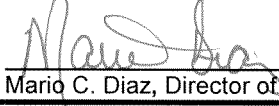


ORGANIZATIONAL POLICY AND PROCEDURE

TITLE Advertising Guidelines	OPP No. I-209
	Date Original Approved: October 16, 2014
Authorized Signature:  _____ Mario C. Diaz, Director of Aviation	Revised Date: November 30, 2015

I. POLICY

It is the policy of the Houston Airport System (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, restrictions, and procedures for determining acceptable advertising content on airport premises that is 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) create a welcoming environment for the travelling public by preventing offensive or controversial messaging, and (iii) meet HAS's other objectives contained herein.

In order to meet the objectives of this policy as stated in Section II Purpose (below), it is essential that all HAS business units, contract agents and subcontractors follow the outlined procedures. Any revisions or changes to this policy must be approved by the Director.

As stated in the City of Houston Code of Ordinances, Chapter 9 *Aviation*, Article 1, sec. 9-4 the Director 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.

II. PURPOSE

As an enterprise fund of the City of Houston, HAS does not rely on local tax dollars and is entirely self-supporting through user fees, leases and other commercial activities. The primary purpose of advertising at the airport is to generate revenue to support HAS's need to be financially self-sustaining, while promoting travel and business in the greater Houston area.

Therefore, it is the objective of this policy to:

- Preserve and increase the marketing potential of airport advertising space by avoiding content that the community could view as offensive, inappropriate or harmful to the public generally or to minors in particular. HAS seeks to reduce the diversion of resources that would be caused by controversial or offensive advertisement.

- Create a warm and 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.
- 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 and economic development of the region.

III. **POLICY BASIS**

FAA Grant Assurance 24 (self-sustainability).

IV. **POLICY APPLICABILITY**

This policy applies to all HAS business units and all contract marketing agents and associated subcontractors. All advertising on airport premises must support the nature of the airport and shall be subject to the objectives, restrictions and procedures set forth herein.

V. **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 an 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.

VI. ADVERTISING CONTENT RESTRICTIONS

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

- Public Issue Advertising and Public Service Advertising will not be permitted.
- Commercial Advertising, Community Promotion Advertising, and Aviation-related Governmental Advertising may be permitted, subject to the restrictions that follow.

The following types of advertising shall not be permitted:

- i. Advertising that depicts graphic violence or images of violence or gore, including images of firearms or weapons;
- ii. Advertising that promotes hatred, bigotry, violence or intolerance;
- iii. Advertising containing sexually oriented material, images of nudity, or sexually prurient material;
- iv. Advertising that contains or implies profane or vulgar language or material;
- v. Advertising that promotes 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 partial nudity dance clubs, adult telephone services, adult internet sites, and escort services;
- vi. Advertising of contraceptives or medications and treatments to enhance sexual function and performance;
- vii. Advertising that is offensive to the moral standards of the community or contrary to prevailing standards of adults in the greater Houston metropolitan area as to suitability for display to a captive audience which includes minors;
- viii. Advertising of tobacco, tobacco products, e-cigarettes, or similar products (including marijuana, even if its sale or use were to be permitted legally by the State of Texas for any purpose);
- ix. Advertising that promotes the existence or nonexistence 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;
- x. Advertising that is political in nature or contains political messages, including advertising that (i) refers to a specific ballot question, initiative, petition, or referendum, (ii) refers to a political party, or (iii) refers to a candidate for public office;
- xi. Advertising that disparages, ridicules, 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;

- xii.** Advertising that advocates or is likely to induce unlawful or illegal action, including but not limited to any unlawful or illegal action based on a person's race, color, age, gender, religion, disability or illness, national origin, ancestry, sexual orientation, marital or parental status, military service, discharge status, or economic status;
- xiii.** Advertising that promotes unlawful or illegal goods, services or activities, or is illegal under applicable law;
- xiv.** Advertising that is false, deceptive or misleading in any way;
- xv.** Advertising that is libelous, infringes on a copyright or is otherwise likely to subject HAS to litigation;
- xvi.** Advertising of goods or services that are in competition with those offered by HAS, and could reduce HAS's revenue and its ability to be financially self-sustaining, or that could reduce travel and tourism in the greater Houston area; and
- xvii.** Advertising that directs viewers or callers, such as via a website, app, or telephone number, to materials that violate the preceding restrictions.

VII. 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 4605(b)(2)).

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:

- i.** Above ground train or people mover ("Skyway"), connecting terminals at IAH, but not the stations;
- ii.** Below ground people mover ("Subway"), connecting terminals and the Marriott Hotel at IAH, but not the stations;
- iii.** Walkways and areas of general circulation in the terminals that may be used in common by passengers of several airlines, provided such areas are not in a pier or concourse used predominantly by another airline than the one advertising;
- iv.** International Arrivals Hall, serving all international arriving passengers and the public that may be meeting them after processing by U.S. Customs and Immigration;
- v.** Terminal Directories, HAS website, Wi-Fi splash page, and mobile app (if offered for sale by HAS); and
- vi.** All landside locations outside of the terminals, including outdoor advertising locations, parking garages and lots, and HAS owned, operated, or affiliated shuttle services (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.

VIII. **USE OF UNSOLD SPACE**

In the event HAS, its advertising concessionaire or its subcontractor does not have a contract in place for 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:

- i. Promote HAS parking products and services, such as Valet Parking and EcoPark;
- ii. Advertise the Airport Marriott Hotel (and any future hotel on airport property);
- iii. 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;
- iv. Promote the use of concessions in general, Wi-Fi, websites, apps and other amenities or services offered by HAS;
- v. Create awareness for the breadth of HAS's air service network and improvements to terminals and other facilities; and
- vi. Market other airport-related products and services, as determined from time to time by the Director of Aviation.

IX. **APPLICATION AND REVIEW PROCESS**

All proposed advertising must be submitted in writing to HAS's advertising concessionaire or its subcontractor. The advertising proposal must include the name of the advertiser, creative file and the desired format of the presentation (static copy, digital video or other specified media format). The advertising concessionaire shall review the creative file for compliance with this Policy, and if there are minor changes required to bring the proposed advertisement into compliance with the Policy, it shall so notify the advertiser in writing.

If there are no changes required, or the advertiser makes the required minor changes to the advertisement, the advertising concessionaire or its subcontractor will accept the advertisement.

If the advertising concessionaire or its subcontractor find that the proposed advertisement is not in compliance with this Policy, or if the advertiser refuses to make the required minor changes, then the proposed advertisement shall be presented to the HAS Concessions Manager for review.

If the HAS Concessions Manager approves the proposed advertisement as being in compliance with this Policy, then it will be accepted. If the HAS Concessions Manager determines that the proposed advertisement is not in compliance with this Policy, then the HAS Concessions Manager will notify the advertising concessionaire in writing that the proposed advertisement will not be

accepted. The advertising concessionaire shall notify the advertiser in writing that its proposed advertisement has not been accepted by HAS.

The advertiser shall have the right to appeal said determination to the Airport Director by written appeal describing the basis for challenging the non-approval, which appeal must be delivered to the HAS Airport Director within ten (10) days of the denial. Failure to appeal within the timeframe allotted will constitute a waiver of the right to appeal. The Airport Director will render a written decision following consultation with Legal counsel.

X. ATTACHMENTS

N/A