Administrative Policies for the Use of City-owned Banner Structures for Community Event Signs

Eligibility
The City of Mukilteo has fabricated and installed banner structures to create a limited public forum that shall only be used to publicize local community events that are open to the public with equal access to all. These city-owned sign structures can only be used:
- To advertise events organized by not-for-profit organizations; and
- To advertise the time and place of the event and contact information for the organizer; and
- If no commercial, political or religious messages appear on the sign.

The City of Mukilteo may modify these policies or revoke the use of the city-owned sign structures as a limited public forum, at its own discretion and without notice, at any time without cause. No vested rights are created by these policies.

Types of Community Events

One-time events: Events lasting 1-3 consecutive days occurring no more frequently than once a year.

Recurring events: Events occurring more than once a year that follow a regular schedule (e.g. every Wednesday during the summer).

Non-site-specific events: Events that do not necessarily occur at a set location during set hours and may take place over an extended period of time (e.g. registration for Little League Baseball).

Use of Structures
1. Banners may be placed on the structures up to two weeks before the day of the event or the day of the first occurrence of a recurring event. In no case shall they be placed sooner than that.

2. Banners shall be removed by 10 a.m. the day after the event, or by 10 a.m. the day after the last occurrence of a recurring event.

3. Applicants shall be responsible for putting up and taking down their banners.
   a. If banners are not removed on time by the applicant as required, the City shall take down the banners. If City staff takes down the banners applicants will be charged $50 and will be ineligible to use the structures for the remainder of the calendar year and for the entire subsequent year.
   b. When putting up and taking down their banners, applicants shall not drive or park vehicles on sidewalks, nor can they park on the street in violation of City regulations.

4. If banners must be removed before the day of the event because a higher priority event applies to use the structures, the City shall notify applicants at least seven (7) days before the banners must come down.

5. If multiple applications are submitted to use the structures for the same dates, the City may limit applicants to use only one of the structures. Such determination shall be done at the sole discretion of the City.

First Time Use
The first time in a calendar year an event is approved to use the city-owned banner structures the event is guaranteed placement in the structures for at least 14 consecutive days. The event sponsor’s sign can remain on the structures after the initial 14 days:
- In the case of one-time events: until the day after the date of the event.
- In the case of recurring and non-site-specific events: the day after the last occurrence in the calendar year of a recurring event, or until an event with a higher priority (see criteria below) is authorized to use the structures, whichever first occurs.
**Priority Criteria**

When there are multiple applications to use the same city-owned community event banner structure on the same dates, the following criteria shall be used to determine which signs will occupy the structure on which dates.

Applications for events to use the city-owned structures for the first time in the calendar year shall be prioritized as follows:

1. City-sponsored events have priority over other events.
2. City-cosponsored events have priority over all other events except for City-sponsored events.
3. One-time events have priority over recurring events.
4. Recurring events have priority over non-site-specific events.
5. In the event of a tie in priority, the earlier date of application has priority over applications submitted on later dates.

Applications may be submitted no more than 1 year before the date of the event (or in the case of recurring events, 1 year before the date of the first occurrence in the calendar year).

**Subsequent Use**

Applications for events to use the city-owned structures, where both applicants have used the structures at least once in the calendar year, shall be prioritized as follows:

6. The event which has used the city-owned structures fewer days in the calendar year shall have priority over events which have used the structures more days. Signs allowed pursuant to this criterion are guaranteed their place for at least 7 days. If after the 7 days the result is that event has moved down in priority because it has used the structures for more days than another event, the first event’s sign must yield to the second event’s sign. If both applicants have used the frame for the same number of days in the calendar year then criteria 2-6 are applied.

**Liability**

The City of Mukilteo makes no warranty as to the condition or safety of the structures or surface below the structures. Event sponsors shall assume all responsibility and risk to the extent allowed by law for any personal injury or property damage arising out of the event sponsor’s use of the sign, and shall release, indemnify and hold harmless the City of Mukilteo, its officials, officers and employees from any such claims, demands or causes of action. Further, if the event sponsor fails to remove its signs after authorization to use the structures expires, the City of Mukilteo may remove the signs and the City of Mukilteo shall not be responsible for any loss or damage occurring from such removal. If the City of Mukilteo removes the signs the applicant shall be charged $50 and will be ineligible to use the structures for the remainder of the calendar year and for the entire subsequent year.

**Appeals**

Applicants may administratively appeal the application of the guidelines for Community Event Special Use Sign Permits through which these administrative policies for the use of City-owned banner structures are applied. Appeals shall be made to the Mukilteo City Administrator within 14 days from issuance or denial of the permit. Appeals shall be in writing and shall include:

- The applicants name, address and telephone number; and
- A written statement of grounds for the appeal and the facts upon which the appeal is based; and
- The relief sought, including the specific nature and extent and attached map if needed; and
- A copy of the original Community Event Special Use Sign Permit application that was submitted.

There is no fee to appeal application of these guidelines to the City Administrator. The City shall respond to submitted appeals within ten (10) business days of receipt of the application.