

**TOWN OF GARDNERVILLE
OVERHEAD STREET BANNER POLICY**

- 1. PURPOSE** The purpose of this policy is to provide general guidelines for the placement of overhead street banners within the public rights of way (ROW) of the Town of Gardnerville ("Town"), and to provide specific guidelines for banners proposed to be installed over Main Street (US 395). The US 395 public rights of way (ROW) are administered by the Nevada Department of Transportation (NDOT). As such, all banners proposed for hanging across US 395 are subject to all conditions and requirements of the NDOT and require a temporary permit from the NDOT. The Town of Gardnerville declares that a general purpose of this policy is to promote and advertise matters benefitting the culture, education, health and welfare of the local public, such matters being advanced by non-profit organizations, government entities, or community service organizations.

- 2. ELIGIBILITY** Only not-for-profit organizations, as evidenced by an Internal Revenue Service 501 letter, government entities, or community service organizations may request permission to place banners within the public ROW for the purpose of promoting the organization, the purpose of such an organization, a special event/exhibit promoted by such an organization, or a matter of public concern and/or a matter pertaining to the health and welfare of the community promoted by a governmental entity or community service organization. If promoting an event, the event must be held in Carson Valley and be open to the public free of charge, or of common interest to the general community, or recognize and/or contribute to the cultural fabric of the community. Such events may include (but are not limited to): an activity related to the arts, entertainment, or education; a public social occasion; a sports contest; or a public concert.

Definitions: For purposes of this policy, the following definitions apply. "Government entity" is defined as any department, division, agency or other branch of the local, state, or federal government. "Community service organization" is defined as an organization having a primary purpose of providing volunteer service to the community. A "matter of public concern and/or matter pertaining to the health and welfare of the community" is defined as a matter being advertised or promoted having a primary purpose of promoting the mental or physical health, safety, or welfare of the local community.

- 3. TERMS AND CONDITIONS:** The Town shall require strict compliance with the NDOT terms and conditions (see attached "Additional Terms and Conditions") in effect at the time and date currently in full force and effect at the time the banner is installed. Thus, the Town of Gardnerville shall require that:
 - a. Banner shall be installed a minimum of 18 feet above the pavement surface.**
 - b. Banners that contain telephone numbers, websites, or commercial advertisements shall not be displayed over the highways of Nevada.**
 - c. The Permittee shall deliver the banner to the Town for review and approval by the Town Manager prior to the banner being installed.**
 - d. Banners must be constructed of a minimum 18 ounce vinyl banner fabric, with inner core polyester fiber.**
 - e. Banners shall be 34 inches high and 40 feet in width, unless otherwise approved by the Town Manager.**
 - f. All banners shall have the following, see the attached detail:**

- i. **5/16" Spring snap connectors at 24 inches on center top and 12" staggered bottom, installed into the grommets that provide for a connection to a 3/4" cable.**
 - ii. **Sewn-in polyester webbing on all edges.**
 - iii. **Reinforced corners, both front and back.**
 - iv. **"O" or "D" rings sewn into the webbing on each corner.**
 - v. **Appropriate (12" or larger) wind holes for banner size.**
 - g. **Banner shall be kept in good repair. The Permittee shall repair or remove the banner as soon as possible after notification of the problem.**
 - h. **Banners will be delivered to the Town of Gardnerville Administrative offices at 1407 Highway 395, (775) 782-7134, no later than Thursday of the week prior to banner installation.**
 - i. **Banners may be removed or installation may be delayed due to wind advisory conditions as determined by Town staff.**
4. **MAXIMUM TIME FOR DISPLAY OF BANNER** Typically banners will be displayed for one (1) week (seven (7) consecutive calendar days) beginning on the Monday that the banner is installed by Town staff. This timeframe allows the banner pole crossing to be the available for all organization's use as much as possible. When there are no approved permits for use the week following a permitted display, the Town may allow the currently displayed banner to remain up for a period not to exceed two (2) weeks (fourteen (14) consecutive calendar days) if requested by the applicant at the Town's sole discretion. The Town is exempt from the maximum time limitations delineated in this provision.
5. **UNAVAILABILITY** The Town retains first priority for use of Town owned and operated banner crossings. As such, the following dates, ***including but not limited to***, are unavailable for use:
- a. **Second week of November thru second week of January (Christmas decorations)**
 - b. **Last two weeks of June (Red, White and Blue Celebration)**
 - c. **The week of, or prior to a scheduled Main Street "Thirsty Third Thursdays"**
 - d. **The week of, or prior to a scheduled "Movies in the Park" event**
6. **"FIRST COME, FIRST SERVE"** To provide an equal opportunity for all organizations and/or persons to have banners displayed for specific dates within the calendar year, reservation requests for specific date(s) will be accepted on a "first come, first serve" basis beginning one year and one day prior to the requested banner hanging date. Requests must be furnished in writing on the Town Banner application request form. **A request does NOT guarantee reservation of the requested date(s) that the banner will be displayed until the applicant provides a copy of the approved NDOT Temporary Encroachment permit relative to the banner to be displayed.** Upon receipt of the approved NDOT Temporary Encroachment permit, the dates, or alternative dates, shall be confirmed by Town staff.

Recognizing the financial investment required for the minimum requirements for banner construction, organizations and/or persons having a previously approved banner displayed by the Town in the past calendar year will have priority of date(s) selection (e.g. pre-approval) for the upcoming calendar year. All "pre-approval(s)" shall be required to obtain an approved NDOT temporary permit and comply with all other banner policy requirements, as well as furnish a completed Town banner application request form each and every year the banner is

requested to be displayed; in addition, all not-for-profit organization "pre-approval(s)" must also provide their IRS 501 letter each and every year the banner is requested to be displayed.

- 7. INDEMNIFICATION** All persons and entities will be required to sign an indemnification, release and hold harmless holding the Town of Gardnerville, its employees and agents harmless prior to the installation of banner and releasing the Town of any liability arising there from.

Additional Terms and Conditions

- 8.** Banner(s) shall be installed a minimum of 18 feet above the pavement surface; 20 feet is preferred.
- 9.** Banner(s) that contain telephone numbers, e-mail addresses, websites or commercial advertisement shall not be displayed over the highways of Nevada.
- 10.** The PERMITTEE shall obtain permission from the building or pole owner before attaching the banner(s) to their facility.
- 11.** Banner(s) shall be kept in good repair. The PERMITTEE shall repair or remove banner(s) as soon as possible after notification of any problems.
- 12.** Banner(s) shall not interfere with any luminaire, signal, or other traffic control device. The PERMITTEE shall remove the banner(s) immediately upon notification that a traffic control device is being blocked.