CITY OF REDONDO BEACH
PUBLIC WORKS DEPARTMENT - ENGINEERING SERVICES DIVISION
NEWS RACKS PERMIT GUIDELINES

REGULATION

IN AN EFFORT TO PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE, THE CITY OF REDONDO BEACH MANDATES THAT ANY PERSON OR ENTITY WISHING TO INSTALL A NEWS RACK WITHIN THE PUBLIC RIGHT-OF-WAY, OBTAIN A NEWS RACK PERMIT FROM THE CITY ENGINEER. NEWS RACKS WITHIN THE PUBLIC RIGHT-OF-WAY, SHALL BE ANNUALLY PERMITTED BY THE 15TH OF JANUARY.

DEFINITIONS

- “NEWS RACKS” SHALL MEAN ANY SELF-SERVICE CONTAINER INSTALLED, USED OR MAINTAINED FOR THE DISTRIBUTION OF NEWSPAPERS, NEWS PERIODICALS OR OTHER NEWS PUBLICATIONS.
- “HIGHWAY” SHALL MEAN ALL THAT AREA DEDICATED TO PUBLIC USE FOR PUBLIC STREET PURPOSES AND SHALL INCLUDE, BUT NOT BE LIMITED TO, ROADWAYS, PARKWAYS, ALLEYS AND SIDEWALKS.
- “ROADWAY” SHALL MEAN THAT PORTION OF AN IMPROVED STREET, DESIGNED OR ORGINALLY USED FOR VEHICULAR TRAVEL.
- “PARKWAY” SHALL MEAN THAT AREA BETWEEN THE EDGE OF THE ROADWAY AND THE PROPERTY LINE ADJACENT THERETO. “PARKWAY” SHALL ALSO MEAN ANY AREA WITHIN A ROADWAY, WHICH IS NOT OPEN TO VEHICULAR TRAVEL.
- “SIDEWALK” SHALL MEAN ANY SURFACE PROVIDED FOR THE EXCLUSIVE USE OF PEDESTRIANS.
- “STREET” SHALL MEAN ALL THAT AREA DEDICATED TO PUBLIC USE FOR PUBLIC STREET PURPOSES, AND SHALL INCLUDE, BUT NOT BE LIMITED TO, ROADWAYS, PARKWAY, ALLEYS, AND SIDEWALKS.
- “PUBLIC RIGHT-OF-WAY” SHALL MEAN ALL THAT AREA DEDICATED TO PUBLIC USE FOR PUBLIC PURPOSES AND SHALL INCLUDE, BUT NOT BE LIMITED TO, ROADWAYS, PARKWAY, ALLEYS, SIDEWALKS AND PUBLIC EASEMENTS.

PERMIT

AN APPLICATION FOR A NEWS RACK PERMIT SHALL BE MADE PRIOR TO THE PLACEMENT OF ANY NEWS RACK WITHIN THE PUBLIC RIGHT-OF-WAY.

ANY ISSUED NEWS RACK PERMIT SHALL BE VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE OF SAID PERMIT.

ANY PERSON OR ENTITY SEEKING THE ISSUANCE OF A NEWS RACK PERMIT, SHALL FILE WITH THE PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES DIVISION, A WRITTEN APPLICATION OF A FORM SUPPLIED BY THE CITY ENGINEER.

PRIOR TO THE ISSUANCE OF A NEWS RACK PERMIT, THE APPLICANT SHALL PROVIDE A NEWS RACK-LOCATION MAP, FOR REVIEW AND APPROVAL BY THE CITY, SAID MAP SHALL BE DRAWN ON CITY STANDARD “NEWS RACK SURVEY” SHEET.

AT THE TIME OF MAKING APPLICATION FOR A NEWS RACK PERMIT, THE APPLICANT SHALL PAY THE CITY A NON-REFUNDABLE PERMIT FEE AND INSPECTION IN AN AMOUNT ESTABLISHED BY A RESOLUTION OF THE CITY COUNCIL. APPLICANT SHALL PAY ONE PERMIT FEE FOR EVERY ONE NEWS RACK AND ONE INSPECTION FEE FOR EVERY LOCATION MAP.

INSURANCE, SUBROGATION & INDEMNITY

PERMITTEE SHALL MAINTAIN ON CITY FILES, THROUGHOUT THE TERM OF THIS PERMIT, A CITY-APPROVED GENERAL LIABILITY INSURANCE POLICY AND ENDORSEMENT NAMING THE CITY ADDITIONAL INSURED ON PRIMARY BASIS.

PERMITTEE SHALL MAINTAIN ON CITY FILES, THROUGHOUT THE TERM OF THIS PERMIT, A CITY-APPROVED WORKERS’ COMPENSATION AND EMPLOYERS’ LIABILITY INSURANCE POLICY OR DECLARATION WHEN REQUIRED.

SIGNING THIS PERMIT IS PRIMA FACIE EVIDENCE THAT PERMITTEE HEREBY WAIVES PERMITTEE'S RIGHT OF SUBROGATION AGAINST THE CITY OF REDONDO BEACH, ITS OFFICERS, ELECTED AND APPOINTED OFFICIALS, EMPLOYEES AND VOLUNTEERS FOR ANY LOSS, LIABILITY, DAMAGE, OR COST SUSTAINED BY ANY PERSON OR PROPERTY, ARISING OUT OF WORK OR OPERATIONS PERFORMED BY OR ON BEHALF OF THE PERMITTEE, INCLUDING MATERIALS, PARTS, OR EQUIPMENT FURNISHED IN CONNECTION WITH SUCH WORK OR OPERATIONS.

SIGNING THIS PERMIT IS PRIMA FACIE EVIDENCE THAT PERMITTEE HEREBY AGREES TO INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF REDONDO BEACH, ITS OFFICERS, ELECTED AND APPOINTED OFFICIALS, EMPLOYEES AND VOLUNTEERS AGAINST ANY LOSS, LIABILITY, DAMAGE, OR COST SUSTAINED BY ANY PERSON OR PROPERTY, ARISING OUT OF WORK OR OPERATIONS PERFORMED BY OR ON BEHALF OF THE PERMITTEE INCLUDING MATERIALS, PARTS, OR EQUIPMENT FURNISHED IN CONNECTION WITH SUCH WORK OR OPERATIONS.

BUSINESS LICENSE

PERMITTEE SHALL MAINTAIN AN ACTIVE REDONDO BEACH CITY BUSINESS LICENSE, THROUGHOUT THE TERM OF THIS PERMIT.

GENERAL PLACEMENT OF NEWS RACKS

NO PERSON OR ENTITY SHALL INSTALL, USE OR MAINTAIN ANY NEWS RACK, WHICH IN WHOLE OR IN PART, ENCROACHES ON ANY PUBLIC RIGHT-OF-WAY WHEN SUCH INSTALLATION, USE OR MAINTENANCE ENDANGERS THE SAFETY OF PERSONS OR PROPERTY, OR WHEN SUCH NEWS RACK UNREASONABLY INTERFERES WITH THE USE OF OTHER OBJECTS PERMITTED AT OR NEAR SUCH NEWS RACK LOCATION.

ANY NEWS RACK IN THIS CITY SHALL BE LOCATED SO AS TO MAXIMIZE PUBLIC CONVENIENCE, HEALTH, SAFETY AND WELFARE, AS TO THE USE OF THE PUBLIC RIGHT-OF-WAY AS A THOROUGHFARE, AND AS TO THE AESTHETIC APPEARANCE OF THE AREA.

ANY NEWS RACK, WHICH IN WHOLE OR IN PART, ENCROACHES ON ANY PUBLIC RIGHT-OF-WAY SHALL COMPLY WITH THE FOLLOWING STANDARDS:

1. EACH NEWS RACK SHALL BE IDENTIFIED WITH THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE OWNER IN A MANNER SO AS TO BE CLEARLY VISIBLE.
2. NO NEWS RACK SHALL BE USED FOR COMMERCIAL ADVERTISING, SIGNS OR PUBLICITY PURPOSES OTHER THAN TO STATE THE NAME OF THE NEWSPAPER OR PERIODICAL ON THE DISPENSING SIDE OF THE NEWS RACK.
3. EACH NEWS RACK SHALL BE MAINTAINED IN GOOD OPERATING CONDITION BY ITS OWNER, AND SHALL BE MAINTAINED SO AS NOT TO BECOME MECHANICALLY INOPERABLE OR HAVE CRACKED OR BROKEN COVERINGS OR CASINGS. EACH MACHINE SHALL BE PAINTED OR COVERED WITH A PROTECTIVE COATING SO AS TO KEEP IT FREE FROM RUST.
4. NO NEWS RACK SHALL BE CHAINED, BOLTED OR ATTACHED TO ANY OBJECT EXCEPT TO THE SIDEWALK AT THE RACK BASE CONNECTION.
5. NEWS RACK SHALL BE PLACED AT LEAST (1.5) FEET AWAY FROM THE FACE OF CURB.
6. NEWS RACK SHALL BE PLACED NO MORE THAN (6) INCHES AWAY FROM ANY WALL.
7. NEWS RACK SHALL BE PLACED AT LEAST (3) FEET AWAY FROM A BUS BENCH.
8. NEWS RACK SHALL BE PLACED AT LEAST (3) FEET AWAY FROM ANY FIRE HYDRANT, CALL BOX OR ANY OTHER EMERGENCY FACILITY.
9. NEWS RACK SHALL BE PLACED AT LEAST (3) FEET AWAY FROM ANY DRIVEWAY.
10. NEWS RACK SHALL BE PLACED AT LEAST (3) FEET AWAY FROM ANY BUS BENCH.
11. NEWS RACK SHALL BE PLACED AT LEAST (3) FEET AWAY FROM ANY BUS SHelter.

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LOCATION PRIORITY SYSTEM

- News rack permit for a new location shall be granted on first come, first serve basis.
- In determining which news rack shall be permitted to remain at an existing location, the city engineer shall be guided solely by the following criteria:

1. **First Priority** shall be given to news racks used for the sale of publications which have been adjudicated to be newspapers of general circulation for Los Angeles County, pursuant to the procedure set forth in Division 7, Article 2 of the California Government Code.

2. **Second Priority** shall be given to news racks used for the sale of daily publications (those published on five (5) or more days in a calendar week) which have not been adjudicated to be newspapers of general circulation for Los Angeles County.

3. **Third Priority** shall be given to news racks used for the sale of weekly publications (those published on at least one (1) but less than five (5) days in a calendar week) which have not been adjudicated to be newspapers of general circulation for Los Angeles County.

- If there is a conflict between newspapers included within any single category of priority above, the city engineer shall be guided by the following criteria of priorities:

  1. **First Priority** shall be daily publications (published five (5) or more days per week).
  2. **Second Priority** shall be publications published two (2) to four (4) days per week.
  3. **Third Priority** shall be publications published one day per week.

- In the event that there is a conflict between newspapers within the same priority seeking the same location, and there are insufficient news rack spaces remaining to accommodate the competing newspapers after first filling as many spaces as possible by utilizing the criteria set forth above, then the city engineer shall assign the space(s) at random by placing the names of all applicants for the remaining spaces at a location into a container from which the names shall be drawn one at a time until the particular spaces remaining of unfilled news racks have been filled. Such drawing shall be open to the public at a time and date designated by the city engineer.

RENEWAL

- At the end of the one-year permit term, the permittee shall either:

  1. Apply for a one-year extension by obtaining a new news rack permit for the same location provided that no one is on a waiting list for a news rack permit at that location; or
  2. Remove all news racks and connections from the public right-of-way, and arrange for a final inspection.

FINAL INSPECTION

- Permittee shall arrange for final inspection after the complete removal of all permitted news racks and connection hardware from the public right-of-way.

- Permittee shall call the public works department, engineering services division, at (310) 937-6653 to arrange for final inspection.

- If the final inspection reveals that an improvement, public or private, has been damaged by the process of installing, using, maintaining and removing said news racks, then the permittee shall be directed by the city engineer to repair the damaged improvement within ten (10) calendar days. If the permittee fails to repair said damage as directed, the city engineer shall then repair the damage and collect the cost of said repair as a civil debt from the permittee.

ABANDONMENT OF NEWS RACKS

- In the event that the permittee does not renew the required news rack permit, and if news racks installed are not removed from the public right-of-way within ten (10) calendar days after the end of the permit term, the city engineer shall deem said news racks abandoned and remove news racks from the public right-of-way.

- Any news rack installed, used or maintained in violation of the provisions of this news rack regulation policy, shall be subject to the removal and storage by the city engineer who shall notify the owner thereof and request compliance within ten (10) calendar days prior to the news rack removal. If the owner fails to comply with said request, the city engineer shall then remove said news rack at any time after the expiration of the ten-day period, and inform the owner of the date the news rack was removed, the reason thereof and the location and procedure for claiming the news rack.

- Any news rack that creates danger to the health, safety or welfare of the public, shall be summarily removed and stored by the city engineer who shall inform the owner of the date the news rack was removed, the reason thereof and the location and procedure for claiming the news rack.

- News racks removed and stored pursuant to this news rack regulation policy, shall be ordered, by the city engineer, returned to the owner upon payment of cost of removal and storage by the owner to the city. Owner shall claim stored news racks within thirty (30) calendar days from the date of removal and storage. Stored news racks that are not claimed within the aforementioned thirty-day period shall be disposed of as an unclaimed property.

CIVIL DEBT

- Any and all penalties and charges incurred by the permittee shall be charged as a civil debt to the permittee, and may be collected by the city in the same manner as it collects any other civil debt or obligation.

STATEMENT & AGREEMENT

I, the permittee, hereby state that I have read and understand the above guidelines of this permit. I, the permittee, hereby agree to comply with all applicable federal, state and local laws, rules and regulations including the above guidelines of this permit.

NAME OF PERMITTEE:

SIGNATURE OF PERMITTEE OR AUTHORIZED AGENT:

NEWS RACK LOCATION (S):

DATE: _____________________________ PERMIT NO.: _____________________________

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