

City of Santee Parks Outdoor (fenced) Athletic Field and Court Advertising Policy

PURPOSE AND INTENT:

The City of Santee (“City”) Community Services Department has established this policy (“Policy”) to implement standard procedures and requirements concerning a program (“Program”) for the display of commercial advertising banners (“Banners”) on outdoor fenced athletic fields and courts on specific fences at Big Rock Park pickleball courts, Town Center Community Park West, Woodglen Vista multipurpose field, and West Hills Park, as depicted in Attachment 1 to this Policy (“Advertising Locations”).

The City does not intend the Program, Banners, or Advertising Locations to provide or create a general public forum for free expression, debate, or discourse by the public. Rather, the City’s fundamental purpose and intent is to: (1) accept advertising to raise revenue to support City operations, services, and facilities, and to allow certain City-partnered youth sports organizations to raise revenue for the enrichment of youth sports and recreational opportunities in the City; and (2) to do so in a way that does not risk harming advertising sales, does not risk impeding or disrupting the use of the City’s athletic fields and courts for their intended recreational purposes of serving community youth and the general public, and does not risk tarnishing the City’s reputation or giving the appearance that the City endorses particular views. In furtherance of this discreet and limited objective, the City retains strict control over the nature of the advertisements accepted under the Program and maintains its Advertising Locations as a nonpublic forum.

The Big Rock Park pickleball courts, Town Center Community Park West, Woodglen Vista multipurpose field, and West Hills Park all serve large numbers of minor children and youth as well as the general public, and Big Rock Park, Town Center Community Park West, Woodglen Vista multipurpose field, and West Hills Park are largely designated for organized youth sports activities or other City youth programming, meaning that youth are often a captive audience in these locations.

Certain types of advertisements would interfere with the Program’s primary purpose of generating revenue to benefit City operations, services, and facilities and to benefit youth sports opportunities without disrupting or discouraging the use of the City’s athletic fields and courts by youth and the general public. This Policy advances the Program’s purpose by prohibiting advertisements that could detract from revenues to be generated, interfere with youth and public use of the City’s athletic fields and courts, expose minors to age-inappropriate or sensitive content, or create substantial controversy. The viewpoint neutral restrictions in this Policy thus foster the maintenance of a professional advertising environment that maximizes advertising revenue and ensures the effective use of the City’s athletic facilities.

The Community Service Department Director or designee (“Director”) is responsible for proper execution of this Policy.

All of the provisions in this Policy shall be deemed severable.

RESPONSIBLE PARTIES:

Partnered Youth Sports Organizations (“PYSO”) in Coordination with City of Santee Community Services Department
(Town Center Community Park West, Woodglen Vista Multipurpose Field, and West Hills Park)

Effective January 1, 2024, the following partnered youth sports organizations may utilize the Advertising Locations located at Town Center Community Park West, Woodglen Vista multipurpose field, and West Hills Park for solicitation, sales, ordering, installation, maintenance, removal and disposal of commercial banner advertisements in accordance with this Policy, with City oversight: Santee based Little Leagues as defined by Little League International, USA Softball of SoCal Santee, Santee Ravens Pop Warner Football & Cheer, American Youth Soccer Organization Region 241 (AYSO), Santee Aviators Lacrosse (“Partnered Youth Sports Organizations” “ PYSO”). Partnered Youth Sports Organizations may

solicit and hang commercial banner advertisement in accordance with this Policy during their specified primary season only, as listed below

Spring Season: (February – July) Little League, USA softball, Santee Aviators Lacrosse

Fall/Winter: (August – January) Football & Cheer, AYSO

PYSOs must comply at all times with this Policy and ensure that all Banners comply with this Policy. The City shall require PYSOs to comply with, and ensure compliance with, this Policy as a condition of issuance of a field permit, however PYSOs shall comply with this Policy and ensure compliance with this Policy regardless of whether such conditions are actually imposed contractually. PYSOs shall pre-screen each and every application for commercial banner advertisements to ensure compliance with all requirements of this Policy prior to approval of any commercial banner advertisement, issue an approval or denial, and transmit a summary of their determinations and all banner applications to the Director prior to the beginning of their primary season. The Director shall review each determination, and the Director may override PYSO determinations and cause the denial of such application or the removal of such Banner. It shall be the sole responsibility of the PYSOs to properly install and remove banners before and after the permitted primary season. Funds generated by commercial banner advertisements must be used to provide scholarships, opportunities, equipment or financial assistance to recreation youth sports participants. The City reserves the right to request and review fund allocations to be made with funds generated under this Program. The PYSOs shall make available to City all documents, invoices, and other records maintained relating to this Program within 48 hours of City's request for such materials. Prior to the completion of their primary season, PYSOs shall provide the City a summary report of revenues generated and how those revenues were expended. The PYSO shall be held responsible for any commercial banner advertisements attained, abide by all sign codes and other applicable laws, and obtain any necessary permits.

City of Santee Community Services Department (Big Rock Park Pickleball Court)

The City of Santee Community Services Department may utilize the Advertising Locations located at the Big Rock Park Pickleball Court for solicitation of commercial banner advertising in accordance with this Policy.

ADVERTISING STANDARDS:

Permitted Advertising Content

Except as prohibited below, the following classes of advertising are authorized at the Advertising Locations:

1. Commercial Advertising: Advertising proposing, promoting, or soliciting a commercial transaction for the sale, lease, rent, license, distribution or availability of goods, food, property, services, or events that anticipates an exchange of monetary consideration, for the advertiser's commercial or proprietary interest, or advertising that more generally promotes a commercial entity that engages in such activity for profit.
2. City Advertising: Advertising by the City itself that advances City purposes by promoting City events, activities, or programs.

Prohibited Advertising Content:

Notwithstanding the classes of permitted advertising content set forth above, advertisements are prohibited at the Advertising Locations if they fall within one or more of the following categories:

1. Prohibited Products, Services or Activities. Any advertising that (i) promotes or depicts the sale, rental, or use of, participation in, or images of the following products, services or activities; or (ii) that uses brand names, trademarks, slogans or other material that are identifiable with such products, services or activities:

- a. Tobacco. Tobacco products, including but not limited to cigarettes, cigars, and smokeless (e.g., chewing) tobacco;
 - b. Vaping. Vaping products, including but not limited to ecigarettes, vaping pens, and vaping oils;
 - c. Alcohol. Beer, wine, distilled spirits or any alcoholic beverage licensed and regulated under California law, however, this prohibition shall not prohibit advertising that includes the name of a restaurant that is open to minors;
 - d. Cannabis. Cannabis, cannabis products, cannabis businesses, or cannabis services;
 - e. Firearms. Firearms, ammunition or other firearms-related products;
 - f. Gambling. Products or services relating to gambling or casinos;
 - g. Adult/ Mature Rated Films, Television Video Games, or Theatrical Presentations. Adult films rated "X" or "NC-17", or video games rated "A", or theatrical presentations recommended by the sponsor for persons 18 years or older;
 - h. Adult Entertainment Facilities. Adult book stores, adult video stores, nude dance clubs and other adult entertainment establishments relating to sexual activities or sexual interests;
 - i. Other Adult Products and Services. Adult telephone services, adult internet sites, escort services, or adult products, which are intended for or commonly associated with use for sexual purposes.
2. False, misleading, or deceptive commercial speech. The advertisement proposes a commercial transaction, and the advertisement, or any material contained in it, is false, misleading, or deceptive.
 3. Unlawful conduct. The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, unlawful or illegal behavior or activities under local, state or federal laws.
 4. Unlawful goods or services. The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, the use of any unlawful goods or services, or the use of any goods or services in violation of applicable laws.
 5. Endorsement. The advertisement, or any material contained in it, implies or declares an endorsement by the City of any service, product or point of view.
 6. Obscenity or Nudity. The advertisement, or any material contained in it, contains any nudity, obscenity, sexual content, sexual excitement, or sadomasochistic abuse.
 7. Political. Advertising promoting or opposing:
 - a. A political party;
 - b. The election of any candidate or group of candidates for federal, state or local government offices;
 - c. Any legislation, initiative, referendum or ballot measure; or
 - d. A political action committee, political campaign or political philosophy.
 8. Public Issue Speech. Advertising that primarily expresses or advocates an opinion, position or viewpoint on a matter of public debate about economic, political, public safety, religious or social issues. The following nonexclusive factors will be considered when applying this section to commercial advertising

submitted: (a) whether a commercial product or service is apparent from the face of the ad, (b) whether the commercial product or service is incidental to the public interest content of the ad, (c) whether the sale of commercial products or services is the primary source of the advertiser's total annual revenue, and (d) whether the advertiser is a for-profit entity. This exclusion does not apply to prohibit advertising by the City itself constituting government speech for City purposes.

9. Religious. Advertising that promotes or opposes any identifiable or specific religion, religious viewpoint, message or practice.
10. Copyright, Trademark or Otherwise Unlawful. Advertising that contains any material that is an infringement of copyright, trademark or service mark, or is otherwise unlawful or illegal.
11. Profanity and Violence. Advertising that contains any profane language or employs the use of miscellaneous characters or symbols as a substitute for profane language, or portrays images or descriptions of graphic violence, including dead, mutilated or disfigured human beings or animals, the act of killing, mutilating or disfiguring human beings or animals, or intentional infliction of pain or violent action towards or upon a person or animal.
12. Harmful or Disruptive to City Recreational Facilities. Advertising that contains material that is so objectionable as to be reasonably foreseeable that it may result in harm to, disruption of, or interference with, the operation, or reputation of the City's recreational facilities. For purposes of determining whether an advertisement contains such material, the City will determine whether a reasonably prudent person, knowledgeable of the City's recreational facilities' usual uses and purposes and using prevailing community standards, would believe that the material is so objectionable that it is reasonably foreseeable that it may result in harm to, disruption of, or interference with, the operation, or reputation of the City's recreational facilities.

APPLICATION PROCEDURES:

1. Application Procedures and Standard Procedures for Town Center Community Park West, Woodglen Vista Multipurpose Field, and West Hills Park

Effective January 1, 2024, PYSOs shall require that prospective commercial advertisers submit a written application to be considered for commercial banner advertising under this Policy. PYSOs shall pre-screen each and every application for commercial advertisements to ensure compliance with all requirements of this Policy prior to approval of any commercial advertisement, issue an approval or denial and transmit a summary of their determinations and all banner applications to the Director prior to the beginning of their primary season. The Director shall review each determination. The Director shall review each determination, and the Director may override PYSO determinations and cause the denial of such application or the removal of such Banner. It shall be the sole responsibility of the PYSOs to properly install and remove Banners before and after the permitted primary season. PYSOs shall at all times comply with this Policy and ensure compliance with this Policy.

2. Application Procedures and Standard Procedures for Big Rock Park Pickleball Courts

Applications:

Applications for commercial banner advertising will be submitted directly to the City and reviewed by City on a **first-come, first-served basis**. Applications must contain all application materials set forth in the City's application form and conform to all requirements set forth in this Policy; City will not review incomplete applications. Applications are accepted throughout the year, however the cutoff period for each cycle will be one month prior to that cycle to allow enough time to produce the banners.

Cycle 1 – October- March (application submittal deadline September 1)

Cycle 2 – April – September (application submittal deadline March 1)

Mandatory Initial Application Materials to Obtain Tentative Approval:

1. Digital Photographs of logo, name, and phone number
 - a. Photo resolution must be 300 dpi or higher.
2. Completion of application form, agreements, and acknowledgments as the Community Services Director or designee may require.

Tentative Approval and Additional Requirements for Final Approval

If the City deems the application and proposed advertisement to be complete and consistent with this Policy and its purposes the City will:

1. Notify via email the applicant of the City's tentative approval, and of the timing required for applicant to fulfill the below requirements for City final approval;
2. Require the applicant to submit the mandatory Terms and Conditions, Release, and Indemnification signed by the applicant in addition to any additional forms, agreements, and acknowledgments as may be required by the Community Services Director or designee prior to final approval;
3. Require the applicant to pay via check a Banner Fee of \$600 for full 6month banner cycle the City of Santee (late application acceptance is at the discretion of the City, fee not to exceed \$600)
4. After satisfaction of the above requirements for final approval, give final approval via email.

If an applicant fails to pay the Banner Fee or to complete all additional forms, agreements, or acknowledgments required by the Community Services Director or designee within the time specified in City's notice to applicant of City's tentative approval, the City may refuse to give final approval.

If City deems the application to be incomplete or otherwise noncompliant with this Policy or the City's purposes for the Program, the City shall remove the application from the City's consideration, return any application materials submitted by the applicant, and notify the applicant via email. Amendments to applications are not permitted, applicants must resubmit their application to be reconsidered.

An applicant given City final approval will be emailed notification of when, what cycle and where the Banner will be installed. The City will undertake Banner production, installation, and removal. Each cycle of the program is intended to run 6 months; at the end of that time period, the applicant can re-apply for additional banner cycles or the City may donate the retired banner to the business. Otherwise, the City of Santee may keep, dispose or recycle the Banner.

Additional Banner Cycle Requests - Requirements & Restriction

Applicants may re-apply to request that the City reinstall a Banner in a subsequent cycle, subject to the following requirements and restrictions:

Applicant must pay the cost of renewal (not to exceed \$600).

Re-Application must be made at least a month prior to the display cycled desired.

Banners must be in appropriate condition for re-installation; if City determines they are not, the applicant will have to cover the cost to remove, re-print and reinstall the banner (not to exceed \$200)

Applications will be considered on a first-come-first-served basis, and re-applicants will not be given priority over other applicants.

SPECIFICATIONS FOR TOWN CENTER COMMUNITY PARK WEST, WOODGLEN VISTA MULTIPURPOSE FIELD, AND WEST HILLS PARK:

The following specifications and requirements apply to Banners authorized by this Policy at Advertising Locations within Town Center Community Park West, Woodglen Vista Multipurpose Field, and West Hills Park.

1. Banners must be made of weather resistant material (such as recycled plastic or vinyl in a minimum of 13 oz. weight). Vinyl Banners must have metal reinforced grommets allowing them to be attached to chain link fencing. Banners must be mounted by securing with cable ties or bolts and flat washers which should not protrude or otherwise create a physical safety hazard.
2. Banner advertisements will be printed on one side only, maximum size 4' by 6' (horizontal).
3. The City shall have final approval of all advertising materials and reserves the right to accept or reject any banner design for nonconformity with this Policy.
4. The City is not responsible for weather, graffiti, theft or vandalism. Banners shall be presentable and in good condition at all times. If a Banner becomes worn, repairs or removal must be made by the PYSO within 3 business days of written (i.e. email) notification by City. If repair or removal is not undertaken within this time, the Banner will be removed and disposed of by the City. If a Banner becomes vandalized, it must be taken down immediately by the PYSO unless and until it can be restored to a condition acceptable to the City. The City is not responsible for damaged or vandalized Banners and is not obligated to replace any damaged or vandalized Banner.
5. Banners will only be permitted through the designated permitted primary youth sports season or the periods outlined in this Policy.
6. Banners authorized to be hung by PYSOs may be hung 10 business days prior to the start of the PYSO primary permitted season and must be removed within 10 business days of the end of the permitted season. It is the PYSOs responsibility to install and remove Banners. If Banners are not removed within specified time they will be removed by the City and disposed of.
7. The City may determine and designate particular fence space at Advertising Locations that will NOT be permitted for commercial banner advertising use. The City reserves the right to close all or any portion of the Advertising Locations in the City's discretion, at any time.
8. Signage will be located so as not to create a visual impact, or distract or interfere with the visit by a general park user, participant or spectator. Signage will be placed so as not to interfere with field maintenance and repair. Fences with wind screens installed will not be eligible for signage.
9. The City and PYSO must recognize that fields are used by multiple agencies and organizations and must work cooperatively with all entities involved. City reserves the right to make final determinations about fair Banner Advertising Location allocation.

SPECIFICATIONS FOR BIG ROCK PARK PICKLEBALL COURTS:

The following specifications and requirements apply to Banners authorized by this Policy at Advertising Locations within the Big Rock Park Pickleball Courts.

1. Banners will be designed by the City based on information submitted with an application and feature the logo, name, and phone number of approved applicants, following submittal of a completed application, compliance with this policy and City final approval. The City will create the Banners and will install and display the Banners on the west court upper/top fence facing inward towards the courts.

2. City will install banners two times a year on a six-month cycle, or otherwise determined by the sole discretion of the Community Services Director or designee. Cycles listed below:

Cycle 1 – October - March

Cycle 2 – April - September

3. Banners are solely property of the City. The City may alter, remove, replace, or take other actions with respect to the Banners at City's discretion to fulfill the purposes of this Policy.

4. Unauthorized materials obstructing Banner locations, or otherwise inconsistent with applicable laws or policies, will be removed.

5. Banners design is determined by the city and will include a full color, one-sided (3' width x 5 height) design and will include an image of the selected business logo, name, and phone number.

6. Banners must be made of weather resistant material (such as recycled plastic or vinyl in a minimum of 13 oz. weight). Vinyl Banners must have metal reinforced grommets allowing them to be attached to chain link fencing. Banners must be mounted by securing with cable ties or bolts and flat washers which should not protrude or otherwise create a physical safety hazard.

7. The City is not responsible for weather, graffiti, theft or vandalism. Banners shall be presentable and in good condition at all times. If a Banner becomes worn or vandalized, the Banner will be removed and disposed of by the City and the Applicant will be contacted and may pay exact cost to re-print their Banner.

8. The City may determine and designate particular fence space at Advertising Locations that will NOT be permitted for commercial banner advertising use. The City reserves the right to close all or any portion of the Advertising Locations in the City's discretion, at any time.

9. Signage will be located so as not to create a visual impact, or distract or interfere with the visit by a general park user, participant or spectator. Signage will be placed so as not to interfere with field maintenance and repair. Fences with wind screens installed will not be eligible for signage.

ATTACHMENT 1

Advertising Locations



West Hill Park
8790 Mast Blvd, Santee CA 92071

Town Center Community Park West
9409 Cuyamaca St, Santee CA 92071



Woodglen Vista Park Multi
Use Field 10250 Woodglen
Vista Rd, Santee CA 92071



Big Rock Park Pickleball Courts
8125 Arlette St, Santee CA 92071