

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**

**By Remington**

**Amending Title 17, Chapter 451 of the Minneapolis Code of Ordinances  
relating to Streets and Sidewalks: Newsstands.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 451 of Minneapolis Code of Ordinances be and is hereby repealed.

**CHAPTER 451. NEWSSTANDS**

~~**451.10. Definitions.** Class A newsstand: A stand, stall, booth or other structure used for distribution of newspapers, magazines or other printed materials, which is designed to be attended when in use.~~

~~*Class B newsstand:* A structure, stand, platform, stall, box, rack or other device used for the distribution of newspapers, magazines, or other printed materials, which is unattended.~~

~~Provided, the above definitions shall not include a portable platform or stand used by a person to distribute printed materials on a temporary basis, which is removed from the public right-of-way when not in use, so long as its use conforms to the location restrictions contained in section 451.100.~~

~~**451.20. License required.** No person, firm or corporation shall install or maintain a newsstand situated or placed on or over a public street or sidewalk without obtaining a license from the city council. "Skyways" are not "over" a public street for purposes of this chapter.~~

~~**451.30. Application for license.** Application for the license shall be made to the department of licenses and consumer services upon forms provided by the department. A single application may cover more than one newsstand provided all required supporting documentation and drawings are submitted. The application shall contain such information as may be required by the director of licenses and consumer services to verify that the terms and conditions of this chapter have been met, including the name and address of the applicant, and the type, description, dimensions and number of newsstands. The application shall also be accompanied by a simple drawing or a plot for each newsstand location. The plot shall indicate the street or intersection on which the newsstand is to be placed and shall contain measurements of the distances of the stand from the edges of existing curbing and from any structures, poles, posts, traffic signs, shelters and buildings within a twenty-foot radius of the newsstand. The~~

department of licenses and consumer services shall maintain a compilation of the drawings or plots of all newsstand locations held by each licensee. The compilation shall be modified as necessary to reflect new locations, deletions and other changes.

~~**451.40. License fee; expiration.** The annual license fee for each newsstand shall be ten dollars (\$10.00) the first year of licensing and five dollars (\$5.00) in subsequent years. All licenses shall be issued for a period of one year and shall expire on March thirty-first of each year. License fees shall not be prorated.~~

~~**451.50. License renewals.** Licenses shall be renewed upon receipt of the annual license fee on or before the date of expiration of the license. Prior to the date of expiration, the director of licenses and consumer services shall send each licensee a bill or pay card indicating the amount due, and requesting verification of the licensee's name, address, telephone number, number of newsstands on the public right of way, and whether the locations of any newsstands have changed since the last renewal. If renewal payment is not received on or before the expiration date of the license, the applicant shall pay an additional fee in the sum of twenty (20) per cent of the license fee.~~

~~**451.60. Provisional permits.** Upon submission of the application, license fee, proof of insurance, and hold harmless agreement required herein, the director of licenses and consumer services shall issue a temporary permit authorizing placement of the newsstands at the locations applied for. Said provisional permit shall be issued prior to approval by the city council of the license application and prior to site inspections or other procedural requisites so as not to effect a prior restraint upon publication or distribution. The provisional permit authorized by this section shall expire upon grant or denial of the license by the city council.~~

~~**451.70. Invalidity of prior licenses.** Any newsstand license issued prior to the effective date of this chapter [April 1, 1983] is hereby invalidated, the owners of such newsstands shall be required to conform with the provisions of this chapter as enacted.~~

~~**451.80. Identification required.** The licensee shall permanently affix in a conspicuous place on each newsstand licensed under this chapter, his name and either his address or telephone number and shall keep the same legible. In lieu of such identification, a licensee may obtain from the department of licenses and consumer services numbered decals which shall be permanently and conspicuously affixed to each newsstand.~~

~~**451.90. Replacement of lost decals.** If the decal provided for in section 451 is lost or removed from the machine, the licensee may obtain a replacement decal upon filing with the department of licenses and consumer services an affidavit setting forth the fact and upon payment of two dollars (\$2.00).~~

~~**451.100. Location and size.** The city engineer shall review the proposed location of each newsstand and shall recommend approval or disapproval to the director~~

of licenses and consumer services. The recommendation shall be based solely upon the following criteria:

~~(a) No newsstand shall be located where it would endanger the safety of persons or property, obstruct the vision of motorists, or unreasonably interfere with or impede the flow of pedestrian or vehicular traffic or the ingress into and egress from any building.~~

~~(b) No newsstand shall be located:~~

~~(1) Within six (6) feet of any fire hydrant, fire or police alarm box, or other emergency facility;~~

~~(2) By attaching it in any manner to any fire alarm box shaft, ornamental street light pole, traffic signal or any stop sign post. After October 1, 1987, pole-mounted newsstands shall not be permitted on any city-owned poles or posts;~~

~~(3) Where it projects beyond any curblines onto the roadway;~~

~~(4) Within three (3) feet of any marked crosswalk;~~

~~(5) Within three (3) feet of the curb return at any intersection;~~

~~(6) Within three (3) feet of the curb return of any driveway;~~

~~(7) Within fifteen (15) feet of the approach to any sign marking a designated bus stop, or three (3) feet forward of such sign;~~

~~(8) Where it restricts access to a bus shelter or a bus bench;~~

~~(9) Where it interferes with loading or unloading at the front and rear doors of buses;~~

~~(10) In any handicap access ramp;~~

~~(11) In such a manner as to reduce the clear space for the passageway of pedestrians to less than six (6) feet;~~

~~(12) On any boulevard or other place planted with lawn, flowers, shrubs or trees.~~

~~(c) Newsstands shall only be placed near a curb or adjacent to the wall of a building. Newsstands placed near the curb shall be placed no less than eighteen (18) inches nor more than twenty four (24) inches from the edge of the curb. Newsstands~~

~~placed adjacent to the wall of a building shall be placed parallel to such wall and not more than six (6) inches from the wall.~~

~~(d) No Class B newsstand shall exceed five (5) feet in height, thirty (30) inches in width, or two (2) feet in depth.~~

~~**451.110. Revocation, suspension, refusal to renew license; denial of application for new location.** The city council may revoke, suspend or refuse to renew any newsstand license or may deny an application for a new newsstand location, for any of the following reasons:~~

~~(a) Failure to comply with any of the terms and conditions of this chapter;~~

~~(b) Failure to comply with the terms and conditions of any other provisions of this Code which apply to newsstands;~~

~~(c) Fraud, deceit or misrepresentation in connection with an application for a license or licenses under this chapter;~~

~~(d) Relocating newsstand(s) without approval as required by this chapter;~~

~~(e) Failure to maintain newsstand(s) in good repair and neat appearance.~~

~~No such action shall be taken except upon notice to the licensee and a hearing before the licenses and consumer services committee. At the hearing, the licensee may be represented by legal counsel, may call witnesses and present evidence on his behalf, and may cross-examine witnesses against him. At the licensee's request, a court reporter shall record the proceedings.~~

~~**451.120. Use and appearance.** All such newsstands shall be used solely for the distribution of newspapers, magazines and other printed materials and shall be maintained by the applicant in a state of good repair and neat appearance.~~

~~**451.130. Hold harmless agreement.** The applicant shall furnish a statement in each application agreeing to hold the City of Minneapolis harmless from any and all liability, judgments, damages or expense that may arise or grow out of the installation, maintenance, use, presence or removal of said newsstand or newsstands.~~

~~**451.140. Insurance.** Each licensee shall provide proof of liability insurance in the amounts of one hundred thousand dollars (\$100,000.00) for individuals, three hundred thousand dollars (\$300,000.00) for any single accident, and ten thousand dollars (\$10,000.00) for property damage in which the city shall be named an additional insured. A certificate of insurance shall be delivered to the director of licenses and consumer services prior to issuance of a license or provisional permit.~~

~~**451.150. No transfer permitted.** A newsstand license shall not be transferable from person to person or from place to place without council approval.~~

~~**451.160. Impoundment of newsstands.** (a) Whenever the city council after notice and hearing has revoked, suspended, or declined to renew a newsstand license, the director of licenses and consumer services shall notify the licensee in writing of the council action. The newsstand shall be removed from the public sidewalks within two (2) weeks after receipt of the notification. If the newsstand is not removed within two (2) weeks, the director may impound the newsstand.~~

~~(b) Whenever the director is unable to make the written notice provided in (a) above, or whenever the director finds an unlicensed newsstand on the public sidewalks, the director shall post a conspicuous notice on the newsstand indicating that the newsstand is not authorized and that the newsstand will be impounded after a date designated on the notice. The notice shall indicate that the owner may request a hearing prior to impoundment. The notice shall contain the address and phone number of the department of licenses and consumer services where information may be obtained and a hearing requested. The hearing shall be conducted in the same manner and with the same rights and procedures referred to in section 451.110. The notice shall be posted on the newsstand continuously for a period of two (2) weeks. If the newsstand is still on the public sidewalks after two (2) weeks, and if the owner has not requested a hearing, the director may impound the newsstand.~~

~~(c) Each impounded newsstand shall be kept by the director for at least six (6) months, and reasonable efforts shall be made to notify the owner and allow him to reclaim the newsstand. After six (6) months, an impounded newsstand may be destroyed or disposed of in accordance with laws relating to disposition of surplus or confiscated property.~~

~~**451.170. Severability.** If any section, subsection, sentence, clause or other part of this chapter should be adjudged void or of no effect, such decision shall not affect the validity of any other portions of this chapter.~~