# Newspaper Distribution Regulation

## Bylaw No. 7954

**Effective Date** – May 10, 2010

**Consolidated for Convenience Only**

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

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Newspaper Distribution Regulation Bylaw No. 7954

1. The Council of the City of Richmond enacts as follows:

PART ONE: GENERAL PROVISIONS

1.1 Authorizations

1.1.1 The General Manager Engineering & Public Works is authorized to establish newspaper distribution zones pursuant to the provisions of this bylaw and to issue permits for the use of compartments in multiple publication news racks (MPNs), for the location of newspaper distribution boxes, and for newspaper distribution agents.

1.1.2 The General Manager Engineering & Public Works may designate portions of streets and City-owned land as newspaper distribution zones in accordance with the following:

   (a) at intersecting streets, in accordance with Schedules A and B of this bylaw; and

   (b) adjacent to a bus or transit stop, in accordance with Schedules C and D of this bylaw.

1.2 Prohibitions

1.2.1 No person shall distribute or sell newspapers, or place or leave newspapers for distribution or sale, on any portion of any street or City-owned land, except in accordance with this bylaw and a permit issued pursuant this bylaw.

1.2.2 No person shall, on any portion of any street or City-owned land:

   (a) use a multiple publication news rack (MPN); or

   (b) install or maintain any newspaper distribution box; or

   (c) distribute or sell newspapers as a newspaper distribution agent,

unless such portion of street or City-owned land is within a newspaper distribution zone and unless such person has previously obtained a permit to
do so from the City in accordance with the provisions of this bylaw and maintained the permit in good standing in accordance with section 2.1.6 of this bylaw.

PART TWO: PERMITS

2.1 Permit Application & Issuance

2.1.1 Every applicant for a permit to use a compartment in a multiple publication news rack (MPN) or place one or more newspaper distribution boxes or deploy one or more newspaper distribution agents within the City’s newspaper distribution zones must provide to the General Manager Engineering & Public Works:

(a) a completed application, in a form and containing such information required by the General Manager Engineering & Public Works, signed by the applicant or by an individual who has legal authority to bind the applicant;

(b) a statement with respect to the total number and exact location, in alphabetical order by street name, of each of the applicant’s existing and proposed locations for compartments in multiple publication news racks (MPNs), newspaper distribution boxes and/or newspaper distribution agents, and, if requested by the General Manager Engineering and Public Works, a sketch map showing each such location;

(c) certificate of insurance, in a form and on terms acceptable to the City’s Risk Manager, to provide $5,000,000 general liability insurance and naming the City as an additional insured; and

(d) a release and indemnity by the applicant in favour of the City, in a form and on terms acceptable to the City’s Risk Manager.

2.1.2 The General Manager Engineering & Public Works may issue a permit to an applicant for all or some of the applicant’s existing and proposed locations for compartments in multiple publication news racks (MPNs), newspaper distribution boxes and/or newspaper distribution agents, provided the applicant:

(a) has complied with the requirements set-out in section 2.1.1 of this bylaw;

(b) is not in breach of any term or condition of this bylaw or any current or previous permit issued to the applicant by the City; and
(c) has paid the fees set-out section in 2.1.3 of this bylaw.

The allocation of locations for each permit must comply with section 2.1.7 of this bylaw. A permit may contain such additional terms and conditions deemed advisable by the General Manager Engineering & Public Works.

2.1.3 Upon approval of an application for a permit by the General Manager Engineering & Public Works, the applicant will pay to the City the applicable annual permit fees set-out in the Consolidated Fees Bylaw No 8636. For applications approved on or after July 1 of a calendar year, the permittee will pay 50% of the applicable annual permit fees set-out in the Consolidated Fees Bylaw No 8636.

2.1.4 A permit issued pursuant to section 2.1.2 of this bylaw is valid from the date of issue to December 31 of the calendar year for which the permit is issued.

2.1.5 Neither the temporary or permanent removal or relocation of a multiple publication news rack (MPN), newspaper distribution box or newspaper distribution agent by the General Manager Engineering & Public Works pursuant to this bylaw nor the revocation or surrender of a permit entitles the permittee to a refund of any portion of any annual permit fee paid pursuant to section 2.1.3 of this bylaw.

2.1.6 A permit is considered in good standing if:

(a) all annual permit fees, as outlined in section 2.1.3 are fully paid;

(b) business licence fees payable under the City’s Business Licence Bylaw No. 7360, as amended or replaced from time to time, are fully paid;

(c) an identification decal has been affixed to each compartment within a multiple publication news rack (MPN) and each newspaper distribution box covered by the permit, in accordance with any instructions provided by the City; and

(d) each newspaper distribution agent authorized by the permit displays a valid permit card on a visible part of the newspaper distribution agent’s clothing and provides the permit card to City staff upon request.

2.1.7 The General Manager Engineering & Public Works will determine where to locate multiple publication news racks (MPNs) and may prohibit or limit the number of newspaper distribution boxes or newspaper distribution agents in any newspaper distribution zone. The general allocation of locations of multiple publication news racks (MPNs), newspaper distribution boxes and newspaper distribution agents will be based on the following:
(a) where a multiple publication news rack (MPN) has been installed by or on behalf of the City within a newspaper distribution zone, deployment of a newspaper distribution agent will be permitted within the same newspaper distribution zone only if the General Manager Engineering & Public Works deems it appropriate to issue a permit for such newspaper distribution agent;

(b) where a multiple publication news rack (MPN) has not been installed by or on behalf of the City within a newspaper distribution zone, a maximum of one newspaper distribution box or one newspaper distribution agent will be allowed from any one permittee within the newspaper distribution zone; and

(c) space at high demand locations will be allocated to the interested applicants by way of a lottery draw, on the basis of rules the General Manager Engineering & Public Works considers just and equitable in the circumstances.

2.2 General Permit Conditions

2.2.1 Subject to the terms and conditions of this bylaw, a permit that is in good standing in accordance with section 2.1.6 of this bylaw gives the permittee the non-exclusive licence to use a compartment in a multiple publication news rack (MPN), to place one or more newspaper distribution boxes, and/or to deploy one or more newspaper distribution agents within the City’s newspaper distribution zones in accordance with the provisions of this bylaw and the permit.

2.2.2 A permit does not vest any ownership or other interest in land, or in a multiple publication news rack (MPN), to the permittee.

2.2.3 A permittee must not dispose, assign or sublicence a permit, or any of the permittee’s rights or obligations under the permit, to another person, without the City’s prior written approval.

2.2.4 A permittee must ensure that its newspaper distribution boxes:

(a) are not placed outside of the boundaries of the applicable newspaper distribution zone;

(b) display an identification decal, in accordance with any instructions provided by the City;

(c) are not chained or fastened to any utility apparatus, including any signal, street light, hydro or telephone pole or signpost, fire hydrant, parking meter, bus shelter, telephone booth, post box, benches or trees;
(d) are not chained or fastened to objects other than those described in section 2.2.4(c) of this bylaw, except with the prior written approval of the General Manager Engineering & Public Works;

(e) do not display any third party advertising;

(f) are not placed within the sightline triangle of a street intersection, as outlined in the visibility clearance provision set-out in section 5.1 of the City’s Traffic Bylaw No. 5870, as amended or replaced from time to time;

(g) do not exceed the following dimensions:

   Width – 65 cm  
   Depth – 50 cm  
   Height – 110 cm

(h) comply with all applicable provisions of this bylaw and the permit applicable to the newspaper distribution box.

2.2.5 Newspaper distribution agents must comply with the following and each permittee must ensure that its newspaper distribution agents comply with the following:

(a) do not distribute or sell newspapers outside of the boundaries of a newspaper distribution zone;

(b) do not display, distribute or sell third party advertising or products;

(c) secure the permittee’s newspapers to prevent scattering;

(d) display a valid permit card on a visible part of the newspaper distribution agents’ clothing and when requested by City staff, provide the permit card to the City staff;

(e) maintain a professional appearance and do not act in an abusive, aggressive or offensive manner;

(f) maintain a minimum distance of 2 metres from pedestrian access points at Canada Line stations and bus stops;

(g) do not stand in the way of or block the flow of pedestrian traffic;

(h) remove all of the permittee’s newspapers that are thrown away or accumulate in the newspaper distribution zone;
(i) at the end of each shift, remove all surplus newspapers or place all surplus newspapers in the permittee’s newspaper distribution box or allocated portion of the multiple publication news rack (MPN); and

(j) comply with all applicable provisions of this bylaw and the permit applicable to the newspaper distribution agent.

2.2.6 A permittee must maintain its newspaper distribution boxes in accordance with the following:

(a) in a good state of repair, in good working order and free of graffiti, to the satisfaction of the General Manager Engineering & Public Works;

(b) stocked with issues of the permitted newspaper on each scheduled circulation date or weekly, whichever period is shorter;

(c) free of old issues of the permitted newspaper with old issues recycled using the permittee’s own resources and at the permittee’s cost and expense; and

(d) free of litter within a 2 metre radius of the permittee’s newspaper distribution boxes, with all litter disposed of using the permittee’s own resources and at the permittee’s cost and expense.

2.2.7 In addition to the provisions of this bylaw, every permittee must comply with all other City bylaws applicable to its business and operation.

2.3 Permit Revocation

2.3.1 Any permit issued pursuant to the this bylaw may be revoked by the City’s General Manager Engineering & Public Works, without notice, if

(a) the application submitted by the permittee pursuant to section 2.1.1(a) of this bylaw contains false or misleading information, and the permittee does not correct such information, to the satisfaction of the General Manager Engineering & Public Works;

(b) the permittee’s certificate of insurance, provided to the City pursuant to section 2.1.1(c) of this bylaw, is void or cancelled by the insurer and the permittee does not promptly provide proof of replacement insurance, to the satisfaction of the City’s Risk Manager; or

(c) the permittee is in contravention of or fails to comply with any of the provisions of this bylaw or the permit.
2.3.2 Any permit issued pursuant to this bylaw may be revoked by the General Manager Engineering & Public Works for any reason, without cause, by providing 30 days’ prior written notice to the permittee.

2.3.3 For the purposes of this section 2.3.2, written notice will be deemed to have been given four (4) days following mailing of the notice, if sent by ordinary prepaid mail, to the permittee’s address as set out in the application for the permit or the most recent address provided by the permittee to the City, and the next business day if sent via facsimile.

2.4 Newspaper Distribution Box Removal or Relocation

2.4.1 The General Manager Engineering & Public Works may order, at any time and without notice, the temporary or permanent removal or relocation of any newspaper distribution box or newspaper distribution agent:

(a) which or who the General Manager Engineering & Public Works considers creates a safety hazard;

(b) due to a special events;

(c) due to street work, work on bus or transit stops or shelters, or other construction; or

(d) which or who does not comply with any provision of this bylaw or the permit applicable to the newspaper distribution box or newspaper distribution agent.

2.4.2 If the permittee refuses or fails to remove or relocate a newspaper distribution box or newspaper distribution agent, as directed by the General Manager Engineering & Public Works pursuant to section 2.4.1 of this bylaw, the General Manager Engineering & Public Works is authorized, without further notice to the permittee, to remove the newspaper distribution box or request the newspaper distribution agent to leave the newspaper distribution zone.

2.4.3 Newspaper distribution boxes removed by the City pursuant to section 2.4.2 of this bylaw will be stored by the City for 90 days and may be picked up by the permittee upon payment of the storage fee set-out in the Consolidated Fees Bylaw No 8636, plus recovery and labour costs incurred by the City.

2.4.4 Any newspaper distribution box removed by the City pursuant to section 2.4.2 of this bylaw and left unclaimed by the permittee for a period in excess of 90 days become the property of the City and may be disposed by the City, in its sole discretion, without compensation to the permittee.
2.4.5 The General Manager Engineering & Public Works may order, at any time and without notice, the temporary or permanent removal or relocation of a multiple publication news rack (MPN), including disposing any newspapers within any compartment, for the reasons set-out in sections 2.4.1(a) to (c) of this bylaw, without compensation to a permittee for the loss of use of a compartment in the multiple publication news rack (MPN) or any newspapers disposed pursuant to this section 2.4.5.

2.4.6 The permittee will permanently remove its newspaper distribution box or newspaper distribution agent from a newspaper distribution zone and restore the portion of street or City-owned land used by the permittee to its former condition upon:

(a) the expiry of a permit applicable to the newspaper distribution zone if a new permit is not issued by the City to the permittee for the same newspaper distribution zone; or

(b) revocation of a permit applicable to the newspaper distribution zone, in accordance with section 2.3.1 or 2.3.2 of this bylaw.

2.4.7 The permittee will restore the portion of street or City-owned land used by the permittee to its former condition upon any removal or relocation of a newspaper distribution box ordered by the General Manager Engineering & Public Works pursuant to section 2.4.1 of this bylaw.

2.4.8 If a permittee fails to comply with section 2.4.6 or 2.4.7 of this bylaw, the City is authorized to complete any work not carried out by the permittee and any costs or expenses incurred by the City will become a debt immediately due and owning by the permittee to the City.

PART THREE: VIOLATIONS AND PENALTIES

3.1 (a) A violation of any of the provisions identified in this bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122; and

(b) A violation of any of the provisions identified in this bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122 in accordance with the Local Government Bylaw Notice Enforcement Act, SBC 2003, c. 60.

3.2 Any person who contravenes or violates any provision of this bylaw or any permit issued under this bylaw or who suffers or allows any act or thing to be done in contravention or violation of this bylaw or any permit issued under this bylaw, or who fails or neglects to do anything required to be done under this bylaw or any permit issued under this bylaw, commits an offence and upon conviction shall be
liable to a fine of not more than Ten Thousand Dollars ($10,000.00) and where the
offence is a continuing one, each day that the offence is continued shall constitute a
separate offence.

PART FOUR: INTERPRETATION

4.1 In this bylaw, the following words have the following meanings:

**CITY**

means the City of Richmond

**GENERAL MANAGER ENGINEERING & PUBLIC WORKS**

means the person appointed by Council to the position of General Manager of Engineering and Public Works and includes an alternate

**IDENTIFICATION DECAL**

means a decal, in the form required by the City, containing the following information in clear and legible writing:

(a) permit reference number and calendar year for which the permit is issued; and

(b) current contact name, address and telephone number for the permittee or agent responsible for refilling and maintaining the newspaper distribution box.

**MULTIPLE PUBLICATION NEWS RACK (MPN)**

means a multi-compartment vending box installed by or on behalf of the City and used for the purpose of displaying or distributing any newspaper, whether there is any cost for the newspaper or not.

**NEWSPAPER**

means a newspaper, local periodical, magazine or other publication that contains news and/or advertising.

**NEWSPAPER DISTRIBUTION AGENT**

means any person displaying or distributing any newspaper, whether there is any cost for the newspaper or not.

**NEWSPAPER DISTRIBUTION BOX**

means any type of vending box or other receptacle used for the purpose of displaying or distributing any newspaper, whether there is any cost for the newspaper or not.

**NEWSPAPER DISTRIBUTION**

means that portion of a street or City-owned land
ZONE
designated by the General Manager Engineering & Public Works as a newspaper distribution zone in accordance with section 1.1.2 of this bylaw.

PERMIT
means a permit issued by the General Manager Engineering & Public Works pursuant to section 2.1.2 of this bylaw.

PERMIT CARD
means a card issued by the City to a permittee for a newspaper distribution agent, setting out the following information:

(a) permit reference number and calendar year for which the permit is issued; and

(b) current contact name, address and telephone number for permittee or agent responsible for the newspaper distribution agent.

PERMITTEE
means a person who has been issued a permit.

STREET
means a road, highway, lane, sidewalk, boulevard or other public right-of-way, including a statutory right-of-way over private land for vehicular or pedestrian purposes.

PART FIVE: SEVERABILITY AND BYLAW CITATION

5.1 If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

5.2 This bylaw is cited as “Newspaper Distribution Regulation Bylaw No. 7954.”
SCHEDULE A to BYLAW NO. 7954
Typical Newspaper Distribution Zone
Without Curb Extensions

FACE OF CURB

Property Line

2.00 m or Wider

1.20 m (min.)

Newspaper distribution zone

Alternate location if the property line is at the back of the sidewalk

0.40 m (min)

0.50 m

WHERE NO PARKING PERMITTED

ROADWAY

6.00 m

5.00 m
SCHEDULE B to BYLAW NO. 7954
Typical Newspaper Distribution Zone
With Curb Extensions

FACE OF CURB

Note: Additional clearance to accommodate curb extension.

Property Line

Newspaper distribution zone

Alternate location if the property line is at the back of the sidewalk

1.50 m

1.50 m (min)
SCHEDULE C to BYLAW NO. 7954
Typical Newspaper Distribution Zone
Mid-Block without Boulevard

1.50 m or Wider
Property Line
BUS SHelter
SIDWALK
FACE OF CURB
BUS ID POST
1.00 m (min)
Newspaper distribution zone where on street parking is permitted
5.00 m
0.50 m
2.00 m (min)
ROADWAY
SCHEDULE D to BYLAW NO. 7954
Typical Newspaper Distribution Zone
Mid-Block with Boulevard

Property Line

1.50 m or wider

FACE OF CURB

BUS ID POST

Alternate location if the property line is at the back of the sidewalk

1.00 m (min)

0.50

5.00 m

Newspaper distribution zone

1.00 m (min)

2.00 m (min)

ROADWAY