

Waco Regional Airport Advertising Policy and Procedure

A. Purpose

1. The City of Waco, through its Airport Department, operates the Waco Regional Airport to provide air transportation to citizens and visitors. The City's airport advertising program is intended solely to generate revenue to supplement the Airport's operating budget. This policy will establish acceptable guidelines for Airport advertising.
2. The primary purpose of the Waco Regional Airport is to provide safe and efficient access to commercial air travel and other aviation related services at the Airport. Consistent with this purpose, the City places great importance on maintaining secure, safe, comfortable and convenient Airport Facilities. To generate additional revenue, while also accomplishing the primary purpose of the Airport, the City will accept advertising at the Airport only if the advertising complies with the Advertising Policy.
3. The City's acceptance of Airport advertising does not provide or create a general public forum for expressive activities. In keeping with the stated purpose of the Airport to provide access to various aviation related products and services, including commercial air transportation, the City does not intend for its acceptance of Airport advertisements to convert Airport facilities into public forums for public discourse and debate. Rather, the City's sole purpose and intent is to accept advertising as an additional opportunity to generate revenue to support its Airport operations.

This policy advances the advertising program's revenue-generating objective and preserves the forum's primary purposes by prohibiting advertisements that interfere with and divert resources from Airport operations, that detract from Airport purposes by creating substantial controversy, and/or that pose significant risks for harm, inconvenience, or annoyance to Airport customers and operators. Such advertisements create an environment that is not conducive to achieving increased revenue for the benefit of Airport operations or to preserving and enhancing the security, safety, comfort and convenience of its operations. The viewpoint neutral restrictions in this policy thus foster the maintenance of a professional advertising environment that maximizes advertising revenue, and protects the interest of the captive audience that uses the Waco Regional Airport's services.

B. Scope

The Airport Advertising Policy applies to all advertisements displayed in designated advertising spaces located at Waco Regional Airport. The policy is intended to provide clear guidance as to the types of advertisements that will allow the City to generate revenue and enhance Airport operations by fulfilling the following important goals and objectives:

- Maximizing advertising revenue;
- Maintaining a position of neutrality and preventing the appearance of favoritism or endorsement by the City;
- Preventing the risk of imposing objectionable, inappropriate or harmful views on a captive audience;
- Preserving the value of advertising space;
- Maximizing customers and maintaining a safe environment for Airport customers and other members of the public;
- Avoiding claims of discrimination and maintaining a non-discriminatory environment for customers;
- Preventing any harm or abuse that may result from displaying objectionable, inappropriate or harmful advertisements;
- Reducing the diversion of resources from Airport operations that is caused by displaying objectionable, inappropriate or harmful advertisements;
- Preserving Waco Regional Airport's reputation as a professional, effective, and efficient provider of air travel and services.

The City's Airport facilities are a nonpublic forum and the City will only accept advertisements that fall within the categories of acceptable advertising specified in the viewpoint neutral policy and that satisfies all other access requirements and restrictions provided herein.

C. Policy

1. Permitted Advertising Content. Subject to limitations on Prohibited Advertising under Subsection D.2, the following classes of advertising are authorized in the Airport facilities:
 - a. Commercial Advertising. Advertising proposing, promoting, or soliciting a commercial transaction for the sale, rent, lease, license distribution, or availability of goods, property, services, or events for the advertiser's commercial interest, or more generally promoting an entity or entities that engage in such activities.
 - b. Government Advertising. Advertising by a federal, state, or local governmental entity that advances specific governmental purposes.

- c. Nonprofit Public Service Announcements. Advertising that is sponsored by a nonprofit organization that is exempt from taxation under Section 501(C)(3) of the Internal Revenue Code and has provided documentary proof of such status, that is directed to the general public or a significant segment of the general public, and that relates to the:
 - Prevention or treatment of illnesses or promotion of personal health;
 - Education, training, or employment services;
 - Arts, culture, or special events;
2. Prohibited Advertising Content. Advertising is prohibited on or in Airport Facilities if it falls within one or more of the following categories:
- a. Political Speech. Advertising that promotes or opposes a political party, any person or group of person holding federal, state, or local government elected office, the election of any candidate or group of candidates for federal, state, or local government offices, or initiatives, referendums or other ballot measures.
 - b. Public Issue Speech. Advertising that non-incidentally expresses or advocates or appears to express or advocate an opinion, position, or viewpoint on a matter of public debate about economic, political, public safety, religious, or social issues.
 - c. Religious. Advertising that promotes or opposes any identifiable or specific religion, religious viewpoint, message, or practice.
 - d. 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:
 - i. Tobacco. Tobacco products, including, but not limited to cigarettes, cigars, and smokeless tobacco;
 - ii. Alcohol. Beer, wine, distilled spirits or any alcoholic beverage licensed and regulated under Texas law, however, this prohibition shall not prohibit advertising that includes the name of a restaurant that is open to minors;
 - iii. Cannabis. Cannabis, cannabis products, cannabis businesses, or products;

- iv. Firearms. Firearms, ammunitions, or other firearms-related products;
 - v. 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;
 - vi. Adult Entertainment Facilities. Adult book stores, adult video stores, nude dance clubs, and other adult entertainment establishments;
 - vii. Other Adult Services. Adult telephone services, adult internet sites, and escort services.
- e. Sexual and/or Excretory Subject Matter. Any advertisement that contains or involves any material that describes, depicts, or represents sexual or excretory organs or activities in a manner that a reasonably prudent person, knowledgeable of the Airport’s customers and using prevailing community standards would find inappropriate for the airport environment, including persons under the age of 18.
- f. False or Misleading. Any material that is or that the sponsor reasonably should have known is false, fraudulent, misleading, deceptive, or would constitute a tort of defamation or invasion of privacy.
- g. Copyright, Trademark, or Otherwise Unlawful. Advertising that contains any material that is an infringement of copyright, trademark, or service mark, or is illegal under federal, state, or local law.
- h. Illegal Activity. Any advertising that promotes any activity or product that is illegal under federal, state, or local law.
- i. 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, mutilating or disfiguring human beings or animals, or intentional infliction of pain or violent action towards or upon a person or animal.

- j. Threatening Harm. Advertising that contains any threat, implied or direct, to harm a particular individual or group of individuals.
- k. Harmful or Disruptive to the Airport. 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 business reputation, of the Airport.
- l. Adverse to the Airport. Advertising that is directly adverse to the commercial or administrative interest of the Airport or that tends to criticize the quality of service provided by the Airport.
- m. Lights, Noise and Special Effects. Flashing lights, sounds makers, mirrors or other special effects that interfere with the safety of the public.

D. Procedures

Step 1: The Waco Convention & Visitor's Bureau Tourism Sales Representative (Tourism Manager) will sell the ad space at the Airport and collect the Advertising Application from the prospective advertiser.

Step 2: All proposed airport advertising must be submitted to the Tourism Manager for initial compliance review. The Tourism Manager will perform a preliminary evaluation of the submission to assess its compliance with this Advertising Policy. If, during the preliminary review of a proposed advertisement, the Tourism Manager is unable to make a compliance determination, he/she will forward the submission to the Convention & Visitor's Center Director and the Airport Director for further evaluation. The Tourism Manager may at any time discuss with the prospective advertiser revisions to the advertisement which, if undertaken, would bring the advertisement into conformity with this Advertising Policy.

Step 3: The Convention & Visitor's Center Director and the Airport Director will jointly review the proposed advertisement for compliance with the guidelines set forth in the policy and will notify the Tourism Manager as to whether the proposed advertisement will be accepted. The decision of the Convention & Visitor's Center Director and the Airport Director to approve or reject any proposed advertising shall be final. The Convention & Visitor's Center Director and/or the Airport Director may consult with other appropriate City employees, including legal counsel, at any time during the review process.

Step 4: The advertiser and the City will enter into an advertising agreement. The advertiser will deliver the approved media in high resolution format to the Airport, the City will coordinate the printing and installation of the finished media.

The Convention & Visitor's Center Director and the Airport Director are responsible for the implementation of the Airport Advertising Policy.

The City's acceptance of an advertisement does not constitute express or implied endorsement of the content or message of the advertisement, including a person, organization, products, services, information or viewpoints contained therein, or of the advertisement sponsor itself.

Joel Martinez, Waco Regional Airport Director

Effective Date