

SITE MAP/PHOTOGRAPHS

Applicant shall include a site map of the proposed location of each newsrack which includes the following:

- A drawing of the sidewalk, streets and other adjacent improvements, including:
 - (1) the nearest buildings, and driveways
 - (2) the nearest bus stops, benches and fire hydrants
 - (3) each existing newsrack, including the name of the newsrack material contained therein
 - (4) the type or brand of newsrack within one hundred feet of the proposed location
 - (5) distances between the newsrack and the other features required to be shown

- Photograph of each newsrack and mount

STANDARD CONDITIONS FOR NEWSRACKS

- This application for permit to install newsracks in the public right-of-way is subject to the provisions as required by the City of Carpinteria Municipal Code Chapter 12.36 *Newsracks*. This includes the following:
 1. It shall be unlawful for any person, firm or corporation to erect, place, maintain or operate, on any public street or sidewalk, or in any other public way or place in the city, any newsrack without first having obtained a permit from the city manager specifying the exact location of such newsrack(s).
 2. Newsracks so located as to cause an inconvenience or danger to persons using public rights-of-way, and unsightly newsracks located therein adversely impacting the aesthetic qualities of the city due to the number, size, construction, placement and/or design of such newsracks, constitute public nuisances.
 3. Newsrack placement shall not cause interference with commerce and business which may be posed by newsracks located too close to retail shop windows or entrances to commercial property, or newsracks located in such a way as to interfere with views from private property.
 4. Annual permits are issued January 1st to December 31st of each year. Applicants applying midyear for permits will not receive a prorated fee amount.
 5. Applicant hereby agrees to indemnify and save harmless the city, its officers, directors, and employees against any loss or liability or damage, including expenses and costs for bodily or personal injury, and for property damage by any person as the result of the installation, use or maintenance of a newsrack within the city.
 6. No newsrack shall exceed four feet in height, thirty inches in width, or two feet in thickness.
 7. No newsrack shall be used for advertising signs or publicity purposes other than that dealing with the display, sale, or purchase of the newspaper, periodical or other printed materials dispensed therefrom.
 8. Each newsrack from which newspapers, periodicals or other printed materials are sold shall be equipped with a coin-return mechanism to permit a person using the machine to secure an immediate refund in the event he is unable to receive the publication paid for. The coin-return mechanisms shall be maintained in good working order.
 9. Each newsrack shall have affixed to it in a readily visible place so as to be seen by anyone using the newsrack a notice setting forth the name and address of the distributor and the telephone number of a working telephone service to call to report a malfunction, or to secure a refund in the event of a malfunction of the coin-return mechanism, or to give the notices provided for in this division.
 10. Each newsrack shall be maintained in a neat and clean condition and in good repair at all times.

Specifically but not without limiting the generality of the foregoing, each newsrack shall be serviced and maintained so that:

- a. It is reasonably free of dirt and grease.
 - b. It is reasonably free of chipped, faded, peeling and cracked paint in the visible painted areas thereof.
 - c. It is reasonably free of rust and corrosion in the visible unpainted metal areas thereon.
 - d. The clear plastic or glass parts thereof, if any, through which the publications therein are viewed are unbroken and reasonably free of cracks, dents, blemishes and discoloration.
 - e. The paper or cardboard parts or inserts thereof are reasonably free of tears, peeling or fading.
 - f. The structural parts thereof are not broken or unduly misshapen.
11. No newsrack shall be used or maintained which projects onto, into or over any part of the roadway of any public street, or which rests, wholly or in part upon, along or over any portion of the roadway of any public street.
 12. Newsracks may be placed next to each other, provided that no group of newsracks shall extend for a distance of more than eight feet along a curb, and a space of no less than three feet shall separate each group of newsracks.
 13. No newsrack shall be placed, installed, used or maintained within five feet of the curb return of any marked crosswalk.
 14. No newsrack shall be placed, installed, used or maintained within fifteen feet of the curb return of any unmarked crosswalk.
 15. No newsrack shall be placed, installed, used or maintained within five feet of any fire hydrant, fire call box, police call or box or other emergency facility.
 16. No newsrack shall be placed, installed, used or maintained within five feet of any driveway, traffic signal controller or utility pole.
 17. No newsrack shall be placed, installed, used or maintained within five feet ahead or twenty-five feet to the rear of any sign marking a designated bus stop.
 18. No newsrack shall be placed, installed, used or maintained within four feet of the outer end of any bus bench.
 19. No newsrack shall be placed, installed, used or maintained at any location whereby the clear space for the passageway of pedestrians is reduced to less than four feet.
 20. No newsrack shall be placed, installed, used or maintained within three feet of or any public area improved with lawn, flowers, shrubs, trees or other landscaping.
 21. No newsrack shall be placed, installed, used or maintained within one hundred feet of any other newsrack on the same side of the street in the same block containing the same issue or edition of the same publication.
 22. No newsrack shall be placed, installed, used or maintained facing another newsrack across the width of a public sidewalk or pedestrian way.
 23. No newsrack shall be placed, installed, used or maintained on private property without approval of the owner or person in possession of the property.
 24. No newsrack shall be placed, installed, used or maintained at any location in the downtown and waterfront revitalization area other than in an existing newsrack enclosure, when such enclosures have been constructed, or other location pre-approved by the Public Works Director/Designee.
 25. All newsracks shall be permanently affixed to a hard surface such as a sidewalk. Upon removal of the newsrack, applicant agrees to repair and/or replace any damage to the sidewalk as the result of removal of the newsrack to the satisfaction of the City Engineer.
 26. This permit may be revoked at any time without cause by the Public Works Director/Designee.

Initial _____

INDEMNIFICATION AND INSURANCE REQUIREMENTS

In consideration of the granting of this annual permit, it is agreed by the applicant that the City of Carpinteria and any officer and/or employee thereof shall be saved harmless by the applicant from any liability and/or responsibility for any accident, loss or damage to persons or property, happening or occurring as the proximate result of any of the action undertaken under the terms of this application and the permit or permits which may be granted in response thereto, and that all of said liabilities are hereby assumed by the applicant. It is further agreed that if any facilities placed in the right-of-way for which this application is granted and approved as a permit, shall become incompatible with future travel by the general public, then the applicant or its assigns or successors will, either remove such facilities in cases where such removal is necessary or in cases where the use thereof has been or is to be abandoned, or in other cases, applicant or its assigns or successors will relocate such facilities at a location designated by the City. **Initial** _____

Applicant shall provide a certificate of insurance with an additional insured endorsement (ISO form CG2012 or equivalent) of not less than one million dollars (\$1,000,000) combined single limit for both bodily injury and property damage naming the City of Carpinteria as an additional insured. The policy or policies shall also contain a provision that no termination, cancellation, or change of coverage for the insured or additional insured shall take effect until ten (10) days notice has been given in writing to the City Clerk of the City of Carpinteria.

PLEASE BE SURE YOUR APPLICATION IS COMPLETE!

Your application must contain the following items to be considered for approval:

- Completed Newsrack Permit Application Form
- Application Fee (\$120/New, \$60/Renewal)
- Site Inspection Completed
- Site map of each proposed location
- Photographs of each proposed newsrack
- Certificate of Insurance naming the City of Carpinteria as an additional insured
- Signed Standard Indemnification and Insurance Agreement

By signing below, applicant agrees to the above terms and conditions.

Applicant signature: _____ **Date:** _____

Print: _____

OFFICE USE ONLY	
FEE PAID: _____	RECEIVED BY: _____
CASH <input type="checkbox"/> CHECK # _____	DATE PAID: _____
RECEIPT #: _____	
PERMIT ISSUANCE DATE: _____	PERMIT EXPIRATION DATE: _____
APPROVED BY: _____	DATE: _____
Public Works Director/Designee	