City of Roseville - Parks, Recreation & Libraries Department Department Guidelines & Procedures

APPROVED:	Number:
	Effective Date: October 23, 2012
	Revised Date:
Dominick Casey, Director	

Subject: Marketing and Communication Viewpoint Policy

<u>Purpose</u>

This Marketing and Communications Viewpoint Policy sets forth the rules by which communication on behalf of the Parks, Recreation & Libraries Department or advertising in Parks, Recreation & Libraries publications may take place. In adopting this Marketing and Communication Viewpoint Policy, it is the City's declared intention and purpose to not permit communication or marketing that individually or in combination would cause any real or personal property, facilities, vehicles, or communication media owned or controlled by the City to become a traditional public forum for the dissemination, debate and/or discussion of public issues.

Policy

The following viewpoint-neutral, content-based limitations are established. No advertisement, announcement or communication (hereinafter referred to as "Ad") is permitted on City platforms/collateral or may be maintained on any City Property if it, or information contained in it, falls within one or more of the following categories:

- 1. False, misleading or deceptive commercial speech. The Ad proposes a commercial transaction, and the Ad, or any material contained in it, is false, misleading or deceptive.
- 2. Unlawful goods or services. The Ad, or any material contained in it, promotes or encourages, or appears to promote or encourage, the use or possession of unlawful or illegal goods or services.
- 3. Unlawful conduct. The Ad, or any material contained in it, promotes, depicts or encourages, or appears to promote, depict or encourage, unlawful or illegal behavior or activities.
- 4. Endorsement. The Ad, or any material contained in it, implies or declares an endorsement by the City of any service, product or point of view, without prior written authorization of the City (through its City Manager).
- 5. Obscenity or Nudity. The Ad, or any material contained in it, contains obscene matter, images of nudity or any other matter that is prohibited under the provisions of Chapter 7.5 (beginning with Section 311) of Title 9 of Part 1 the California Penal Code, and as such laws may be

amended or supplemented.

- 6. Prurient Interests. The Ad, or any material contained in it, describes, depicts, or represents sexual activities, or aspects of the human anatomy in a way that the average adult, applying contemporary community standard, would find appeals to the prurient interest of minors or adults, or contains harmful matter or any other matter that is prohibited under the provisions of Chapter 7.6 (beginning with Section 313) of Title 9 of Part 1 of the California Penal Code, and as such laws may be amended or supplemented.
- 7. Indecent Exposure, Obscene Exhibitions and Bawdy and Other Disorderly Houses. The Ad, or any material contained in it, implies or contains matter that is prohibited under the provisions of Chapter 8.1 (beginning with section 314) of Title 9 of Part 1 of the California Penal Code, and as such laws may be amended or supplemented.
- 8. Profanity, Vulgarity, Riot. The Ad, or any material contained in it, is profane or vulgar, or presents a clear and present danger of causing a riot, disorder, or other imminent threat to public safety, peace or order.
- 9. Community Standards. The Ad, or any material contained in it, 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 services, programs or events of the City.
- 10. Libelous speech, Copyright Infringement. The Ad, or any material contained in it is libelous, or is an infringement of a copyright, trademark or registered mark. Advertisers and marketing agencies assume any and all responsibility for any unauthorized use of names, photographs, devices, or words protected by copyright or registered trademark.
- 11. Demeaning or Disparaging. The Ad, or any material contained in it, demeans or disparages an individual or group of individuals.
- 12. Tobacco. The Ad, or any material contained in it, promotes or depicts the sale or use of tobacco or tobacco-related products, except products that counteract symptoms of tobacco habituation.
- 13. Alcoholic Beverages. The Ad, or any material contained in it, promotes or depicts the sale or consumption of wine, liquor, beer, or distilled spirits unless the location of the Ad is appropriate for the venue (e.g., golf courses, restaurants) as determined by the City Manager.
- 14. Firearms. The Ad, or any material contained in it, directly or indirectly promotes the sale or use of a firearm or contains an image or depiction of a firearm.
- 15. Political Campaign Speech. The Ad, or any material contained in it, contains political campaign speech. For purposes of this policy, the term "political campaign speech" is speech that: (1) supports or opposes or appears to support or oppose a ballot measure, initiative, or referendum, or (2) refers to any candidate for public office.
- 16. Religion. The Ad, or any material contained in it, advocates or opposes a religion or religious belief.

- 17. Distraction. The Ad, or any material contained in it, incorporates any animation.
- 18. Violence. The Ad, or any material contained in it, contains an image or description of graphic violence, including, but not limited to: (1) the depiction of human or animal bodies or body parts, or fetuses, in states of mutilation, dismemberment, decomposition, or disfigurement, and (2) the depiction of weapons or other implements or devices associated in the advertisement with an act or acts of violence or harm on a person or animal.
- 19. "Adult"-oriented goods or services. The Ad, or any material contained in it, promotes or encourages, or appears to promote or encourage, a transaction related to, or uses brand names, trademarks, slogans or other materials which are identifiable with, films rated "X" or "NC-17", video games rated "A" or "M," adult book stores, adult video stores, nude and/or topless clubs and other adult entertainment establishments, adult telephone services, adult Internet sites, and escort services.
- 20. Human Reproduction or Sexuality. The Ad, or any material contained in it, promotes products or services related to human reproduction or sexuality, including but not limited to contraceptive products or services, other products or services related to sexual hygiene, and counseling services for pregnancies, abortions or other sexual matters.
- 21. Competitors. The Ad, or any material contained in it, advertises goods, services or entertainment which competes with goods, services or entertainment offered by the City (e.g., gym memberships).
- 22. Web addresses and telephone numbers. The Ad, or any material contained in it, directs viewers to a website or telephone number that contains material that violates this policy. In addition, the website address itself may not violate this policy.
- 23. Public Forum. The Ad, or any material contained in it, if posted individually or in combination with other Ads, causes City Property to become a public forum for the dissemination, debate, and/or discussion of public issues.
- 24. Disclaimer or Attribution. The Ad fails to contain any disclaimer or attribution as required.
- 25. Implied messages. The Ad, or any material contained in it, by implication falls within any of the above prohibited categories.