

**CITY OF RAPID CITY'S APPLICATION AND AGREEMENT TO LEASE A BANNER
POLE FOR ADVERTISEMENT BANNERS IN DOWNTOWN RAPID CITY**

Name of entity or organization: _____ Date: _____

Address: _____

Phone Number: _____ Contact Person: _____

Dates Banner Is To Be Displayed: _____

Location Where Banner Will Be Displayed: _____

Please describe the content of the banner message: _____

AGREEMENT

1. Parties. This AGREEMENT is made this ____ day of _____, 20____, by and between the City of Rapid City, a South Dakota Municipal Corporation, 300 Sixth Street, Rapid City, South Dakota, 57701, hereinafter referred to as "City" and _____, hereinafter referred to as "Advertiser."

2. Term. The approved banner shall be on display from the ____ of _____, 20__ to the ____ of _____ 20__.

3. Payment. Advertiser agrees to pay the City _____ for lease of advertising space.

4. Advertisement and Artwork.

A) All advertisements shall be submitted for prior approval.

B) It is expressly understood that the City shall have the right to disapprove of any particular advertisements and thereby prevent it from being displayed, especially in instances in which the advertisement is adverse to the City's interests or in poor taste, but this right of disapproval shall not be unreasonably exercised. If this right is exercised, the Advertiser shall have no claim or recourse against the City.

C) The City will not accept advertisements: -Containing or promoting obscene material; Containing or promoting material that is harmful to minor -Containing political or controversial content -Containing profane content -Containing violent or criminal content -Promoting alcohol, tobacco, or firearms -Promoting or denigrating groups based on gender, religion, race, ethnicity or political affiliation. D) The City retains the right to terminate any advertising displays based on adverse publicity or complaints. E) All costs of the advertisement and the artwork for the advertisement shall be borne by the Advertiser.

5. Rules and Regulations. Advertiser shall comply with all rules and regulations of the City of Rapid City and with all federal and state regulatory measures and laws of any kind applicable. Specifically, Advertiser warrants that all approved designs do not infringe upon any trademark or copyrights, state or federal.

6. Wind. In the event of high wind conditions, the City reserves the right to take any banner or decoration down to avoid cable damage.

On this the ____ day of _____, 20__, before me, the undersigned officer, personally appeared _____, known to me or satisfactorily proven to be the person whose name is subscribed within instrument and acknowledged that he or she executed the same for the purposes therein contained and that they had the authority to do so in the name of the City of Rapid City, as its _____.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public, South Dakota

My Commission Expires:

(SEAL)

STATE OF SOUTH DAKOTA)

SS. COUNTY OF PENNINGTON)

On this the ____ day of _____, 20__, before me, the undersigned officer, personally appeared _____, known to me or satisfactorily proven to be the person whose name is subscribed within instrument and acknowledged that he or she executed the same for the purposes therein contained and that they had the authority to do so in the name of _____, as its _____.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public, South Dakota

My Commission Expires:

(SEAL)

sd

RAPID CITY BANNER INSTALLATION SPECIFICATIONS
(Prepared August 23, 2007)

The following specifications for banners displayed on the downtown two (2) cable system where the cables are measured 36 ½ inches apart on center.

BANNER CONSTRUCTION:

Material will be made of vinyl mesh material to allow air flow.

BANNER DIMENSIONS:

- 1.) Banner will be 30 inches wide by 30 feet long
- 2.) Metal grommets will be installed at 12 inch intervals around the perimeter of the banner.
- 3.) Vinyl mesh material will be reinforced around the border of the banner to accommodate the metal grommets.

FASTENERS:

Heavy duty plastic zip tie fasteners will be used to attach the banners to the cable system.

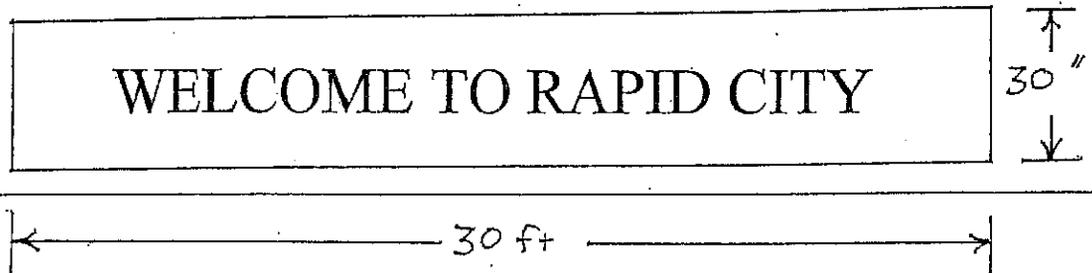


Illustration A

259
7-16-07

(Misc Res +
Agmts)

**RESOLUTION TO ESTABLISH A POLICY FOR
THE LEASE OF BANNER POLES FOR ADVERTISEMENT BANNERS
IN DOWNTOWN RAPID CITY**

WHEREAS, the City of Rapid City has available in its downtown area eight poles designed to display decorations and banner advertisements across Main Street and Saint Joseph Street; and

WHEREAS, the Rapid City Common Council deems it in the City's best interest to lease two of the above-described poles for banners displaying advertisements for a public purpose, and to adopt a policy for the lease of such.

NOW THEREFORE, BE IT RESOLVED, that the City of Rapid City hereby adopts the following policy for the lease of two banner poles located in downtown Rapid City on Main Street and Saint Joseph Street between Sixth Street and Seventh Street:

Policy for the Lease of Banner Poles in Downtown Rapid City

All parties interested in leasing a banner pole must adhere to this policy and complete the City's application and agreement for the lease of the banner poles.

Priority will first be given to the City of Rapid City and then priority will be on a first come first served basis based on the date the application is received by the City of Rapid City's Park and Recreation Department.

Banner space will not be leased by the City from the first of November to the first of January each year to allow for holiday decorations.

The application, agreement and payment must be received at the Rapid City Parks Department Office at least 14 days prior to the requested display period, but not more than 365 days prior. Checks are to be made out to the City of Rapid City.

Banners must meet the following specifications:

The Banner must be for a public purpose. Banners displaying commercial advertising are prohibited. However, a professionally placed logo of a business or corporation sponsoring an event may be included on a banner.

Banner dimensions shall not exceed 40' x 3' (to comply with A.A.S.H.T.O. specifications).

Banners must be made of a material to allow for air to flow through. Banners are to be constructed of a material to ensure its suitability for attachment to poles and its durability during display.

Successful banners are simple and easy to read. Spacing should be uniform and symmetrical to allow maximum air (wind) movement through the banner.

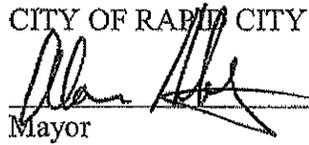
The fee for the lease of a banner is \$375 per week per pole. This fee includes take down and setup. This fee is not applicable to the City of Rapid City.

Display of a banner will be reviewed and approved by the Rapid City Parks Department.

A banner will be displayed for a maximum display period of 1 week (7 days). An additional week may be requested providing no requests have been made for that week.

Dated this 16 day of July, 2007.

CITY OF RAPID CITY



Mayor

ATTEST:


Finance Officer

(SEAL)