures or wording shall be used that could promote a product, service, business, political campaign or political party on the banner.
- g. An insurance certificate from the installing and removing company shall be provided to the City prior to the permit being issued. The insurance shall list the City as an additional insured.

### **4. Banner Installation, Maintenance and Removal:**

- a. Banners must be installed and removed by a company approved by the City, except the City may install banners for City events and City community messages.
- b. The approved company installing and removing the banner must be insured and list the City as an additional insured.
- c. Cost of installation and removal shall be at the expense of applicant.
- d. A banner shall be mounted on a pre-approved streetlight pole with the existing mounting hardware. No alterations are permitted.
- e. Installation shall be done using the City hardware except for banding materials which shall be supplied by installer. All banding materials shall be appropriate for the pole.
- f. The company installing the banner may not penetrate or alter streetlight poles or the City hardware in any manner.

- g. While installing, maintaining and removing the banner, the company is responsible for monitoring traffic and must comply with all roadway encroachment and safety requirements while installing, maintaining and removing the banner.
  - h. The applicant is responsible for monitoring and maintaining banners at all times. Applicant shall keep all banners in good repair. The applicant shall have an approved company remove a banner that is not in good repair. The applicant is required to correct any problem within 24 hours of notice or discovery of any problem. If a public safety related problem is discovered, the applicant must act immediately to correct the problem and if it fails to do so, the City may act to correct the problem at the expense of the applicant.
  - i. Any damage to the streetlight poles or hardware shall be reported to the City immediately. The applicant is responsible for any damage and shall pay for all repairs or replacement within 10 days of receiving an invoice from the City.
  - j. The City will not store banners for applicants.
- 5. Time Displayed:** Banners may be installed up to two weeks prior to the event or as otherwise approved by the City Manager. Banners may be displayed a maximum of four weeks, except for City events and community messages which may be displayed longer. All banners shall be removed within seventy-two (72) hours after the event. If a banner is not removed as required, the City has the right to remove the banner at the applicant's expense.
- 6. Liability:** The City is not responsible for theft or damage to the banners during the time of their use, transportation, installation or take down. As a condition of a streetlight banner permit being issued, the applicant agrees to indemnify, defend and hold harmless the City and all of its officers and employees against any and all suits, causes of action or claims for injuries, damages, costs and expenses to persons or property, whether public or private, that may arise out of, or as a result of the issuance of the streetlight banner permit, or any activity from the installation, display, removal or existence of the banner, or any act, omission or misconduct of the applicant or his agents, representatives, contractors, or employees. The applicant agrees to discharge any and all judgments that may be rendered against the City or its officers and employees in connection with any suit, cause of action or claim after the judgment becomes final and unappealable.
- 7. Denial:** The City may deny or revoke a streetlight banner permit if the applicant makes a false statement of material fact on the application or fails to comply with the terms or the banner is in violation of any provision of the permit or policy or any applicable law. If a permit is denied or revoked, the applicant will be notified by email and by phone. If a banner has been installed, the applicant shall be told to remove the banner immediately. If the applicant fails to remove a banner after notice of denial or revocation, the City may remove the banner at the applicant's expense.

**Approved by CC on 7-9-20**

**Updated by City Manager on 1-13-21**

**Updated by City Manager on 8-08-23**