

ADVERTISING POLICY

I. Purpose and Objectives.

The purpose of this policy is to provide guidelines for advertising in and on Helena Regional Airport Authority ("HRAA") property and facilities (the "Airport") by the Helena Regional Airport Authority ("HRAA") or its tenants.

HRAA has multiple objectives in managing such advertising, including: (1) assuring a safe, welcoming, comfortable and efficient environment for the traveling public, Airport tenants and other users of and visitors to Airport facilities and property; (2) managing Airport facilities and property for their dedicated purposes of providing air transportation and related facilities and generating revenues for the support of air transportation and other Airport operations; and (3) optimizing revenues to HRAA by providing desirable locations, infrastructure and related amenities for Airport the traveling public, tenants, advertisers, and other users and visitors.

HRAA facilities and property 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. HRAA has determined that such limitations and restrictions will further the above-stated objectives by maintaining a position of neutrality and avoiding the appearance of favoritism on political, religious, social, economic, and other controversial issues in and on Airport facilities and property. This will assist HRAA in maximizing the income earned from leases generally and selling advertising space by maintaining an environment focused upon its dedicated purposes rather than the communication of political, religious, social, economic, or other controversial messages. This will further the Airport's goals of being as self-sustaining as possible, in accordance with FAA Grant Assurances, and maintaining a safe, welcoming, comfortable, and efficient environment for the captive audience of passengers utilizing the Airport, including minors, and those working at the Airport.

One of the main goals of HRAA's advertising program is to promote the region that it serves. For this reason, preference is given to those that conduct business within the state of Montana and the Greater Helena area.

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

II. Applicability; Airport Approval; Compliance with Applicable Law.

This policy applies to all advertising in and on HRAA's Airport property and facilities, including the terminal and all other Airport facilities, and Airport property, facilities and improvements leased to HRAA tenants. In the event of a conflict between this policy and any lease of HRAA property, facilities or improvements entered into prior to adoption of this policy, the provisions

of such lease shall control, provide that upon any renewal, extension or other amendment, such lease must be revised to remove any provisions conflicting with this policy.

For purposes of this policy, advertising includes promotion of products, services, causes or other interests, displayed in any format or medium, including traditional and electronic business signs, billboards, and flyers, but does not include any online content not otherwise displayed in or on Airport property or facilities.

Advertising is recognized as an essential part of the Airport's concessions; however, concession advertising displays 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, avoid clutter, and message overload.

All advertisements proposed on or in Airport property or facilities, no matter where or how placed, are subject to this policy and to the written consent and approval of the Authority prior to installation. The application of this policy and all determinations regarding any proposed advertising shall be subject to the sole judgment of the Authority.

All advertising by any tenant of the Airport or other party under an HRAA Advertising Agreement must comply with all applicable federal, state, and local laws, regulations, and ordinances, including but not limited to the City of Helena's sign ordinance.

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 if the advertising otherwise meets the requirements of this policy:

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. A community promotion organization means an organization which markets business or tourism in Montana 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 HRAA.

4. Temporary Advertising During Construction. Temporary signs that may be considered advertising in nature may be used by Airport tenant contractors during construction periods to identify projects, work sites, contractors and work in process as specified in Airport-approved contract documents.

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. Public Issues. Advertising that expresses or advocates an opinion, position, or viewpoint on political, religious, social, historical, or economic issues.

6. Libelous Speech and Copyright or Trademark Infringement. Advertising that is libelous or infringes on any copyright, trademark, or service mark.

7. 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.

8. 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.

9. 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.

10. 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.

11. 900 and 976 Phone Numbers. Advertising that promotes, solicits, or markets the use of 900, 976 and similar phone numbers.

12. 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.

13. 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 bookstores, adult video stores, nude dance clubs, other adult entertainment establishments, adult telephone services, adult internet sites and escort services.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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 foreseeable that it will result in harm to, disruption of, or interference with the Airport.

19. 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.

20. 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.

21. Competition. Advertising that promotes or encourages services in direct competition with HRAA's business objectives or promotes or encourages services that detract from the mission of HRAA to provide a safe, welcoming, and comfortable environment for workers and passengers.

22. Endorsement. Advertising that implies or declares an endorsement by HRAA without the prior written authorization of HRAA.

23. 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 prohibited act within the meaning of Montana or federal law.

24. Consumption of Alcohol. Advertising that promotes consumption or purchase of alcoholic beverages, including but not limited to, beer, wine, liquor, and other alcoholic substances, which 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.

25. 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.

26. 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.

27. Violation of HRAA's Rules and Regulations. Advertising that suggests or otherwise tends to promote or encourages conduct on HRAA facilities that would violate HRAA's rules and regulations.

28. 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)."

HRAA 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 HRAA.

IV. Advertising Agreement and Submission of Material.

A. Advertising Agreement:

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

B. Written Approval of Advertisements:

All advertising at the Airport must receive written approval by HRAA prior to display. All proposed Airport advertising must be submitted to the Airport Authority for initial compliance review. The Administrative Assistant/Office Manager will perform a preliminary evaluation of the submission to assess its compliance with these guidelines. If the Administrative Assistant/Office Manager determines that a proposed advertisement does not comply with these guidelines or is unable to make a compliance determination, that person will forward the submission to the Assistant Airport Director for further evaluation. If the Assistant Director determines that a proposed advertisement does not comply with these guidelines or is unable to make a compliance determination, the Assistant Director will forward the submission to the Airport Director for further evaluation. The Administrative Assistant/Office Manager, the Assistant 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. HRAA 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 HRAA endorses any brand, product, or service advertised.