

Sec. 3-3. - Banners, etc., over public streets.

No person may build, construct, fasten, tie, install, remove, or maintain any banners, streamers or other similar materials ("banners") anywhere in the city in such a manner that the same is above, over or across any public right-of-way or street or public property within the city except as set out below:

- (1) The city traffic engineer may issue a permit for installation of banner for a temporary period of time, set out in the permit, at specific locations over or across city property or street right-of-way to a nonprofit organization promoting, or any person engaged in promoting, a nonprofit public event or activity or donating one hundred (100) per cent of the net proceeds (less banner costs and associated banner expenses) to a nonprofit organization, subject to compliance with the conditions set out below.
- (2) Prior to issuance of the permit and installation of banners, the permittee must:
 - a. Furnish a certificate of insurance, meeting the insurance requirements set by the risk manager, to the city traffic engineer and risk manager, naming the city as additional insured, no less than ten (10) business days prior to the first day of the permitted banner installation.
 - b. Sign an indemnity form indemnifying the city from all personal injury or property damage that might result from installing, maintaining, or removing the banners.
 - c. Pay a nonrefundable processing fee of thirty-five dollars (\$35.00) for administrative costs associated with issuing the permit.
 - d. Agree in writing to install, maintain, and remove the banner in the manner and at the times set by the city traffic engineer, and stated in the permit, and to ensure that the banner remains properly secured during the time it is permitted.
- (3) A permittee may request a banner application no more than one (1) year prior to the first day requested for installation. A permittee is limited to two (2) banner locations for a maximum of two (2) weeks for a specific event each six (6) months. Completed applications must be returned to the city traffic engineer not less than thirty (30) days prior to the first day of installation.

If more than one (1) person requests the same banner location for the same time on the same business day, the person who first requested the location will be given thirty (30) days to return the completed application, and if he/she fails to do so the first person's reservation is forfeited, then the second person will be given thirty (30) days to return the completed application. If neither person returns the completed application within the stated time periods, and any other required information, the city traffic engineer may use another method of determining who may use the requested banner locations, including leaving the banner location vacant.
- (4) Permittee must remove banners at the time set out in the permit. If the banners are not removed the city will invoice the permittee for the city's cost of removing the banners plus twenty-five (25) per cent overhead and the permittee must pay the invoice within thirty (30) days after the city mails the invoice.
- (5) The city traffic engineer may require permittee to remove a banner from an approved location prior to the scheduled removal date at the permittee's expense and city owes no damages to permittee for the early removal.
- (6) Banners must not contain the name of any product or business, and must contain information only about the public event and/or activity being promoted.

(Code 1958, § 3-3; Ord. No. 18456, § 1, 9-11-1984; Ord. No. 22554, § 1, 4-23-1996; Ord. No. 029582, § 1, 7-31-12)