

# Advertising

**Effective Date:** 12/21/2009

**Commissioner's Adopted Date:** 12/21/2009

1. The purpose of commercial advertising is to raise revenue to be used to aid in financing Flathead County operations. The display of advertising is solely for this purpose, and Flathead County has a compelling interest in maximizing revenues gained by the sale of commercial advertising.
2. It is not Flathead County's intent or purpose to provide a public forum for the dissemination, debate, and/or discussion of public issues, but rather to make use of property held in a proprietary capacity in order to generate revenue.
3. Flathead County has compelling interests in the orderly and safe administration of Flathead County, avoiding the potential identification of Flathead County with viewpoints of advertisers, and maintaining the high morale of its citizens, are furthered by the avoidance of confrontation with advertisements that would be deemed by a significant segment of the public to be patently offensive or in bad taste, minimizing charges of abuse, and the appearance of favoritism.
4. Flathead County also has a compelling interest in maintaining neutrality in regard to religious, political, and other social public policy issues.
5. Flathead County reserves the right to accept or reject advertisements. In general, Flathead County will reject advertisements that:
  - It considers false, misleading, or deceptive;
  - Contains obscene, profane, or libelous material or language;
  - Promotes unlawful, illegal, or prohibited goods, services, or activities under Federal, State, or local laws, statutes, ordinances, rules, or regulations;
  - Declares or implies an endorsement of any service, product, or point of view;
  - Promotes the sale of tobacco or tobacco-related products;
  - Promotes the sale of liquor or distilled spirits;
  - Depicts violence or violent behavior;
  - Are related to products designed for use in connection with sexual activities;
  - Portrays individuals on the basis of race, color, creed, gender, pregnancy, age, religion, ancestry, national origin, marital status, disability (including those related to pregnancy or child birth), sexual orientation, or any other characteristic protected under Federal, State, or local law as inferior, evil, contemptible as a result of the individual's protected characteristic(s);
  - Includes commentary, advocacy, or promotion of or on social, political, religious or rhetorical issues, or for or against political candidates, campaigns, or organizations, or advocating a position on any public policy or social issue;
  - Are for a business that is not in good standing regarding any local or business tax obligations or do not have all appropriate business licenses or certifications required by Federal, State, or local governments or agencies;
  - Are from or for entities that have financial or legal conflicts with Federal, State, or local government;
  - Are from or for entities that are not in compliance with Federal EEOC and Title VI regulations and other applicable Federal, State, and local employment regulations; or
  - Violates trademark and/or copyright infringement laws and regulations.
6. Flathead County's judgment shall be considered final. Flathead County may accept an advertisement, recommend editing to an advertisement to make it acceptable, or reject an advertisement outright.