

CITY OF DIXON
CITY COUNCIL POLICY

PARDI PLAZA BANNER USE

PURPOSE

The purpose of the Pardi Plaza Banner Use Policy is to provide guidelines and procedures for the identification, priority, submission and display of messages regarding City and community events at Pardi Plaza.

DEFINITIONS

Banner: means a strip of cloth or other flexible material meeting the design specifications included in Exhibit A on which a sign or message is presented calling attention to the City, its natural advantages, resources, enterprises, attractions, climate, facilities, business and community.

City: means the City of Dixon and its departments and events sponsored by the City.

City co-sponsored event: means any public event, program or activity in which the City allows the use of its name and/or logo by another sponsoring organization with regards to conduct of the event as well as advertising, promotion or general public awareness. In addition to the use of its name and/or logo, the City may assist by means of personnel, facilities and services in the preparation and conduct of the event.

City-sponsored event: means any public event, program, or activity which is directly related to a recognized function of the City, which is initiated, and in major part financed and executed by the City.

City Manager: means the City Manager of the City or the Manager's designee.

Community/Special Events: means local events that are of a civic, public, or educational nature, including City festivities and other similar events that promote the community and are open to the general public.

For-Profit Organization: means a business or other organization whose primary goal is making money (a profit) or has not been deemed eligible for nonprofit status by the Internal Revenue Service.

Local Nonprofit Organization: means an organization that has been conferred eligible for nonprofit status by the Internal Revenue Service under United States Internal Revenue Code Section 501(c) and maintains its principal office or place of operation within the City of City of Dixon.

Non-City: means and includes Local Nonprofit Organizations, Community/Civic Events, and Local Public Schools.

Special event: means an event and/or activity:

1. Sponsored entirely by the City, or co-sponsored by the City, or a nonprofit organization event;
2. Of limited duration as provided for herein;
3. That may or may not involve an assembly of persons;
4. That may or may not require a special event permit; and
5. That calls attention to the City, its natural advantages, resources, enterprises, attractions, climate, facilities, business and community.

POLICY

A. Responsibility

The City Manager's Office is responsible for managing and submitting messages for display. If there are any questions regarding content of the message, or whether or not a group requesting use of a banner authorized under this policy, the City Manager or designee will serve as the final decision-making authority.

B. Policy

City message requests will have priority over all Non-City requests. Revenue-generating City events have precedence over non-revenue generating City events. Non-revenue generating City events include, but are not limited to: Public Safety Announcements, and other safety related messages.

Based on historical use the use categories are as follows:

1. City sponsored events
2. City resources
3. City co-sponsored events
4. Non-City co-sponsored events

C. General Information, Procedures and Prioritization

General Information

1. Requests will be approved on the basis of availability, first come, first served, and conformity to the prioritization and advertising criteria as outlined in this policy.
2. Each banner permit shall be valid for a duration of not less than one calendar week and not more than two calendar weeks. The length of the banner being displayed will depend on the overall banner schedule and when the next banner will be installed. City banners, exempt from a banner permit, shall not be limited to the two calendar week requirement.
3. Banners shall be installed and removed by the City's Public Works Department, or designated contractor through an agreement between the City and the contractor. The City shall not be responsible for any damage to banners.
4. The City reserves the right to remove any damaged or vandalized banners during the display period.

5. There are two banner locations. One banner space below the “City of Dixon” sign and one on the black metal fence facing 1st St. The fence space will be utilized if there are two requests for the same time period.

Procedures

1. A new banner schedule shall be established each year by January 10th. Banner permit applications shall be received no later than December 15th of the previous year using the Pardi Plaza Banner Request Form (Exhibit B)
2. The order of priority for banner use is:
 1. City sponsored events
 2. City resources
 3. City co-sponsored events
 4. Non-City co-sponsored events
3. If two requests of the same priority level are received at the exact same time, a lottery will occur.
4. After January 10th of each calendar year, Non-City message requests for available dates may be submitted on the Pardi Plaza Banner Request Form (Exhibit B) a minimum of 21 business days prior to the desired beginning display date.
5. The request form must be completed legibly and in its entirety in order to be considered.
6. Banners will be held for 3 business days once removed. If not picked up within 3 business days banners will be disposed.

Processing Fees

1. A banner permit fee of \$100.00 will be charged for Non-City-sponsored events. The fees shall be paid no less than 14 days prior to the banner reservation date.
2. If payment is not received 14 days prior to the reservation, the reservation will be canceled.

D. Message Content

1. The City will not display any message that in the judgment of the City of Dixon City Manager or his or her designee:
 - i. is false, misleading, or deceptive;
 - ii. promotes the sale or use of tobacco products, or marijuana, whether directly or indirectly, provided that advertising for hydroponics shall not be deemed indirect promotion of marijuana;
 - iii. depicts violence or anti-social behavior or relates to illegal activity;
 - iv. contains “obscene matter,” as that term is defined in California Penal

Code section 311 on the Effective Date, or promotes adult entertainment;
As used in this Section 7.12.1, “legally obligated” shall mean under a court order from a court with competent jurisdiction.

- v. promotes or opposes a candidate for public office or promotes or opposes a ballot measure;
 - vi. holds a person or group of persons up to public ridicule, derision, or embarrassment, or defames a person or group of persons; or
 - vii. contains language that is obscene, vulgar, profane, or scatological, or that presents a clear-and-present danger of causing riot, disorder, or other imminent threat to public safety, peace, or order.
2. Non-City messages will be limited to the name of the event, the sponsor, date, time and other specific factual details of the event.
 3. If despite such preliminary review by the City, a message is subsequently determined to be in violation of these criteria, the City Manager may cause such message to be removed immediately.

EXHIBIT A
Advertising Dimensions

It is the responsibility of the requestor to provide the desired banner display in the following format:

1. Banners must be no larger than 8 feet x 4 feet
2. Banner must be made of a durable material and have metal grommets along the top

EXHIBIT B

**CITY OF DIXON
PARDI PLAZA BANNER REQUEST APPLICATION**

Organization/Group Name:

Contact Person(s)_____Contact Number(s)_____

E-mail address _____

Type of Event_____Date of Event_____

Time of Event_____Location of Event_____

Dates Requesting to Display Banner: _____

Beginning:_____End:_____

Alternate Date if First Date is not Available:

Beginning:_____End:_____

Email Application to dixonrecreation@cityofdixon.us

Applications must be received at least 21 business days prior to the desired posting date. For priority consideration, applications must be received by December 15 of the prior year.

Include a copy of your graphic as it will appear on the banner. The City of Dixon reserves the right to reject all messages and to modify content and format for policy compliance.

Organization/Group
Name: Address of
Organization:

Banners must be picked up within 3 business days from removal. Banners will be disposed of after 3 business days.

Disclaimer of Liability

On behalf of the requesting organization, it is agreed that the City of Dixon will not be held liable for any improper or incorrect use of the information displayed on the Banner and that the City assumes no responsibility for any organization's use of the Banner. In no event may the City be liable for any damages, whether direct, indirect, incidental, special, exemplary or consequential regardless of cause, and on any theory of liability, whether in contract, strict liability, or tort (including negligence or otherwise) arising in any way out of the use of the Benner, even if advised on the possibility of such damage.

I certify that I am authorized to submit this request by the organization identified above.

Signature

Date

Print Name