

## Administrative Authorization Decision

**Application #:** 2013-077

**Name:** GP Metro - Bus Shelter Advertising

**Address:** ST JOHN ST

**Description:** Greater Portland Metro - Bus Shelter Advertising The signs are proposed for the following shelters: Portland Street and Forest Avenue, Iris Network, Westgate, Maed Medical Center (at the hospital), Inbound Brighton Avenue at Barron Ctner, Inbound Brighton Avenue at Brighton Medical Center, Forest Avenue near Hicks, Allen Avenue at Bangor Savings Bank, Inbound Auburn Street at Auburn Terrace, and Metro Office at St. John Street.

**Criteria for an Administrative Authorization:**

**Applicant's Assessment**

**Planning Division**

**(See Section 14-523 (4) on page 2 of this application)**

**Yes, No, N/A**

**Use Only**

a) Is the proposal within existing structures?	Yes	Yes
b) Are there any new buildings, additions, or demolitions?	No	No
c) Is the footprint increase less than 500 sq. ft.?	N/A	N/A
d) Are there any new curb cuts, driveways or parking areas?	No	No
e) Are the curbs and sidewalks in sound condition?	Yes	Yes
f) Do the curbs and sidewalks comply with ADA?	Yes	Yes
g) Is there any additional parking?	N/A	N/A
h) Is there an increase in traffic?	N/A	N/A
i) Are there any known stormwater problems?	No	No
j) Does sufficient property screening exist?	N/A	N/A
k) Are there adequate utilities?	N/A	N/A
l) Are there any zoning violations?	No	No
m) Is an emergency generator located to minimize noise?	N/A	N/A
n) Are there any noise, vibration, glare, fumes or other impacts?	No	No

The Administrative Authorization for the GP Metro - Bus Shelter Advertising was approved by Barbara Barhydt, Development Review Services Manager on March 26, 2013 with the following condition of approval listed below:

The proposed metro bus signs are approved subject to obtaining any necessary permits for signs from the Inspection Division.



Barbara Barhydt  
Development Review Services Manager  
Approval Date: March 26, 2013



# Administrative Authorization Application

Portland, Maine

Planning and Urban Development Department, Planning Division

PROJECT NAME: METRO SHELTER ADVERTISING

PROJECT ADDRESS: GREATER PORTLAND BUS SHELTERS CHART/BLOCK/LOT: 68-B-12

APPLICATION FEE: 0 (\$50.00)

PROJECT DESCRIPTION: (Please Attach Sketch/Plan of the Proposal/Development)  
2013-077

### CONTACT INFORMATION:

#### OWNER/APPLICANT

Name: Tom Ridge - METRO

Address: 114 Valley St.  
Portland, Me. 04102

Work #: 207-774-0351

Cell #: 207-310-1829

Fax #: 207-774-6241

Home #: \_\_\_\_\_

E-mail: tridge@gmetrobis.com

#### CONSULTANT/AGENT

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Work #: \_\_\_\_\_

Cell #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Home #: \_\_\_\_\_

E-mail: \_\_\_\_\_

#### Criteria for an Administrative Authorization:

(see section 14-523(4) on pg. 2 of this appl.)

- a) Is the proposal within existing structures?
- b) Are there any new buildings, additions, or demolitions?
- c) Is the footprint increase less than 500 sq. ft.?
- d) Are there any new curb cuts, driveways or parking areas?
- e) Are the curbs and sidewalks in sound condition?
- f) Do the curbs and sidewalks comply with ADA?
- g) Is there any additional parking?
- h) Is there an increase in traffic?
- i) Are there any known stormwater problems?
- j) Does sufficient property screening exist?
- k) Are there adequate utilities?
- l) Are there any zoning violations?
- m) Is an emergency generator located to minimize noise?
- n) Are there any noise, vibration, glare, fumes or other impacts?

#### Applicant's Assessment

Y(yes), N(no), N/A

- YES
- NO
- N/A
- NO
- YES
- YES
- N/A
- N/A
- NO
- N/A
- N/A
- NO
- N/A
- NO



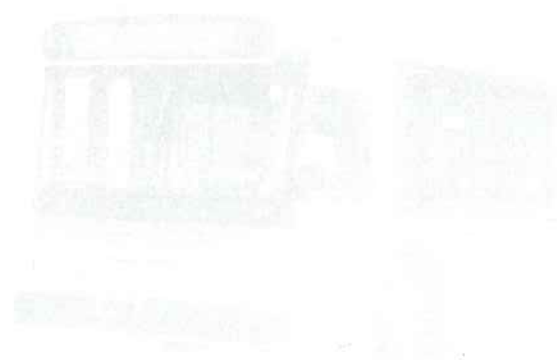
Signature of Applicant: [Signature]

Date: 3-19-13

**IMPORTANT NOTICE TO APPLICANT:** The granting of an Administrative Authorization to exempt a development from site plan review does not exempt this proposal from other required approvals or permits, nor is it an authorization for construction. You should first check with the Building Inspections Office, Room 315, City Hall (207)874-8703, to determine what other City permits, such as a building permit, will be required.

# METRO

Greater Portland Transit District



## Metro Shelter Advertising Proposal

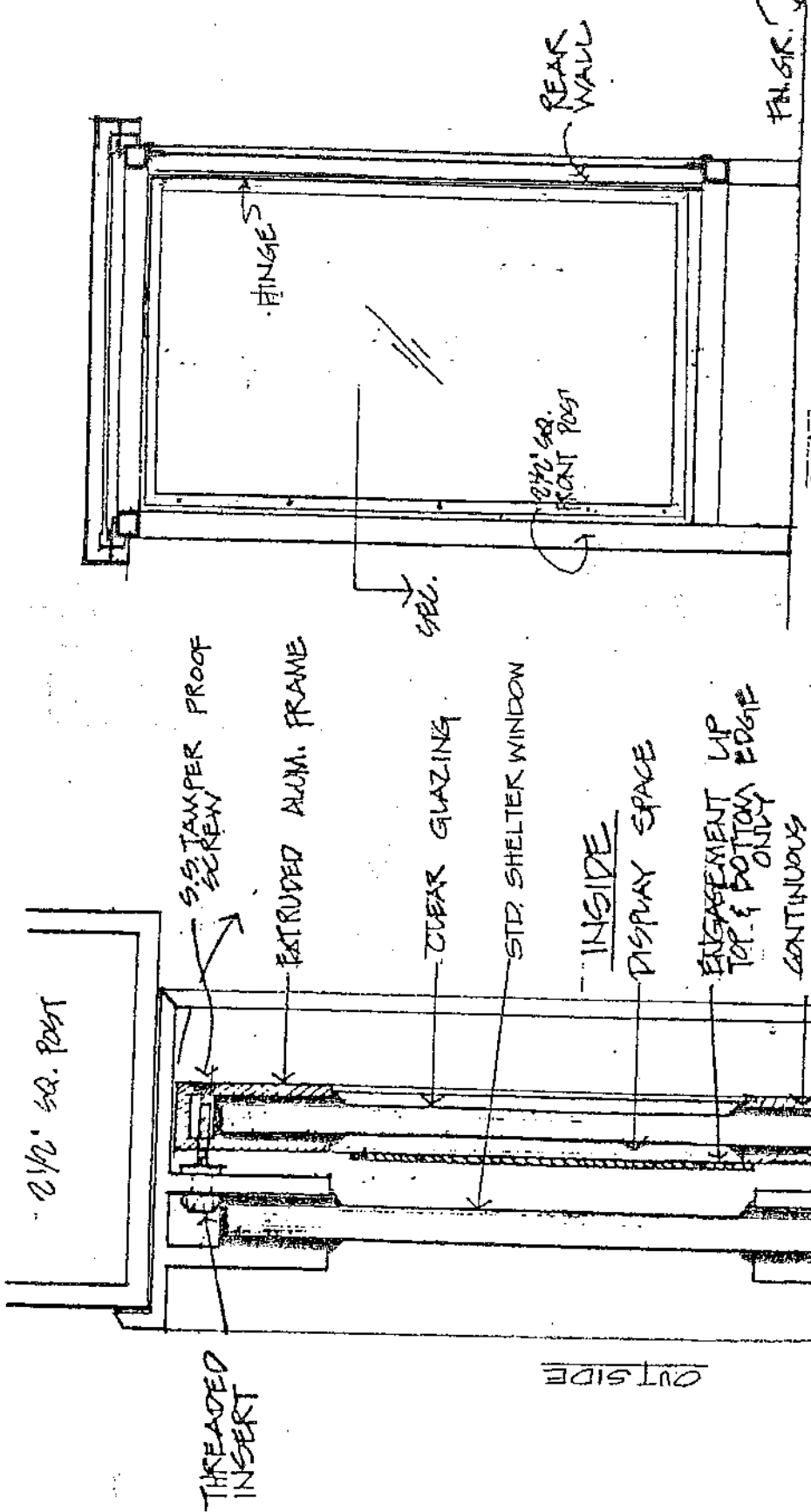
March 19, 2013

Metro has identified 10 bus shelters throughout Greater Portland that are suitable for the installation of panels to display advertising materials on the far wall in accordance with State and Local Ordinances. The ads, supplied by Metro's vendor in accordance with our Promotions Policy, will be no larger than 48" x 69". The campaign is scheduled to commence in May of 2013, and will involve shelters at the following locations.

- Portland Street and Forest Avenue
  - Iris Network
  - Westgate
  - Maine Medical Center
  - Inbound Brighton Avenue at Barron Center
  - Inbound Brighton Avenue at Brighton Medical Center
  - Forest Avenue and Hicks Street
  - Allen Avenue at Bangor Savings Bank
  - Inbound Auburn Street at Auburn Terrace
  - Metro Office St. John Street
- Handwritten notes to the right of the list:  
036-A-001  
052-C-003  
192-B-002  
263-B001  
125-A-002  
298-B-001  
344-E-001  
373-B-001  
068-B-002

Attached are the panel specifications and Metro's Promotions Policy

Shelter with full side Advertising Panel



TYPICAL LOCATION SECTION THRU SHELTER LOOKING OUT

REVISIONS		DATE	BY
1		11/17/57	SMC
2			
3			
4			
5			

DETAILS - NON-ILLUMINATED ADVERTISING PANEL  
FULL SIDEWALL WIDTH AND HEIGHT

**Columbia Equipment Company**

DR. J. W. WINE	DESIGNER	MATERIAL
W. R. H. G. G.	CHECKED	NOT TO SCALE
TRACED	APPROVED	DRAWING NO.
		MP - 3

# Columbia Equipment Company inc.

180-10 93rd Avenue

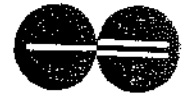
Jamaica, New York 11433-1499

718-658-5900

Fax: 718-526-4110

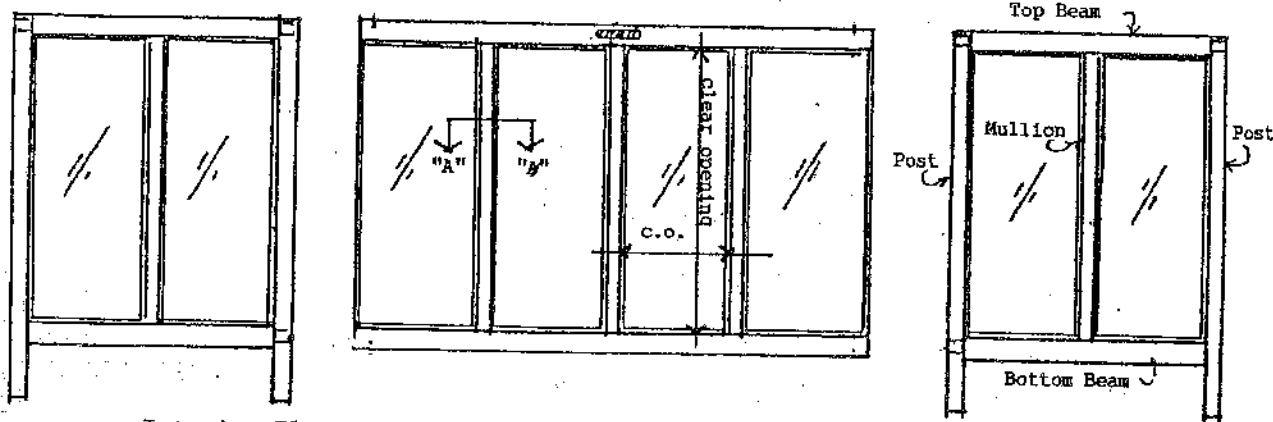
E-mail: shelterpr@aol.com

www.columbiaequipment.com



## REPLACEMENT WINDOW INFORMATION

To determine the glazing panel size you must first measure the "CLEAR OPENING" dimensions as shown below. You can also remove an adjacent window with frame, remove frame and gasket and measure the glazing panel - which may be acrylic (plexiglass), polycarbonate or "mar-resistant" polycarbonate (Lexan or Lexan MR-10 from G.E. or equivalents from other manufacturers) or tempered glass. In some shelters opaque glazing panels of other materials may also have been used. Please note - if you are replacing windows in shelters by manufacturers other than Columbia Equipment Co., Inc. see special instructions below.\*

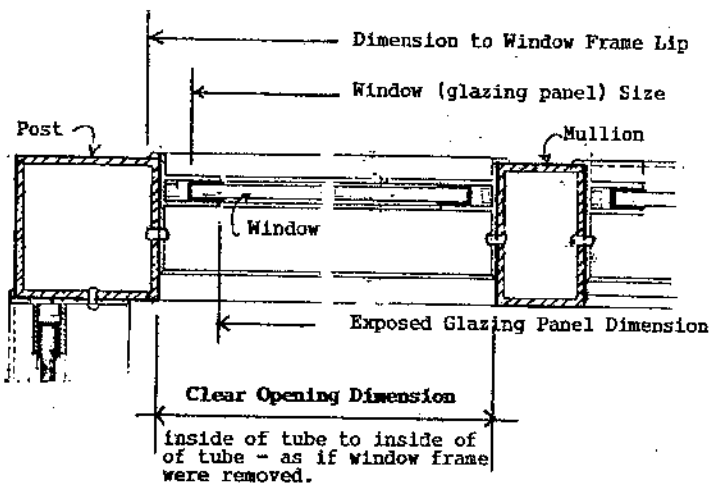


Interior Elevation Views of a Typical Shelter

Left Side

Rear Wall Section

Right Side



Section View "A"- "A"

The "Clear Opening" dimension is the space inside of framing member - post, beam and/or mullion, to its corresponding post beam or mullion - as if the window frame were removed. Call us with any questions.

Once Clear Opening Dimension have been determined, if a Columbia Shelter with 1/4" or 3/8" thick glazing, subtract 1 1/2" from Clear Opening Dimension - this will be the window (glazing panel) size. If the thickness of the window to be replaced is 3/16", subtract 1 1/6".

\*If you are replacing windows and frames and gaskets in shelters from other manufacturers, you must also determine the Clear Opening (c.o.) dimension, but their original window frames and gaskets may not be the same as Columbia's, so the relationship of their parts may not be the same. You can use Columbia window frames and gaskets as replacements in shelters by others but the resulting window (glazing panel) sizes will then follow the same formula described above - for Columbia Shelters - subtract 1 1/2" from Clear Opening Dimension. The resulting new windows may not be exactly the same size as your original windows in this case.

# Columbia Equipment Company inc.

180-10 93rd Avenue

Jamaica, New York 11433-1499

718-658-5900

Fax: 718-526-4110

e-mail: [shelterpr@columbiaequipment.com](mailto:shelterpr@columbiaequipment.com)

[www.columbiaequipment.com](http://www.columbiaequipment.com)



## Email

DATE: January 9, 2013

RE: Retro-fit Advertising Panels for Bus Shelters

TO: John Jacques  
Greater Portland Transit District  
114 Valley Street  
Portland, ME 04102

E-mail: [jacques@gpmetrobus.com](mailto:jacques@gpmetrobus.com)

FACSIMILE TRANSMISSION COVER PAGE TOTAL # OF PAGES: 3 (INCL. THIS COVER PAGE)

IF QUESTIONS, CALL: (718) 658-5900 ASK FOR Arthur M. Cohen

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL US BACK AS SOON AS POSSIBLE

QUANTITY	DRAWING NUMBER	DATE	REMARKS:
1			Replacement Window Information
1	MP-3	3/3/78	Details - Non-Illuminated Advertising Panel Full Sidewall Width and Height

**ACTION OR COMMENTS:**

Please look over the attached drawings which illustrate the non-illuminated panels if the advertising display will be the width of a (2) standard side wall windows. Also, attached is an information sheet describing how to measure the window clear openings, a photo of a shelter with a non-illuminated advertising panel in one side wall. Please note the roof design may be different than on your shelters. Please get back to us with the side wall clear opening dimensions of your various shelters.

If you have any questions, please feel free to contact us.

Arthur M. Cohen, President



## **Greater Portland Transit District METRO Operations and Promotions**

Greater Portland Transit District METRO has the unqualified right to display, on or in its facilities, advertisements and notices that pertain to METRO operations and promotions consistent with the provisions of its agreement with the Advertising Contractor. METRO reserves the right, in all circumstances, to require that that advertisements on or in its facilities includes a disclaimer indicating that it is not sponsored by, and does not reflect the view of METRO.

### **Article I. Advertising Standards**

- A. Greater Portland Transit District METRO buses, vans, shelters, bus stops and transit facilities constitute nonpublic forms that are subject to the viewpoint-neutral restrictions set forth below. Certain forms of paid and unpaid advertising will not be permitted for placement or display on or in METRO facilities.
- B. Greater Portland Transit District METRO shall not display or maintain any advertisement that falls within one or more of the following categories:
  - a. **Demeaning or disparaging.** The advertisement contains material that demeans or disparages an individual or group of individual as determined by METRO.
  - b. **Tobacco.** The advertisement promotes the sale or use of tobacco or tobacco-related products, including depicting such products.
  - c. **Profanity.** The advertisement contains profane language.
  - d. **Firearms.** The advertisement contains an image of a firearm anywhere in the overall advertisement.
  - e. **Violence.** The advertisement 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 used in the advertisement in an act or acts of violence or harm on a person or animal.
  - f. **Unlawful good or services.** The advertisements, 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 as determined by Greater Portland Transit District METRO.
  - g. **Unlawful conduct.** The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, unlawful or illegal behavior or activities as determined by Greater Portland Transit District METRO.



- h. **Obscenity or nudity.** The advertisement contains obscene material or images of nudity.
  - i. **Prurient sexual suggestiveness.** The advertisement contains material that describes, depicts, or represents sexual activities or aspects of the human anatomy in a way that the average adult, applying contemporary community standards would find appeals to the prurient interest of minors or adults in sex.
  - j. **Endorsement.** The advertisement or any material contained in it, implies or declares an endorsement by Greater Portland Transit District METRO of any service, product or point of view, without prior written authorization of METRO (through its Administrator).
  - k. **False, misleading, or deceptive commercial speech.** The advertisement proposes a commercial transaction, and the advertisement, or any material contained in it, is false, misleading or deceptive as determined by Greater Portland Transit District METRO.
  - l. **Libelous speech, copyright infringement, etc.** The advertisement, or any material contained in it, is libelous or an infringement of copyright as determined by Greater Portland Transit District, or is otherwise unlawful or illegal or likely to subject METRO to litigation.
  - m. **"Adult" – oriented goods or services.** The advertisement 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," adult book stores, adult video stores, nude dance clubs and other adult entertainment establishments, adult telephone services, adult Internet sites, and escort services.
- C. Review of advertisement. The Advertising Contractor shall review each advertisement submitted for display or in METRO facilities to determine whether the advertisement falls within, or may fall within, one or more of the categories set forth in (B) above. If the Advertising Contractor determines that an advertisement falls within, or may fall within, one or more of the categories set forth in (B) above, then:
- a. **Referral to Contract Administrator.** The Advertising Contractor shall promptly send the advertisement – along with the name of the advertiser, the size and number of the advertisements, and the dates and locations of the display – to the Contract Administrator for review of the advertisement by METRO.
  - b. **Initial Review by METRO.** Upon the Contract Administrator's receipt of the advertisement and supporting information, the Contract Administrator shall review the advertisement and supporting information to determine whether the advertisement falls within one or more of the categories set forth in (B) above. In reaching this determination, the Contract Administrator may consider any materials submitted by the advertiser and may consult with the Advertising Contractor. In the event that the Contract Administrator determines that an advertisement does not fall within any of the categories set forth in (B) above, the Contract Administrator shall advise the Advertising Contractor that the advertisement is in conformity with METRO's Advertising Guidelines.



- c. **Final Review by METRO.** In the event that the Contract Administrator determines that the advertisement falls within, or may fall within one or more of the categories set forth in (B) above, then the Contract Administrator shall, in writing, specify which of the categories the advertisement falls within or may fall within, and shall refer the advertisement and supporting information to the METRO administrator. Likewise, the METRO Administrator shall review the advertisement and supporting information to determine whether the advertisement falls within one or more of the categories set forth in (B) above. In reaching this determination, the Administrator may consider any materials submitted by the advertiser and may consult with the Contract Administrator and General Counsel. In the event that the METRO Administrator determines that the advertisement does not fall within one or more of the categories set for in (B) above, the Contract Administrator shall advise the Advertising Contractor that advertising is in conformity with METRO's Advertising Guidelines. In the event that the Administrator determines that the advertisement falls within one or more of the categories set for in (B) above, then the METRO Administrator shall, in writing specify which of the categories the a advertisement falls within and the Contract Administrator shall advise the Advertising Contractor that METRO has determined that the advertisement is not in conformity with its Advertising Guidelines. The determination of the METRO Administrator shall be final.
- d. **Opportunity for Revision by Advertiser.** In the event that the METRO Administrator determines that the advertisement falls within one or more of the categories set for in (B) above, the Advertising Contractor may, in consultation with the Contract Administrator, discuss with the advertiser one or more revisions to the advertisement, which if undertaken, would bring the advertisement into conformity with METRO's Advertising Guidelines. The advertiser shall then have the option of submitting a revised advertisement for review by METRO.
- e. **Removal of Non-Complying Advertisements.** Notwithstanding the foregoing, if the Contract Administrator determines at any time that an advertisement already accepted for display by the Advertising Contractor falls within one or more of the categories set forth in (B) above, he/she shall (1) in writing, specify which of the categories the advertisement falls within, (2) notify the advertiser Administrator determined that the advertisement is not in conformity with its Advertising Guidelines and that the advertisement shall be promptly removed and (3) instruct the Advertising Contractor to remove the advertisement. Upon such instruction, the Advertising Contractor shall promptly remove the advertisement, shall provide the advertiser with a copy of these Guidelines, and may, with the Contract Administrator, discuss with the advertiser revisions to the advertisement which, if undertaken, would bring the advertisement into conformity with METRO Advertising Guidelines. The advertiser shall then have the option of submitting a revised advertisement for review by METRO. In the event that METRO and the advertiser do not reach agreement with regard to a revision of the advertisement, the METRO Administrator will issue a final written notice of its decision, which shall then be relayed to the advertiser. The METRO Administrator's determination shall be final.

- C. Public Service Announcements.** METRO may, from time to time, make unsold advertising space available for public service announcements proposed by non-profit corporations that are exempt from taxation under Section 501 (c) (3) of the Internal Revenue Code or by federal, state, or local government agencies or subdivisions thereof. Each such non-profit corporation shall provide the Advertising Contractor or METRO with documentation demonstrating that it currently qualifies for non-profit status under the above-referenced provision of the Internal Revenue Code. A public service announcement shall not contain a message that is retail or commercial in nature and shall comply with the Advertising Standards set forth in these Guidelines. A public service announcement may be required to bear the following legend if the sponsor is not readily or easily identifiable from the content or copy of the proposed advertisement: "This message is sponsored by \_\_\_\_\_."

## **Article II            Distribution of Revenue from Advertising**

### **A. Revenue Disbursement**

Revenue from bus advertising is part of the District's operating budget. Net revenue derived from bus shelter and/or bus stop advertising within a membership municipality is used as an offset to a membership municipality subsidy to the District.