

**LICENSING BY-LAW  
BY-LAW NUMBER 2002-151**

**SCHEDULE 15**

**NEWSPAPER BOXES**

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SCHEDULE 15

TO REGULATE NEWSPAPER BOXES.

**DEFINITIONS**

15.1 For the purposes of this By-law:

- a) **"newspaper box"** shall mean any structure or device for the purpose of the distribution of any newspaper, magazine, periodical or other publication;
- b) **"residential property"** shall mean any property zoned RR1, RR2, RR3, R1, R2, R2A, R3, RM1, or RM2;
- c) **"Town Clerk"** means the Clerk of the Town of Newmarket or his/her designate;
- d) **"Town"** means the Town of Newmarket in the Regional Municipality of York.

15.2 No person shall place any newspaper box on any road allowance in the Town unless they have filed with the Town Clerk a certificate of insurance in the amount of \$2,000,000 naming the Town as additional insured, a completed application in a form prescribed by the Town Clerk disclosing the name, address, facsimile number and phone number of the person or company which owns the newspaper box, a list of the locations where newspaper boxes are to be installed and the annual fee as outlined on Schedule 'A' to this By-law.

15.3 Unless otherwise provided for in this By-law, no person shall place a newspaper box on any road allowance in a manner such that it is not stable, in any location that is within 50 feet of any intersection and no person shall place any newspaper box so as to impair or obstruct the movement of vehicular or pedestrian traffic, or the visibility of warning devices, railway, traffic and municipal street signs.

15.4 Notwithstanding Section 15.2, a person may place a newspaper box in the Downtown Main Street District as designated on the map attached hereto as Appendix 15(a) to Schedule 15 provided it meets the following restrictions:

- e) the newspaper box shall be placed flush with the wall of the building facing the street and shall not project more than 24 inches from the wall onto the sidewalk;
- f) the newspaper box shall be placed in a manner so that it does not obstruct the use of the sidewalk;

- g) the newspaper box shall be placed no less than 10 feet distance from the intersection of a street, lane or driveway with another street, lane or driveway measured from the curb of the flanking street, or the delineation of the flanking lane or driveway;
  - h) the newspaper boxes shall not be placed adjacent to any property without the consent of the owner and the tenant(s).
- 15.5 No person shall place a newspaper box on any road allowance in a manner that it is attached or secured to any utility pole, sign, hydrant, appurtenance, or other facility owned or operated by the Town or any other commission, board, agency or corporation.
- 15.6 No person shall place a newspaper box on any road allowance adjacent to any residential property as defined in this By-law.
- 15.7 No person shall place a newspaper box within 50 feet of a public transit stop unless approved by the Town.
- 15.8 No person shall place or provide a newspaper box on any road allowance, which is not clean and painted as to its exterior.
- 15.9 Where a newspaper box has been placed upon a road allowance in contravention of this By-law the Town may remove the newspaper box and impound same provided that before impounding the newspaper box the Town shall give seven days notice in writing to the applicant, or to the owner of the newspaper box or publisher of the newspaper as disclosed by the contents of the newspaper therein, of the intention of the Town to remove the newspaper box.
- 15.10 Notwithstanding the provisions of Clause 15.8 of this By-law, where a newspaper box has been placed in a manner which contravenes the provisions of Section 15.2 officers or agents of the Town may remove the box immediately without notice, impound the newspaper box and the owner may retrieve same during normal office hours upon payment of the impound fee established in Schedule 'A' of this By-law.
- 15.11 Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for under the *Provincial Offences Act*.