

RESOLUTION NO. 2016-C4

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZUSA
ADOPTING AND APPROVING A STREETLIGHT BANNER POLICY**

WHEREAS, Article VI of the Azusa Municipal Code adopt regulations governing signs throughout the City; and

WHEREAS, the City of Azusa has installed infrastructure for vertical banners/flags on streetlight poles along certain public streets within the City, including Azusa Avenue, Alameda Avenue, Dalton Avenue and within the plaza area of the Azusa Downtown Gold Line Station; and

WHEREAS, the purpose for such infrastructure is to enable the City of Azusa to communicate with its residents certain messages concerning City events, programs and services, including those co-sponsored with other community groups; and

WHEREAS, the banner locations are intended to be a non-public forum, to be utilized by the City and eligible organizations to promote events or occasions that have a direct and substantial civic and/or community benefit and enrich the aesthetic and visual appearance of Azusa's thoroughfares; and

WHEREAS, the City desires to adopt a Streetlight Banner Policy in order to effectively administer and manage the eligibility, banner specifications and content, placement and duration of use for streetlight banners to be displayed at various locations throughout the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Azusa does hereby:

SECTION 1: Adopt and approve a Streetlight Banner Policy attached hereto as Exhibit A.

SECTION 2: Authorize the City Manager to take all necessary actions to carry out the Streetlight Banner Policy.

PASSED, APPROVED and ADOPTED this 5th day of January, 2016.



Joseph Romero Rocha
Mayor

ATTEST:



Jeffrey Lawrence Cornejo, Jr.
City Clerk

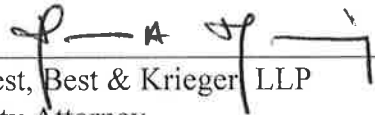
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF AZUSA)

I HEREBY CERTIFY that the foregoing Resolution No. 2016-C4 was duly adopted by the City Council of the City of Azusa at a regular meeting thereof, held on the 5th day of January, 2016, by the following vote of Council:

AYES: COUNCILMEMBERS: MACIAS, ALVAREZ, ROCHA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: GONZALES, CARRILLO


Jeffrey Lawrence Cornejo, Jr.,
City Clerk

APPROVED AS TO FORM:


Best, Best & Krieger LLP
City Attorney

STREETLIGHT BANNER POLICY

1. PURPOSE

It is the purpose of this policy to articulate regulations pertaining to the circumstances, character, location and other standards under which the City will permit the use of streetlight poles to display banners promoting events or occasions that have a direct and substantial civic and/or community benefit and enrich the aesthetic and visual appearance of Azusa's thoroughfares. Permitting the placement of such banners should in no way be construed as establishment of a public forum for expression or promotion of ideas or opinions. The display of streetlight banners is limited to cultural, educational, patriotic and civic events which contribute to the community's quality of life; community events or special programs which lend a special character to the City of Azusa; increasing awareness of City-sponsored activities and events, promoting economic development; and notifying the public of charitable endeavors which benefit the community.

2. POLICY

This policy shall cover the installation of banners on all City-owned street light poles in conformity with the conditions and restrictions set forth below.

- A. Banners may only convey a noncommercial message and promote civic, patriotic, cultural and educational activities, celebrations or events. No banners with the main intent of commercial advertising will be allowed.
- B. By enactment and administration of this policy, the City does not intend to designate City streetlights or the banners for expressive activities or designate them as a public forum for expressive activities. Neither the streetlights, banners nor the content of the banners are "forums" for expressive activity by the public.
- C. Banners cannot be visually distracting or have excessive wording such as to cause distractions to motorists. City Staff will review designs for appropriate design criteria and recommend any modifications necessary prior to production and upon City Manager's application approval
- D. Requests for dates and placement of banners are on a first come, first serve basis. If requested dates conflict, priority will be given in the following order:
 - Events run by the City of Azusa;
 - Events cosponsored by the City of Azusa;
 - Events geographically located within the City;

3. DEFINITIONS

- A. Sponsoring Organization – Any non-profit organization that is exempt from taxes under federal law (e.g. of these groups are organized for fraternal, charitable, religious, educational organization, the Chamber of Commerce, civic or social welfare organizations and veterans groups that serve the City of Azusa or any organization sponsoring an event approved or sanctioned by the City is considered an eligible Sponsoring Organization under this policy.
- B. City Manager – Chief administrative officer for the City of Azusa who is responsible for the proper management of the City Hall Campus and Downtown Streetlight Banner Program.
- C. City Hall Campus Streetlights– All City owned streetlight poles bounded by Foothill Blvd. to the south, Ninth Street to the north, Alameda Avenue to the west and Dalton Avenue on the east.
- D. Downtown Streetlights – All City owned street light poles bounded by Fifth Street on the south, Ninth Street on the north along Azusa Avenue
- E. Transit Square – All City owned street and parking light poles in and around the Foothill Gold Line Station (Azusa Station) including the downtown parking structure.

4. ELIGIBILITY: Sponsoring Organizations, or the event, must be located or held within the corporate boundary of the City of Azusa to be eligible. The City may request proof of eligibility from the Sponsoring Organization.
5. APPLICATION PROCESS: The Sponsoring Organization or business shall make a written application and present it to the City Manager's office six (6) weeks prior to a planned installation date. The City Manager will share the each application with the City's Code Enforcement Department, Business License Department and Neighborhood Improvement Coordinator, which may take up to three weeks to review and make recommendations back to the City Manager.

Application shall include:

- Name of special event
 - Name of business or sponsoring organization
 - Date of special event
 - Time period requested for banner exposure
 - Banner design
 - Number of Streetlight banners requested
 - Location of banners
6. APPROVAL TIME: Once reviewed by the City's Code Enforcement, Business License and Neighborhood Improvement staff, applications for placement of banners shall be returned to the City Manager's Office with their recommendation and explanation as to either approve or deny a Sponsoring Organization's application. Every effort will be made to render a decision at least (3) weeks before the desired placement date of the Sponsoring Organization's request.
 7. BANNER INFORMATION CONTENT: All banner designs should be artistic in nature and graphically or symbolically represent the design objectives for the season, event or programs. Banners can include text for dates, activities and/or the title of events. Banners are not to be used for commercial advertising purposes or to advertise or promote political candidates, parties or issues. However, professionally placed logos of a business or corporation sponsoring an event may be included on the banners. No more than ten percent of the banners area may be used for sponsor's logos.
 8. BANNER DESIGN: The graphic design of all banners in the City of Azusa program must be developed by each individual sponsoring organization under the banner program guidelines in this policy.
 9. BANNER SPECIFICATIONS: All banners shall comply with the following banner specifications:
 - A. All banners shall be printed on both sides
 - B. All banners in the program shall be made of marine acrylic or heavy reinforced vinyl which is resistant to ultraviolet rays, mold and mildew. Each banner shall have two (2) double reinforced two inch hems. Banners shall be 24" x 48" in size.
 - C. Banner brackets are in place on both Downtown and City Hall Campus locations on the streetlight poles. If a sponsoring agent wishes to place additional brackets on poles, they shall first secure the City Manager's approval and purchase the brackets of the same type and style currently in use by the City. Azusa Parks and Family Services personnel will install said brackets at no cost to the sponsors when they install the banners on the existing brackets. Once installed, the brackets shall become the property of the City.
 10. BANNER PLACEMENT: The City has three (3) specific locations where banners can be installed. These locations and there specific theme are identified in Section 12 below. A Sponsoring Organization requesting installation at a specific location(s) should indicate both a first choice and also a second choice for the placement

of their banner(s). The City reserves the right to limit the number of banners used by any Sponsoring Organization. The City's Public Works or Recreation and Family Services staff will be responsible for placement and retrieval of approved streetlight banners. The Azusa City Council shall establish a charge for the installation and removal of special event banners for each event. Installation fees shall be submitted to the City before banner(s) placement is permitted. There are no provisions for cross street (building to building) banners in this policy. Any unpermitted or out of compliance banner(s) may be removed by the City at any time and held in the Code Enforcement Department for retrieval by owner.

11. DURATION OF BANNER PLACEMENT: Banners may be hung for a period not to exceed sixty (60) days. The City Manager may extend the time period for an additional thirty (30) days. In no event shall the time period exceed ninety (90) days.

12. LOCATION

LOCATION	THEME
Downtown	February – April Economic Development
	May – July Veterans/Patriotic Pride
	August – October Economic Development
	October – November Veterans/Patriotic Pride
	November – January Holiday Celebration
City Hall Campus	To celebrate and showcase civic events and/or activities; promote services and programs offered by the City; recognize veterans or events and/or programs that promote patriotic themes.
Transit Square	To support and brand civic, cultural and educational events, promote the community and to special events held within the City

13. **BANNER FEES:** Fees for placing banners at various locations as identified in this policy shall be set by the City Council as part of the City's Comprehensive Schedule of Fees and Charges. Fees may be waived for city-sanctioned special events and/or activities that promote economic development, civic or patriotic themes. Fees for other significant public special events can only be waived by the City Manager, or his designee, at his discretion.
14. **BANNER CONDITION:** The City Manager has the authority to refuse the placement of streetlight banners which are in poor or substandard condition. In addition, the City Manager has the authority to order the removal of banner(s) which have become frayed, ripped, discolored or otherwise unsightly, prior to the expiration of the banner placement term.
15. **IDEMNIFICATION:** The sponsoring organization shall sign a waiver and hold harmless agreement with the City.
16. **APPEALS:** The City Manager is authorized by the Azusa City Council to approve, or deny the design and or placement of banners authorized under this policy. If a banner design or placement is denied by the City Manager, the sponsoring organization or business may appeal this decision directly to the City Council by asking to be placed on the agenda for the next available City Council Meeting.
17. **STORAGE LIABILITY:** The City shall not be responsible for storing banners. Banners must be furnished to the City, by a representative of the sponsoring organization, five (5) business days prior to their scheduled installation and picked up by a representative of the sponsoring entity within fifteen (15) business days after their scheduled removal. The City reserves the right to dispose of banners that have not been picked up within said fifteen (15) business day period.
18. **RISK OF LOSS:** The sponsoring organization displaying a banner(s) shall at all times bear any risk of loss, damage or destruction of or to the entity's banner(s), and under no circumstances shall the City be responsible to any person or entity for damage to or loss of any banner(s), including loss of the value of the banner should this policy, either existing or as subsequently modified, prohibit its display.