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City of Beaumont Transit Advertising Policy



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City of Beaumont Transit Advertising Policy

Introduction

The City of Beaumont Transit Advertising Policy is established to provide guidelines and procedures for the acceptance, placement, and management of advertising to ensure that the advertisements are regulatory compliant and align with the City's mission and values. Promotional advertising space will be offered on a first come first served basis in accordance with the guidelines set forth in this policy.

Background

The City of Beaumont operates a public transit service (Beaumont Transit) with 6 fixed routes, 2 Commuter Links and 1 Dial-a-Ride service. Currently, Beaumont Transit has a fleet of 22 revenue vehicles and services the cities of Beaumont, San Bernardino, Redlands, and unincorporated areas of Riverside County including Cabazon and Cherry Valley. Beaumont Transit's total service area is approximately 40 square miles. On an average weekday, Beaumont Transit's fleet travels over 1,600 miles and services approximately 140 bus stops.

The policy intent is to create clearly defined standards for advertisements to be accepted and displayed on Beaumont Transit buses and shelters owned, controlled, or under the jurisdiction of the City of Beaumont. This policy creates uniform requirements and criteria for advertisements and all inquiries will be subject to this policy.

The policy was created to align with Beaumont Transit's interests and values, with the ultimate goals of:

- a. Maintaining a professional environment that allows for additional revenue to supplement ongoing operational costs of the transit system.
- b. Remaining neutral on political or religious issues, other issues not subject to commercial advertising, and are not subject to public debate and concern.
- c. Strengthening and building community partnerships and relationships.
- d. Building upon, expanding, retaining public transit services and ridership.



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Advertising Standards and Restrictions

A. Eligibility

Individuals, organizations, entities, and businesses can submit advertisement requests. The acceptance of advertisements is subject to compliance with this policy.

B. Permitted Advertising

Advertisements must meet or exceed high quality standards and design as exemplified in the industry and as determined by the City of Beaumont. Beaumont Transit will only display advertisements that meet the following criteria:

1. Commercial and Promotional Advertising

Commercial and promotional advertising shall solely promote or solicit the sale, rental, distribution or availability of goods, services, food, entertainment, events, programs, transactions, donations, property for commercial purposes, or generally promotes the entity that engages in such activity. We will not accept advertisements that convey political or religious messages, issue advocacy, or express or advocate opinions or positions related to any of the foregoing.

2. Governmental Advertising

Beaumont Transit reserves the right to utilize any areas it has deemed appropriate for advertising pursuant to this policy for its own promotional purposes, or to permit use by other governmental agencies for the promotion of local government services or public service announcements.

C. Advertising Standards and Prohibitions

The City of Beaumont has established viewpoint-neutral guidelines for advertising content. Advertising content will not be accepted if it falls into one or more of the following categories.

1. Unlawful Goods or Services

The advertisement, or any material within, promotes or encourages, or appears to promote or encourage, the use or possession of unlawful or illegal goods or services under federal, state, or local laws and regulations.



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2. Unlawful Conduct

The advertisement, or any material within, promotes or encourages, or appears to promote or encourage, unlawful or illegal behavior or activities under federal, state, or local laws and regulations.

3. Incompliance

The advertisement does not adhere to local, state, or federal laws or legal requirements, including but not limited to content restrictions, size, and visibility.

4. Obscenity or Nudity

The advertisement contains or appears to contain nudity, obscenity, sexual content, sexual excitement, or sadomasochistic abuse as those terms are defined by California Penal Code Section 311, et. seq., and as such laws may from time to time be amended or supplemented.

5. False, Misleading, or Deceptive Commercial Speech

The advertisement proposes a commercial transaction, and the advertisement, or any material contained within, is false, fraudulent, misleading, or deceptive.

6. Violation of Community Standards

The advertisement contains material that describes, depicts, or represents sexual activities or aspects of the human anatomy in a way that the average adult, applying contemporary or community standards, would find offensive or inappropriate for viewing by minors.

7. Unauthorized Endorsement

The advertisement contains material that implies or declares an endorsement by the City of Beaumont or Beaumont Transit of any service, product, or point of view, without prior written authorization from the City of Beaumont.

8. Prurient Interests

The advertisement contains material, harmful matter or any other matter that is prohibited under the provisions of California Penal Code section 313, et seq., and as such laws may from time to time be amended or supplemented.



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9. Tobacco, Alcohol, Marijuana, and Regulated Substances

The advertisement promotes the sale, distribution, use or consumption of beer, wine, distilled spirits, alcoholic beverages, marijuana, tobacco, tobacco products, or any substance licensed and regulated under Federal, state, or local laws and regulations; however, this prohibition shall not prohibit advertising that includes the name of a restaurant that serves alcoholic beverages that is open to minors.

10. Firearms

The advertisement promotes or solicits the sale, rental, distribution, availability, or use of firearms or firearms-related products.

11. Demeaning or Disparaging

The advertisement includes language, pictures, or other depictions or representations that are derogatory or defamatory of any person or group because of race, color, national origin, ethnic background, age, disability, ancestry, marital or parental status, military status, source of income, religion, gender, or sexual orientation.

12. Profanity or Riot

The advertisement contains profane language or presents a clear and present danger of causing a riot, disorder, or other imminent threat to public peace, safety, and order.

13. Violence

The advertisement contains an image, description, or depiction of violence, weapons, or other implements or devices associated with an act or acts of violence or harm to a person or animal.

14. Adult-Oriented Goods or Services

The advertisement promotes, encourages, or appears to promote or encourage adult-oriented goods or services including but not limited to, adult bookstores, nude dance clubs, and other adult entertainment establishments, adult telephone services, adult internet sites, and escort services.

15. Political



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The advertisement promotes or opposes, or appears to promote or oppose, (i) a political party; (ii) the election of any candidate or group of candidates for federal, state, or local government offices; (iii) any legislation, initiative, referendum, or ballot measure; (iv) a political figure, political action, committee, political campaign, or political philosophy.

16. Religious

The advertisement contains any direct or indirect reference to the existence or nonexistence of any religion, deity, religious creed, denomination, belief, tenet, cause, or an issue relating to religion.

17. Public Issues

The advertisement expresses or advocates an opinion, position, or viewpoint on matters of public debate about economic, political, religious, or social issues, that causes City owned property to become a public forum.

18. Harmful or Disruptive to the Public Transportation System

The advertisement contains objectionable material under contemporary community standards as it is reasonably foreseeable that it will harm, disrupt, or interfere with the City's transportation system. The advertising, or any material contained in it, incorporates any rotating, revolving, or flashing devices, or other moveable parts.

19. Traffic Interference

The advertisement contains material displaying any word, phrase, symbol, or character likely to interfere with, mislead, or distract traffic, or conflict with any traffic control device.

D. Additional Limitations and Requirements

1. Transparency

Any advertisement in which the sponsor's identity is not readily apparent or is ambiguous, must include the following phrase to identify the sponsor in clearly visible letters: "Advertisement paid for by (Sponsor's Name)." Website addresses and phone numbers without more information are deemed ambiguous.

2. Disclaimer



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The City of Beaumont reserves the right, in all circumstances, to require an advertisement to include a disclaimer indicating that it is not sponsored by and does not necessarily reflect the views of the City of Beaumont or Beaumont Transit.

3. Production and Display

Final advertising material for display is to be produced or procured by the City of Beaumont to ensure quality, sizing, and durability. Upon advertising acceptance, the Advertiser is to submit payment for both the production and advertising space, prior to installation or display of any advertisement.

Advertising Program and Administration

The City shall incorporate this policy and procedure into the administration of advertising contracts.

1. Applicant's Submission

An eligible entity as described in this policy is to prepare, design and submit a digital file to TransitAds@beaumontca.gov with the requested advertisement size and timeframe for their request to be considered.

2. Review by City Staff

The Administrative Services Director or their designee shall review the requested advertisement(s) and supporting information to determine whether or not the advertisement complies with this policy and if the advertising space is available.

3. Notification to Applicant

The Administrative Services Director, or designee, will send the advertiser a prompt, written notification indicating advertisement rejection or acceptance. Compliant advertisement requests are subject to space availability and may be rejected at the sole discretion of Beaumont Transit if it is determined that there is insufficient space. If it is determined the advertisement does not comply with this policy, a written notice will be prepared and forwarded to the Applicant specifying the standard(s) which the advertisement does not comply with along with a copy of this policy. A copy of the rejection notification will be electronically filed for retention.

4. Appeal Process



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Rejection of an advertisement may be appealed to the City Manager, or designee, by written notification. The City Manager will review all pertinent documents and issue a written decision. The City Manager's decision shall be final and is not subject to appeal.

5. Accepted Advertising

Upon approval by the City of Beaumont, the Applicant must submit payment, for both production of advertisement and the advertising space, prior to the production, installation, or display of any advertisement on property owned, controlled, or under the jurisdiction of the City of Beaumont.

6. Unilateral Amendment

The City of Beaumont reserves the right to amend this policy, in its sole and absolute discretion, at any time upon providing written notice to any advertiser then under contract with the City.

7. Moratorium

The City of Beaumont, through the City Manager, reserves the right to at any time, subject to any contractual obligations, declare a complete ban or moratorium on advertising on any real or personal property under the City's control and direct that no advertising of any kind, other than City advertisements or announcements, be accepted for display.

8. Advertising Agreement

All advertisers shall be required to execute an agreement with the City of Beaumont prior to installation of advertising on property owned, controlled, or under the jurisdiction of the City of Beaumont or Beaumont Transit.