

RESOLUTION NO. 21-38

**A RESOLUTION UPDATING THE POLICY FOR CROSS STREET BANNERS AND BANNERS ON STREET LIGHT POLES**

**WHEREAS**, the City adopted Resolution No. 15-09 on May 20, 2015, implementing the Oregon City Banner Policy regarding cross street banners and banners on street light poles; and

**WHEREAS**, the City is a vibrant community made up of over 36,000 citizens, including a wealth of activities and community interests, award-winning Mainstreet Program, and a growing list of businesses and events; and

**WHEREAS**, the City desires to update the existing Oregon City Banner Policy to provide the community with a policy that provides nondiscriminatory access to the City's cross street and street light banner hanger options with sufficient regulatory requirements to ensure shared and impartial access to a variety of Banner Program Applicants; and

**WHEREAS**, the City desires to update the existing Oregon City Banner Policy to meet the program need for continued banner utilization, modifying the amount of time a banner can remain in place; and

**WHEREAS**, the City desires to better allocate and showcase banners on street light poles allowing banner placement throughout the City by replacing the current policy language limiting banner applicants to one of four defined zones; and

**WHEREAS**, the City desires to fittingly balance the community's banner liability with reasonable liability insurance coverage requirements by reducing the amount of insurance liability coverage required to apply for the program; and


**WHEREAS**, Exhibit 1 includes the Policy for Cross Street Banners and Banners on Street Light Poles.

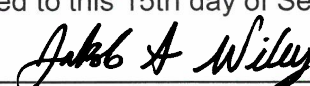
**NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:**

**Section 1.** The City Commission of Oregon City hereby approves and amends the Oregon City Banner Policy as set forth in Exhibit 1, as the Policy for Cross Street Banners and Banners on Street Light Poles.

**Section 2.** This resolution shall take effect immediately upon its adoption by the City Commission.

Approved and adopted at a regular meeting of the City Commission held on the 15th day of September 2021.

  
\_\_\_\_\_  
Rachel Lyles Smith, Mayor

Attested to this 15th day of September 2021:  
  
\_\_\_\_\_  
Assistant City Recorder

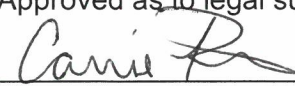
Approved as to legal sufficiency:  
  
\_\_\_\_\_  
City Attorney

Exhibit 1 – Policy for Cross Street Banners and Banners of Street Light Poles



### Exhibit 1:

## POLICY FOR CROSS STREET BANNERS AND BANNERS ON STREET LIGHT POLES

### PURPOSE

Chapter 15.28 of the Oregon City Municipal Code identifies the requirements for cross street banners and banners on light poles within the right-of-way. This policy establishes universal guidelines for all City staff to follow when considering requests to display banner(s) in the right-of-way.

### APPLICABILITY

This policy applies to all cross-street banner(s) and banner(s) on streetlight poles installed in the right-of-way within the city limits of Oregon City. Traffic control devices and government owned signs are exempt from this policy.

### APPROVAL PROCESS

Information on the City's Cross Street Banners and Banners on Street light Poles can be found online at: <https://www.orcity.org/publicworks/street-pole-and-cross-street-banners>

Banner applications will be reviewed for approval when all required materials outlined within this policy are submitted. Once an application is approved, the applicant's preferred contract period may be reserved, if available. Applications are processed on a first-come, first-served basis. Banner applications shall include the following required materials:

- A. A minimum of two (2) weeks prior to the desired banner(s) contract period, but no earlier than two (2) months prior to the contract period, the applicant shall submit a completed City Banner Application/Permit Form and associated fee to Oregon City Public Works Department. The applicant shall demonstrate that the banner complies with all approval criteria in Chapter 15.28 of the Oregon City Municipal Code as well as the Oregon City Cross Street Banner Policy. The application shall include:
  1. A completed City Banner Application/Permit Form
  2. The banner permit application fee and installation and removal fee.
  3. Documentation demonstrating the banner complies with the standards in chapter 15.28 of the Oregon City Municipal Code and this Policy.
  4. A Certificate of Insurance **for Cross Street Banners applications only**. For Cross Street Banners, Applicant shall provide a certificate of insurance for a minimum of \$1 million for general liability naming the City of Oregon City, its officers, agents, and employees, as additional insured.
- B. If approved, the applicant shall provide the banner(s) to the Public Works Department for installation at least one (1) week prior to installation. The City will install the banner(s) per the approved permit.

- C. The City will remove the banner(s) and make the banner(s) available for retrieval by the applicant within two weeks of removing the banner. If the banner(s) are not retrieved by the banner owner within thirty (30) days, the removed banner(s) may be discarded.

**REQUIREMENTS**

Banners within the right-of-way may be installed with the following applicable requirements met:

**A. General**

The following requirements shall apply to all banner(s):

1. All banners must be constructed to comply with the standards set forth within this policy as well as the City's adopted sign code.
2. Maintenance and structural repairs to the banners are the responsibility of applicant. When delivered to the City, all banners must be well maintained and kept in a good state of repair. Without limiting the foregoing, the following maintenance shall be required for all banners and supporting structures:
  - a. Banners shall be kept free from rust, dirt, debris, and chipped, cracked or peeling paint.
  - b. Hanging, dangling, cracked, removed, or frayed parts shall be repaired.
  - c. Graffiti and unauthorized stickers shall be removed.
3. For Cross Street Banners, Applicant shall provide a certificate of insurance for a minimum of \$1 million for general liability naming the City of Oregon City, its officers, agents, and employees, as additional insured.
4. Applicant shall provide banner(s) and all support/attachment material for each banner as required.
5. Banner(s) shall not be installed or will be removed prior to the permitted removal date if the banner(s):
  - a. Interfere with any official traffic control device or appear to attempt to direct the movement of traffic.
  - b. Prevent the driver of a motor vehicle from having a clear and unobstructed view of official traffic control devices and approaching or merging traffic.
  - c. Have any lighting; or
  - d. Are otherwise traffic hazards.
6. Banner construction shall be in accordance with the banner construction standards listed herein and the details shown on Exhibit A.
7. Display of banner(s).
  - a. City sponsored community enhancement, tourism, or economic development program banners will be given precedence in display decisions.
  - b. Display locations along 99E, Molalla Avenue (between Hwy 213 and Char Diaz Street), and Washington Street (between Prairie Schooner Way and the Home Depot entrance) are considered City Entryway locations and will be considered first for City sponsored community enhancement, tourism, or economic development program banners.
  - c. Display locations are limited, as is the staff time available to manage banner installation and removal, and as such over utilization by any one

- applicant may be limited if too many locations (exceeding 20 banners Citywide) are applied for or too many re-installations are requested.
- d. Otherwise, the City will accept permit applications on a first come first served basis.
  - e. Banner(s) on **Street Light Poles** may be displayed for a period of up to 4 months. Typically, banners may not be displayed in the same location for more than one consecutive contract period, or greater than a total of three (3) times in any twelve (12) month period. However, if at the end of a contract period, no new applications have been received for the existing location in which a banner is deployed, the applicant may request to allow their banner to remain in place until a new banner application has been received for the same said location. No banner shall remain in place longer than twelve (12) months. The display period may be extended beyond these time frames for City sponsored community enhancement, tourism, or economic development program banners upon the determination by the City's Transportation Maintenance Manager.
  - f. **Cross Street Banners** shall be displayed for a contract period of two (2) weeks. However, if at the end of a contract period, no new applications have been received for the existing location in which a banner is deployed, the applicant may request to allow their banner to remain in place until a new banner application has been received for the same said location. No cross-street banner shall remain in place longer than (6) weeks. Again, the display period may be extended beyond these time frames for City sponsored community enhancement, tourism, or economic development program banners upon the determination by the City's Transportation Maintenance Manager.
8. During a banner deployment, should the banner become damaged or impaired to a point that the City's Transportation Maintenance Manager, or his/her designee, determines that the banner poses a hazard to the commuting public or will interfere with operational or safety conditions, the banner shall be removed and returned to the applicant. If there is remaining time within the contract period, the applicant will be allowed to provide a replacement banner for the remainder of the contract period. No additional fee will be incurred for the removal or redeployment of the replacement banner. The Transportation Maintenance Manager has the ultimate discretion regarding deployment and removal of banners in the Right of Way.
  9. Applicant will provide a prioritized list of their preferred location(s) and dates for their banner deployment.
  10. No refunds of any kind will be provided should the banner be removed due to safety or construction-related issues.

**B. Banners on Street Light Poles**

The following additional requirements shall apply to all banner(s) located on City street light poles:

1. The City has identified specific locations to allow placement of banners on street light poles.
2. If the applicant has specific location preferences, the applicant shall include a marked-up copy of the City's banner location map(s) indicating the areas of preference. Banner Maps can be found online at:  
<https://www.orcity.org/publicworks/street-pole-and-cross-street-banners>
3. Construction Standards.
  - a. Banners shall be constructed in accordance with these standards and as shown on attached as Exhibit A.
  - b. Banners located on street light poles shall be two (2) sided.
  - c. Banner material shall be two-ply 12-ounce vinyl banner sheeting sewn together with a 1-1/2 inch border hem, or a commercial heat-sealed hem. Banners shall be 23 inches wide by 48 inches long, center of mounting pocket to center of mounting pocket. Banners shall have 4-inch opening mounting pockets or a sleeve on both the top and bottom of the banner. Banner(s) shall be made of a durable material constructed to withstand wind pressure of 20 pounds per square foot of exposed surface. The Transportation Maintenance Manager may approve a stronger material. Request for any alterations from this standard must be submitted and approved prior to permitting. Single arm banner(s) are not allowed.

**C. Cross Street Banners**

The following additional requirements shall apply to all cross-street banner(s):

1. The City currently has established one location to allow cross street banners. The location includes one (1) located on Molalla Avenue south of Char Diaz Drive. As future cross street banners are established by the City, these standards shall apply to any future cross street banner location established by the City.
2. Construction Standards
  - a. Banners shall be constructed in accordance with these standards and as shown on attached Exhibit A. All banners shall be two (2) sided.
  - b. Banners shall be two ply 22-ounce vinyl banner sheeting sewn together with a 1 ½ inch border hem, or a commercial heat-sealed hem and wind slits. Banner(s) shall be made of a durable material constructed to withstand wind pressure of 20 pounds per square foot of exposed surface. A stronger material may be approved by the Transportation Maintenance Manager. See attached photo for cross street banner width and length.
  - c. Banner(s) shall have eyelets along the top and bottom of the banner every three (3) feet.
  - d. Banner(s) shall have 20 feet minimum clearance between the bottom of the banner and the roadway surface and clearance shall be maintained at all times. Banners shall not:

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- i. Prevent the driver of a motor vehicle from having a clear and unobstructed view of official traffic control devices and approaching or merging traffic; or
    - ii. Have any lighting
- D. **Payment of Fees**
  - 1. Payment of fees associated with the banner placement shall be in accordance with the fees listed on the application.

Exhibits:

Exhibit A - Example Banner Details