

# PUBLIC WORKS DEPARTMENT (510) 215-4382

March 15, 2011

[Header]

Subject: El Cerrito Newsrack Ordinance

Dear Publisher:

On March 7, 2011 the El Cerrito City Council adopted Ordinance 2011-01 pertaining to Newsrack Zones. This letter is sent to notify you of the changing rules regarding newsracks in certain portions of El Cerrito, and to launch the process for switching to the new system.

This ordinance sets up uniform rules about newsracks in established newsrack zones. Here are some highlights:

- 1. The ordinance will apply only in designated Newsrack Zones. The initial zone is created by the ordinance and is along San Pablo Avenue, including 100 feet down each side street. The ordinance allows for the Council to establish other zones in the future by a resolution of the majority of the Council.
- 2. Newsracks will be uniform throughout a zone, and will be in gangs of four to six boxes that sit on a fixed pedestal base. The City will own the pedestal base, and the publishers will own and maintain the individual newsrack boxes (see note on this below). If more locations are requested, the Public Works Director will have the authority to install additional pedestals for publishers to occupy.
- 3. A permit will be required to place newsrack boxes. A publisher will likely want to have many boxes along the corridor; and that can be handled by a single permit. There will be a permit fee that will cover the administration of the program and maintenance of the pedestal bases.
- 4. Each publisher will be responsible for maintaining their boxes including the pay mechanism and operations of the hardware. There are prohibitions on advertising they will be limited to a simple identification sticker on the front and back of each box no more that five inches high.

- 5. The Newsrack Boxes will be required to conform to standards developed by the Public Works Department. This will ensure uniformity of appearance and mechanisms. For the initial Newsrack Zone along San Pablo Avenue, the standards will come from the Streetscape Project specifications.
- 6. There are provisions for the City to remove boxes that are abandoned or in disrepair. The ordinance outlines the process when a violation is found.

NOTE: Although the ordinance stipulates that the publishers will furnish the boxes, the recent San Pablo Avenue Streetscape Project has furnished the entire array of pedestals, trays and boxes. Therefore, the publishers will <u>not</u> need to purchase any new hardware for this new initial launch of our newsrack zone. We trust that this will be good news as publishers work through this significant set of changes to the City's newsrack environment.

### The Process

The City is attempting to make this change in the next two months. Here are the steps we anticipate:

- March 15<sup>th</sup> Issue this notification including applications and other information to publishers. The application period is three weeks (due on April 5<sup>th</sup>).
- Second week of April sort through applications and develop a proposed location plan. We will use this time to contact publishers who requested locations that might not be accommodated. Generally, we want at least four publications at a single location.
- April 13<sup>th</sup> issue permits.
- April 13<sup>th</sup> April 27<sup>th</sup> install new newsrack assemblies
- April 27<sup>th</sup> to May 11<sup>th</sup> publishers move into new racks and remove old racks

These dates are tentative, but we are trying to have all the old racks removed by early May before our planned ribbon-cutting event scheduled for May.

#### **Equipment**

The newsrack assemblies we've purchased for this newsrack zone are from K-Jack Engineering Co., Inc. We will be coordinating with them on all the details for the installation including coin and door systems and other individual requirements of the publishers. The specifications are attached. Feel free to contact our K-Jack representative, Michael Mallamo at 415-860-0726 for any specific equipment questions.

## Permits and Fees

The City will issue permits to each publisher, and the permit will be good for three years. If a publisher has more than one publication, they can all be covered by one permit and set of fees. The fee structure is shown below. The City has prepared an application form for this process. We also have developed a preliminary location map that shows 30 locations along this 2.6 mile stretch of road; however, we anticipate that not all of these

locations will be needed. All you need to do at this time is to fill out the application form for all the publications you distribute along San Pablo Avenue and indicate the locations you desire to have a box. You will also need to submit a check along with your application.

Newsrack Fees – for placement of newsrack boxes in designated Newsrack Zones per Section 13.60 of the El Cerrito Municipal Code.

- a. Permit Issuance Fee \$66
- b. Permit Renewal Fee \$33
- c. Newsrack Box Fee
  - $\circ$  1 5 boxes \$112 per permit period
  - $\circ$  6 10 boxes \$168 per permit period
  - $\circ$  11 15 boxes \$224 per permit period
  - o More than 15 boxes \$280 per permit period

Please be advised that a City business license will be required for any entity doing work in the City of El Cerrito. This could include contractors you hire to distribute papers to your newsracks.

Be sure to include the contact information for the primary contact for this process. Since this is a new program for us here at the City, and since all the publishers will be applying at the same time, we anticipate having to do significant coordination after all applications are received. In addition, if you have any questions about the process or the new program, feel free to call us at 510-215-4382.

Sincerely,

Jerry Bradshaw Public Works Director

#### Enclosures:

- Ordinance 2011 01
- Newsrack Permit Application
- Location Map
- Specifications for Newsracks