

# PUBLIC WORKS

# RULES & REGULATIONS

OF THE MANAGER OF THE DEPARTMENT OF PUBLIC WORKS, CITY & COUNTY OF DENVER

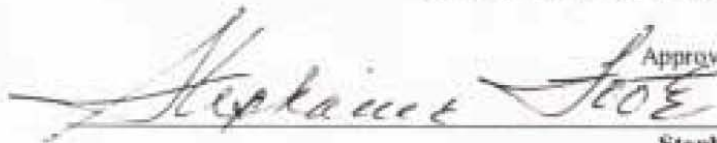
## TRANSPORTATION DIVISION OF PUBLIC WORKS RULES AND REGULATIONS FOR ISSUANCE OF BUS BENCH, BUS SHELTER AND KIOSK REVOCABLE PERMITS IN THE PUBLIC RIGHT-OF-WAY

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Approved as to form:



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Attorney for the City & County of Denver



Approved & Adopted  
**Stephanie A. Foote**  
Manager of Public Works

April 15, 2001

Effective Date

Adopted Pursuant to Article II of  
the Charter of the City & County of  
Denver and Section 2-91 et seq. of  
the Revised Municipal Code

**TRANSPORTATION DIVISION OF PUBLIC WORKS  
RULES AND REGULATIONS FOR ISSUANCE OF BUS BENCE, BUS SHELTER AND  
KIOSK REVOCABLE PERMITS IN THE PUBLIC RIGHT-OF-WAY**

**I. PURPOSE**

The purpose of this regulation is to establish the procedure for the issuance of Revocable Permits for advertising benches and the installation of City standard benches, bus shelters and kiosks bearing advertising on the public right-of-way as authorized by the Revised Municipal Code, Chapter 49, Article XIV, Division 3.

**II. APPLICATION AND FEES**

(See Attachment 2-Permit Application Submittal, Renewal, and Expiration Dates)

1. Anyone who wishes to place a city standard bench, bus shelter or a kiosk on the public right-of-way or renew existing advertising bench permits shall submit a written letter to the Manager of Public Works via Right-of-Way Permits. This letter shall be accompanied by the following:
  - (a) A list of all location addresses as assigned by the assessor's office for which applications are being made. This list shall be submitted in a Microsoft Access format, as required by Right-of-Way Permits.
  - (b) A certificate of insurance in accordance with the requirements of the Revised Municipal Code, Chapter 49, Article XIV, Division 1, naming the City as an additional insured. Insurance shall be non-cancelable without notice to the City thirty days in advance of cancellation. .
  - (c) A check in an amount equal to the total fees due for permits for which application is being made (See Section II. 16 and 17).
  - (d) When located in a Business Improvement District (BID), a written letter from that BID approving the bench, shelter, or kiosk location and design (see Attachment 1).

2. It shall be the responsibility of the applicant to verify that requested locations are:
  - (a) located at an existing (signed) R.T.D. bus stop; and,
  - (b) suitable for placement in accordance with these regulations.
3. Requests shall only be accepted from a vendor who is in full compliance with all prior certified or registered notifications, who has paid all fees at the time of request, and who meets insurance requirements.
4. Only one permit per vendor shall be issued for each location. Permits shall be issued on a first-come, first-served basis.
5. Initial permit requests for shelters, kiosks and corresponding City standard benches must be submitted on July 2, 2001 to be considered in the initial lottery (See Sec. 11.8. below). All permit requests for shelters, kiosks and corresponding City standard benches submitted by July 2, 2001, which are subsequently approved, will be issued by August 1, 2001.
6. Permit requests for shelters, kiosks and corresponding City standard benches may be submitted any business day after July 2, 2001. Permit requests submitted after July 2, 2001, which are subsequently approved, shall be issued within 60 days of submittal.
7. All permits for shelters, kiosks and corresponding benches shall expire August 1st every year. (See Section III Permit Renewals)
8. In the case of duplicate requests received on the same date for a shelter or a kiosk and adjacent City standard bench, the Manager of Public Works will review the applications to determine which proposed fixture serves the best interest of the City at the requested location. If the duplicate requests received, on the same date propose the same fixtures, a lottery process involving only those applicants that have submitted applications for the preferred fixture will determine who is awarded the location. If an application is eliminated from consideration via the lottery process, the application fee will be refunded.
9. For each proposed kiosk location, the vendor shall install and maintain one (1) City standard bench at the kiosk location plus twelve (12) additional City standard benches at other bus stop locations.

10. For each proposed advertising shelter, the vendor shall install and maintain three (3) additional City standard benches at other bus stop locations.
11. The vendor may suggest the locations for the additional City standard benches. However, the City shall select said locations.
12. All City standard benches must be installed on a concrete pad. When the vendor installs or pays for a new concrete pad at a City standard bench location, that pad shall count as one (1) bench credit towards the requirements in Sec. II.9. and 10. above.
13. The vendor shall be responsible for installing concrete pads for shelters and kiosks.
14. The application shall not be accepted unless the submittal is complete. The permit is not considered issued until the applicant is notified in writing by Right-of-Way Permits that the permit has been approved. Upon approval of a permit application, Right-of-Way Permits shall send a statement to the applicant accompanied by a list of locations for which permits are being issued.
15. In the event that a new kiosk, City standard bench or shelter is permitted at a location where one or more advertising benches exist, all advertising bench permits shall be revoked and the vendors shall be required to remove their respective benches.
16. The application fee for a new kiosk and adjacent City standard bench shall be \$200. The additional twelve (12) City standard benches is included in the cost of this permit.
17. The application fee for a new shelter and adjacent bench shall be \$200. The additional three (3) City standard benches is included in the cost of this permit.
18. The Manager of Public Works shall resolve any disputes arising from bench, shelter and kiosk applications.
19. A Public Property Occupancy Revocable Permit may be issued when all necessary requirements are met.

### III. PERMIT RENEWAL/EXPIRATION

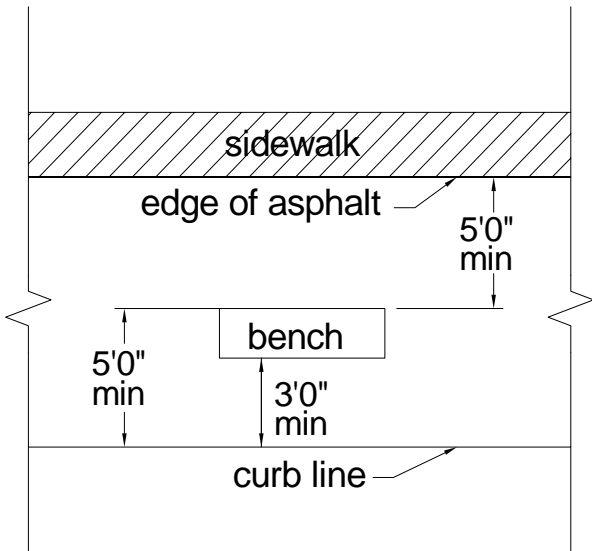
1. To apply for renewal of a permit for kiosks or shelters, the permit holder shall submit a written letter of request to Manager of Public Works via Right-of-Way Permits by 5:00 p.m. July 1st or next business day for the upcoming year. This letter shall be accompanied by:
  - (a) a list (formatted in Microsoft Access) of all location addresses as assigned by the assessor's office for which the applicant is seeking renewal;
  - (b) a certificate of insurance naming the City as an additional insured; and,
  - (c) a check in an amount equal to the total fees due, which is \$50 for each advertising bench and \$200 for each kiosk or shelter. No additional renewal fees are required for City standard benches listed on original kiosk and shelter permits.
2. The request for renewal of a permit for kiosks or shelters shall not be accepted unless the submittal is complete. The permit is not considered renewed until the applicant is notified in writing by the City that the permit renewal application has been approved. Upon approval of an application for renewal, the City shall send a statement to the applicant accompanied by a list of all locations for which permits are being renewed by August 1st or the next business day.
3. All kiosk and shelter permits expire August 1st of each year or next business day if no renewal has been granted. Failure to comply with the permit renewal requirements of these regulations shall result in non-renewal of permits.
4. To apply for renewal of a permit for an advertising bench, the permit holder shall submit a written letter of request to Manager of Public Works via Right-of-Way Permits by 5:00 p.m. December 1st or the next business day for the upcoming year. Renewal requests shall be granted on January 1st or the next business day. Permit renewal may not be granted if the location is selected as a location for a new kiosk, shelter or City standard bench.

#### IV. LIMITATIONS

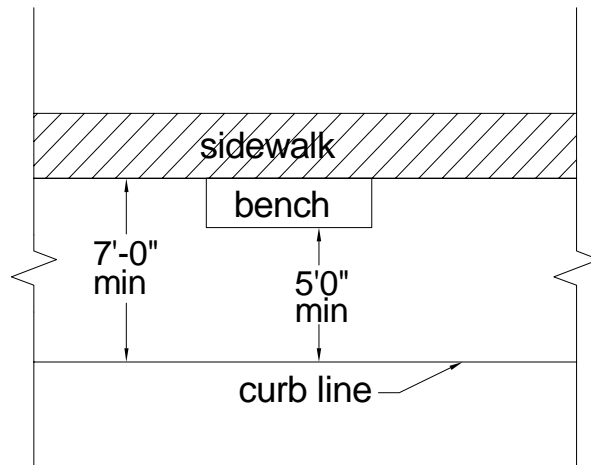
Benches, shelters and kiosks are subject to the following limitations:

- 1 Benches, shelters and kiosks shall not be placed closer than three (3) feet to the roadway edge or curb face (See Detail 1).
- 2 Benches, shelters and kiosks shall not be placed so that less than five (5) feet (or wider as may be required on the permit) unobstructed public sidewalk remains either in front of or behind the bench, shelter or kiosk (See Detail 2).

DETAIL 1



DETAIL 2



- 3 The pad provided for the City standard bench, shelter or kiosk shall be in concrete per City standards. Pad improvements shall include the concrete pad, a minimum four (4) foot connection to existing sidewalks, and curb ramps if applicable.
- 4 Benches, shelters and kiosks shall not be placed so as to include more than 25 feet of the adjacent linear street frontage.
- 5 Shelters and kiosks shall be located so as not to block vehicle sight distance or the sight line between the City standard bench users and approaching busses. Vendors shall consult with Transportation Engineering prior to siting shelters and kiosks with limited sight distance.
- 6 Only one (1) bench shall be allowed adjacent to a residential use. No more than two (2) benches shall be allowed in all other areas.
- 7 Only one (1) kiosk shall be allowed at any bus stop location. Shelters and kiosks are not allowed in any residential areas.

8. Advertising benches shall not be placed where a shelter is already provided.
9. Benches, shelters and kiosks shall be placed parallel to the flow of traffic. In areas where space allows, benches may be placed in alignments other than parallel with approval of the Manager of Public works.
10. Benches, shelters and kiosks shall be placed at or near the place where passengers board the bus but shall not be located so as to impede boarding and deboarding movements of passengers or use of the sidewalk.
11. Benches, shelters and kiosks shall not be allowed within the boundaries of the Denver International Airport, along Parkways (see Attachment 3) or local streets, in or directly adjacent to a park, or in other areas designated by the Manager of Public Works.
12. Benches, shelters and kiosks shall meet all minimum clearance requirements (see Attachment 4).
13. The vendor's name and telephone number shall appear on the kiosk and shelter in the location as identified in the design approval process (See Sec.IV.2.). The vendor's name and telephone number must be located on the underside of all City standard benches. The vendor's name and telephone number shall not be placed anywhere else on City standard benches.
14. Benches and kiosks shall be inspected, cleaned and repaired a minimum of once per month by the vendor. If once per month is insufficient, the vendor shall inspect, clean and repair more frequently as necessary.
15. Shelters shall be inspected, cleaned and repaired a minimum of once per week by the vendor. If once per week is insufficient, the vendor shall inspect, clean and repair more frequently as necessary.
16. Damaged and defaced benches, shelters and kiosks shall be repaired or replaced within 5 days of notification or discovery by the vendor.
17. Electrical accommodations must be arranged by the vendor. Improper or unsafe electrical systems will result in permit revocation.

## V. DESIGN

1. The City standard bench style shall be Manchester, Hunter Green (BRP# MC101-72-MF) Alternative designs may be approved by the Department of Public Works and the Community Planning and Development Agency prior to issuance of a permit.
2. Shelter and kiosk design shall be included in the application to Right-of-Way Permits. The design shall be approved by the Department of Public Works and the Community Planning and Development Agency prior to issuance of a permit.
3. Trash receptacles for shelters shall be an included element in the application to Right-of-Way Permits. The design shall be approved by the Department of Public Works and the Community Planning and Development Agency.
4. Advertising panels for both kiosks and shelters shall not exceed 47 x 67 inches.

## VI BUS STOP RELOCATION

1. In the case where a bus stop has been discontinued, the vendor shall be given thirty (30) days in which to remove the shelter, kiosk, or benches at said stop. Failure by the vendor to remove the facility within the time period prescribed by these regulations may result in removal by the City at the owner's expense.
2. In the case where a bus stop is relocated, the holder of the permit for the abandoned stop shall be given first priority to apply for the new bus stop location within thirty (30) days after relocation of the bus stop.
3. Benches, shelters or kiosks shall not be placed at a relocated bus stop prior to approval by Right-of-Way Permits.

## VII. REVOCATION/REMOVAL

1. A permit issued pursuant to these rules and regulations shall be a revocable permit. The vendor shall be required to remove any bench, shelter or kiosk found in violation of these rules and regulations or where the Manager of Public Works has determined that said bench, shelter or kiosk is not in the best interest of the City within thirty (30) days after being notified in writing. Failure by the vendor to remove said bench, shelter or kiosk within the time prescribed by these regulations may result in the bench, shelter or kiosk being removed by the City at the owner's expense.
2. Benches, shelters and kiosks located in the public right-of-way without a valid revocable permit shall be removed immediately and discarded without notification by the City.
3. Written complaint(s) will be investigated by the City. If the City determines that a violation of these regulations exists, the applicant will be required to make corrections. If the applicant fails to make the required corrections within fifteen (15) days, the permit may be revoked.
4. The vendor's insurance shall not lapse during the period the permit is in effect. Permits may be revoked if a lapse occurs.
5. Benches, shelters and kiosks shall be properly located and positioned in accordance with these regulations. Improper location or position may be considered cause for revocation.
6. Failure to remove a bench and/or kiosk within thirty (30) days of the notice may result in removal of the bench and/or kiosk by the City. A fee of \$500 plus the cost of removal and storage shall be paid prior to retrieval of the bench and/or kiosk.
7. Failure to remove a shelter within 30 days of the notice may result in removal of the shelter -by the city. A fee of \$1000 plus the cost of removal and storage shall be paid prior to retrieval of the shelter.
8. In the event a permit is revoked due to bus stop discontinuation, street widening or other similar actions initiated by the City or RTD, applicant may be eligible for a credit towards future permit fees at the discretion of the Manager of Public Works.

Attachments

Attachment 1

Business Improvement District List

Attachment 2

Permit Application Submittal, Renewal, and Expiration Dates

Attachment 3

Parkways

Attachment 4

Clearance Requirements for Benches, shelters and kiosks

**Attachment I****Business Improvement District List**

<b>Name</b>	<b>Location</b>
Downtown Denver Business Improvement District	Generally 16th Street Mall
Colfax Business Improvement District	Colfax Avenue - Grant Street to Josephine Street
Cherry Creek Subarea Business Improvement District	15th Street - Wewatta Street to S. Platte River
Cherry Creek North Business Improvement District	Cherry Creek North - 1st Avenue to 3rd Avenue; University Blvd to Steele Street
Old South Gaylord Business Improvement District	South Gaylord Street - E. Mississippi Avenue to E. Tennessee Avenue
Golden Triangle Business Improvement District	Golden Triangle Area

Attachment 2

Permit Application Submittal, Renewal, and Expiration Dates

<b>Kiosk/Shelter Permit Application</b>			
	Opening day for permit application	July 2, 2001	
	Rolling application submittal	any business day after July 2, 2001	
	Permit renewal application deadline	July 1	or next business day
	Permit issuance or expiration deadline	August 1	or next business day
<b>Advertising Bench Permit Application</b>			
	Permit renewal application deadline	December 1	or next business day
	Renewal issuance or permit expiration	January 1	or next business day

### **Attachment 3**

#### **Parkways**

Permits for benches will not be issued for locations along the following parkways:

Clermont St Parkway, 3<sup>rd</sup> Ave to 6<sup>th</sup> Ave

Downing St Parkway, 3<sup>rd</sup> Ave to Bayaud Ave

Forest St Parkway, 17<sup>th</sup> Ave to Montview Blvd

Hale Parkway, 12<sup>th</sup> Ave to 8<sup>th</sup> Ave

S. Irving St Parkway, Evans Ave to Jewell Ave

Monaco St Parkway, 40<sup>th</sup> Ave to Quincy Ave

S. Marion St Parkway, Bayaud Ave to Marion St

Richtofen Place Parkway, Monaco to Oneida St

3<sup>rd</sup> Ave Parkway, Colorado Blvd to Clermont St

6<sup>th</sup> Ave Parkway, Colorado Blvd to Quebec St

7<sup>th</sup> Ave Parkway, Williams St to Colorado Blvd

14<sup>th</sup> Ave Parkway, Bannock St to Broadway

17<sup>th</sup> Ave Parkway, Colorado Blvd to Monaco Parkway

26<sup>th</sup> Ave Parkway, York St to Colorado Blvd

32<sup>nd</sup> Ave Parkway (i.e. MLK Blvd), Elizabeth St to Quebec St

***Attachment 4***

**Clearance Requirements for Benches, shelters and kiosks**

***Clearance Guidelines***

Traffic Control Cabinets	3 ft. clear from outside edge of cabinet
Fire Hydrants	5 ft. radius clear
Crosswalks	Clear area within 3 ft of any marked crosswalk
Bike Racks	3 ft. radius clear
Parking Meters	3 ft. radius clear from post
Man Holes	3 ft. radius clear from edge of man hole
Ground Signs	3 ft. radius clear from post
Vaults/Utility Grates	3 ft. clear from edge of grate