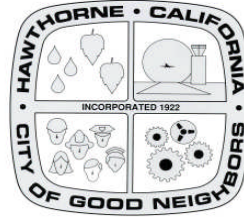


# ***CITY OF HAWTHORNE***

Public Works Department  
4455 W. 126<sup>th</sup> St.  
Hawthorne, CA 90250  
(310) 349-2980  
FAX (310) 978-9862



## **NEWS RACK PERMIT APPLICATION**

### **APPLICANT INFORMATION:**

\_\_\_\_\_  
NAME OF PUBLICATION

\_\_\_\_\_  
MAILING ADDRESS

\_\_\_\_\_  
CONTACT NAME

\_\_\_\_\_  
E-MAIL ADDRESS

\_\_\_\_\_  
FAX

\_\_\_\_\_  
PHONE

\_\_\_\_\_  
CELL PHONE

\_\_\_\_\_  
PUBLICATION FREQUENCY (Daily, Weekly, etc.)

\_\_\_\_\_  
ADDRESS LOCATION OF NEWS RACK

\_\_\_\_\_  
SPECIFIC RACK POSITION AT THE LOCATION (attach sketch)

\_\_\_\_\_  
NUMBER OF RACKS AT LOCATION

- ADJUCICATED OR NON-ADJUDICATED IN L. A. COUNTY (Circle One)

**Has the City of Hawthorne ever denied you a permit in the past five years?**

**If yes, please specify and explain.**

## **INSTALLATION REQUIREMENTS**

1. The name, address, and telephone number of the permittee must be permanently affixed to news racks as well as evidence that the City has issued a permit for the subject news rack.
2. Each news rack must have affixed to it in a readily visible place a notice setting forth the name and address of the person responsible for maintaining the news rack and a working telephone number to call to report a malfunction, a facsimile number/E-mail address to obtain a refund in the event of a malfunction of the coin-return mechanism.
3. Each new rack must be maintained in accordance with the Hawthorne Municipal Code.
4. Each news rack must comply with each of the following requirements:
  - A. Size: No news rack may exceed four feet (4') in height, thirty inches (30") in width, or two feet (2') in depth.
  - B. Placement: News racks may only be placed in a public right-of-way near a curb or adjacent to a wall of a building. The rear of new racks placed near a curb must be placed not less than eighteen inches (18") nor more than twenty four inches (24") from the face of the curb. The rear of news racks placed parallel to a wall or building must be placed not more than six inches (6") from the wall or building. No news rack may be placed or maintained in a public right-of-way opposite one or more news racks.
  - C. Groups of news racks: News racks may be placed next to each other; provided, that no group of news racks must extend more than ten feet six inches (10'6") along a curb or wall and a space of no more or less than three feet (3') must separate each group of news racks from another group of news racks. There may be no more than three (3) of the above described groups of news racks located on a public right-of-way within a block.
  - D. Anchoring: Each news rack must be securely anchored to the ground or sidewalk.
  - E. Each news rack must be equipped with a working coin-return mechanism to permit a person using the machine to obtain an immediate refund in the event a person is unable to receive the publication paid for. The coin return mechanisms must be maintained in good working order.

### **PROHIBITED AREAS.**

No news rack may be placed, installed, used or maintained as follows:

- A. Within any R-1, R-2, R-3 or R-4 zone.
- B. Within one foot (1') of any area improved with lawn, flowers, shrubs or trees;
- C. Within three feet (3') of
  1. The entrance or exit to any building;
  2. Any display window in any building abutting a sidewalk or public right-of-way.
- D. Within five feet (5') of
  1. Any marked crosswalk.
  2. Any designated outdoor patio of restaurant, café or other eating establishment.
  3. Any fire hydrant, fire call box, police call box or any other emergency facility.

4. Any designated bus stop area or any sign marking a designated bus stop.
5. Bus bench, utility cabinet/equipment, or mail box
6. Any curb painted blue, pursuant to the provisions of California Vehicle Code § 21458;
- E. Within ten feet (10') of any driveway.
- F. Within fifteen feet (15') of the curb return of any intersecting public streets.
- G. In any location whereby the clear passage on a sidewalk for pedestrian traffic is reduced to less than five feet (5').
- H. Within one hundred feet (100') of a news rack containing the same edition of the same publication, except where bulk of a particular edition is such that more than one rack is required, in which case said news racks must be placed side-by-side;
- I. Within three hundred feet (300') of a uniform news rack location, except for any period, not to exceed thirty (30) days, during which a uniform news rack permit has been granted at the location but the applicant has been unable to obtain a uniform news rack;
- J. All news racks must be permanently affixed to the pavement or otherwise anchored to a concrete base. News racks anchored to concrete bases must have a minimum weight of 100 pounds empty. No news rack shall be chained or otherwise attached to any fixture.
- K. Be used for advertising, selling or storing material other than that dealing with the display, sale or purchase of the publication sold therein.
- L. No news rack may remain empty for a period of thirty (30) consecutive days.
- M. Each news rack must be maintained in a clean and attractive condition and in good repair at all times, and no issue or edition of any publication may be allowed to remain in any such news rack for a period exceeding the publication period of the material offered for sale therein or thirty (30) consecutive calendar days after the date of the initial issuance or publication of such material, whichever is lesser.

## **DECLARATIONS AND CERTIFICATIONS**

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***I declare under penalty of perjury that the above is true and correct.***  
(Sign & Print Name)

***I certify that I have the legal authority to execute this document on behalf of:***

---

(Print Name)

---

***I certify that I have read and understood the installation requirements and will comply with them.***  
(Sign & Print Name)

**RELEASE OF ALL LIABILITY AND INDEMNIFICATION AGREEMENT  
BETWEEN NEWS RACK PERMITEE AND CITY OF HAWTHORNE**

**IN CONSIDERATION FOR PERMISSION TO PLACE NEWS RACKS  
AT THE AFOREMENTIONED LOCATIONS PERMITEE AGREES TO  
ASSUME ALL RISK FOR REMOVAL, REPOSITIONING,  
MAINTENANCE OR ANY OTHER COMPLIANCE ACTIONS BY THE  
CITY OF HAWTHORNE AND TO INDEMNIFY THE CITY OF  
HAWTHORNE, ITS ELECTED OFFICIALS, OFFICERS, AGENTS AND  
EMPLOYEES BY SIGNING THIS GENERAL RELEASE OF ALL  
LIABILITY AND INDEMNIFICATION AGREEMENT**

For and in consideration of the City of Hawthorne permitting installation of news racks permittee and applicant \_\_\_\_\_, on behalf of themselves and any and all of their past, present, and future representatives, including without limitation their agents, employees, directors, officers, parents, subsidiaries, attorneys, heirs, devisees, assigns, and successors, hereby releases, discharges, and acquits the City of Hawthorne, and any and all of its past representatives, including, without limitation, its agents, employees, officials, directors, officers, parents, subsidiaries, attorneys, heirs, devisees, assigns, and successors, of and from any and all claims, demands, damages, sums of money, actions, rights, causes of action, costs, expenses, liens, attorneys' fees, debts, obligations, and liabilities of any kind or nature whatsoever (hereinafter, the "Claims") which permittee may have had or claims to have had, or now has or claims to have, or hereafter may have or asserts to have, including, without limitation, any claims for negligence, or any claims which arise out of or are in any manner whatsoever, directly or indirectly, connected with or related to removal, repositioning, maintenance or compliance actions by the City of Hawthorne. Permittee hereby acknowledges and agrees that the City of Hawthorne has no, and shall have no, duty, responsibility, or liability to permittee or to any third party with respect to any matter relating to this Agreement. Accordingly, permittee hereby agrees to indemnify, defend, and hold harmless City of Hawthorne from and against any and all Claims by any third parties arising out of this Agreement, including any Claims with respect to the City's approval of the aforementioned news rack locations.

Date: \_\_\_\_\_

Permittee Signature: \_\_\_\_\_

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

**OFFICE USE ONLY:**

Date Received \_\_\_\_\_

\$35.00 Permit Fee Attached: YES NO

Certificate of Insurance, or Surety Bond, Attached: YES NO

INSURANCE LIMITS (Bodily Injury \$250,000 each person, \$500,000 each occurrence. Property damage \$100,000 each occurrence or \$500,000 combined single limit policy.)

Renewal (Date and Initial): \_\_\_\_\_ | \_\_\_\_\_ | \_\_\_\_\_ | \_\_\_\_\_ | \_\_\_\_\_

