

## **Regulations for the City of Prescott Magazine Rack Program**

### **A. Purpose**

The City of Prescott owns and maintains magazine racks located within the Downtown Business District and other designated public areas. These racks are public assets intended to provide residents and visitors with access to high-quality publications that promote Prescott's arts, culture, heritage, tourism, community resources, and economic vitality.

Use of City-owned magazine racks is administered through the City's Magazine Rack Program. Only publications approved through the City's application and selection process may occupy rack space.

### **B. Definitions**

City of Prescott – The municipal corporation known as the City of Prescott, including its employees, agents, and designees.

Magazine Racks – City-owned containers used for the distribution of approved printed publications.

Approved Publisher – A publication owner selected through the City's application process and granted permission to use assigned rack space.

Publication – A professionally produced printed magazine, newspaper, or periodical distributed to the public at no cost.

### **C. Application and Selection**

1. Publications must apply through the City of Prescott Magazine Rack Program.
2. Participation is limited and publications will be selected through a competitive evaluation process based on criteria established by the City.
3. Approved publishers will be assigned rack space for a defined agreement term.
4. Assignment of rack space does not grant permanent rights to any location.
5. The City reserves the right to reassign rack space or modify participation in the program as necessary to serve the public interest.

### **D. Use of Magazine Racks**

Approved publishers must comply with the following:

1. Rack space may only be used for the publication approved by the City.
2. Publishers may only use the rack slot assigned to them.

3. Publications must be clean, intact, and professionally presented.
4. Racks may not be used for storage, trash, or non-approved materials.
5. Publications may not be placed on or around racks outside of designated slots.
6. Publishers must restock racks regularly and maintain current issues.
7. Outdated or expired materials must be promptly removed.

## **E. Maintenance Responsibilities**

### City Responsibilities

The City of Prescott will maintain the exterior structure of racks, monitor compliance, and conduct periodic inspections.

### Publisher Responsibilities

Approved publishers are responsible for maintaining the interior cleanliness of their assigned rack slot, keeping publications stocked with current issues, and responding to City communications regarding compliance.

## **F. Prohibited Activities**

The following are prohibited:

- Use of rack space by unapproved publications
- Placement of flyers, loose inserts, or non-bound materials
- Use of another publisher's assigned rack space
- Damage to City-owned racks
- Removal or interference with another publication
- Placement of private publication racks in restricted areas of the Downtown Business District
- Display of material prohibited by applicable law, including explicit sexual material as defined by Arizona law

## **G. Abandonment**

Rack space may be deemed abandoned if a publication has not been stocked for thirty (30) consecutive days without prior notice to the City. The City may remove the publication and reassign the rack space.

## **H. Compliance and Enforcement**

Failure to comply with these regulations may result in enforcement action by the City, including:

1. Written notice of violation
2. Opportunity to correct the violation within a specified timeframe
3. Removal of the publication from the rack
4. Suspension or termination from the Magazine Rack Program

The City's determination regarding compliance shall be final.

## **I. Hearing Process**

A publisher receiving a notice of violation may request a hearing by submitting a written request to the City within ten (10) calendar days of the notice. If no request is made, the City's determination will be considered final.

## **J. Acknowledgement**

Participation in the Magazine Rack Program constitutes acknowledgement and acceptance of:

- [Prescott City Code 8-2-4](#)
- These Regulations for the City of Prescott Magazine Rack Program
- Applicable requirements established by the City's Magazine Rack Program application and Request for Proposals.