

# AERIAL MEDIA CODE OF CONDUCT

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## I. Preamble.

Subscription to this Aerial Media Code of Conduct is voluntary. By accepting the tenets of this Code of Conduct, complying companies assume obligations and responsibilities above and beyond the requirements of then-current applicable laws and regulations.

The Principles set forth in this Code of Conduct express the subscribing aerial media companies' recognition that they have professional and ethical obligations to their clients, to the communities within which they operate, and to the environment as a whole.

## II. Responsibilities to Clients.

*In soliciting and fulfilling aerial advertising for clients, subscribers shall be truthful and forthcoming as to their capabilities and adherence to these Principles, and shall be fair with respect to statements made concerning other, competing companies.*

Honesty and fair dealing, both with respect to clients and to competitors, are values to whose adherence is necessary for long-term, sustainable prosperity. Ultimately the making of commitments that cannot or will not be fulfilled will be discovered. Also, the unwarranted disparagement of competitors, even if true, demeans the industry and is to be discouraged. This is not to prohibit truthful and dignified criticism of proposals, representations or capabilities of competitors if relevant to a particular matter; but gratuitous, undignified or false negative comment is antithetical to these principals. As the Roman statesman and orator Cicero observed more than two thousand years ago, "What is morally wrong can never be advantageous, even when it enables you to make some gain that you believe to be to your advantage. The mere act of believing that some wrongful course of action constitutes an advantage is pernicious."

## III. Responsibilities to the Community.

*Responsible aerial advertising recognizes that both customers and the industry are best served when companies have the respect of the communities within which they operate.*

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It is axiomatic that all businesses have some adverse spillover effects on the communities within which they operate. Additionally, this Code recognizes that commercial speech such as aerial advertising needs to be conducted with an appreciation that it cannot be as unlimited in scope or content as non-commercial speech. Further, if aerial advertising is conducted in a manner that is consistently offensive to the community in which it is being conducted, its effectiveness to clients, and thus its desirability as an advertising medium, will be diminished. Accordingly, subscribers to this Code agree to adhere to principles that recognize legitimate community concerns, that will necessarily vary from location to location, including concerns as to content of the advertising and as to the manner in which it intrudes on the senses or safety of the public. As Emerson observed, "Each man takes care that his neighbor shall not cheat him. But a day comes when he begins to care that he does not cheat his neighbor. Then all goes well -- he has changed his market-cart into a chariot of the sun." In furtherance of that agreement, subscribers agree to conform to the following operational code conduct:

A. Community Content Sensitivity:

1. Subscribers will not accept for advertising messages that are obscene, or that promote hatred or violence of any kind based upon or towards race, sex, religion, national or ethnic origin, sexual preference or political view.
2. Subscribers will endeavour to be sensitive to the cultural make-up and mores of the communities within which they operate and over which they are flying so as to minimize the display of messages, products or services that subscribers reasonably believe to be highly offensive or objectionable to even a substantial minority of those likely to view such advertising.

B. Community Operational Sensitivity:

1. Subscribers will assure that they will operate their aircraft so that the lowest point of the aircraft shall at all times be (a) no lower than one thousand feet above land areas, and (b) no lower than five hundred feet (500') when flying over any body of water and (c) no nearer than five hundred feet (500') from any person or structure when flying over any body of water.
2. Subscribers will assure that they will operate their aircraft so that in circling any event over a land area whose populace has made it known to subscribers that they are sensitive to the impact of aerial advertising, they shall not circle the area for more 15 minutes without vacating that area for at least ten (10) minutes before returning. In addition, the number of planes circling such an event shall be limited to four (4) at

one time, and they shall fly at a minimum altitude of twelve hundred (1,200) feet.

3. Subscribers will assure that they shall operate their aircraft so that when traversing along a linear stretch such as a shoreline they shall not make more than four (4) roundtrip passes during such trip within a twenty (20) minute period.
4. Subscribers will assure that they shall operate their aircraft so as to use their best reasonable efforts, commensurate with technological improvements from time to time, to reduce the noise level of all aircraft. This shall include installing proven safe, and legally available sound reduction mufflers and propellers.
5. Subscribers will ensure that, as far as reasonably practicable, safe, and in compliance with Air Traffic Control instructions, flights shall avoid funerals, religious services and other similar events that might be adversely impacted by aircraft noise or advertising of which they have received prior, actual notice.

C. Adherence to Strict Safety Standards:

1. Subscribers will ensure that all pilots are trained in accordance with the FAA Advisory Circular on Banner towing and aerial advertising operations. All pilots will have a minimum of a "Limited Commercial License", even in those countries like Mexico and the United Kingdom where a private license may be sufficient to conduct banner operations under the guidelines contained in an individual aircraft Flight Manual Supplement.
2. Subscribers will ensure that all of their ground crew have been trained in proper, customary banner set up, pre-flight checks, banner retrieval, runway safety, and airport operations. As key participants in aerial advertising operations, their knowledge, training and skill level must be recognized as equally important as that of pilots to the safety of the operation and of the public.
3. Subscribers will ensure that support vehicles shall never be parked in the immediate vicinity of banner pick and drop zones and are never used as "locators" for banner pick up operations.
4. Subscribers will ensure that pilots and/or certified mechanics fully inspect all aircraft prior to flight and on a daily basis in accordance with all then-applicable Federal Aviation Administration rules, regulations and standards, with particular attention applied to the equipment installed specifically for aerial advertising operations. This shall include, but is not limited to, inspection and functional testing of the tow hitch and release system. All grapple hook systems and operations shall function such that a snag of the aircraft controls or rudder horn will

not inadvertently occur during deployment of the grapple hook, or at any time while in flight.

5. Subscribers will ensure that trained and qualified crew shall make a daily inspection of the condition of all tow-lines, grapple hooks, banners, lead poles and attaching hardware of aerial advertising equipment. Special attention shall be given to inspection for fraying and/or aging of tow ropes. In the case of polypropylene ropes, they shall be replaced annually, regardless of appearance. This is based on the invisible effects of the sun's rays on plastic materials, and the attendant difficulty in spotting materials weakened by sun exposure. Additionally, all steel "rings" used in banner harnesses, tow-lines and grapple hooks shall be of the welded type.
6. Subscribers will ensure that banners have been constructed of materials and by processes which meet the standards outlined in the international Joint Aviation Authority Airworthiness Approval Note No. 23519, issued by the UK Civil Aviation Authority and the standards outlined in the operator's Federal Aviation Administration Certificate of Waiver or Authorization. In no circumstances shall "Lead Poles" or "Masts" be attached to the banner solely by tapes. All hardware must be of aviation quality and, as far as applicable and practicable, comply with FAA AC43.13.1A "Acceptable Methods and Techniques..."
7. Where required by foreign aviation authorities, Subscribers shall employ a safety parachute on grapple hook lines.
8. Subscribers will ensure that in addition to seat belts, all aircraft shall be equipped with shoulder harnesses for all occupants.
9. Subscribers will ensure that pilots wear an aviation safety/crash helmet when conducting aerial advertising operations.
10. Subscribers will ensure that pilot and crew employees/contractors shall be covered by workers' compensation insurance in accordance with all applicable state laws and regulations.

In addition to the foregoing, Subscribers will inform the Federal Aviation Administration of any repeated or material violations of federally mandated safety or operational laws or regulations by any operator and of which a subscriber shall have actual knowledge.

#### IV. Responsibilities to the Environment.

*The aerial advertising industry has a responsibility to preserve and protect our fragile environment from degradation due to its operational activities.*

Environmental concerns are rightfully now among the most serious threats facing our civilization. Responsible companies large and small, domestic and foreign, must consider seriously the deleterious effects that their operational activities have



