



APPLICATION FOR TEMPORARY STREET BANNER AGREEMENT

550 LANDA STREET
NEW BRAUNFELS, TX 78130
Phone: (830) 221-4010

All information included in this application is in compliance with Section 106-17, Temporary Street Banners of the City of New Braunfels Sign Code, application is due **2 weeks** prior to installation date requested.

Any application that is missing information will be considered incomplete and will not be processed.

Please PRINT legibly:

Name of Event: _____ Date of Event _____

Address of Event: _____ Open to the public: yes / no

Type of Event: fundraiser continuous fundraiser service activity program presentation

other (specify) _____

Requesting Organization: _____ EIN _____

Type of entity: Non Profit (attach proof from IRS) or Local Government agency

Contact Name: _____ Title: _____

Phone: _____ E-mail: _____

Local Non-profit Physical Address: _____

FEES:

ONE BANNER: \$175.00 THREE BANNERS: \$425.00

TWO BANNERS: \$300.00 FOUR BANNERS: \$550.00

(Fee Breakdown: \$50 Administrative Fee + \$125/banner (\$125 × _____ banners) = \$ _____)

- ***Effective May 1st, 2021 all credit/debit card transactions will incur a 2.75% processing fee. We encourage you to utilize one of our free options which include cash, check, or e-check***

IMPORTANT: You must provide the **exact** layout and wording of the banner, in the box below, to have your application processed. Banners that do not meet the representation below when delivered to **New Braunfels Utilities Purchasing Dept., at 355 FM 306** will be rejected.

Refer to Construction Requirements: Option 1 or Option 2 (see example on page 6).

(Exact banner wording and layout here this includes text and patches)

Your reservation will not be confirmed until a complete and signed copy of this agreement (mailed or hand-delivered) is received and on file with the City of New Braunfels (CONB), including proof of non-profit status and liability insurance and application fee payment. This agreement will confirm the following dates at the following location(s): (must be approved / denied by a CONB representative).

Install Date (Monday)

Remove Date (Sunday)

Seguin & Jahn Street

Landa & Paradise Alley

San Antonio & Liberty

W San Antonio & Hackberry

A representative from the organization is to deliver the banner(s) to New Braunfels Utilities (NBU) Purchasing Dept., at 355 FM 306 after the application has been approved by the CONB. Banners are to be dropped off a **maximum of 14 days** and a **minimum of 7 days** before scheduled installation date. **If banner is delivered to NBU after the deadline, the application will be voided and the banner will not be installed. No refund of fees will be given.** The applicant is responsible for verifying that ALL banners meet construction specifications, are in good overall condition and match the wording layout above prior to delivery to NBU Purchasing Dept., at 355 FM 306. A copy of the approved permit must be attached to the banner when dropped off at NBU.

Any damage caused by the banner(s) will be the responsibility of the banner owner and subject to an insurance claim. The requesting organization agrees to indemnify and hold City of New Braunfels/NBU and its representative designated harmless for all damages.

Disclaimer: The City of New Braunfels does not in any way endorse any specific banner program participant or its advertised event or fundraiser. **The participant is solely responsible for ensuring the banner language complies with the intent of the ordinance and is strictly limited to the advertisement of an event or continuous fundraiser.**

Banners must be picked up within **14 days following removal.** **Banners not picked up within 60 days of removal will be disposed of** by NBU Purchasing Dept., at 355 FM 306 and NBU will not be responsible for providing notification prior to disposal of the banner(s).

Signature

Date

(Your signature indicates that you have thoroughly read and accept all terms and conditions identified on all seven pages of this document including Section 106-17 Temporary Street Banner, of the City's Sign Code. Additionally, providing false or misleading information may disqualify you from current or future participation in the street banner program.)

REQUIRED ITEMS FOR SUBMITTAL PACKAGE:

- Completed and signed application.
- Fee. (see page 1 for calculation)
- Banner text provided.
- Proof of 501(c) status from IRS or Local Gov't.
- Current Copy of Certificate of Liability Insurance listing NBU & City of New Braunfels.
- No more than 6 months in advance

FOR OFFICE USE ONLY

To be accepted as a complete application all information must be included on form and all material must be attached.

Date completed application received: _____ Received by: _____

Receipt No. _____ Cash/Check No./ Credit Card _____

Date of Review: _____ By: _____

Date of Denial: _____ By: _____

Comments: _____

APPROVED BY THE CITY SECRETARY'S OFFICE ON

_____/_____/_____

City Secretary's Office

NBU Date Banner Received _____

THE APPLICANT IS TO RETAIN THE FOLLOWING FOR REFERENCE.

Procedure for Temporary Street Banner Permits

The City of New Braunfels, in accordance with the City of New Braunfels Ordinance Section 106-17, has developed the following procedures for installation of Temporary Street Banners. New Braunfels Utilities (NBU) will install Temporary Street Banners supporting economic development, encouraging civic pride, and providing information or announcements about local community services, activities, programs, and events as outlined in the following procedure.

Eligible Participants: Consistent with the purpose of the street banner program, only local qualifying non-profit organizations and local governmental entities are eligible to participate.

Restrictions: Consistent with this purpose, the Temporary Street Banner Program may not be used to promote or directly benefit a commercial, for-profit enterprise; to advocate for or against a political position, candidate, or party; or to harass, demean, or otherwise attack any organization, group, belief system, or point of view.

Approved Banner Locations: Temporary Street Banners that meet the purpose and conditions outlined in this procedure and in the Ordinance may be attached to utility poles and in the public right-of-way at the following locations:

1. South Seguin Avenue near Jahn Street
2. Landa Street near Paradise Alley
3. East San Antonio Street near Liberty Avenue
4. West San Antonio Street near Hackberry Avenue

Banner Reservation:

- Banner locations may be reserved a maximum of SIX (6) MONTHS in advance on a first come, first served basis, and installed for a maximum of two weeks or a minimum of one week. No reservation will be accepted without a complete application including fees, proof of non-profit status and insurance.
- Applications may be made in person by visiting City of New Braunfels at 550 Landa Street, or applications may be mailed to the City Secretary's Office at 550 Landa Street, New Braunfels, Texas 78130.
- Banners will be installed and removed on the first workday of the week (weather permitting).
- Reservations for multiple locations during the same time period are allowed.
- Non-profit organizations must submit proof of 501(c) status, insurance and payment with the Banner Application Form.
- **Rotation of banners to alternate locations is not permitted.**
- ***Effective May 1st, 2021 all credit/debit card transactions will incur a 2.75% processing fee. We encourage you to utilize one of our free options which include cash, check, or e-check***

Insurance:

A current general liability policy specifying coverage of a minimum of \$1,000,000 per occurrence and \$2,000,000.00 in aggregate must be submitted with the application to the City of New Braunfels. City of New Braunfels /NBU shall be named as an additional insured for the liability insurance. Proof of insurance will be required to cover the time period of banner(s) display. Application is not complete and will not be accepted for reservation and a Banner(s) will not be installed without current insurance being on file with City of New Braunfels.

Right of Refusal:

City of New Braunfels/NBU reserves the right to refuse installation of any banner that City of New Braunfels/NBU deems does not meet the purpose, does not meet the construction requirements, or contains restricted language. City of New Braunfels may be contacted at (830) 221-4050 to discuss the appropriateness of potential wording on banners. It is up to the responsible party representing the requesting organization to ensure the banner meets all of the required specifications. If City of New Braunfels/NBU

inspection of a banner before installation reveals deficiencies with the construction of the banner, the banner will not be installed and the owner will be notified.

Review and Appeal:

A decision to deny a banner application under this ordinance is subject to appeal to the City Manager within five (5) business days of the date that the denial notice is provided to the applicant. If the applicant finds the City Manager's decision unacceptable, the applicant may appeal that decision to the City Council. While the appeal process is ongoing, the entity will not lose its place on the reservation list, if the applicant had been placed on the list. If the entity was on the reservation list and it loses its appeal before City Council, then it can be removed from the list. The appeal must be in writing and submitted to the City Secretary's Office within ten (10) business days following the written decision of the City Manager. The final decision concerning display of any Temporary Street Banner shall be made by the New Braunfels City Council.

Sec.106-17 Temporary Street Banners

106-17.1 Purpose: The purpose of the Temporary Street Banner Program is to facilitate the safe, efficient and affordable display of temporary banners that publicize the local events or continuous fundraisers of qualifying non-profit organizations and government entities.

106-17.2 Definitions: The following definitions apply when used in this section:

Continuous Fundraiser means a promotion of ongoing non-profit fundraising operations including but not limited to thrift stores, season pass sales and memberships.

Event means a fundraiser, service, activity, program, presentation, meeting, (examples of which could be but are not limited to; a show, rally, class, banquet, festival, parade, concert, bazaar, sporting activity) or other similar gathering of persons that is open to the general public and occurs in a local setting **at a specified date and time** or range of dates and times. This definition specifically excludes the regularly recurring meetings of special interest groups, such as the daily, weekly, or monthly gatherings of religious congregations and civic organizations.

Local Governmental Entity means any local governmental bodies including a city, a county, and a public school district.

Local Event means the actual event is located within the City Limits of New Braunfels.

Qualifying Non-Profit Organization means a local organization, or one with a local affiliate, that is not a commercial enterprise and that has tax exempt status under Internal Revenue Service regulations, and has a New Braunfels physical address as that term is defined by the United States Postal Service.

Open to the General Public means not limited or restricted to any particular subset of the community except as otherwise required by law.

Temporary Street Banner Program means the service afforded by the City of New Braunfels and New Braunfels Utilities that accepts reviews, approves, and fulfills requests for the installation and removal of participant-owned banners.

106-17.3 Restrictions: Consistent with this purpose, the Temporary Street Banner Program may not be used to promote or directly benefit a commercial, for-profit enterprise; to advocate for or against a political position, candidate, or party; or to harass, demean, or otherwise attack any organization, group, belief system, or point of view.

106-17.4 Eligible Participants: Consistent with the purpose of the street banner program, **only local qualifying non-profit organizations** and local governmental entities are eligible to participate.

106-17.15 Approved Banner Locations: Temporary Street Banners that adhere to the purpose, definitions, and conditions outlined in this section may be installed at locations specified by the City in consultation with New Braunfels Utilities.

106-17.6 Procedures: The City of New Braunfels, in consultation with New Braunfels Utilities, shall establish acceptable locations for street banners, fees for installing and removing banners at the approved locations, specifications for construction and composition of street banners, and procedures for application, installation, and removal of banners. Once installed, a banner will not be removed prior to the date specified on the approved application. A banner will remain installed **for a maximum of fourteen (14) days and no less than 7 days**. However, if the City determines that the banner presents an unacceptable risk to personal safety or property, it will be removed. Applicants who knowingly supply false or misleading information in their applications or other submissions may be disqualified from current or future participation in the banner program.

106-17.7 Construction Requirements: All banners must meet the construction standards as indicated below:

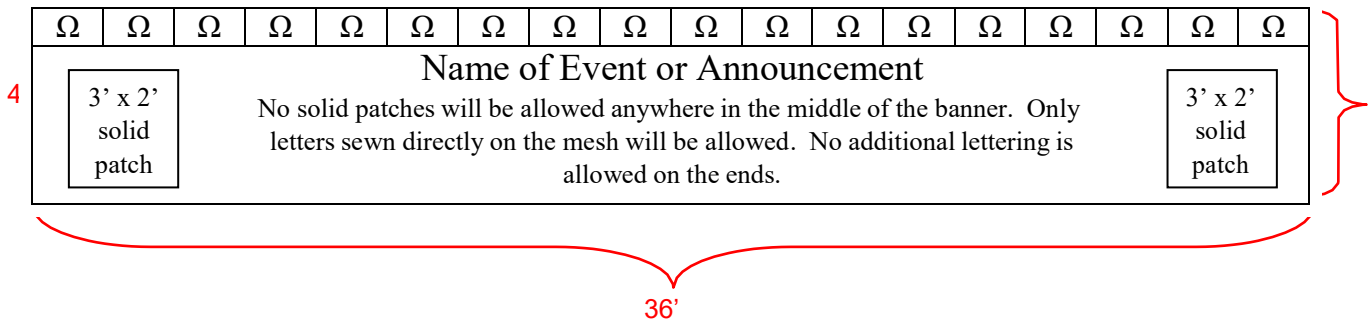
1. 36 feet long and 4 feet high
2. Mesh shall be made of 3/16" to 1/2" open square mesh. (no solid material)
3. 2" safety clips sewn directly along the top, spaced every 18" to 24" apart.
4. Attached to each corner of the banner shall be 10' of 3/8" white braided nylon rope (with no knots)
5. No solid patches are allowed in the center portion of the banner.
6. Letters must be sewn directly to the mesh of the banner -- No extra material or sheeting is allowed behind the lettering or other information.
7. The combination of the solid patches and the letters cannot exceed approximately 50 percent of the banners open mesh.
8. The owner of the banner is responsible for assuring the banner is in good condition before being delivered to NBU for installation.
9. Any damages detected by NBU personnel (at any time), that jeopardize the integrity of the banner will result in banner not being installed or removed for the safety of the public.
10. Each banner must have a weather resistant tag affixed that identifies the name of the organization and event or announcement.

Pictures below depict banner Construction Requirements:

Option 1

Made of 3/16" to 1/2" mesh

Safety clips are to be spaced 18" to 24" across the top

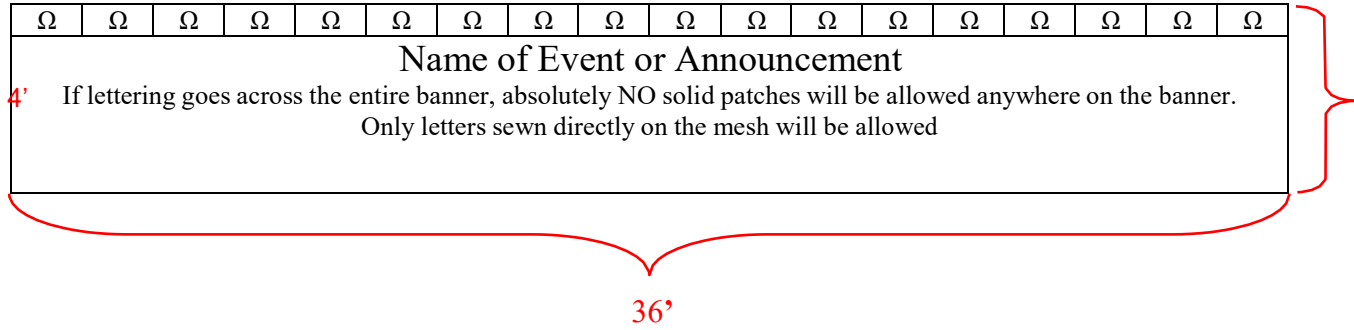


Patches on either end cannot exceed 864 square inches each.

Option 2

Made of 3/16" to 1/2" mesh

Safety clips are to be spaced 18" to 24" across the top



106-17.8 Review and Appeal: A decision to deny a banner application under this ordinance is subject to appeal to the City Manager within five (5) business days of the date that the denial notice is provided to the applicant. If the applicant finds the City Manager’s decision unacceptable, the applicant may appeal that decision to the City Council. While the appeal process is ongoing, the entity will not lose its place on the reservation list, if the applicant had been placed on the list. If the entity was on the reservation list and it loses its appeal before City Council, then it can be removed from the list. The appeal must be in writing and submitted to the City Secretary’s Office within ten (10) business days following the written decision of the City Manager. The final decision concerning display of any Temporary Street Banner shall be made by the New Braunfels City Council.

106-17.9 Insurance: A current general liability policy specifying coverage of a minimum of \$1,000,000 per occurrence and \$2,000,000.00 in aggregate must be on file no later than the delivery of banner to NBU. **NBU shall be named as an additional insured** for the liability insurance. Proof of insurance will be required to cover the time period of banner(s) display. Banner(s) will not be installed without current insurance being on file with NBU.

106-17.10 Liability: The City and NBU will not be responsible for damage to the banner during installation, removal or while it is installed. Any damage caused by the banner(s) will be the sole responsibility of the banner owner and subject to an insurance claim. The owner of the banner(s) agrees to indemnify and hold the City of New Braunfels and New Braunfels Utilities harmless for all damages caused.

106-17.11 Disclaimer: The City of New Braunfels does not in any way endorse any specific banner program participant or its advertised event or fundraiser. The participant is solely responsible for ensuring the banner language complies with the intent of this ordinance and is strictly limited to the advertisement of an event or continuous fundraiser.