




## ORGANIZATIONAL POLICY

TITLE  <b>Advertising</b>	OPP No. I - 209
	Date Original Approved: October 16, 2014
Authorized Signature:  Marko C. Diaz, Director of Aviation	Revised Date: April 19, 2018

### I. PURPOSE

The primary purposes of advertising at the Houston Airport System (HAS) are to generate revenue while promoting travel and business in the greater Houston area. Therefore, it is the policy of HAS that its premises and advertising spaces be non-public forums, in which advertising is reserved for commercial content, rather than public discourse and debate.

This policy establishes objectives and restrictions for determining acceptable advertising content on airport premises that are consistent with a non-public forum. Such restrictions are needed to (i) promote revenue maximization by creating a forum free from controversial content that might be inconsistent with an advertiser's image and dissuade advertising purchases, (ii) promote increased use of the airport by more travelers to and from the greater Houston area, create awareness and promote the use of airport-related products and services, and support tourism in the region and (iii) create a welcoming environment for the travelling public, including families and children of all ages, which does not subject them to offensive images and speech or potentially controversial issues of an economic, political, religious, environmental or social nature.

### II. POLICY BASIS

As stated in the City of Houston Code of Ordinances (Chapter 9 Aviation, Article 1, Section 9-4), the Director of Aviation has the authority to "... promulgate and enforce or cause to be enforced reasonable and necessary administrative rules and regulations governing the use, control, and operation of the city airports and any other property placed under the jurisdiction of the department. The regulations shall not be inconsistent with applicable state, federal, or local laws, rules, and regulations."

### III. POLICY APPLICABILITY

This policy applies to all forms of advertising on property owned and managed by HAS, whether interior or exterior, as well as on HAS digital assets, such as websites and mobile apps. All advertising must support the nature of the airport and shall be subject to the objectives and restrictions set forth herein. All information contained herein is subject to change without notice.

### IV. DEFINITIONS

Commercial Advertising: A message that exclusively proposes a commercial transaction, meaning that it promotes or solicits the sale, rental, distribution or availability of goods, services, food, entertainment, events, transactions, products or property (real or personal) for commercial purposes, or more generally promotes and entity that engages in such activities.

Community Promotion Advertising: A message that promotes increased business or tourism to the greater Houston area, such as the promotion of regional tourist attractions or events, general messages to visit Houston produced by Houston First Corporation or general messages to invest in Houston produced by the Greater Houston Partnership.

Aviation-related Governmental Advertising: A message that promotes or informs the travelling public of (i) a public safety, security or law-enforcement issue sponsored by the U.S. Department of Homeland Security or U.S. Department of Transportation, or (ii) an airport or aviation-related service, program, or activity produced by a federal, state or local governmental entity or agency, including HAS.

Public Issue Advertising: A message expressing or advocating an opinion, position or viewpoint on matters of public debate about economic, political, religious, environmental, or social issues.

Public Service Advertising: A message by a government entity or 501(c)(3) non-profit directed to a broad segment of the general public and relating to (i) prevention or treatment of illnesses, (ii) promotion of safety or personal well-being, (iii) solicitation by broad based contribution campaigns which provide funds to multiple charitable organizations, or (iv) provision of services and programs that provide support to low income citizens and people with disabilities.

## **V. ADVERTISING CONTENT RESTRICTIONS**

A. In order to maintain a non-public forum and meet the purposes of this policy:

1. Public Issue Advertising and Public Service Advertising will not be permitted.
2. Community Promotion Advertising and Aviation-related Governmental Advertising may be permitted, subject to the restrictions that follow.
3. Commercial Advertising shall be restricted to approved locations managed by the HAS advertising concessionaire.
4. Only Aviation-related Governmental Advertising may be permitted on HAS digital assets, such as websites and mobile apps.

B. The following types of advertising shall not be permitted:

1. Depicting graphic violence or images of violence or gore, including images of firearms or weapons
2. Promoting hatred, bigotry, violence or intolerance
3. Containing sexually-oriented material, images of nudity, or sexually prurient material
4. Containing or implying profane or vulgar language or material
5. Promoting adult-oriented products, businesses or services, such as "X" or "NC17" rated films, adult video games rated "A" or "M", television rated "MA", adult book stores, adult video stores, nude or partially nude dance clubs, adult telephone services, adult internet sites and escort services
6. Advertising of contraceptives or medications and treatments to enhance sexual function and performance
7. Offending the moral standards of the community or contrary to prevailing standards of adults in the greater Houston area as to suitability for display to a captive audience which includes minors
8. Advertising of tobacco, tobacco products, e-cigarettes, marijuana, or similar products
9. Promoting the existence or non-existence of a supreme deity(ies), that addresses or promotes a specific religion, religious beliefs or lack of religious beliefs or is otherwise religious in nature
10. Political in nature or containing political messages, including advertising that refers to (i) a specific ballot question, initiative, petition or referendum, (ii) a political party or (iii) a candidate for public office
11. Disparaging, ridiculing, is abusive or hostile to, debases the dignity or stature of, or in any way reflects negatively on the character, integrity or standing of an individual, entity group or organization
12. Advocating or is likely to induce unlawful or illegal action, including but not limited to any unlawful or illegal action based on a person's sex, race, color, ethnicity, national origin, age, religion, disability, sexual orientation, genetic information, gender identity, pregnancy, or any other legally protected characteristic
13. Promoting unlawful or illegal goods, services or activities, or is illegal under applicable law
14. False, deceptive or misleading in any way

15. Libelous, infringes on a copyright or is otherwise likely to subject the City to litigation
16. Advertising of goods or services that are in competition with those offered by HAS, and could reduce HAS's revenue, or that could reduce travel and tourism in the greater Houston area
17. Directing viewers or callers, such as via a website, app or telephone number, to materials that violate the preceding restrictions.

## **VI. ADVERTISING LOCATION RESTRICTIONS**

HAS reserves the right to establish the locations that are made available in its advertising program and to change such locations from time to time.

Outdoor advertising is subject to the restrictions in the City of Houston Sign Code (see City of Houston Building Code, Chapter 46, Section 4612 (b)).

To ensure harmony, and balance the competing interests of airline tenants, advertising by an airline is restricted to its respective leased or licensed premises and the following public areas:

- A. Above ground train or people mover (Skyway) and below ground people mover (Subway) connecting terminals at IAH, but not the stations
- B. Walkways and areas of general circulation in the terminals where an airline operates that may be used in common by passengers of several airlines, provided such areas are not in a pier or concourse used predominately by another airline than the one advertising
- C. International Arrivals Hall, after the final point of passenger processing by U.S. Customs and Border Protection
- D. All landside locations outside of the terminals, including outdoor advertising locations, parking garages and lots, and HAS owned, operated or affiliated shuttle service (if offered for sale by HAS).

To ensure the above public locations are available to all airlines from time to time, advertising by a particular airline shall be limited in duration at each location and reviewed periodically.

## **VII. USE OF UNSOLD SPACE**

In the event that HAS or its advertising concessionaire does not have a contract in place for the use of advertising space, then the space will be available for Community Promotion Advertising or Aviation-related Governmental Advertising.

In addition, HAS may use any unsold space to:

- A. Promote HAS products, amenities and services
- B. Advertise hotels on airport property
- C. Announce the start-up of a new air service route or the arrival of a new entrant airline to Houston, within a window starting 30 days prior to the first service and ending 30 days after the first service.

## **VIII. RESPONSIBILITIES**

The responsibility for administering this policy shall rest with the Deputy Director of Commercial Development.