

## I. Title

Policy Managing Publication Distribution Using Vending Devices at Raleigh-Durham International Airport

## II. Findings

The Raleigh-Durham Airport Authority (the “Authority”) finds that the unmanaged placement, proliferation and maintenance of newsrack vending machines at Raleigh-Durham International Airport (the “Airport”) would unreasonably interfere with the public’s use of said areas, create an aesthetically displeasing environment, constitute a safety hazard, and adversely impact revenues collected by the Authority and its concessionaires. The Authority further finds that the distribution of publications should, however, be accommodated by the imposition of reasonable content and viewpoint neutral time, place and manner regulations as described in this Policy Managing Publication Distribution Using Vending Devices at Raleigh-Durham International Airport (the “Policy”).

## III. Structures and Machines

1. The Authority will procure, install and maintain newsrack structures (“Authority Newsrack Structures”) designed to contain multiple newsrack vending machines (“Newsrack Vending Machines”). Authority Newsrack Structures shall be placed in locations designated by the Authority. The initial locations are identified in Exhibit A, attached hereto and incorporated herein by reference and are subject to change.
2. In accordance with the provisions of this Policy, entities that produce and/or circulate publications to the general public at least once a week (“Publishers”) may apply for a permit to provide, place and operate a Newsrack Vending Machine in an Authority Newsrack Structure.
3. Each Newsrack Vending Machine must meet the specifications and requirements established by the Authority and be pre-approved by the Authority in writing.
4. One publication may be placed in the Newsrack Vending Machine window in order to identify the publication contained therein. Only the following information may appear on the Newsrack Vending Machine: i) name of the publication; ii) a telephone number for customer complaints or questions; and iii) directions for purchase.
5. The placement or operation of any newsrack vending apparatus at the Airport except as authorized by this Policy is prohibited.

#### IV. Permitting

1. The placement or operation of any Newsrack Vending Machine without a valid permit issued pursuant to this Policy is prohibited and any such machine shall be removed without notice.
2. A Publisher may submit an initial permit application at any time during regular Authority business hours. Each initial permit application shall be granted or denied by the Airport Director or his/her designee within ten business days of its receipt. Any request for reconsideration of this decision must be submitted in writing in accordance with the reconsideration request procedure outlined hereinbelow.
3. Each permit must be renewed annually on April 1. Each application to renew a permit shall be submitted by each Publisher to the Authority on or before January 15 of each year. Each renewal permit application shall be granted or denied by the Airport Director or his/her designee by February 15 of each year. Any request for reconsideration of this decision must be submitted in writing in accordance with the reconsideration request procedure outlined hereinbelow.
4. Each permit application shall identify the applicant, the publication, the specifications and model of the proposed Newsrack Vending Machine(s), the proposed number and requested location(s) of the Newsrack Vending Machine(s). Each permit application will be accompanied by proof of insurance or self-insurance providing coverage for the activities associated with operating, maintaining, and servicing the requested Newsrack Vending Machines in the coverage amounts and types required by the Authority. Prior to the installation and operation of any Newsrack Vending Machine, Publisher shall submit to the Authority a certificate of insurance naming the Authority, its agents, officers and employees as an additional insured.
5. Each permit application shall contain provisions: (i) indemnifying the Authority for any liability arising out of Publisher's operation, maintenance, or servicing of the Newsrack Vending Machines; and (ii) requiring compliance with all applicable laws, ordinances, policies, directives and procedures, including but not limited to this Policy.
6. All permits must be approved by the Airport Director or his/her designee.
7. All permits are subject to revocation with ten business days notice in the event of a violation of this Policy if the violation is not cured within the ten day notice period. The foregoing sentence does not limit the removal rights contained in any other provision of this Policy.

#### V. Fees and Annual Adjustments

1. The Authority will collect a sum of the amount necessary to amortize the cost to the Authority of each Authority Newsrack Structure over the useful life of such structure, the rental rate applicable to the square footage occupied by the Newsrack Vending Machine space rented, the costs of maintaining the structure, and an amount necessary to recover

the income diverted from the Authority by the presence of the Newsrack Vending Machine.

2. Prior to the issuance of a permit, the Publisher shall pay the Authority an annual fee established by the Authority as detailed immediately above. Initially, this annual fee is One Hundred-Fifty Dollars per Newsrack Vending Machine. This fee is subject to annual adjustment on April 1 of each year.

#### VI. Location(s)

1. The placement or operation of a newsrack vending machine in any area of the Airport except in an Authority Newsrack Structure pursuant to this Policy is prohibited and any such machine shall be removed without notice.
2. Only one Newsrack Vending Machine may be used for any one publication in each of the Authority Newsrack Structures unless space remains in said structure that no other Publisher has requested and received permission to use.
3. Upon issuance of a permit, each Publisher shall be assigned the locations requested in its permit application, except that in the event a conflict exists in location requests, selection priority will be made based on the following content and viewpoint neutral criteria: (i) the Publisher that commits to place the largest number of Newsrack Vending Machines in the Authority Newsrack Structures; (ii) If two or more Publishers commit to the placement of the same number of Newsrack Vending Machines, priority between those Publishers will be granted to the Publisher that provides proof of higher circulation figures at the Airport.

#### VII. Inspections, Removal and Relocation

1. The Authority reserves the right to access any Newsrack Vending Machine for the purposes of inspection to ensure the provisions of this Policy are met.
2. The Authority reserves the right to remove any Authority Newsrack Structure or Newsrack Vending Machine, without notice, for reasons related to the security or safety of the Airport and/or its users, or as necessary for any immediately necessary maintenance or repair work.
3. The Authority reserves the right to temporarily remove any Authority Newsrack Structure or request removal of a Newsrack Vending Machine, with 48 hours notice to Publisher, for reasons related to the security, safety, operation, maintenance, renovation, or repair of the Airport and/or its users. In the event Publisher does not remove a Newsrack Vending Machine within 48 hours of receipt of notice, the Authority reserves the right to remove the Newsrack Vending Machine.
4. The Authority reserves the right to relocate any Authority Newsrack Structure or Newsrack Vending Machine at any time in the event that the relocation is reasonably

necessary to the security, safety, operation, maintenance, renovation, or repair of the Airport and/or its users.

#### VIII. Selected Publisher Obligations

1. At all times, Publisher shall provide the Authority with current contact information, including email address(es), telephone number(s), and physical address(es).
2. The Newsrack Vending Machine, including any payment mechanism, must be provided, kept secure, clean, clear of newspapers and debris, in working condition and regularly stocked by the Publisher.
3. At all times, Publisher shall ensure that all of its Newsrack Vending Machines are identically keyed and shall provide two such keys to the Authority in the event the Authority needs access in accordance with the provisions of this Policy or applicable law.
4. Publishers shall meet and maintain all badging and access requirements and shall pay all fees resulting therefrom.
5. Publisher must fulfill all reasonable requests to supply publications distributed in Newspaper Vending Machines to Airport concessionaires in a timely manner.
6. Publisher shall pay all parking fees resulting from its operations.
7. Publisher shall ensure removal and off-Airport disposal of any outdated publications.
8. Publisher shall obtain all licenses and permits required by its operations.

#### IX. Requests for Reconsideration

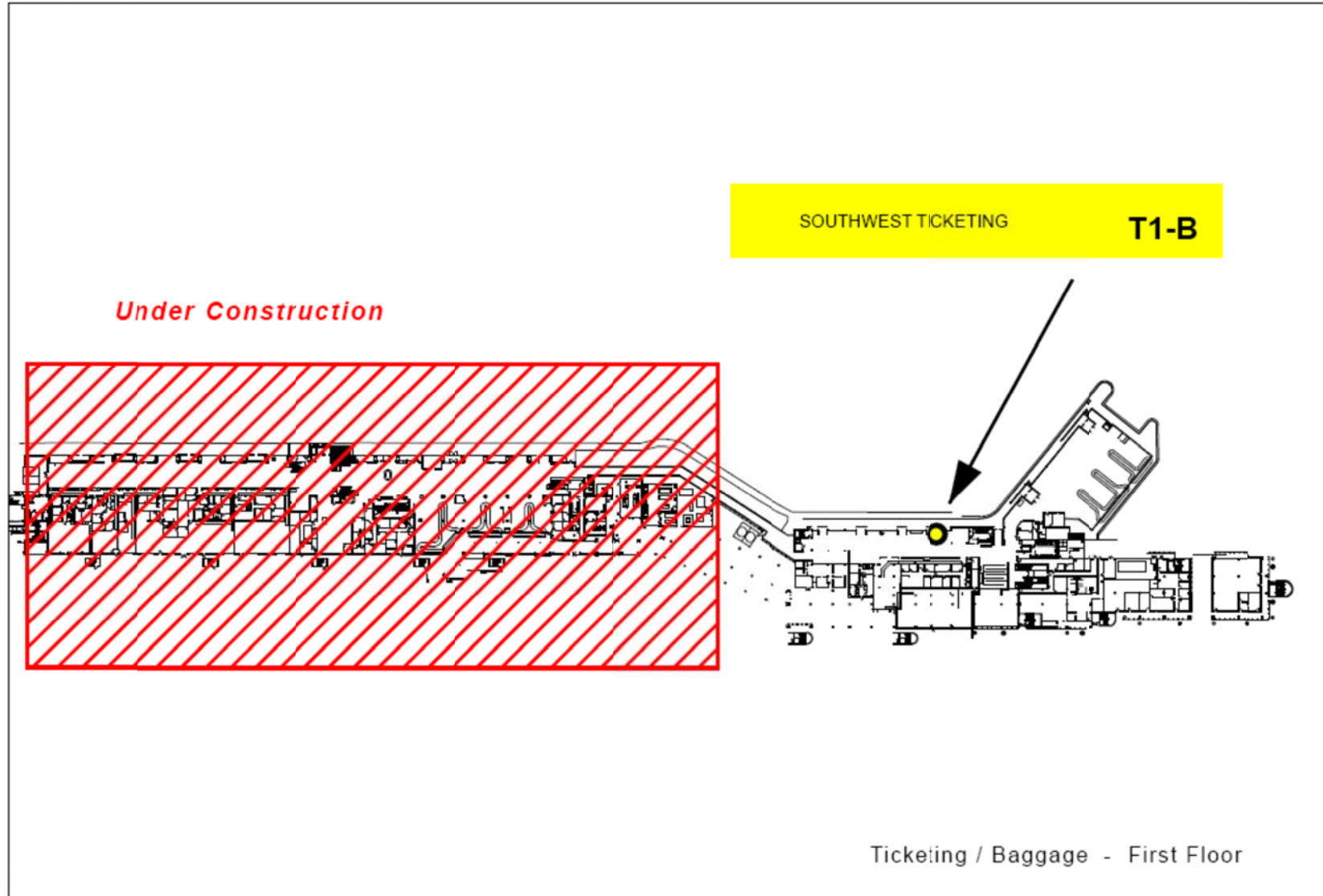
1. To request reconsideration of the summary removal of a newsrack vending apparatus, the denial of a permit, or the revocation of a permit, a written request for reconsideration must be submitted to the Airport Director within ten business days of the action from which the reconsideration is requested.
2. Within ten business days of the submission of a request for reconsideration, the Airport Director or his/her designee, in his/her discretion and at his/her option, will investigate, inquire, and/or conduct an administrative hearing, and then issue a determination.
3. The aforementioned provisions are in addition to any remedies that may be provided by applicable law.

#### X. Miscellaneous

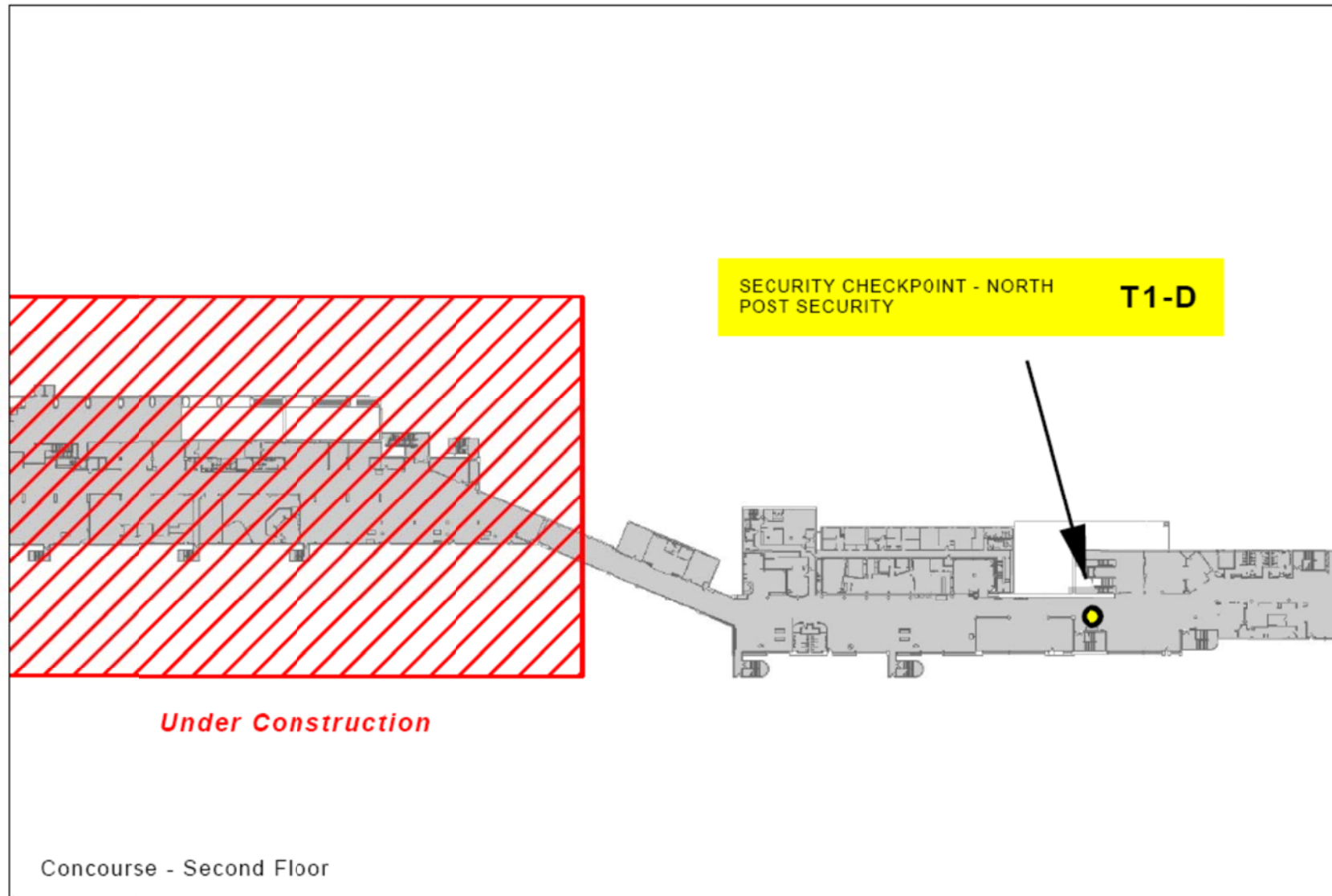
1. The Authority reserves the right to amend this Policy from time to time and to establish additional rules and regulations.
2. This Policy is not intended to, and shall not be interpreted to, alter any contractual obligations and duties that exist between the Authority and any third parties.

Exhibit A

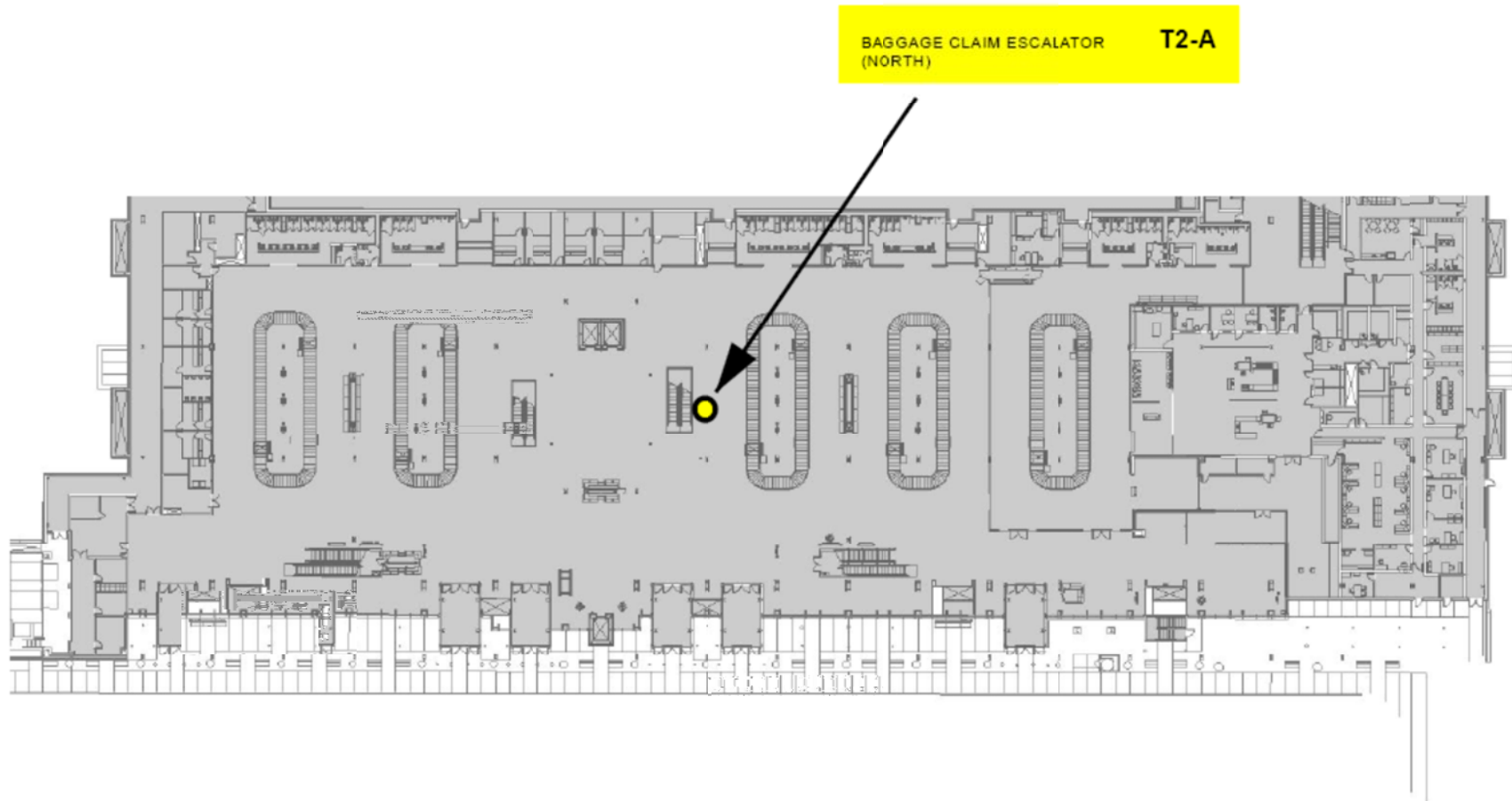
Exhibit A is comprised of the following 5 pages.



**NEWSPAPER LOCATIONS**  
Terminal 1 - First Floor - Locations



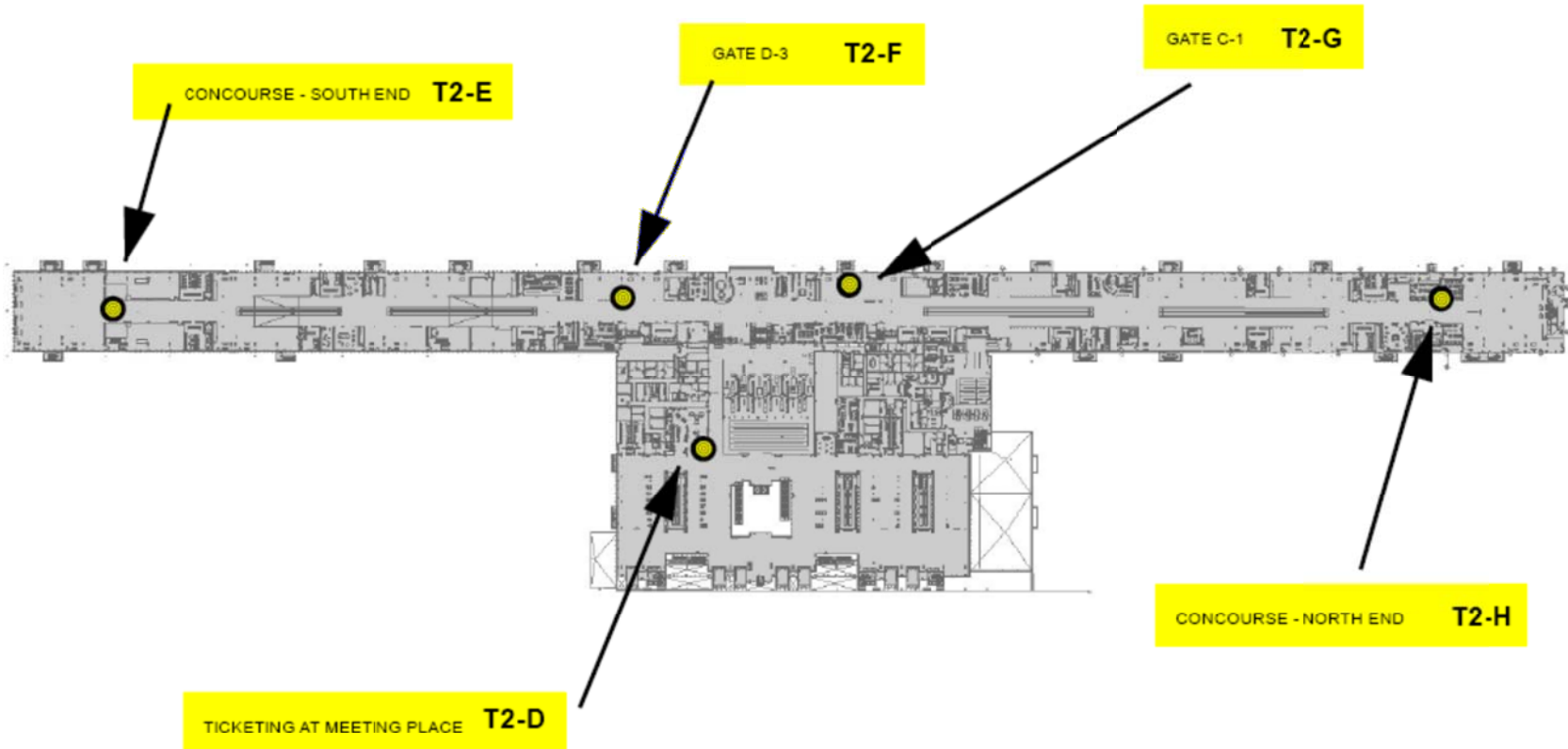
**NEWSPAPER LOCATIONS**  
Terminal 1 - Second Floor Locations



*NEWSPAPER LOCATIONS*  
Terminal 2 - Level 1 - Locations

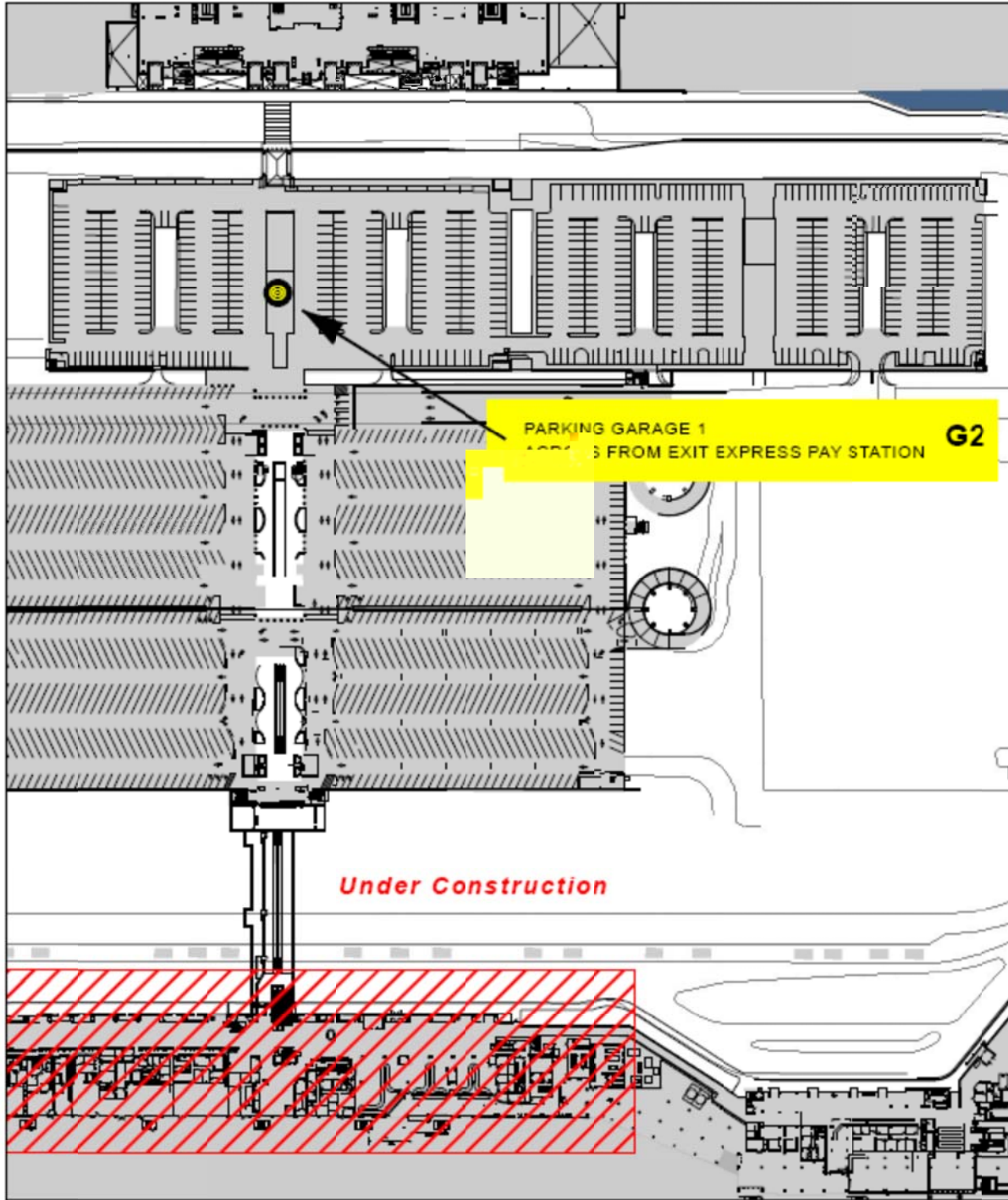
**Bag Claim - Level 1**





NEWSPAPER LOCATIONS  
Terminal [redacted] Locations





NEWSPAPER LOCATION  
Parking Garage