

## Bozeman Yellowstone International Airport

### Advertising Policy

#### I. Purpose and Objectives.

The purpose of this policy is to provide guidelines for the sale of advertising space at the Bozeman Yellowstone International Airport (the "Airport") by the Gallatin Airport Authority ("GAA"). GAA's objectives in managing its advertising program are to optimize revenues to GAA by providing advertisers with aesthetically-pleasing advertising concepts and to provide users of the Airport with a safe, welcoming and comfortable environment. GAA considers the importance of advertising revenue as it is balanced against providing a safe, welcoming and comfortable environment for the traveling public and other users of the Airport.

GAA facilities constitute non-public forums that are subject to reasonable and viewpoint-neutral limitations and restrictions as set forth in this policy. The limitations set forth in subsection III(A) below restrict advertising to commercial advertising, governmental public service advertising, and advertising by community promotional organizations. The restrictions set forth in subsection III(B) below control the content of the advertising. GAA has determined that such limitations and restrictions will assist GAA: (a) in maintaining a position of neutrality and avoid the appearance of favoritism on political, religious, social, economic and other controversial issues at the Airport; (b) in maximizing the income earned from selling advertising space because some commercial and other approved entities might be dissuaded from using the same forum commonly used by those wishing to communicate political, religious, social, economic, or other controversial messages; (c) in being as self-sustaining as possible, in accordance with FAA Grant Assurances; and (d) in maintaining a safe, welcoming and comfortable environment for the captive audience of passengers utilizing the Airport, including minors, and those working at the Airport.

One of the main goals of our advertising program is to promote the region that we serve. For this reason, preference is given to those that conduct business within the state of Montana and the Greater Yellowstone Region.

This policy shall not be construed to limit or restrict the Authority's ability to identify, inform the public or promote Bozeman Yellowstone International Airport's facilities, services or tenants, or otherwise market the Airport.

## **II. Locations and Rates.**

Advertising is recognized as an essential part of the airport's concessions; however, the display must be aesthetically consistent with the Airport's design and architecture without interfering with operational efficiencies or safety. A balance between airport advertising and other informational systems must be maintained in order to preserve visual continuity and avoid clutter and message overload. For this reason, advertising options are limited to those listed at [www.bozemanairport.com/advertising](http://www.bozemanairport.com/advertising). The rates are also listed; however, this rate may be adjusted as required by the Airport Authority.

All advertisements proposed on Airport property, no matter where or how placed, are subject to the written consent and approval of the Authority prior to installation. Advertising in spaces exclusively or preferentially leased by tenants shall be restricted to goods and services offered by the tenant. Within Airport owned buildings and the general aviation area, including hangars and fencing, signs and advertising shall be governed by individual lease agreements and subject to the sole judgment of the Authority.

## **III. Guidelines for Airport Advertising.**

### **A. Permitted Advertising Content:**

Except to the extent prohibited under subsection III(B) of these guidelines, the following classes of advertising are permitted at the Airport:

- 1. Commercial Advertising.** Advertising promoting or soliciting the sale, rental, distribution, or availability of goods, services, food, entertainment, events, programs, transactions, products, or property (real or personal) for commercial purposes, advertising that markets a name, symbol or design that identifies and differentiates a product from other products for commercial purposes, or advertising that more generally promotes an entity that engages in such activities.
- 2. Governmental Advertising.** Public service advertising sponsored by governmental entities (meaning public entities specifically created by government action) that advance specific government purposes, including but not limited to, advancing tourism in the state of Montana and/or utilizing the Airport.
- 3. Community Promotion Organizations.** Advertising by community promotion organizations if the advertising otherwise meets the requirements of this policy. A community promotion organization means an organization which markets business or tourism in the Southwest Montana/Yellowstone Region and would benefit from the exposure provided on Airport premises, including, but not limited to, local chambers of commerce, economic development councils, convention and visitor organizations, local public museums, parks, science centers, and GAA.

**B. Prohibited Advertising Content:**

The following categories of advertising are prohibited:

1. **Political.** Advertising promoting or opposing a political party or the election or opposition of any candidate or group of candidates for federal, state, judicial, or local government offices, and advertising that contains political messages, including advertising involving political or judicial figures.
2. **Religious.** Advertising that contains any direct or indirect reference to religion, or to the existence, nonexistence, or other characteristics of any deity or deities. This prohibition covers the depiction of text, symbols, or images commonly associated with any religion or with any deity or deities.
3. **Social.** Advertising that depicts a group or groups within society about or between which controversy or disparity exists as a result of real or perceived current or historical societal conditions.
4. **Economic.** Advertising that addresses controversial issues relating to the financial status of businesses, individuals, groups, or organizations, including but not limited to, the issues of wages, taxes, trade, labor conditions, the financial system, entitlements, health insurance coverage, and subsidies.
5. **Employment.** Advertising that solicits applicants for jobs here at the Airport or elsewhere.
6. **Public Issues.** Advertising that expresses or advocates an opinion, position or viewpoint on political, religious, social, historical or economic issues.
7. **Libelous Speech and Copyright or Trademark Infringement.** Advertising that is libelous or infringes on any copyright, trademark, or service mark.
8. **Cigarettes, Tobacco or Electronic Cigarettes.** Advertising that promotes, solicits, or markets the sale or use of cigarettes, tobacco, or electronic cigarettes, or depicts such products, goods or services.
9. **Medical or Recreational Marijuana, Hemp or Cannabidiol (CBD).** Advertising that promotes, solicits, or markets the growing, distribution, sale, or use of medical or recreational marijuana, hemp or cannabidiol (CBD), or depicts such products, goods or services.
10. **Betting or Gambling.** Only advertising for gambling establishments, betting services, lotteries or contests that are in compliance with applicable federal, state and local laws and regulations and this policy are acceptable. All other gambling establishments, betting services, lotteries, contests or

gambling related advertisements, including but not limited to, gambling tutorial web sites, may not be accepted.

11. **Weapons, Firearms, Ammunition or Fireworks.** Advertising that promotes, solicits, or markets the sale, rental, distribution, or availability of weapons, firearms, ammunition, or fireworks, or depicts such products, goods or services.
12. **900 and 976 Phone Numbers.** Advertising that promotes, solicits, or markets the use of 900, 976 and similar phone numbers.
13. **Adult/Mature Rated Films, Television and Video Games.** Advertising that promotes adult films rated "X" or "NC-17," television rated "MA," or video games rated "AO" or "M" or similar adult/mature audio or video content.
14. **Obscenity, Pornography, Adult Entertainment or Services, or Adult Novelty Products.** Advertising that is obscene within the meaning of Montana law, and advertising that promotes adult book stores, adult video stores, nude dance clubs, other adult entertainment establishments, adult telephone services, adult internet sites and escort services.
15. **Profanity and/or Fighting Words.** Advertising that contains or implies profanity or fighting words, the suggestion of profanity or fighting words, or words that are of such slight social value that any benefit that may be derived from the words is clearly outweighed by the social interest in order and morality.
16. **Harmful to Children.** Advertising that contains harmful matter to children within the meaning of Montana's law on obscenity and child pornography or a matter that could cause or contribute to child abuse within the meaning of Montana law.
17. **Unlawful and/or Illegal Goods or Services.** Advertising that promotes or encourages the sale, use or possession of any activities, goods, or services that are illegal under federal, state or local law, or that are directed to incite or produce imminent lawless action.
18. **Violence, Disparagement, Hatred, Bigotry or Intolerance.** Advertising that depicts graphic violence or images of violence or gore (including body parts, dead, mutilated bodies, or fetuses of humans or animals), or that promotes hatred, bigotry, disparagement, intolerance, or violence towards individuals, groups, businesses, organizations or government entities, or which is offensive to the moral standards of the community or contrary to prevailing standards of adults in the Southwest Montana region as to the suitability for display to a captive audience that includes minors.

19. **Result in Harm, Disruption or Interference to Airport.** Advertising that contains speech or images that is so objectionable under contemporary community standards as to be reasonably foreseeable that it will result in harm to, disruption of, or interference with the Airport.
20. **False, Fraudulent, Defamatory, Deceptive or Misleading.** Advertising which is false, fraudulent, defamatory, deceptive, or misleading in any way within the meaning of Montana or federal law.
21. **Illegal Advertising.** Advertising which is illegal under Montana or federal law, or advertising that may conflict with any applicable federal, state, or local law, statute, or ordinance.
22. **Competition.** Advertising that promotes or encourages services in direct competition with GAA's business objectives or promotes or encourages services that detract from the mission of GAA to provide a safe, welcoming and comfortable environment for workers and passengers.
23. **Endorsement.** Advertising that implies or declares an endorsement by GAA without the prior written authorization of GAA.
24. **Threatening Words.** Advertising that contains threatening words when applying contemporary community standards which common sense dictates should not be displayed inside an airport facility (e.g., killer, bomb, terrorist, hijack, etc.), or advertising that conveys any threat to do any act within the meaning of Montana or federal law.
25. **Consumption of Alcohol.** Advertising that promotes consumption or purchase of alcoholic beverages, including but not limited to, beer, wine, liquor, and other alcoholic substances, that are in compliance with applicable federal, state and local laws and regulations and this policy are acceptable, but such advertisements may not depict the act of consuming alcohol.
26. **Internet Addresses, Telephone Numbers or Media Sources.** Advertising that directs viewers to internet addresses, telephone numbers or other media sources that contain materials that would violate these advertising guidelines if the materials, images or information were contained in advertising displayed at the Airport.
27. **Likeness, Picture, Image or Name of Person.** Advertising that employs or commercially exploits without adequate proof of express written authorization, the likeness, picture, image or name of any person.
28. **Violation of GAA's Rules and Regulations.** Advertising that suggests or otherwise tends to promote or encourages conduct on GAA facilities that would violate GAA's rules and regulations.

29. **Not Conducive to a Safe, Welcoming and Comfortable Environment.** Advertising that is aesthetically inappropriate, whether by reason of inappropriate graphic, design, color, size, or unprofessional looking presentation, and for that reason is not conducive to creating a safe, welcoming and comfortable environment at the Airport.

**C. Attribution Requirements:**

Any advertising in which the identity of the sponsor is not readily and unambiguously identifiable must include the following phrase to identify the sponsor in clearly visible letters, no smaller than 72-point type for exteriors and 24-point type for interiors: "Advertisement paid for by (name of sponsor)."

GAA may, in its discretion, place appropriate disclaimers or explanations on or near any advertisement to clarify that statements and contents of advertisements are those of the advertiser and not the GAA.

**IV. Advertising Agreement and Submission of Material.**

**A. Advertising Agreement:**

All entities who wish to advertise at the Airport must execute GAA's Advertising Letter of Agreement.

**B. Written Approval of Advertisements:**

All advertising at the Airport must receive written approval by GAA prior to display. All proposed Airport advertising must be submitted to the Airport Authority for initial compliance review. The Advertising Manager will perform a preliminary evaluation of the submission to assess its compliance with these guidelines. If the Advertising Manager determines that a proposed advertisement does not comply with these guidelines or is unable to make a compliance determination, it will forward the submission to the Deputy Airport Director for further evaluation. If the Deputy Director determines that a proposed advertisement does not comply with these guidelines or is unable to make a compliance determination, the Deputy Director will forward the submission to the Airport Director for further evaluation. The Advertising Manager, the Deputy Director, and/or the Airport Director may at any time discuss, with the entity proposing the advertisement, revisions which, if adopted, would bring the advertisement into conformity with these guidelines.

**C. Approval Disputes:**

The decision of the Airport Director to approve or reject any proposed advertising will be final.

**V. Reservation of Rights.**

Notwithstanding any of the preceding, the Authority reserves the right to refuse any advertisement in any form at any time in any location for any reason, whether or not stated.

GAA reserves the right, subject to any contractual obligations, to alter these guidelines, including the right to set additional limitations and/or restrictions on advertising that may be displayed at the Airport, or to ban the display of advertising in those facilities altogether.

The display of advertising at the Airport shall not be interpreted to imply that GAA endorses any brand, product, or service advertised.