

## RESOLUTION NO. 1162

### A RESOLUTION REGARDING SPONSORSHIP OR ENDORSEMENT OF BANNERS ON THIRD STREET

WHEREAS, US Highway 26 (also known as ODOT Route 041) runs through the City of Prineville (hereafter "City"). In the City, the highway is known as Third Street (hereafter "Third Street"); and

WHEREAS, the Oregon Department of Transportation (hereafter "ODOT") controls the Third Street right-of-way and what may be located on or over the right-of-way; and

WHEREAS, ODOT has allowed the City to place poles on each side of Third Street at two locations for the placement of banners (hereafter individually a "Banner Site" and collectively the "Banner Sites"); and

WHEREAS, ODOT has delegated to City the responsibility to determine if banner materials and construction meet ODOT requirements; and

WHEREAS, ODOT's policy on banners requires that banners may be placed on ODOT right-of-way only if the activity or event described on the banner is sponsored by or endorsed by the City; and

WHEREAS, the City desires to establish a procedure for determining whether the City will sponsor or endorse the banners to be placed on the City's Banner Sites.

NOW, THEREFORE, the City of Prineville resolves as follows:

1. The City Manager shall require any person or group who desires to place a banner at the City's Banner Sites (hereafter "Applicant") to complete the ODOT application for placement of banners.
2. If the proposed banner meets ODOT requirements the application shall be endorsed by the City Manager and forwarded to ODOT for their approval. If the City Manager is unsure if the proposed banner meets ODOT requirements the City Manager shall contact ODOT's representative for ODOT's determination whether the proposed banner meets or does not meet ODOT's requirement. If the proposed banner does not meet ODOT requirements the City shall not endorse the application. If ODOT determines the proposed banner meets its requirements the City shall endorse the application.
3. After the banner permit has been issued by ODOT the Applicant shall have the banner or banners constructed according to ODOT and City requirements and shall deliver them to the City

engineer. The City engineer shall approve the banner materials and construction only if it meets ODOT and City requirements. After the City engineer has approved the banner it may be hung at a Banner Site.


4. The City will not sponsor any banner unless the City is the sponsor of the activity or event described on the banner.

5. A banner application may be submitted to place a banner at one Banner Site or both Banner Sites. If there are banners at both sites they shall both describe the same activity or event.

6. The City Manager shall not endorse a banner application for a period in which a banner permit for the Banner Sites, or either Banner Site, has previously been issued by ODOT.

7. The term *City Manager* includes a designee of the City Manager.

Passed by the City Council this 26<sup>th</sup> day of April, 2011.

  
Betty J. Roppe, Mayor

ATTEST:

  
Lisa Morgan, City Recorder