

<b>SUBJECT</b>	<b>BANNERS ON CITY-OWNED UTILITY POLES</b>		
<b>NUMBER</b>	25-02	<b>SIGNED DATE</b>	7/21/2025
<b>ISSUED BY</b>	Mark Washington, City Manager		
<b>PREPARED BY</b>	Ryan Timmer, Energy, Lighting and Communications Manager		
<b>REVISED</b>	NA		
<b>ASSOCIATED POLICIES</b>	NA		
<b>CITY VALUES</b>	<input type="checkbox"/> Accountability	<input checked="" type="checkbox"/> Collaboration	
	<input checked="" type="checkbox"/> Customer Service	<input type="checkbox"/> Equity	
	<input type="checkbox"/> Innovation	<input type="checkbox"/> Sustainability	

**SUMMARY**

The Energy, Lighting and Communications Department (ELC) manages more than 400 utility poles through the City and offers the opportunity to utilize this infrastructure to promote local business, placemaking, and events or activities within its business corridors. The ELC Department is responsible for establishing and maintaining processes related to application for and issuance of licenses for use of this infrastructure to display banners in a way that is accessible and advances local placemaking efforts in partnership with the community.

All banner installations on City utility poles shall also conform to the **Manual on Uniform Traffic Control Devices (MUTCD)** for streets and applicable **Occupational Health and Safety Administration (OHSA)** regulations. This Policy may be amended, as necessary, to conform to changes in local, state, or federal law or to respond to developing information regarding public safety.

**PURPOSE**

The objectives of this administrative policy are:

- To provide direction and process guidance for applicants, City staff, and permittees regarding banner permit applications.
- To set the content and structural specifications related to the program.
- To establish process and timelines for the application and approval process that prioritize uses that advance the goals of the City and the City’s business districts.

## **POLICY**

### **1. Eligible Applicants**

Eligible applicants shall include local nonprofits, businesses and community organizations, cultural institutions, and publicly-owned entertainment venues; City, County and State government or their subsidiaries; and local educational institutions. Political organizations and campaigns are not eligible to apply.

### **2. Eligible Content**

Approved banners may promote local historical or cultural events or activities; local businesses, or local business or neighborhood associations; or activities taking place at publicly-owned sites and venues. The City reserves all rights to make final determinations on any content displayed on City infrastructure, including utility poles.

*Ineligible* banner content includes, but is not limited to:

- a. Messages or images that attempt to direct or influence street traffic
- b. Messages that promote or oppose political campaigns, candidates, or parties
- c. Messages that express ideas or opinions that could reasonably be considered to promote or incite civil disorder or otherwise cause disruption
- d. Messages expressing obscenity, indecency, or illegality
- e. Messages that include advertisement for specific products
- f. Messages that promote non-local events, businesses, or activities

### **3. Specifications and Requirements**

All use of City-owned utility poles shall comply with City Code Chapter 11, Article 7 (Street Pole Decorations). In addition, detailed specifications will be maintained by ELC and made available on the City's website with the permit application and may be updated from time to time as needed. All utility pole banners must meet these detailed specifications and the following requirements:

- a. Banners must be made of nylon or canvas material; any substitute material must be approved in advance by ELC
- b. Banners *may not*:
  - i. Be constructed of or include reflective materials or flashing lights
  - ii. Obstruct traffic signals, signs, or poles
  - iii. Be installed on traffic signal poles
- c. Banners must comply with the construction and mounting standards included as Exhibit A of this policy, which may be updated as necessary

#### **4. Application Process – General Use**

Applications shall be submitted online using the City's [online Banner Permit Application \(https://www.grandrapidsmi.gov/Services/Apply-for-a-Banner-Permit\)](https://www.grandrapidsmi.gov/Services/Apply-for-a-Banner-Permit).

- a. All applications must include a single point of contact with e-mail address and phone number. If applying on behalf of another organization, the application should include the same information for the represented organization .
- b. Applications shall be submitted at least 14 days prior to anticipated installation date and not more than six months in advance.
- c. For pole banner locations located within a designated Corridor Improvement Authority development area, applicants from outside of the development area must submit a letter of approval from the Corridor Improvement District within which the pole is located using the downloadable form located on the City's Permit Application web page.
- d. Individual businesses shall be limited to 20 active banner locations at any time during the calendar year. The Utility Systems Manager or designee is authorized to make exceptions to this limit on a case-by-case basis provided the applicant obtains the concurrence of the applicable Corridor Improvement Authority. In such cases, the obligation to obtain such concurrence is the responsibility of the applicant.
- e. The maximum duration of a permitted banner and location is one year from the application date but this time may be limited to allow as many applicants as possible to participate in the program.
- f. The Utility System Manager may modify the banner schedule (timing and placement) at any time. In the event of scheduling conflicts, the length of time for banner display, the quantity of banners displayed, and banner locations will be at the sole discretion of the Utility Systems Manager.

#### **5. Application Process – Institutional Use**

Certain businesses and organizations may opt for an Institutional Use Permit that provides for perpetual use of City utility pole locations immediately adjacent to their properties. Organizations that qualify for an Institutional Use Permit include educational institutions, local government, publicly-owned entertainment venues and nonprofit medical institutions.

- a. Institutional Use Permits shall be submitted using the same process as indicated in Section 4 of this Policy.
- b. Availability is limited to those pole locations immediately adjacent to the institution's primary real property parcel.
- c. Upon adoption of this Policy, eligible institutions shall be notified of the availability of Institutional Use Permits and provided 45 days to secure permits for desired locations for the remainder of the calendar year. Thereafter, Institutional Use Permits will be made available for application and/or renewal on November 1 for the following calendar year. For any utility pole locations that qualify for an Institutional

Use Permit and are currently permitted to another user, such licenses shall be revoked upon adoption of this Policy and all rental fees will be refunded on a pro-rata basis. Any unclaimed locations will be made available for general use on January 1<sup>st</sup> of the year immediately following policy adoption.

- d. Institutional Use Permits will be paid for and issued for the full calendar year and removed from the inventory of available locations.
- e. Any qualified institution that does not avail themselves of this Institutional Use Permit option may otherwise use the standard application process as outlined in Section 4 above until commencement of the following year's application period.

## **6. Sublease, Sublicensing, or Assignment of permits**

- a. General use permits may not be subleased, sublicensed, or assigned in any way to any user other than the permittee unless explicitly authorized in writing by the City in advance. In such cases, the permit holder may charge no more than the daily cost incurred by the permit holder for use of the pole location. The assignee shall be responsible for costs of removing and reinstalling banners.
- b. Institutional Use Permits may be assigned to a third party use as business interests might apply (i.e. limited duration performances, exhibits, or conferences at a public entertainment venue) and without City pre-approval. In such circumstances, the Institutional Use Permit holder may charge no more than the daily cost incurred by the Institutional Use Permit holder for use of the pole location.
- c. Under both Sections 6(a) and 6(b) above, designs for any banners substituted in place of those secured by the permittee should be submitted to the City to verify compliance with Section 2 of this policy prior to installation.

## **7. Renewals**

With the exception of Institutional Use Permits as outlined in Section 5 above, renewal of pole banner permits may be completed every six (6) months, provided no other applications have been received in the preceding six months for a specific pole banner location.

## **8. Approval & Payment**

Submitted Banner applications will be reviewed within 7 business days. Upon receipt of the application, it will be reviewed for content and all applicable standards. After reviewing the application, it will be either approved, denied, or cancelled. When approved, an invoice for payment will be sent to the applicant with instructions on payment. This will include the non-refundable application fee and a per-day rental fee in accordance with the current rate schedule.

Application fees and poles rental fees are established through a Banner Permit Rate Study. The goal of the Banner Permit Rate Study is full cost recovery for administration of the program. The rate study is approved annually by the City Commission and published on our

Energy, Lighting and Communications website.

<https://www.grandrapidsmi.gov/Services/Apply-for-a-Banner-Permit>

## **9. Installation**

Permittees are responsible for the purchase and installation of all banners and banner mounting hardware. The installation and hardware must meet City requirements and specifications as outlined in Section 3 of and Exhibit A to this Policy.

- a. In many cases poles may already have mounting hardware installed, which may be reused provided it continues to satisfy all requirements and specifications.
- b. Once banner hardware is installed it becomes City property.
- c. If banners become torn, damaged, or exhibit excessive wear at any time, the banners must be removed or replaced at the permittee's expense.
- d. Permittees are liable for any damage to any City utility poles caused by the installation or removal of banners.

## **10. Maintenance, Repair, and Replacement**

Should a utility pole location require maintenance, repair, replacement, or removal, the City reserves the right to remove banners and banner hardware and have the permittee pick them up. In such cases, the City bears financial responsibility for removal of banners and hardware and will refund any pro-rata amount of prepaid rental fees collected. Permittees will have 14 days from notification to pick up banners and hardware. Equipment not timely picked up will be recycled or disposed of.

## **11. Removal**

Permittee is responsible for the removal of banners on or before the last day of the banner permit, or as otherwise required by this Policy. If the permittee does not timely remove the banners as required, the City will invoice permittee for all costs associated with banner removal.

## **12. Restrictions & Limitations**

Being City infrastructure, the ELC Utility Manager has discretion to restrict banners on any City-owned utility poles. The Utility Manager may designate, subject to amendment at any time, any areas or specific poles for which banner permits shall not be issued.

## **13. Liability and Insurance**

Permittee agrees to indemnify and hold harmless the City of Grand Rapids and all its officials, agents, or employees from any claim, loss, cost (including reasonable attorney fees and material costs), damages, expenses or liabilities arising from the use, occupancy, or anticipated use of any area referred to in this Policy. The City of Grand Rapids and all other officials, agents, and employees accept no liability for any actions that may arise from a permittee's participation in the program or use of City infrastructure. Any insurance

protection that may be necessary is the sole responsibility of the permittee. Nothing herein shall be construed as a waiver of the City's governmental immunity.

**14. Effective Date**

This policy will become effective on July 28, 2025.