

**Selectboard Policy Regarding
Stowe Banners Over Main Street and Mountain Road
Adopted 7/14/08 / Amended 3/22/21/11/22/21**

Purpose: To delegate to the Town Manager or his designee and to authorize the approval of Community Wide Special Event Banners (“Special Event Banners” or “Banner(s),” as context may dictate) as defined herein. The Selectboard reserves the right for itself to erect and approve government speech banners, including but not limited to messages pertaining to public health, safety, welfare, education, or recognition. Street banners over Main Street and Mountain Road are not intended to create a public forum for expressive activity. On the contrary, the location of the banners above Main Street and Mountain Road is a non-public forum controlled by the Town.

Community Wide Special Event Banner Policy Statement: The Selectboard finds that:

- The placement of community wide special event banners over Main Street and Mountain Road to promote community-wide events is advantageous to Stowe's economic vitality.
- The Town desires to continue to administer the community wide special event banner program at a nominal administrative fee of \$25/week, since the banners benefit the community at-large.
- There is more of a demand for banners than space available during the peak event season of June through October.
- Reasonable rules controlling the number and time permitted for individual community wide special event banners are needed to make banner availability equitable for all eligible organizations.

Therefore, the Selectboard adopts the following rules regarding the placement of community wide special event banners:

Eligible Events for Community Wide Special Event Banner Placement

- Banners must be for community-wide special events (i.e., events reasonably anticipated to have at least 100 attendees) and shall be further defined as: Temporary events open to the general public (including all events requiring a Town Special Event Permit); outdoor festivals; craft shows; and community-wide thematic-based business promotions sponsored by the Stowe Area Association or a similar association. Community-wide special events do not include events for the primary purpose of promoting one individual business. Events taking place over multiple weeks, such as a play or thematic-based business promotion, shall be considered one event for the purpose of this policy.
- Banners must be for events occurring within the Town of Stowe or for regional community theater or musical performances.
- Community Wide Special Event Banners meeting all dimensional and other requirements under this Policy shall not be regulated or restricted on the basis of viewpoint.

Limits on Display Time and Placement of Community Wide Special Event Banners

- Banners may be up for one week before an event and the week of the event or for multiple weeks if the event last longer than one week (with the limitations during the peak event season as noted below). In no instance shall a special events banner be hung for more than 21 days in a calendar year.
- Banner space will be allocated on a first-come first-served basis. Banner applications must include the associated fees to be processed.
- During the peak event season of June through October, an event banner is permitted on either Main Street or Mountain Road for one week only.

- During the off-peak event season (November through May), banner requests may be made for both locations (Main Street and Mountain Road).

Community Wide Special Event Banner Requirements and Logistics

- Banner reservations may be made up to one year in advance of the date that the banner is proposed to be hung. Banner Applications must be submitted with payment to the Town Manager's Office at least one week prior to the date approved for the banner to be hung.
- Banners should be 3 feet in height and no more than 16 feet in length. Applicants must provide snap hooks for each grommet on the top edge of the banner and 2 for the bottom edge of the banner. No ropes or straps can be attached. Snap Hooks must be the large, heavy-duty style at least 3 ¾" long and 1 ½" Wide. If you have questions on this, please reach out to the Electric Department at 253-7215. Failure to provide adequate clips may result in your banner not being hung.
- Any commercial and/or sponsor information on a banner must be minimal and secondary to the event name.
- No profane, obscene, or offensive language and/or graphics are permitted on any special event banner.
- Banners must not violate any Federal, State or Town laws or ordinances.
- Payment is required for processing all banner requests.
- Banners must be dropped off at the Electric Department Garage located at 435 Moscow Road between the hours of 8 a.m. and 4 p.m. on the Thursday before the banner is to be displayed. Banners must be delivered on time in order to guarantee placement the following Monday morning.
- Banners must be picked up at the Akeley Memorial Building located at 67 Main Street the week after the banner is displayed. The Town of Stowe is not responsible for storing banners and is not responsible for any damage that may occur during storage. Banners left more than one month at the Akeley Building may be disposed of.
- The Town is not responsible for any damage to or loss of banners regardless of the cause.
- The Town is not responsible for any damage caused by a banner regardless of the cause.
- There are no refunds of banner fees unless there is a scheduling error made by the Town.

All Banner Applicants, by signing the application, agree to the following Indemnity Clause:

To the fullest extent permitted by law, the Applicant agrees to defend, indemnify and hold harmless the Town of Stowe, its officers and employees, from and against all liability, claims, demands, suits, actions and judgments, of any kind whatsoever, on account of loss, damage, or injury, including death, to person or property which may arise out of or are in any manner connected with the installation, display, maintenance and removal of the banner(s) described herein, including claims involving banners or the structures on which they are mounted or attached falling on people or property. The Applicant shall investigate, handle, respond to, and provide defense for, and defend against any such liability, claims and demands, etc., and shall bear all other costs and expenses related thereto, including court costs and attorney fees. The obligation of this paragraph shall not be construed to extend to any injury, loss, or damage which is caused by the gross negligence or intentional act or omission of the Town of Stowe, its officers, or employees. By submitting this application, the Applicant confirms that he/she/it has read the Town of Stowe's banner policies and specifications and agrees to adhere to those policies and specifications.