

CITY OF CARMEL-BY-THE-SEA

POLICY C95-07 Updated 5/7/13

BANNERS ON PUBLIC PROPERTY

**PURPOSE:**

To establish a policy outlining the procedure for application and review of the design, style, appropriate locations, duration of display, installation and removal of banners on public property in the City of Carmel-by-the-Sea.

**POLICY:**

The City of Carmel-by-the-Sea supports the concept of displaying decorative banners on public property for the purpose of promoting a festive atmosphere and informing residents and visitors of local events. The City typically encourages up to two events sharing the banner poles at any given time. In limited circumstances staff may authorize the exclusive use of the banner poles as outlined in the application procedures. Display of banners is limited to the following areas:

1. Ocean Avenue median
2. Sunset Center property
3. Devendorf Park
4. Harrison Memorial Library (library sponsored events only)
5. Other locations as may be determined by the Community Activities and Cultural Commission from time-to-time; provided, however, that all such exceptions are referred to the City Council for its prior approval.

**GUIDELINES:**

Approval Authority:

The Community Planning and Building Department shall have the authority to review and approve or deny applications for public display of banners in accordance with following guidelines:

Guidelines for Appropriate Events:

Banners may be approved only for the following types of events:

1. City events and activities;
2. City co-sponsored events/activities;
3. Community events/activities which take place within Carmel-by-the-Sea City limits;
4. Events that, in the judgment of staff, that will provide significant cultural and economic benefit to the City.

Staff may refer a proposed event to the Community Activities and Cultural Commission if it is unclear whether it qualifies under the four types of events outlined above.

Guidelines for Banner Design:

The following guidelines shall be used for reviewing and approving or denying banner applications:

1. **Size:** Banners must conform to specifications of the City's display stanchions and hardware as set forth in the specifications identified in Exhibits A, B, and C of this Policy. In no case shall the area of any banner exceed twenty-four square feet.
2. **Material:** Banners must be constructed of durable, natural-looking fabric including those coated (not vinyl); both the fabric and the paint must be capable of withstanding the elements and have a matte finish. A material sample shall be submitted to the City for approval prior to installation.
3. **Attachments:** Banners must have fasteners (grommets) that are durable, safe and appropriate to meet the design specifications of the stanchions. Refer to specifications in Exhibits A, B, and C of this Policy.
4. **Design:** All banners shall be simple design, consistent with village character, and compatible in color and design with surrounding architecture and landscaping. Fluorescent or incompatible colors, streamers, balloons and other appurtenances to attract the eye are prohibited.
5. **Lighting:** Illumination is prohibited.
6. **Text:** Only the name and dates and a simple website address (no www or http://) of the event shall be displayed on a banner. Location information is limited to the place (Devendorf Park, Sunset Center, etc.), not a street location. The text size for the location and dates must also be substantially smaller than the event name and graphic image.
7. **Location:** Placement of banners shall be limited to those areas set forth in the "Policy" section of this document. Any other locations shall require Community Activities and Cultural Commission recommendation to the City Council.
8. **Condition and Maintenance of Banners:** All banners must be clean and in good condition. If not, the banners cannot be displayed.
9. **Calendar:** Banners for no more than two events shall be displayed at any one time on Ocean Avenue and at the Sunset Center. The Department of Community Planning and Building shall maintain the calendar of dates for banners approved for installation. When banners for two events are displayed they shall be on alternate stanchions such that all four faces on each stanchion (left/right sides and east/west faces) display the same event.

**DURATION:**

Banners may be displayed for up to seven days prior to the beginning of the event, and may be displayed for no more than three days following the event's conclusion. Banners may be displayed at Harrison Memorial Library for a maximum of 30 days prior to the event. It shall be the responsibility of the Department of Community Planning and Building to coordinate, as needed, the installation and removal of the banners with other City Departments.

**INSTALLATION, MONITORING, AND REMOVAL:**

A private contractor, designated by the City, shall have sole responsibility for the installation, removal, and return of all banners to the applicant.

The Department of Community Planning and Building shall have the responsibility for monitoring and insuring that, while placed on public property, the condition and appearance of all stanchions and banners are consistently maintained to meet the community's aesthetic standards. It is the policy of the City to only install American flags or other City banners during specific events (4<sup>th</sup> of July, Memorial Day, etc.).

**APPLICATION PROCEDURE:**

Applications for the review of proposed banner installations are available in the Department of Community Planning and Building at City Hall. Completed applications may be submitted up to one year but not less than 45 days prior to the requested installation date. If two events request the same dates, the banner poles shall be shared and the banners shall be displayed consistent with the standards outlined in #9 – *Calendar* above. If more than 2 events request the same dates, staff will give preference to those events or organizations that have had the fewest display days in the past 12 months. Preference for exclusive use of banner poles may be given to events or organizations that request the fewest number of days per year. The Community Activities and Cultural Commission shall be advisory to staff on the use of the banner poles.

Within 60 days of the installation date the City will notify the applicant of whether the banners have been approved and whether the banner poles will be shared with another event.

**LIABILITY, PROPERTY DAMAGE:**

Each applicant, its successors and assigns shall hold the City of Carmel-by-the-Sea and its officers and employees harmless from any claims due to theft, vandalism, damage or loss of its banners, due to any cause whatsoever, and from any and all claims, actions and demands of third parties of any kind, character and description arising out of or due to the display of banners approved hereunder.

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Contractor agrees to provide the City with a certificate of insurance from an insurance carrier acceptable to the City certifying that the applicant has public liability and property damage insurance with limits of not less than \$1,000,000.00 combined single limit for personal injury and/or property damage and naming the City, its officials and employees as additional insureds. The certificate must indicate this insurance is primary over any other valid or collectible insurance the City may have.

Exhibits attached: A, B, and C