



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

REVISED

Apr 24/18

"Staff report from 2007," as noted in attachments list, added to Attachment A.

Item No. 14.2.1

Halifax Regional Council

April 24, 2018

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY:

Councillor Tony Mancini
Chair, Environment and Sustainability Standing Committee

DATE: April 6, 2018

SUBJECT: Subscription Only Flyer Delivery in HRM

ORIGIN

Motion from the April 5, 2018 meeting of the Environment and Sustainability Standing Committee.

LEGISLATIVE AUTHORITY

Administrative Order 1 – Schedule 5
Environment and Sustainability Standing Committee - Terms of Reference

3. The Environment & Sustainability Standing Committee shall:
 - (a) advise the Council on matters respecting solid waste management, including the responsibility to receive reports and to keep the Council informed respecting all matters related to the solid waste management program in the Municipality.

RECOMMENDATION

The Environment and Sustainability Standing Committee recommends that Halifax Regional Council:

1. Direct staff to draft a by-law to regulate flyer delivery, including delivery standards and a requirement to not deliver flyers to properties that have a 'No Flyers' sign posted. It is further recommended that a mandatory 'opt-in' only delivery option not be part of a by-law; and
2. Direct staff to work with the flyer distributors and publishers to implement and evaluate a pilot project of flyer boxes to replace end of driveway delivery in rural areas.

BACKGROUND

The Environment and Sustainability Standing Committee received a staff report dated January 16, 2018, titled "Subscription Only Flyer Delivery in HRM," at their meeting held on April 5, 2018.

For further information, please refer to the attached staff report (**Attachment 1**) dated January 16, 2018

DISCUSSION

The Environment and Sustainability Standing Committee considered the January 16, 2018 staff report at their April 5, 2018 meeting and forwarded the recommendation to Halifax Regional Council as outlined in this report.

Refer to the January 16, 2018 staff report (**Attachment 1**) for further discussion.

FINANCIAL IMPLICATIONS

Refer to the January 16, 2018 staff report (**Attachment 1**) for information on financial implications associated with this report.

RISK CONSIDERATION

None Identified.

COMMUNITY ENGAGEMENT

The meetings of the Environment and Sustainability Standing Committee are open to public attendance. A live webcast is provided of the meeting, and members of the public are invited to address the Committee for up to five minutes at the end of each meeting during Public Participation. The agenda, reports, and minutes of the Environment and Sustainability Standing Committee are posted on Halifax.ca.

ENVIRONMENTAL IMPLICATIONS

Refer to the January 16, 2018 staff report (**Attachment 1**).

ALTERNATIVES

The Committee did not provide any alternatives.

Refer to the January 16, 2018 staff report (**Attachment 1**).

ATTACHMENTS

Attachment 1 – Staff report dated January 16, 2018

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: David Perusse, Legislative Assistant, Office of the Municipal Clerk 902-490-6517



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 12.1.1
Environment and Sustainability Standing Committee
March 1, 2018

TO: Chair and Members of Environment and Sustainability Standing Committee

-Original Signed-

SUBMITTED BY:

Bruce Zvaniga, Transportation and Public Works

DATE: January 16, 2018

SUBJECT: **Subscription Only Flyer Delivery in HRM**

ORIGIN

At the August 3, 2017 meeting of the Environment and Sustainability Standing Committee (ESSC) it was moved by Councillor Blackburn, seconded by Councillor Zurawski:

“THAT the Environment and Sustainability Standing Committee request a staff report, with recommendations, on making the delivery of marketing flyers contained in plastic bags in the Halifax Regional Municipality by subscription only, so that residents are required to opt-in to receive the service rather than the current model of having to opt-out if the service is unwanted.”

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter

- s. 188(1) The Council may make by-laws, for municipal purposes, respecting
 - ... (d) nuisances, activities and things that, in the opinion of the Council, may be or may cause nuisances ...
 - ... (f) businesses, business activities and persons engaged in business...
- s. 335 The Council may make by-laws respecting solid waste, including, but not limited to, ... (b) regulating the disposal, collection and removal of solid waste...

RECOMMENDATION

It is recommended that the Environment and Sustainability Standing Committee recommend that Regional Council:

1. Direct staff to draft a by-law to regulate flyer delivery, including delivery standards and a requirement to not deliver flyers to properties that have a 'No Flyers' sign posted. It is further recommended that a mandatory 'opt-in' only delivery option not be part of a by-law; and
2. Direct staff to work with the flyer distributors and publishers to implement and evaluate a pilot project of flyer boxes to replace end of driveway delivery in rural areas.

BACKGROUND

The issue of flyer delivery has been considered by Regional Council several times in recent years (see attached staff reports from 2007, 2008, 2012 and 2016 – Attachment A).

Some residents wish to receive the free newspapers and flyers that are delivered to their homes. Others, however, have complained to HRM staff and Councillors that such newspapers and flyers are unwanted and are a nuisance. Concerns have been expressed that unwanted materials can accumulate while residents are away (flagging an empty house), that they are a waste of resources, and can result in litter if not collected from the end of the driveway. The municipality incurs a cost to collect and dispose of materials delivered to property owners as part of the municipal curbside collection program.

Distributors of commercial newspapers and flyers typically have an "opt-out" option for residents who do not wish to receive them. Some residents have complained that they continue to receive the materials even after calling the distributor to have their property removed from the distribution list.

HRM staff have previously advised Council that an outright ban on flyer delivery is not possible, as it would be deemed an infringement on the distributors' freedom of expression. It is possible, however, to place reasonable restrictions on the distribution of flyers and several Canadian municipalities have adopted by-laws to do so.

DISCUSSION

Opt-Out vs. Opt In

On April 16, 2012, a report (Attachment A, page 11) was provided by Legal Services for the Environment and Sustainability Standing Committee advising that Halifax could enact a by-law to control flyer delivery but it could not ban the delivery of the material altogether. As described in that report, the *Canadian Charter of Rights and Freedoms* provides for freedom of expression (which includes the freedom to distribute commercial flyers and newspapers). A municipal by-law can only place reasonable limits on the rights and freedoms that are protected under the *Charter*.

Any by-law enacted by HRM must therefore (1) have a pressing and substantial objective; (2) be rationally connected to the objective; (3) be minimally impairing; and (4) the negative effects must not outweigh the benefits.

An outright ban would not be minimally impairing and would not pass the test. Neither would an “opt-in” requirement as opposed to an “opt-out” requirement. A by-law (like ones adopted in Ottawa and in Calgary) that imposes reasonable delivery standards on distributors and requires distributors to respect the clear wishes of a property owner/occupier would, however, likely be upheld if challenged.

Newspaper Stewardship Agreement

Nova Scotian flyer distribution policies, practices and delivery methods are outlined in a voluntary newspaper stewardship agreement between newspaper publishers (Newspaper Atlantic), Nova Scotia Environment and Regional Chairs (representing municipal solid waste regions). Table 1 (below) provides a summary of the distribution practices set out in the Newspaper Stewardship Agreement (Attachment B).

TABLE 1

Summary of Newspaper Stewardship Agreement Distribution Policies, Practices and Delivery
<ul style="list-style-type: none">• Opt Out messaging must be displayed on page 2 of the publication and on their website.• Each publisher will maintain a ‘Do Not Deliver’ list.• Dumping of undelivered materials is not permitted under any circumstances.• If a household hasn’t taken in the delivered materials for two weeks in a row, delivery contractors will stop delivering and notify the publisher so the address can be removed from the delivery list.• Delivery Location<ul style="list-style-type: none">○ Urban: in a receptacle (i.e. flyer tube), mailbox or doorstep (in a visible location)○ Rural: If no receptacle or mailbox, delivered minimum of 15 feet into the driveway• Delivery drivers are responsible for a spring clean-up of materials that were covered by snow, scattered by wind or not taken in by householders.• Flyers must be packaged¹ in a way to keep them dry and prevent scattering.• All delivery drivers must be provided with an instruction manual outlining distribution practices and consequences.

The intent of this section of the agreement is to promote proper waste management and litter prevention. Unfortunately, inappropriate delivery practices continue to occur and are considered a nuisance by some residents. Since the stewardship program is voluntary there are no specific consequences for distributors if policies are not followed. Complaints from customers are currently handled by distribution managers, and publishers. Unresolved issues may be referred to Nova Scotia Environment, Resource Management office for follow-up.

Flyer Distribution Standards Association

The Flyer Distribution Standards Association (FDSA) provides accreditation to flyer distributors to ensure compliance in areas around logistics, packaging, delivery, verification and non-delivery

¹ Plastic bags are the most common form of flyer packaging, used to prevent scattering. Plastic bags are recyclable and they keep the paper dry so it can be recycled after the flyers are read.

resolution². They oversee audits of their member's practices on an annual or bi-annual basis depending on the publication. Newspaper publishers producing non-subscription based publications (such as flyers) set their own individual distribution policies based on their business needs, in adherence to FDSA criteria.

In a survey conducted by the FDSA in 2015 (Attachment C), 81% of Atlantic Canadians report they read printed flyers. Further, 55% of the total population surveyed want flyers delivered to their door.

Herald Flyer Distribution Practices

The Chronicle Herald is the largest flyer delivery agency in the municipality. The Herald contracts several hundred carriers in HRM, delivering paid subscription newspapers and free community newspapers with weekly flyers. Staff have met with a representative from the Herald to discuss opportunities and challenges around flyer delivery.

Printed flyers represent an important revenue stream to the publishing industry, especially given the shift to online mediums for news. To this effect, ensuring proper delivery standards is important to the Herald to protect revenue and their reputation. The Herald is a member of the Flyer Distribution Standards Association with annual accreditation audits.

Measures taken by the Herald to ensure delivery standards are met include:

- Provision of an address delivery list to each carrier;
- Telephone surveys and visual route inspections to monitor carrier compliance;
- Use of a pink plastic bag in winter months to increase visibility of flyer packets;
- Tracking of complaints by number of calls received and repeat calls;
- Provision of guides to independent contractors (carriers) outlining delivery standards and responsibilities;
- Roadside litter clean-ups in the spring of each year and weekly monitoring along all routes;
- At customer request, install flyer 'tubes' at the end of the driveway.

The Herald publishes a phone number (902.426.3031 or 1.800.565.3339) and email address (flyerdelivery@herald.ca) on the second page of the community paper which residents can contact to request placement on the "Do Not Want" list for flyer delivery. The Herald estimates 18% of total households in the municipality have requested to be added to this list.

Ecology Action Centre Study

In 2016/2017, the Ecology Action Centre conducted a study (Attachment D) to determine in part:

- How much weight in "junk" mail the average household in the Halifax Regional Municipality receives in a year;
- If use of the No Flyers Sticker is an effective method to deter the amount of "junk" mail received.

² <https://fdsa-canada.org/pages/accreditation-program>

The study concluded that homes who posted a sign received significantly less unaddressed advertising mail than homes which did not. EAC calculates this as a savings of roughly 25 lbs of paper per year, per household.

Jurisdictional Review

The City of Ottawa enacted a Voluntary Ad Mail By-law³ in 2003 (Attachment E) which prohibits delivery of unaddressed advertising mail (i.e. flyers) to addresses which display a 'No Junk Mail' sign in a conspicuous spot on the property. Signs are available for purchase at city customer service centre for a fee of \$2.00.

For properties that want to receive flyers, delivery must be made in a receptacle, on a newspaper rack, in an apartment building lobby or hung on a door handle if delivered in a bag. Distributors are also required to use the driveway and sidewalks (no walking on lawns) and may only deliver between the hours of 8:00 a.m. and 9:00 p.m.

The Ottawa by-law does not apply to subscription newspapers, community newspapers, election campaign materials or information circulars produced by governments or their agencies.

The City of Calgary added measures to its Community Standards By-Law in 2016 to require that "No person shall deposit a Flyer at or on a Premises where a sign or notice has been posted and which is clearly visible at the entrance of a dwelling unit indicating that such Flyers are not wanted."



Similar to Ottawa, Calgary's by-law does not apply to election advertising material, newspapers delivered to paid subscribers, community newsletters, or information circulars produced by any level of government. Unlike Ottawa, Calgary's by-law does not prescribe a specific sign.

An excerpt of the City of Calgary's Community Standards by-law is attached to this report (Attachment F).

Rural Flyer Box Pilot

Staff discussion with the Herald included brainstorming around alternate approaches to delivery of flyers. A potential enhancement to delivery in rural areas could be placement of self serve distribution boxes. This would allow access for residents who wish to receive flyers with no impact or action required by those who do not.

³ www.ottawa.ca By-law No. 2003-493

To determine the effectiveness of such boxes, it would be prudent for the Herald to conduct a pilot project. Solid Waste staff can facilitate this process, and provide input to the Herald in the development of a project plan.

Litter Awareness Campaign

As part of the Newspaper Stewardship Agreement, HRM receives a pre-set number of advertising credits from the Herald and Metro News (based on circulation) to be used for promotion of solid waste initiatives. These credits will be utilized in promotion of litter awareness in 2018, and the Herald has expressed interest in partnering with Halifax to further the message.

Justification for Recommendation

In consideration of AO 2017-002-ADM, Charter of Governing Principals for Regulation, a flyer distribution by-law would support existing distribution standards as outlined in the Newspaper Stewardship Agreement. Since these standards were formulated based on the Herald's internal distribution policy, a by-law does not impose a burden, rather would further promote accountability and allow for consequences should these standards not be adhered to. Since the standards recommended are already accepted by the industry, there would be no undue cost or hardship levied on businesses. The low-level complexity of the issue makes it appropriate to draft the by-law in plain language.

The desired outcome of implementing a by-law is to reduce the issue of litter, as well as the nuisance of improper delivery of flyers to protect and support the environment of citizens and communities. Developing a by-law is viewed as a necessary instrument to address issues that have been raised since 2007 with staff reports written and past recommendations, non-regulatory actions have not changed the situation.

As established in the Ecology Action Centre study, 'No Junk Mail' signs are an effective tool to reduce the volume of flyers received at homes who display them. Identifying adherence to the sign can be identified within a by-law to give additional authority, as well as consequences for non-compliance.

One advantage to having a standard sign is that it makes it easier for delivery persons to identify properties that do not wish to receive flyers, as they are looking for a consistent image. Not all houses are visible from the road and may not have a suitable place to affix a sign. For this reason, it will continue to be important for distributors to maintain a 'do not deliver' list and enforce adherence with delivery drivers.

FINANCIAL IMPLICATIONS

If HRM were to enact a by-law overseeing flyers delivery, costs would include enforcement and prosecution of violations. In consultation with by-law services, a needs assessment would be conducted as a by-law is drafted to determine resources required to administer. HRM Legal Services have consulted with staff in Calgary and Ottawa and it is unknown if there are costs for prosecution as neither municipality has laid a charge to date.

A 4 x 5.5 inch sign, window cling or adhesive, range in price between \$0.18 and \$0.27 each, depending on the quantity ordered. These could be provided to residents at no cost.

RISK CONSIDERATION

The recommendations presented in this report are considered low risk.

COMMUNITY ENGAGEMENT

No community outreach was conducted for this report.

ENVIRONMENTAL IMPLICATIONS

The environmental implications of this report are considered minimal.

ALTERNATIVES

Council could choose not to direct staff to draft a by-law to regulate flyer delivery and/or could direct staff to collaborate with distributors to find ways to make it easier for residents to successfully opt-out from receiving unwanted flyers.

ATTACHMENTS

- Attachment A: HRM staff reports from 2007, 2008, 2012 and 2016 regarding delivery of unwanted flyers
- Attachment B: Newspaper Stewardship Agreement: Litter Reduction Strategy
- Attachment C: Flyer Distribution Standard Association Survey Summary
- Attachment D: Effectiveness of the No Flyer Sticker in the Halifax Regional Municipality, Ecology Action Centre, June 2017
- Attachment E: City of Ottawa Ad Mail By-Law
- Attachment F: Excerpt from City of Calgary Community Standards By-Law regarding flyer delivery

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Shannon Betts, Solid Waste Policy Analyst, 902.490.7153

3.



PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
May 15, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

Original Signed

SUBMITTED BY:

Brad Anguish, P.Eng., Director, Environmental Management Services

DATE:

May 4, 2007

SUBJECT:

(Unwanted) Home Delivery of Flyers and Free Newspapers - Litter

INFORMATION REPORT

ORIGIN

At the February 27, 2007 meeting of Regional Council, it was approved that staff provide a report detailing measures to halt the unwanted home delivery of flyers, and free home delivery of weekly community newspapers, which often are deposited at driveway entrances, at the side of the roads or in ditches, and which accumulate while residents are away. The staff report is to reference applicable legislation and existing enforcement responsibilities and whether an HRM by-law is required.

BACKGROUND

The issue of litter and littering has been before Regional Council on several occasions in recent years. The attached staff report entitled "Litter Prevention", dated August 3, 2005, was provided to members of Regional Council at the August 9, 2005 meeting. The report provided an overview of the following:

- ▶ the adequacy of existing legislation;
- ▶ enforcement opportunities;
- ▶ public education and awareness; and
- ▶ HRM's litter prevention infrastructure and services.

In 2006, the HRM "Can You Afford to Litter?" campaign was implemented. This campaign (which continues in 2007 as one component of a larger HRM beautification and civic pride initiative) raised public awareness of the consequences of littering:

- ▶ for the environment;
- ▶ for HRM - expended for litter maintenance services, in excess of \$2 million annually; and
- ▶ for individuals who are liable for a fine for violating specific Provincial and HRM legislation.

This report addresses the specific issue of unwanted home delivery of flyers and the common recent practise of the delivery of free weekly newspapers throughout HRM.

DISCUSSION

1. Legislation

1.1 Canadian Charter of Rights and Freedom

A law such as a By-Law that attempts to limit freedom of expression, i.e. prohibiting the distribution of flyers/free newspapers and/or interferes with commerce, may be subject to a Charter of Rights and Freedom challenge.

1.2 NS Environment Act, NS Motor Vehicle Act and HRM By-Law S-300

The NS Solid Waste Resource Regulations, the NS Motor Vehicle Act and HRM By-Law S-300 "Streets" all apply. Staff advised in the attached staff report (Attachment # 1) dated August 9, 2005, Section 1 "Legislation" (page 2) that:

"based upon the existing Provincial legislation (i.e. the NS Environment Act and the Provincial Motor Vehicle Act, which provides for a fine of \$387.50 and \$445.00 for littering respectively) and HRM's By-Law S-300 (where a resident could be issued a SOT of \$215.00 for failing to keep the area between the curb/edge of the travelled portion of the road and the property line free of waste and debris), the framework for

effective litter enforcement is available without the requirement for a new HRM by-law,..."

As specified in the Solid Waste/Resource Management Regulations, under the Environment Act, section 2 (s), the following is the definition of "litter":

"litter" means any material left or abandoned in a place other than a receptacle or place intended or approved for receiving such material and "littering" has a corresponding meaning."

The act of the placement of flyers and newspapers at the foot of driveways, on walkways, or at the side of the road, is considered littering and causing litter contrary to provincial legislation.

Although the practise of free home delivery of weekly newspapers is a recent occurrence in many communities, particularly in urban and suburban HRM, staff's view has not changed. The existing Provincial and HRM legislation can provide for effective litter enforcement - a new HRM by-law is not required.

Individuals who are charged by way of a Summary Offence Ticket (SOT) and who plead "not guilty" will be subject to prosecution in the Provincial Court. HRM also has the option to charge by way of a "Long Form" Information. Long Form charges also go before the Provincial Court and could result in a higher fine.

HRM By-Law S-300 requires residents, as good stewards of the environment - for the appearance of their property and neighbourhood, to keep storm drains from being clogged - to remove flyers and weekly community newspapers deposited in front of their property.

At the fall 2006 sitting of the Provincial legislature, the maximum fine for littering was increased to \$10,000 for an individual and \$100,000 for a company. This increase in the maximum fine indicates that littering is a priority for the Provincial government.

2. Education Opportunities

2.1 *Companies that Distribute Flyers and Free Weekly Newspapers*

One component of resolving the littering occurring from a flyer or newspaper being thrown at the side of the road/entrance to a driveway, is to engage the companies that produce and/or distribute flyers and the free weekly newspapers.

Staff has written to the two local companies who are providing the home delivery of flyers and free newspapers (the Chronicle Herald, and Transcontinental (The Daily News)) for the purpose of making them aware of the issue, and providing notification that they, and/or their contractors/carriers, are required to be compliant with Provincial legislation.

In 2006, staff changed the service provider who delivered the HRM Naturally Green Newsletter to 150,000 households three times a year, as incidents of HRM's newsletter being deposited at the end of driveways/side of the roads were regularly being reported.

The Chronicle Herald and the Daily News have responded (attachment # 2A and # 2B) advising that they have a similar concern when their product is delivered in a manner that is contrary to Provincial regulations. Both companies have implemented measures intended to effect a higher standard of performance for the delivery of flyers and community newspapers. Both companies have committed to the following:

- ▶ publish a telephone number in the flyer/community newspaper for residents to be added to the "Do Not Deliver" list;
- ▶ promptly follow up and take appropriate action (including dismissing of carriers) for inappropriate delivery;
- ▶ continue with the removal/clean up of their product along the sides of roads; and
- ▶ meet regularly with HRM staff and NSEL representatives to ensure a cleaner Region.

The companies have advised that their number one priority is customer complaints, and ensuring their systems resolution is effective. They also advised that they will focus on deliveries in HRM where subdivisions have a Canada Post communal mail box and where homes do not have a mail box/slot or tube. The Chronicle Herald provides the free installation of a tube into which flyers and newspapers can be placed. Residents desiring the installation of a mail tube at the foot of their driveway can contact the Chronicle Herald at the below telephone numbers.

The contacts for residents to be placed on the "Do Not Deliver" list are:

- ▶ For the Daily News, 444-4444 - ask for the Circulation Dept.;
- ▶ For the Chronicle Herald, 426-2811 ext 3350, or 1-888-766-6444, or via email at emc@herald.ca, or by fax at 426-0422.

2.2 Residents of HRM

Many residents of HRM have placed a "No Flyers!" sign on their door advising that they do not want flyers/free newspapers delivered to their home. This approach is generally more effective in urban and suburban HRM, where the front door is close to the sidewalk/roadway. For rural HRM, a sign on the front door is not as effective, as it often cannot be seen from the roadway. Both companies are aware and have taken measures to address the problem of the delivery of their product in more rural subdivisions that have long driveways and do not have a mailbox, slot, or tube at the residence.

2.3 Tracking Reports of Litter from Home Delivery of Flyers & Community Newspapers

Reports of litter caused by flyers and community newspapers are recorded in Hansen. Multiple Reports of incidents in a specific area (i.e. Hot Spots) will be investigated by the HRM Police and RCMP for appropriate action with the company/carrier responsible. If no

improvement is forthcoming, EMS/Solid Waste Resource staff will meet with the company and officials from NSEL to effect higher compliance.

3. Enforcement

3.1 *HRM/RCMPolice*

For 2007, the HRM Police and RCMP will continue to include littering as a regular component of their patrol strategy. Once the locations (hot spots) are identified and reported to the HRM 490-4000 line, the information will be passed to the HRM and RCMPolice for inclusion in their daily patrol briefings.

3.2 *Nova Scotia Department of Environment and Labour*

The Nova Scotia Department of Environment and Labour (NSEL) has the responsibility to ensure compliance with Provincial legislation for incidents of littering. NSEL Inspectors have the authority to issue a SOT and, if determined appropriate (i.e. a repeat offense), to charge by Long Form an individual or a company for violation of the Environment Act.

HRM staff has written to senior NSEL staff advising of Council's concern respecting littering caused by home delivery of flyers and free community newspapers. NSEL has responded advising that:

- ▶ the placement of a flyer or newspaper on the ground is an act of littering;
- ▶ that NSEL, with HRM staff, are prepared to meet with the companies that are the source of the litter problem; and
- ▶ that Provincial Inspectors have and will investigate reports of littering and will take appropriate enforcement actions.

Summary:

Staff will inform residents of the measures they can take to halt the delivery of unwanted flyers and free newspapers to their homes. Communication will be via the HRM website, the Corporate Call Centre, and the Naturally Green Newsletters. Another venue is in Councillors' newsletters. HRM and RCMPolice will include littering in daily patrol briefings. Staff have initiated a process with both newspaper companies to effect an improvement in the delivery of their product, to reduce the number of incidents reported of flyers and free community newspapers placed at the side of the road and foot of driveways.

BUDGET IMPLICATIONS

There are no budget implications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

1. One alternative, which is not recommended, is for HRM to adopt a By-Law to prevent the distribution of flyers and free newspapers. Such a By-Law would likely be subject to a Charter of Rights and Freedom challenge.
2. Another alternative, which is not recommended, is for HRM to adopt a By-Law to prohibit littering. Existing Provincial and HRM legislation provides for effective litter enforcement. HRM staff will monitor the results of the positive response by both newspaper companies and NSEL to jointly work together to resolve the incidents of flyers and free newspapers being placed at the side of roads and foot of driveways.

ATTACHMENTS

1. Attachment # 1 - August 3, 2005, staff report entitled "Litter Prevention" (without attachments);
2. Attachment # 2A - Letter dated April 27, 2007, from the Chronicle Herald; and
3. Attachment # 2B- Letter dated April 25, 2007, from the Daily News.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Jim Bauld, Manager, Solid Waste Resources 490-6606

The Halifax Herald Limited
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ph. 902-426-2811 www.herald.ca

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Chronicle Herald**
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RECEIVED
APR 30 2007

April 27, 2007

Halifax Regional Municipality
Solid Waste Resources Environmental
Management Services
P.O. Box 1749
Halifax, N.S.
B3J 3A5

Attention: Mr. Jim Bauld, Manager

Dear Sirs:

Thank you for meeting with our group on Monday, April 23, 2007.

As you have informed us, staff was directed to provide a report advising of measures to prevent the undesired and inappropriate delivery of flyers. We at The Halifax Herald Limited are committed to assisting you with this task.

To recap our meeting we discussed the following:

1. Our commitment to a cleaner HRM.
2. Proposed monthly meetings with HRM to be updated on our efforts to ensure a cleaner HRM;
3. To provide councillors with area distributor telephone numbers;
4. To reinforce our existing procedures (attached); and
5. To explore marketing opportunities.

I hope this assists with your report to HRM councillors in this regard.

Jim, I look forward to continuing our dialogue and efforts to bring about a cleaner HRM.

Respectfully, /

Original Signed

Fred Bückländ /
Senior Vice President &
General Manager

/shm
Enc.

April 26, 2007

To: Jim Bauld

Re: Home Delivery of Flyers - Litter

I would like to thank you and Bill for taking the time to meet with us on Monday to discuss our collective littering concerns as it pertains to our delivery of flyer products in HRM.

As discussed at our meeting and requested, the following are procedures followed by The Herald to make every effort to provide a clean and environmentally friendly service to all of the households that receives the weekend Out & About product as well as our midweek package where available:

1. All Independent Delivery Contractors are instructed and contracted to follow delivery directions, which indicate tube, mailbox, veranda, or where driveways are long, the product is to be bagged and placed on left side of driveway 35+ ft in from the center of the road.
2. Instructions to Independent Contractors (over 300 in HRM) that if product is left for 2 weeks and not taken in, the product is to be removed from the property and delivery cancelled.
3. The Herald has implemented a program in rural HRM and urban subdivisions where very large lots and long driveways exist, to personally inform each householder that tubes are available free of charge for Herald product. A call to our office gets them a tube installed. This program was carried out in 2006 and continues in 2007 on a route-by-route basis.

weekend flyer package each week and has been for the past 15 years. We vary the ad periodically to draw attention to the information.

6. We have a very effective Start/Stop program in place and will continue to enhance this system on a go forward basis.

7. Independent Delivery Contractors are continuously provided with delivery direction information, both written and verbal. This information involves procedure, location, responsibility, clean community and environmental awareness.
8. Delivery Contractors are replaced after 1 warning of incorrect delivery. For example, thrown or damaged product, failure to start or stop a customer as directed, etc.
9. Over 600 individual phone surveys are done weekly to check on receipt of product at which time delivery satisfaction issues are also recorded and dealt with by staff in the required manner.
10. We have had in place for a number of years, a visual monitoring system during each delivery. This year, we have enhanced this program to include a wider area as well as a monthly clean up program. This program will continue on a regular basis covering over 1,000 km per week. This represents over 500 streets per week.
11. We have once again provided HRM and the Councilors with our flyer services contact information. We have also provided the Councilors with the contact information for our Supervisory Staff by Area in HRM. This was sent to Cathie Barrington April 23, 2007 to be distributed to individual Councilors.

12. We are currently speaking with other delivery systems throughout North America as well as Europe to get a consensus on how they are dealing with the environmental issues. We will speak with Mr. Bauld and Mr. Karsten when this research is compiled.
13. We would like to note that in 2006, 0013 of the calls we received and processed were regarding the way in which delivery was provided. These calls were dealt with by our very experienced supervisory staff resulting in resolution through installation of a tube specific to The Herald product only, Independent Delivery Contractors receiving a Letter of Warning, contract cancellation (approximately 123 in HRM in 2006) or stopping service to the customer at their request
14. There was agreement at our meeting that we explore the possibility of meeting with HRM on a regular basis to evaluate the littering issue as it pertains to our products.
15. I would like to note that in HRM there are currently 6 Companies that deliver flyer/weekly publications/newspapers/phone directories. As the longest standing and most recognizable Delivery System, we get a large majority of the calls. Those that are not our product are passed on to the appropriate group as best we can. The point here is that the general public assumes that all delivery is done by The Herald and reports to all who will listen that the product is the Herald's.
16. Please note that The Herald product is in the pink bag when and where required or requested. All other bags (white, blue, gray, etc) are product delivered by other Companies. When determining who is responsible or whose product, the question should be asked to determine responsibility.

We would like to thank all involved for your willingness to include the Herald as part of this very important environmental issue. We look forward to working with you as we move forward.

Original Signed

J. Len MacKean
Herald Distribution Services Manager



April 25, 2007

RECEIVED

APR 25 2007

Jim Bauld
Manager Solid Waste Resources
Environmental Management Services
PO Box 1749
Halifax, NS
B3J 3A5

Dear Jim,

Re: Home Delivery of Community Newspapers

Further to Brad Anguish's letter of March 16 and our meeting of April 20 with you and Councillor Bill Karsten, I would like to summarize our conversation concerning the above noted issue. To clarify:

1. We deliver three community weekly newspapers (Bedford Sackville Weekly News, Dartmouth Cole Harbour Weekly News, & Halifax West Clayton Park Weekly News) every Friday. Approximately 91,000 copies are delivered: 18,000 by mail (Halifax West apartments and condominiums only), 63,000 delivered to the doorstep/mailbox via carrier force, and 10,000 delivered to the laneway via carrier force primarily to RR #'s (rural routes). We do not deliver to apartments or condominiums in Dartmouth Cole Harbour or Bedford Sackville.
2. Newspapers are wrapped in poly or bagged in inclement weather, and always wrapped with an elastic band for mailbox/doorstep delivery, if not bagged.
3. Our community weeklies are managed by a Distribution Manager. Each weekly newspaper has a Local Distribution Manager responsible for :
 - Follow up complaints. See attached procedure.
 - Quality of carrier delivery
 - Timeliness of delivery.
 - Hiring/terminating carriers
 - Filling down routes.

A Division of Transcontinental
Nova Scotia Media Inc.
1601 Lower Water Street
Halifax, NS B3J 3P6

Telephone: (902) 444-4444
Fax: (902) 422-5610
www.hfxnews.ca



4. We have DND (Do Not Deliver) lists for each community weekly newspaper. If the household resident does not want the product delivered, then they can call 444-4444 and ask for circulation. Their name is added to a list and the product delivery is discontinued. See attached example.
5. We audit deliver every Monday. 300 random households contacts are required, 100 from each community weekly. We want to find out:
 - Timeliness of delivery.
 - If delivery standards are followed, or if resident specific requests can be accommodated.
 - Did you receive the product?
 - Identify any problem areas.
6. We initiated a spring clean up campaign in areas of HRM where we received complaints concerning weeklies founding in ditches, and public areas. This service started on March 31 and will continue until the problem areas are resolved. See attached list.
7. We have been part of the "NS Daily Newspaper Group" since 2001, which have an agreement with RRFB, committing to a reduction in waste and the recovery of newsprint through recycling. We contribute an advertising credit of \$10/tonne of newsprint consumed to RRFB to promote recycling and responsible waste management.

Our goal is to delivery our product in a timely and responsible manner with minimal complaints. Within the industry 95% on time complaint free delivery is considered to very good. This would translate into 86,450 of the 91,000 newspaper complaint free or conversely 4,550 to be potentially problematic. A complaint could be anything from: did not receive, did not like method of delivery, do not want, did not receive timely, etc.

A common complaint we receive is the method delivery in RR areas of HRM. We have followed our competitor's lead and used laneway as the preferred method. Cost, ability to recruit carriers, and timeliness of delivery, currently prevents us from having a carrier delivery to a doorstep/mailbox in these rural areas. If there are changes contemplated, we would respectful request that these changes be applied consistently to all parties who distribute flyer bags or community newspapers in these areas.

We also receive a number of complaints from residents who confuse our product with our competitor's product. Sometimes the residents understand the mix up, other times they complain to their Councillor without full knowledge of the problem, creating an incorrect perception of our product(s).

To continue to be pro-active in this area of quality distribution, we will:

1. Publish a number of house ads in our weekly products for residents who want to be added to a Do Not Deliver list.
2. Make available myself or other staff member to meet and discuss these issues in more detail with a municipal staff or a committee.
3. Ensure that delivery complaints are followed up timely.
4. Continue our spring clean up in problem areas.

Should you wish to discuss this matter in more detail, please do not hesitate to contact me at 421-5838.

Yours truly,

Original Signed

Jamie Thomson
Publisher
The Daily News

Cc. Councillor Bill Karsten
Brad Anguish, Director Environmental Management Services, HRM
Janet Lucas, Distribution Manager, The Daily News
Irma Moore, Circulation Manager, The Daily News
Gavin Beer, Advertising Director, The Daily News

AREAS SPRING CLEANED:

BEDFORD SACKVILLE WEEKLY:

March 31, 2007 - Wilson Lake Road
Snowberry Court
Chani Drive
Fenerty Road
Part of Lakecrest
Cedar Court
Elmwood Court
Part of Rhodara Dr
Part of Rosemary -- down to playground

April 6th, 2007 - Rechecked Fenerty
Lylewood Dr
Ashley Drive
Birchill Court
Hamilton Dr
Strathmore Ave
Woodys Lane

April 7th, 2007 Finished Lakecrest Dr
Finished Rhodara
Meadowsweet Rd
Rest of Rosemary
Lakeview Ave to #465

Because of Snow on Easter Sunday and then Heavy rain the clean up has been postponed until April 23rd, 2007. Contractors have been hired to finish up the Bedford Sackville area. They will then move into the Hammonds Plains, St. Margaret Bay areas.

:



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 14.1.7
Halifax Regional Council
May 10, 2016

TO: Mayor Savage and Members of Halifax Regional Council

-Original Signed-

SUBMITTED BY:

John Traves, Q.C. Acting Chief Administrative Officer

-Original Signed-

Jane Fraser, Acting Deputy Chief Administrative Officer

DATE: February 11, 2016

SUBJECT: Flyer Distribution and Litter Strategy

ORIGIN

January 26, 2016 Halifax Regional Council requested a staff report examining initiatives to regulate flyer delivery in the Halifax Regional Municipality.

LEGISLATIVE AUTHORITY

HRM Charter, Part XIII Solid Waste Management, Section 335 (a - j) refers to the authority to make by-laws respecting Solid Waste Management.

RECOMMENDATION

It is recommended that the Mayor write a letter to the Minister of the Environment to:

1. Provide support for the litter reduction strategy,
2. Request a review of the litter reduction strategy's effectiveness and to work with stakeholders to improve the plan,
3. Ensure adequate resources are provided to enforce the litter provisions of the Environment Act of Nova Scotia,
4. Continue to issue Environmental Warning Reports to offenders.

BACKGROUND

February 27, 2007 – Regional Council approved staff to provide a report detailing measures to halt the unwanted home delivery of flyers, and free home delivery of weekly community newspapers.

May 15, 2007 – Regional Council provided information report.

November 25, 2008 – Regional Council recommended that the Mayor request that the Minister of the Environment devote the resources required to enforce the litter provisions of the Environment Act of Nova Scotia and that the Minister continue to issue Environmental Warning Reports to offenders, and further that HRM staff continue to support the Minister of the Environment in affecting successful prosecution.

April 19, 2011 - Regional Council directed a staff report that would set out a process which would result in the elimination of the delivery of flyers to residential properties.

April 16, 2012 – ESSC was provided an information report “Unwanted Distribution or Misplacement of Flyer”. Legal Services staff concluded enactment of a By-Law to eliminate or ban flyers was not possible. ESSC forwarded this staff report to Regional Council with a recommendation to Council that a working group be established to look at the issue of unwanted flyers.

September 25, 2012 Council directed the CAO to approach the Province to establish a working group on unwanted flyer distribution specifically in HRM and request that staff return to the Environment and Sustainability Standing Committee (ESSC) with a status update.

DISCUSSION

Litter issues related to the delivery of flyers and free newspapers has been a topic of discussion in Regional Council since at least 2007. In 2008 Regional Council requested the Minister of the Environment devote the resources required to enforce the litter provisions of the Environment Act of Nova Scotia. Litter resulting from the delivery of flyers and community newspapers has led to Regional Council’s January 26, 2016 motion. As detailed below litter prevention and enforcement is under provincial jurisdiction. Therefore, it is recommended that Regional Council again request the Minister of the Environment devote the resources required to enforce the litter provisions of the Environment Act of Nova Scotia.

Under the Environment Act Section 99 - Litter Prevention:

(1) The Minister shall encourage litter prevention or reduction by:

- (c) regulating or prohibiting activities that result or may result in the unlawful disposal of litter or waste including the placement of flyers on vehicles, utility poles, structures or other things;
- (d) regulating the disposal of waste or litter on real property or on, into or under water or ice;
- (e) generally, providing for any matter that will prevent or reduce litter.

(2) No person shall release or permit the release of litter into the environment, except as authorized by this Act or the regulations.

Within the Act, “litter” is defined as any material left or abandoned in a place other than a receptacle or place intended or approved for receiving such material. In Section 127 - Litter-control order: The Minister, an administrator or an inspector may issue an order to clean up any litter that has been disposed of contrary to this Act. Enforcing the Environment Act is a Provincial responsibility.

On April 16, 2012, a report (Attachment B) was drafted by Legal Services for the Environment and Sustainability Standing Committee which outlined various restrictions on limiting flyer delivery in Halifax. As discussed in the report, Halifax may enact a by-law to control flyer delivery but it cannot ban the delivery of the material.

A jurisdictional scan was completed to determine where by-laws have been established with respect to flyers. Only one major city was found to have such a by-law. The City of Ottawa enacted an Admail Reduction By-law in 2003. Below are conditions set within the Ottawa by-law:

1. A resident may place a “No Junk Mail” sign on their mailbox or mail slot.
2. No distributor or their agent may deliver any unaddressed material to a property where a “No Junk Mail” sign is visible.
3. On properties where junk mail is accepted, it must be placed:
 - a. in a mail box;
 - b. in a mail slot;
 - c. in a receptacle identified for this purpose;
 - d. on a newspaper rack or hooked to it;
 - e. in an apartment building lobby; or
 - f. on the door handle if the junk mail is delivered in a bag.
4. No delivery shall be made between 9pm and 8am.
5. The “No Junk Mail” sign does not apply to:
 - a. newspapers delivered to paid subscribers;
 - b. community newspapers;
 - c. material produced in the context of a campaign for elected office; or
 - d. information circulars produced by governments or their agencies.

Halifax could enact a by-law to control some of the unwanted delivery of materials. If Halifax was to adopt a by-law, there would be additional cost for: administering the program, enforcing the by-law, and prosecuting violations. Residents are able to contact the stop delivery service as outlined further in the report to have their flyer service cancelled.

In an effort to address the flyer and litter issues within Halifax, on September 26, 2012, staff forwarded the above Council motion to the Director, Resource Management Branch of Nova Scotia Environment. The province responded by collaborating with Halifax and other Solid Waste Regions to develop a new strategy to focus on reduction of flyer litter. A strategy was developed and in May 2013 the new strategy was appended to the newspaper industry stewardship agreement between NSE, Resource Recovery Fund board (RRFB) and Newspaper Atlantic (publishers of daily and community papers in NS).

At the May 2, 2013 ESSC meeting, staff provided a verbal update and reviewed the elements of the strategy. The goals of the strategy include:

- To reduce occurrences of newspaper and flyer litter;
- Establish a process to effectively deal with public complaints involving newspaper and flyer litter and;
- Promote waste reduction, reuse and recycling messages.

The strategy refers to newspaper flyer distribution standards, practices and protocols to address the following issues:

- Do Not Deliver List - Each publisher will maintain a “Do Not Deliver” list.
- Dumping – Dumping of undelivered materials will not be permitted.
- Deliveries Not Accepted – If a household hasn’t taken in the delivered material for two weeks in a row, delivery contractors will stop and notify the producer/publisher so the address can be removed from the delivery list.
- Spring Clean-up – Every year at the end of the winter season, any product left over, delivered materials covered by snow, not taken in by residents, or scattered will be removed and properly recycled or disposed of by delivery drivers.

Industry standards for flyer distribution are a part of the Flyer Distribution Standard Association (FDSA) accreditation program. Newspaper publishers are responsible for communication of distribution standards to contractors and flyer delivery drivers and auditing to ensure compliance to standard. The

Halifax Herald is an accredited distributor and subscribes to the accreditation program standards as outlined on the program website <http://fdsa-canada.org/pages/accreditation-program>.

Though the steps to accreditation include various aspects of flyer distribution, the delivery piece within section IV speaks to service standards and signed contracts with carriers (distributors) and is also noted in the litter strategy.

Each newspaper publisher may include policy statements in signed contracts with carriers. For example the policy for the Halifax Herald states that *delivery must be to front door/porch/steps or to tube or mailbox at the end of driveway, if driveway length is greater than 60 feet or represents a safety risk, and no tube or mailbox exists, flyers are delivered in a sealed bag a minimum of 25 feet up the driveway, on the left-hand side*. This policy is not always followed.

The litter strategy includes an education campaign for spring and fall campaigns, however neither NSE, RRFB nor the publishers have actioned this part of the agreement. The agreement is for a 3 year term which will expire on April 2016. Halifax staff intend to follow up with all three organisations to request that a spring campaign is initiated. Staff have also expressed interest to move forward to review and update this agreement. Moving forward staff will work in conjunction with the Solid Waste Regions to provide input into renewal with a view to strengthen action on flyer reduction strategies.

To contact the Herald to stop or start flyer delivery services or any other flyer distribution related issue, residents are to call 902-426-3031, option "5" for flyer delivery service.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

COMMUNITY ENGAGEMENT

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

RISK ASSESSMENT

The report recommendation risk level is classified as insignificant.

ALTERNATIVES

N/A

ATTACHMENTS

Attachment A - Newspaper Stewardship Agreement – Litter Reduction Strategy – May 2013
Attachment B - Unwanted Flyer Distribution or Misplacement of Flyers Report, ESSC April 2012

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Laurie Lewis, Program Manager-Policy and Outreach, Solid Waste Resources,
902.490.7176

**Newspaper Stewardship Agreement - Litter Reduction Strategy
May 2013 - An Attachment to the Nova Scotia Newspapers Stewardship Agreement (November 2011)**

1. Background

Nova Scotia Environment (NSE) and the publishers of daily and community newspapers are committed to the reduction of waste, increased recovery of paper and public education to support municipal recycling and waste reduction.

The Province has a voluntary industry stewardship agreement with producers and marketers of newspapers distributed in Nova Scotia. This agreement is designed to address the defined objectives by building on the strength of the newspaper industry in communications and social marketing. One element of the agreement involves a commitment by all parties to collaborate during the term of this agreement to develop a litter reduction/litter abatement strategy for newspapers and non-subscription based publications distributed by newspaper publishers. The following sections of this strategy highlight priority areas and specific activities that this joint initiative between industry and government aims to achieve.

Further to this, NSE also has voluntary industry stewardship agreements with other producers of recyclable products such as telephone directories and fluid milk packaging. The province also regulates industry-led stewardship programs for paint and electronics recycling in the province, there are two approved electronics programs and one approved paint program.

2. Goals of Strategy

The goals include to:

- work with retailers, printers, and distributors to ensure the quantity of flyers produced accurately reflects the demand in Nova Scotia communities;
- reduce the occurrence of newspaper and flyer litter across the province;
- establish a process to effectively deal with public complaints involving newspaper and flyer litter; and
- promote waste reduction, reuse and recycling messages.

As the daily and weekly newspaper publishers are not the sole contributor to flyer litter in the province, NSE shall pursue similar agreements with other flyer and advertisement contributors in NS. Further the department will utilize this litter reduction strategy to secure similar commitments from other industry's that contribute to the broader litter issues in Nova Scotia.

3. Promotions, Communication and Education

Publishers, (represented collectively by Newspapers Atlantic) and the Resource Recovery Fund Board Inc. (Manager, Communications), will jointly develop an annual media program using online resources, social media and print to educate and encourage Nova Scotia's communities on waste reduction and recycling. This program will be implemented by all publishers that are signatories to the Nova Scotia Newspaper Stewardship Agreement at a minimum of *twice* per year, once during the spring and fall, through their respective publications and online resources. The publishers would be notified of the specific date these will run in sufficient time to meet publication dates. The print advertising would be set at a minimum of 1/8 of a page in black and white or color at the discretion

of the publisher and provide for the flexibility of publishers to determine their online and social media efforts. RRFB (on behalf of NSE) will extend this program to their province-wide education network, social media and online resources. The print and online advertisements associated with this program will present the publishing newspaper as a sponsor and include their logos.

This program shall be in addition to and does not impact the current advertising credits issued to NSE (via RRFB Nova Scotia) and utilized as per the Nova Scotia Newspapers Stewardship Agreement.

Opt Out/In: Consistent messaging will also be used to advise the public on how to stop or start delivery and report complaints with each of the publishers distributing material in the Province. For all non-subscription based publications delivered in Nova Scotia this information will be displayed on the page 2 of the publication that wraps the flyers.

NSE commits to publically acknowledging the work of the newspaper industry to reduce waste and support recycling and litter reduction following the above mentioned campaigns in the spring and fall.

4. Distribution Policies, Practices, and Delivery

Publishers that are producing and distributing non-subscription based publications in Nova Scotia set their own individual distribution policies based upon their needs and corporate structure. Through this agreement, producers commit to adhering to the Flyer Distribution Standards Association accreditation steps and will ensure the policies they establish address the following key issues:

Do Not Deliver Lists

Each publisher will maintain a "Do Not Deliver" list as per section IV Delivery. The consequences of non-compliance with "Do Not Deliver" lists will be made clear to all delivery drivers.

Dumping

The dumping of undelivered materials will not be permitted under any circumstances. Dumping by any delivery contractors will have clear and defined consequences.

Deliveries Not Accepted – Delivery Contractor Responsibility

If a household hasn't taken in the delivered materials for two weeks in a row, delivery contractors will stop delivering and notify the producer/publisher so the address can be removed from the delivery list(s).

Spring Clean-up

Every year, at the end of the winter season, any product left over from the previous months (for example, delivered materials that were covered by snow, not taken in by households, or scattered by high winds) will be removed and properly recycled or disposed of by delivery drivers.

Packaging

Materials must be delivered in a manner which keeps them dry and prevents scattering. Scattered materials found at any time of the year will be removed by delivery drivers for proper recycling or disposal.

Communication of Distribution Policies

Each publisher will ensure that all new or existing delivery drivers are provided with an instruction manual that includes information on distribution policies, the protocol for auditing of distribution practices and the consequences of non-compliance. Reminders may also be sent out to drivers periodically as needed.

All delivery drivers will be provided with a primary contact for the publisher they are delivering material for, so they can report directly on whether the quantity of packaged materials is appropriate (e.g. no excess waste) as well as any changes needed, such as adding to or dropping addresses from a "Do Not Deliver" list.

5. Auditing of Distribution Practices

The publishers will adhere to the Flyer Distribution Standards Association accreditation steps section V, Verification.

6. Response to Complaints

Improved communication to the public on how to report a complaint regarding newspaper and/or flyer litter will be implemented as above.

Complaints and reports of improper delivery by delivery drivers received by any of the publishers will be handled consistently in the following manner:

1. Complaint is logged by route, address and coded according to the nature of complaint.
2. Complaint is dispatched to distribution manager for action with consumer and the Delivery driver according to the nature of the complaint.
3. Complaints remain on file for a minimum of the 12 months.
4. If applicable redelivery is provided.
5. An activity report is generated as a follow up tool.
6. A complaint message is dispatched with instructions to correct to the contractor.
7. Follow up next scheduled date of delivery.
8. Checks are logged and comments noted.

Repeat complaints will be handled consistently in the following manner:

- 1 to 8 above
9. Distribution manager to contact consumer again.
10. Route visual / Survey conducted by distribution manager.
11. Consumer follow-up carried out by distribution manager.
12. Replacement of contractors who have consistent repeat service issues.

Complaints received by NS Environment, RRFB Nova Scotia, or Municipal Solid Waste Departments

Contact information for each publisher in Nova Scotia, compiled and kept current on an annual basis by Newspapers Atlantic, as attached to this agreement, will be provided to all NSE offices, the Municipal Solid Waste Management Departments and RRFB Nova Scotia. Upon receipt of a complaint regarding newspaper or flyer litter by the provincial or municipal offices or RRFB Nova Scotia, the department or agency receiving the complaint will request the specific location and any other identifying information regarding the flyer litter. Staff will then consult the list of contacts as provided to contact the appropriate publisher/distribution manager for immediate follow up.

The distribution manager will respond to the complaint and follow up with the department or agency office that reported it within five business days to advise how the complaint has been effectively resolved. If the complaint was not resolved NSE, municipal and RRFB staff will notify Resource Management - Solid Waste section in Halifax for follow up with Newspapers Atlantic.

7. Monitoring, Evaluation, and Compliance

The following measures will enable the partners of this agreement to monitor and evaluate the effectiveness of this strategy.

The number of complaints related to newspaper and/or flyer litter received by NSE, RRFB Nova Scotia and the municipalities/solid waste management regions will be compiled by NSE and provided to Newspapers Atlantic on an annual basis. Newspapers Atlantic will compile the number of complaints handled by the publishers, the number of delivery contractors and the number of audits conducted each year and provide to NSE on an annual basis.

This strategy does not exempt publishers from their requirement to comply with any applicable Acts, Regulations or by-laws respecting litter and solid waste.

Appendix A

This list is intended to provide a direct contact for the representatives of each newspaper operating in NS. When flyer litter complaints or other concerns regarding the newspaper publishers are received by either NSE offices, regional/municipal waste management offices, or the RRFB; the following person can be contacted for resolution of the issue.

Newspaper	Contact	Phone	Email
Amherst Daily News	Joni Johnson	902-667-5102	jjohnson@amherstdaily.com
Amherst-Springhill Citizen-Record	Joni Johnson	902-667-5102	jjohnson@amherstdaily.com
Annapolis County Spectator	Margaret Wallace	902-681-2121 ext. 304	
Antigonish Casket	Tena McGrath	902- 863-4370 ext.228	circulation@thecasket.ca
Bass River Shoreline Journal	Maurice Rees	902-647-2968	
Bedford-Sackville Community Herald (pink packaging)	Customer Service	426-2811 ext. 3350 1-888-766-6444	
Bedford-Sackville Weekly News (TC media – green packaging)	Customer Service Department: Darlene Snyder Distribution Manager: Shawn Pothier	902-421-5802 902-421-5846	
Cape Breton Post	Ed Hillier	902-563-3864	
Chronicle Herald	Customer Service	426-2811 ext. 3350 1-888-766-6444	
Colchester Weekly News	Michele MacLeod	902-896-7517	mmacleod@trurodaily.com
Dartmouth Community Herald (pink packaging)	Customer Service	426-2811 ext. 3350 1-888-766-6444	
Dartmouth-Cole Harbour Weekly News (TC media – green packaging)	Customer Service Department: Darlene Snyder Distribution Manager: Shawn Pothier	902-421-5802 902-421-5846	
Digby Courier	Dave Sarginson	902-742-7111 ext. 2118	
Enfield Weekly Press	Mick Flemming	902-485-1990	
Fall River Laker	Mick Flemming	902-485-1990	
Guysborough Journal	Sharon Heighton	902-533-2751	

Halifax Community Herald (pink packaging)	Customer Service	426-2811 ext. 3350 1-888-766-6444	
Halifax West-Clayton Park Weekly News TC media – green packaging)	Customer Service Department: Darlene Snyder Distribution Manager: Shawn Pothier	902-421-5802 902-421-5846	← No longer Produced
Inverness Oran	Eleanor MacDonald	902-258-3400	
Kentville Kings County Advertiser	Margaret Wallace	902-681-2121 ext. 304	
Kentville Kings County Register	Margaret Wallace	902-681-2121 ext. 304	
Liverpool Queens County Advance	Dave Sarginson	902-742-7111 ext. 2118	
Lunenburg County Progress Bulletin	Laurenda Reeves	902-543-2457	
Lunenburg/Queens Lighthouse Log	Laurenda Reeves	902-543-2457	
Metro	April Doucette	902-421-5637	
New Glasgow News	Gordon Stiles	902-928-3507	gstiles@ngnews.ca
Oxford Journal	Cindy Graves	902-447-2051	
Pictou Advocate	Mick Flemming	902-485-1990	
Port Hawkesbury Reporter	Mick Flemming	902-485-1990	
Shelburne Coast Guard	Dave Sarginson,	902-742-7111 ext. 2118	
Tatamagouche Light	Mick Flemming	902-485-1990	
The Coast	Christine Oreskovich	902-422-6278 ext.111	
Truro Daily News	Michele MacLeod	902-896-7517	mmacleod@trurodaily.com
Windsor Hants Journal	Margaret Wallace	902-681-2121 ext. 304	
Yarmouth Vanguard	Dave Sarginson	902-742-7111 ext. 2118	
Le Courrier de la Nouvelle-Écosse	Denise Comeau Desautels	902-769-3078	administration@lecourrier.com

(In the event the issue has not been effectively resolved, please notify Nicole Warren, Resource Management (Solid Waste), NSE at 902-424-8465 for follow up with Newspapers Atlantic representing the publishers.)



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Environment & Sustainability Standing Committee
April 16, 2012

TO: Chair and Members of the Environment & Sustainability Standing Committee

Original Signed

SUBMITTED BY:

Marion F.H. Tyson, Q.C., Acting Director, Legal Services & Risk Management

DATE: April 11, 2012

SUBJECT: Unwanted Distribution or Misplacement of Flyers

INFORMATION REPORT

ORIGIN

Gord Helm, Manager, Solid Waste Resources, requested a report examining the legal basis for a Bylaw designed to control unwanted flyers and/or junk mail.

BACKGROUND

There have been a number of complaints from HRM residents in regard to unwanted ad mail being delivered to their homes. There are also reports of unwanted material being placed at the entrance of driveways, at the side of the road or in ditches. Further, there are complaints of this material accumulating while residents are away.

DISCUSSION

HRM can enact a Bylaw to control unwanted flyers but we cannot outlaw them.

Flyers, junk mail, ad mail, etc., serve a variety of purposes. Most of the material has a commercial purpose, such as promoting a product or service. Other items promote artistic productions, political causes, charity events or provide other types of information. All of this material would be considered forms of expression, regardless of the message. All forms of expression are protected by the *Canadian Charter of Rights and Freedoms*.

HRM cannot ban a form of expression. HRM can, however, place a reasonable limit on that expression.

The first question is whether the Bylaw complies with the enabling legislation. The HRM Charter provides the general power to “regulate or prohibit” as well as the more specific power to make bylaws in regard to nuisances.

The second question is if the power exercised under the Bylaw complies with the general principles governing municipal bylaws. The Supreme Court of Canada has often reiterated the social and political importance of local governments. It has stressed that their powers must be given a generous interpretation because their closeness to the members of the public who live or work on their territory make them more sensitive to the problems experience by those individuals. Apart from the legislative framework and the general principles of administrative law that apply to them, municipal powers must be exercised in accordance with the principles of the *Charter of Rights and Freedoms*, as must all government powers.

The third question will be if, in fact, the Bylaw is a reasonable limit of the freedom of expression.

The Supreme Court of Canada has considered the question of what constitutes a “reasonable limit” on several occasions. A Court assessing the Bylaw will likely consider the following issues:

First of all, HRM must be able to demonstrate a “pressing and substantial objective.” The law must pursue an objective that is sufficiently important to justify limiting a *Charter* right.

Second, the law must be rationally connected to the objective. If the objective is to reduce litter, prevent the build-up of material that may indicate the resident is away, etc., then it is easier for a total ban to satisfy the rational connection step. The City of Saint-Hyacinthe restricted only commercial signs on the grounds of visual pollution and driver distraction. The Supreme Court of Canada found that the Bylaw was not rationally connected to the objectives because it was selective.

Third, the right must be impaired no more than reasonably necessary to achieve the objective. In contradiction to the above, a total ban is harder to justify under the minimal impairment step. A full prohibition will only be constitutionally acceptable under this stage where the government can show that only a full prohibition will enable it to achieve its objective. If a partial ban would also achieve the state's objective, a total ban will fail this step.

The concept that the law should impair "as little as possible" the right or freedom in question is the most common reason that laws "fail" court scrutiny. The courts have often held that other legislative options were available which would still accomplish the desired objective but would impair the right less than the law that was enacted.

Finally, the Court will consider if the deleterious effects of the impairment outweigh the benefits achieved in pursuit of a pressing and substantive objective. The practical effects of the law (in terms of the collective good it represents) are measured against the limitation to the right.

The City of Ottawa enacted an Admail Reduction Bylaw in 2003. A summary of the Bylaw is below:

1. A resident may place a "No Junk Mail" sign on their mailbox or mail slot.
2. No distributor or their agent may deliver any unaddressed material to a property where a "No Junk Mail" sign is visible.
3. On properties where junk mail is accepted, it must be placed:
 - a) in a mail box;
 - b) in a mail slot;
 - c) in a receptacle identified for this purpose;
 - d) on a newspaper rack or hooked to it;
 - e) in an apartment building lobby; or
 - f) on the door handle if the junk mail is delivered in a bag.
4. No delivery shall be made between 9pm and 8am.
5. The "No Junk Mail" sign does not apply to:
 - a) newspapers delivered to paid subscribers;
 - b) community newspapers;
 - c) material produced in the context of a campaign for elected office; or
 - d) information circulars produced by governments or their agencies.

BUDGET IMPLICATIONS

If HRM was to adopt a Bylaw, there would be a cost for:

1. Staff time to administer the program
2. Staff time to enforce the bylaw; and
3. Staff time to prosecute violations.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

N/A

ATTACHMENTS

None

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Josh Judah, Senior Solicitor, 490-4226

Report Approved by: Marion F.H. Tyson, Q.C., Acting Director, Legal Services & Risk Management, 490-4226

Appendix 2

Litter Reduction Strategy

1. Background

NSE, the Nova Scotia Newspapers, the Regions and Divert NS are committed to the reduction of waste, increased recovery of paper and public education to support municipal recycling and waste reduction.

The previous stewardship agreement committed all parties to collaborate to develop a litter reduction/litter abatement strategy for newspapers and non-subscription based publications distributed by newspaper publishers. The following strategy was created as a result of that work. The strategy outlines priority areas and specific activities that this initiative aims to achieve.

2. Goals of Strategy

The goals are:

- to work with retailers, printers, and distributors to ensure the quantity of flyers produced accurately reflects the demand in Nova Scotia communities;
- to reduce the occurrence of newspaper and flyer litter across the province;
- to establish a process to effectively deal with public complaints involving newspaper and flyer litter; and
- to promote waste reduction, reuse and recycling messages.

3. Distribution Policies, Practices, and Delivery

Publishers that are producing and distributing non-subscription based publications in Nova Scotia set their own individual distribution policies based upon their needs and corporate structure. Through this agreement, publishers commit to adhering to the Flyer Distribution Standards Association accreditation steps and will ensure the policies they establish address the following key issues:

Opt Out/In

Consistent messaging will be created to advise the public on how to stop or start delivery and report complaints with each of the publishers distributing material in the Province. For all non-subscription based publications delivered in Nova Scotia this information will be displayed on page 2 of the publication that wraps the flyers. Each paper will also provide opt-out information on their webpages. Newspapers Atlantic will have a page on their website dedicated to describing the Litter Reduction strategy, contact information for each newspaper publisher for opt out information as well as any other success stories.

Do Not Deliver Lists

Each publisher will maintain a "Do Not Deliver" list as per section IV Delivery of the Flyer Distribution Standards Association accreditation steps. The consequences of non-compliance with "Do Not Deliver" lists will be made clear to all delivery drivers.

Dumping

The dumping of undelivered materials will not be permitted under any circumstances. Dumping by any delivery contractors will have clear and defined consequences.

Deliveries Not Accepted – Delivery Contractor Responsibility

If a household hasn't taken in the delivered materials for two weeks in a row, delivery contractors will stop delivering and notify the producer/publisher so the address can be removed from the delivery list(s).

Delivery location

City (urban): product to be delivered to either the receptacle, mail box or doorstep. For doorstep delivery the product is to be left in a safe and visible location

Rural and Provincial Zones: with no receptacle or mail box the, product will be delivered a minimum of 15 feet into driveway.

Spring Clean-up

Every year, at the end of the winter season, any product left over from the previous months (for example, delivered materials that were covered by snow, not taken in by households, or scattered by high winds) will be removed and properly recycled or disposed of by delivery drivers.

Packaging

Materials must be delivered in a manner which keeps them dry and prevents scattering. Scattered materials found at any time of the year will be removed by delivery drivers for proper recycling or disposal.

Communication of Distribution Policies

Each publisher will ensure that all new or existing delivery drivers are provided with an instruction manual that includes information on distribution policies, the protocol for auditing of distribution practices and the consequences of non-compliance. Reminders may also be sent out to drivers periodically as needed.

All delivery drivers will be provided with a primary contact for the publisher they are delivering material for, so they can report directly on whether the quantity of packaged materials is appropriate (e.g. no excess waste) as well as any changes needed, such as adding to or dropping addresses from a "Do Not Deliver" list.

4. Auditing of Distribution Practices

The publishers will adhere to the Flyer Distribution Standards Association accreditation steps section V, Verification.

5. Response to Complaints

Improved communication to the public on how to report a complaint regarding newspaper and/or flyer litter will be implemented as above.

Complaints and reports of improper delivery by delivery drivers received by any of the publishers will be handled consistently in the following manner:

1. Complaint is logged by route, address and coded according to the nature of complaint.
2. Complaint is dispatched to distribution manager for action with consumer and the Delivery driver according to the nature of the complaint.

3. Complaints remain on file for a minimum of the 12 months.
4. If applicable redelivery is provided.
5. An activity report is generated as a follow up tool.
6. A complaint message is dispatched with instructions to correct to the contractor.
7. Follow up next scheduled date of delivery.
8. Checks are logged and comments noted.

Repeat complaints will be handled consistently in the following manner:

1 to 8 above

9. Distribution manager to contact consumer again.
10. Route visual / Survey conducted by distribution manager.
11. Consumer follow-up carried out by distribution manager.
12. Replacement of contractors who have consistent repeat service issues.

6. Complaints received by NSE, Divert NS, or Municipal Solid Waste Departments

Upon receipt of a complaint regarding newspaper or flyer litter by the provincial or municipal offices or Divert NS, the department or agency receiving the complaint will request the specific location and any other identifying information regarding the flyer litter. Staff will then consult the list of contacts as provided to contact the appropriate publisher/distribution manager for immediate follow up as well as copy the appropriate regional/municipal contact within the correspondence.

The distribution manager will respond to the complaint and follow up with the department or agency office that reported it within five business days to advise how the complaint has been effectively resolved. If the complaint was not resolved, staff will notify the Resource Management - Solid Waste staff in Halifax for follow up with Newspapers Atlantic (as described under "unresolved issues" below).

Key messages to be provided to residents if complaint received:

- In collaboration with the newspaper industry, the province, Divert NS and municipalities created a Litter Reduction Strategy to reduce flyer and newspaper litter
- Each of the newspaper/flyer producers are committed to a number of options for reducing the instances of flyer/newspaper litter including providing opt out options to residents for non-subscription flyers
- Contact your local newspaper representative to determine the best approach in addressing your concern (provide service contact from Appendix 1).

Unresolved issues:

In the event the issue has not been effectively resolved, please notify Ashley David, Resource Management (Solid Waste), Nova Scotia Environment at ashley.david@novascotia.ca for follow up with Newspapers Atlantic representing the publishers with the following information:

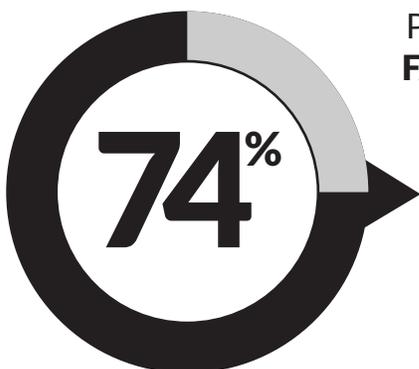
- Newspaper publisher
- Contact name/information of complainant
- Nature of concern including efforts to resolve

WEEKLY FLYERS: AN ATLANTIC CANADIAN STAPLE

FLYER USAGE REMAINS PROLIFIC



9 OUT OF 10 REPORTED READING, LOOKING INTO OR ASSESSING ANY TYPE OF FLYER



PRINT REMAINS THE FAVOURITE MEDIUM FOR FLYERS



ATLANTIC CANADIANS TOP THE CANADIAN CHARTS



81% OF ATLANTIC CANADIANS UTILIZE PRINTED FLYERS

VS

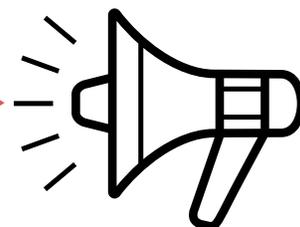


74% IS THE CURRENT NATIONAL AVERAGE

FLYERS AREN'T GOING ANYWHERE

69% of respondents say they use flyers about the same amount as they did the year before

MANY ATLANTIC CANADIANS RELY ON FLYERS TO KEEP THEIR COSTS LOW. FLYERS ARE A TOOL THAT HELP WITH PLANNING AND BUDGETING HOUSEHOLD EXPENSES.



WHERE YOUR FLYERS ARE DELIVERED MATTERS



OVER HALF OF ALL RESPONDENTS WANT FLYERS DELIVERED TO THEIR DOOR

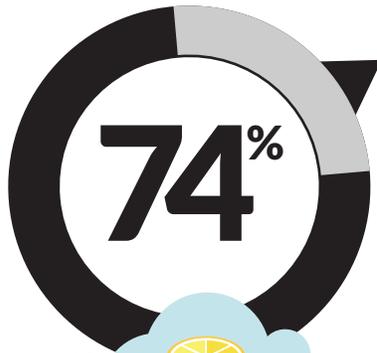
BASED ON OUR CUSTOMER FEEDBACK, WE KNOW THOSE FLYERS **CAN'T BE LATE!**



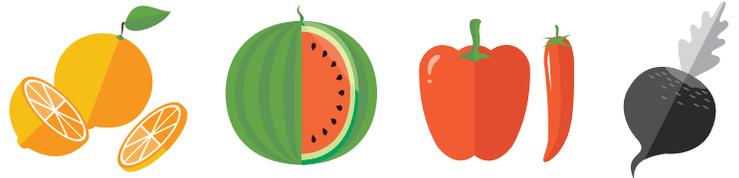
IN REMOTE LOCATIONS, FLYERS ARE IMPORTANT TO PEOPLE'S LIVES BECAUSE PRODUCTS ARE NOT ALWAYS READILY AVAILABLE. **FLYERS NOTIFY OF PRODUCT AVAILABILITY.**



FLYERS INFORM PURCHASE DECISIONS



REPORTED USING FLYERS FOR ALL OR MOST OF THEIR **GROCERY SHOPPING**



FLYERS DRIVE ACTION

ONLY 9% SAID THEY NEVER USE FLYERS FOR GROCERIES!

77% SAID THEY VISITED A STORE OR DEALER WITHIN A WEEK

76% PURCHASED A PRODUCT OR SERVICE IN A STORE **OR** ONLINE

71% PURCHASED A PRODUCT OR SERVICE IN-STORE

SOURCE: 2015 FLYER DISTRIBUTION STANDARDS ASSOCIATION

IF YOU THINK MILLENNIALS AREN'T INTERESTED IN FLYERS... THINK AGAIN!

psst!
That's up from 61% in 2013



9 OUT OF 10 OF ALL RESPONDENTS REPORTED USING SOME FORM OF FLYER OR COUPON BEFORE SHOPPING



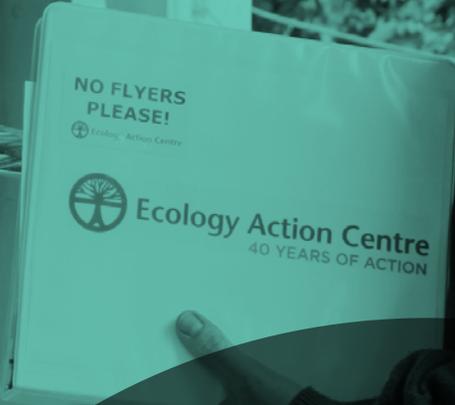
MORE THAN 80% OF MILLENNIALS SURVEYED SELECT WHICH STORES TO SHOP BASED ON DEALS.



SOURCE: BRANDSPEAK INTERNATIONAL RESEARCH, COMMISSIONED BY METROLAND MEDIA

"OMNI-CHANNEL" BEHAVIOUR WAS FOUND TO BE PARTICULARLY STRONG AMONG MILLENNIALS





Flyer Research

Effectiveness of the No Flyer Sticker in the Halifax Regional Municipality

Melanie Goudreau

June 13, 2017

Table of Contents

1.0 Purpose	2
2.0 Methodology	2
3.0 Results	2
4.0 Discussion.....	8
4.1 Trees	8
4.2 Environmental Aspects	8
4.3 Mitigation	10
5.0 Conclusions	10
References.....	11

Author: Melanie Goudreau

Data for this study was collected by Claire Christie



1.0 Purpose

The purpose of this research was to determine the following:

- How much weight in “junk” mail the average household in the Halifax Regional Municipality (HRM) receives in a year
- If use of the No Flyers Sticker is an effective method to deter the amount of “junk” mail received
- How many trees are used to provide the amount of flyers that households are receiving on average, if new paper had to be used
- Other environmental aspects that are being effected by the distribution of unwanted “junk” mail

2.0 Methodology

Data was collected for this project from December 1, 2016 to January 31, 2017. From a sample group of 10, 6 households were chosen (3 posted the no flyer sticker and 3 did not). Over the course of those two months, all “junk” mail was collected and submitted to the EAC. Once all the mail was received, it was divided into the following categories:

Political Mail: any mail that was from any government body (federal, provincial or municipal)

Booklets: any mail that had three or more folds in them, overstuffed envelopes or magazines

Flyers: store sales, food delivery, auto repair shops etc.

Local: any handmade mail for things such as services, lost pets or neighbourhood issues

Newspapers: any newspapers that are delivered without a subscription, i.e./ Halifax Citizen*

3.0 Results

Once sorted, the mail was then weighed by category and by address. Some key findings in the sorting and weighing process include:

- Flyers weighed in the range of 4-20 grams per piece (this was dependant on size and type of paper used)
- Often in one mail box, multiple of the same flyers were present. For example multiple MPP flyers were in the same mail box, as well as multiples of Plan International

**The Halifax Citizen was delivered to a household, but was meant for the former tenants not the ones who currently reside there.*



The mail that was collected over a 1 month period can be seen below in Table 1. This data shows that the households without “No Flyer” sticker has a significant amount of “junk” or flyer mail being delivered to their houses, compared to those with the stickers.

Table 1: One Month Data for Households With and Without No Flyer Stickers

One Month Data									
Participant #	5	7	8	6*	9*	10*	overall group weight (lbs)	No Sticker Weight Totals (lbs)	Sticker Weight Totals (lb.)
Political									
Weight (lbs)	0.00331	0	0.00331	0	0	0	0.00662	0.00662	0
Booklets									
Weight (lbs)	0.08267	0.20503	0.29322	0	0	0	0.58092	0.58092	0
Flyers									
Weight (lbs)	0.24802	0.23920	0.33400	0.02756	0	0	0.84878	0.82122	0.02756
Local									
Weight (lbs)	0	0	0.00055	0	0	0	0.00055	0.00055	0
Newspaper									
Weight (lbs)	0	5.28558	0	0	0	0	5.28558	5.28558	0
(*denotes Sticker)							6.72245	6.69489	0.02756

The data was then extrapolated to find the amount of mail that would be delivered to the same houses over the course of twelve months (Table 2). The data shows that over the course of 1 year, the households without the stickers had a combined weight of approximately 80 pounds of “junk” mail compared to the households with the stickers at less than 1 pound. This would mean that individual households in this study would get approximately 26 pounds of junk mail each year.

Table 2: Twelve Month Data for Households With and Without No Flyer Stickers

Twelve Month Data									
Participant #	5	7	8	6*	9*	10*	overall group weight (lbs)	No Sticker Weight Totals (lbs)	Sticker Weight Totals (lb.)
Political									
Weight (lbs)	0.03968	0	0.03968	0	0	0	0.07936	0.07936	0
Booklets									
Weight (lbs)	0.99208	2.46036	3.51858	0	0	0	6.97102	6.97102	0
Flyers									
Weight (lbs)	2.97624	2.87042	4.00800	0.33069	0	0	10.18535	9.85466	0.33069
Local									
Weight (lbs)	0	0	0.01323	0	0	0	0.01323	0.01323	0
Newspaper									
Weight (lbs)	0	63.42699	0	0	0	0	63.42699	63.42699	0
(*denotes Sticker)							80.67595	80.34526	0.33069

Table 3: Summarized Comparison of Data

Summarized Comparison of Weight Data for One and Twelve Months		
Groups	One Month (lbs)	Twelve Months (lbs)
Without Sticker	6.69489	80.34526
With Sticker	0.02756	0.33069

If we look at the summarized data (Table 3), it is easy to see that having the “No Flyer” sticker reduces the amount of unwanted “junk” mail that is delivered. Placing a No Flyer sticker is an effective first step to stop the delivery of this type of mail.

According to Stats Canada, in 2001, in the Halifax Regional Municipality (HRM), the number of detached households was 76,155 and the number of semi-detached households was 10,025 (Municipality of Halifax). If we take these numbers and apply them to our findings the weight of “junk” mail is astronomical (Table 4)

Table 4: Weight of “Junk” Mail per Housing Type in HRM

Weight of “Junk” Mail Based on Household Type		
Type of Dwelling in HRM (2001)	Number of Dwellings in HRM (2001)	Total Projected Weight of “Junk” Mail (lb.)
Detached Housing	76,155	1,980,030
Semi-detached Housing	10,025	260,650
		2,240,680

By taking the number of households (detached and semi-detached) and multiplying those numbers by the approximate 26 pounds of “junk” mail per household (per year), the overall weight of unwanted mail in 2001 was 2,240,680 lbs. It is important to note that these numbers are only represent a fraction of the weight, this is not taking into consideration apartment buildings, row houses, other housing types or community mail boxes. Additionally it can be concluded that the weight of wanted mail has potential increased since 2001 because of new housing types being built.

4.0 Discussion

4.1 Trees

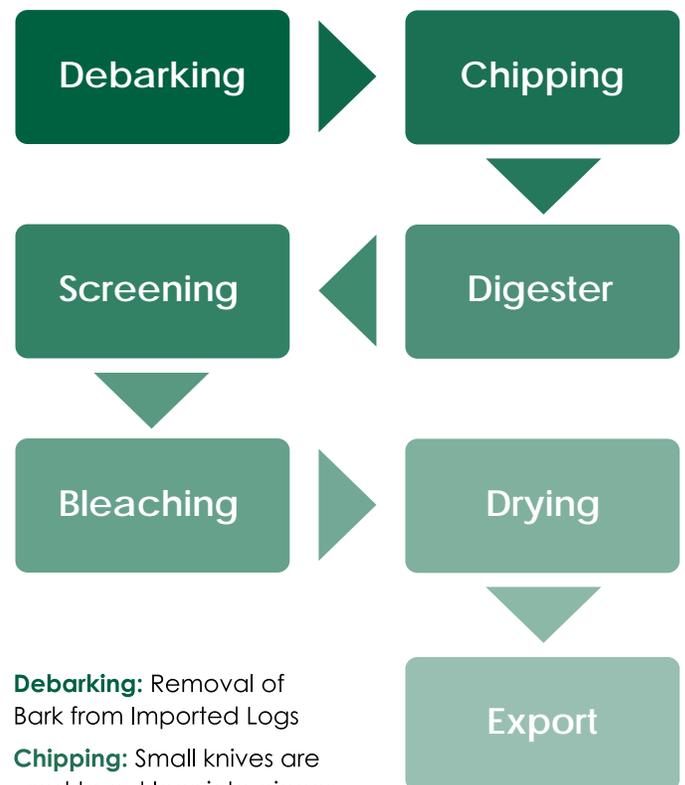
Determining the specific amount of trees that are needed to produce a specific amount of paper is difficult. The reason for this difficulty is because each tree is unique and would not provide the same amount of pulp. Other factors to take into consideration are the size and diameter of the tree, the type of tree, the age of the tree and the amount of water in the tree. To get the general idea, if an average tree with a diameter of 8 inches that was approximately 45 feet tall was processed, it would contain about 10 cubic feet of usable material. This would then make approximately 1500 sheets of paper, and about 8 trees would have to be cut down (Schildgen). If 1 ream of paper weighs 20 pounds and has 500 sheets of paper, this would mean that about 2 trees would be needed to make that amount of paper. In this study, we found that one household had approximately 26 pounds of flyer waste in twelve months, using that data as well as the weight of a ream of paper we can calculate that on average, a no flyer sticker would have the potential to save approximately 2.6 trees in a year.

Additionally if we apply this information to the data from detached and semi-detached homes (Table 4), of 2,240,680 pounds of paper would make 112,034 reams of paper, meaning that 224,068 trees would have been processed to make the flyers for those homes. In a one hectare lot there are approximately 1500 trees that are planted. For reference, Point Pleasant Park is 77 hectares. If Point Pleasant Park was entirely forested, an entire additional park would be required to produce the flyers that were sent

to detached and semi-detached houses in the HRM in 2001

4.2 Environmental Aspects

This section will describe the Potential Environmental Impacts that can occur from the entire pulping process. To understand the potential impacts, we must first understand to process of pulping from raw logs. This process can be seen below in Figure 1.



Debarking: Removal of Bark from Imported Logs

Chipping: Small knives are used to cut logs into pieces

Digester: Addition of Sodium Hydroxide and Sodium Sulfide. This process "cooks" the material

Screening/Washing: Screens are used to separate out unwanted materials (stones, wood knots).

Bleaching: Chlorine Dioxide is added to bleach the pulp

Drying: The pulp is then dried and packaged

Export: The packaged pulp is then exported to manufacturing facilities to make paper

Additionally, all activities that take place in a pulping plant have the potential to directly or indirectly affect the environment (air, water, energy and land).

Air

Air quality may be adversely impacted as a result of the emissions from a plant. The chemicals that are used to dissolve the lignin can off-gas pollutants such as methanol acetylaldehyde and formaldehyde. These pollutants can result in breathing issues and increased rates of leukemia. Volatile organic compounds (VOC's) are also generated during the pulping process. When nitrogen oxides and VOC's react in sunlight, they contribute to ozone formation. This contributes to many lung disorders. Sulfur, Carbon Monoxide and Nitrogen are also emitted during the process. These contribute to acid rain and can affect trees and fish, and can also lower pH in soil, which decreases nutrient availability. Indoor air quality conditions may be poor because of dust from the chipper.

Water

Chemical discharge can have damaging effects on aquatic ecosystems, surrounding water bodies and tributaries. The damage to these water systems can also create negative health issues for people living near these areas. Discharge is found in the pulping, bleaching and drying processes. The pollutants are mainly dioxins, which can damage reproductive systems in fish or humans. These can also cause cancer and have negative effects on immune systems. Organic materials that are discharged also consume oxygen during decomposition; oxygen is consumed and released back into the air as

carbon dioxide, contributing to climate change. Discharged Nitrogen and Phosphates increase algae growth, which can have harmful (and often lethal) impacts on aquatic ecosystems. Such algae growth also produces foul odors, and can be harmful to human health if there is direct contact. Finally, Sulphur dioxide can be discharged, increasing acidification, which can reduce or kill fish populations. Any water that has been used to cool machinery is then discharged back, will also change the ecology of the area and potentially kill organisms.

Energy

High amounts of energy are used to run plant machinery. Large consumption of fossil fuels leads to climate change. The more energy that is used directly effects the amount of energy supply. Disproportionate energy demands negatively impact the environment because it requires more drilling or mining.

Land

It is important to note that the extraction of the raw materials (trees) can lead to erosion and soil degradation. In addition to the footprint of the plant, roads used to transport and potential outside spills would affect the land.

4.3 Mitigation

The first step a household can take to stop receiving "junk" mail is to place a No Flyer Sticker on your mail box. Other steps that can be taken to opt out of receiving any flyers, mail or catalogues that you can view online. Ask for more corporate social responsibility from large companies. Finally you could ask your local MLA for help on this issue.

5.0 Conclusions

No Flyer Stickers are an effective method to deter unwanted “junk” mail. While during the study some “junk” mail was delivered to households with the sticker, the weight of that mail was significantly lower than those households without the sticker. The weight of the paper that was used to create the flyers in 2001 is astronomical, and people rarely give a second thought to unwanted flyers, other than the fact that they are something to put in a recycling bin. The amount of paper that could be saved from the production of unwanted mail would have a significant impact not only on the amount of trees that have to be processed, but also on impacts to air, water, energy and land usages. Ideally, people placing the no flyer stickers on their mailboxes would be the first step in ending the production of these flyers.

References

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Voluntary Ad Mail By-law
By-law No. 2003-493

A by-law of the City of Ottawa to establish a program for the regulation of the distribution of unaddressed advertising material.

THIS CONSOLIDATION IS PROVIDED FOR OFFICE USE AND REFERENCE PURPOSES ONLY. EVERY EFFORT IS MADE TO ENSURE THE ACCURACY OF THIS CONSOLIDATION. IT IS NOT TO BE USED IN PLACE OF PHOTOCOPIES OF ORIGINAL BY-LAWS, NOR CAN IT BE USED FOR COURT PURPOSES. FOR LEGAL REQUIREMENTS, PLEASE REFER TO THE OFFICIAL BY-LAWS OF THE CITY OF OTTAWA.

Updated February 2016

Prepared by By-law & Regulatory Services

The Council of the City of Ottawa enacts as follows:

DEFINITIONS

1.

In this by-law,

“advertising material” means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, flyer, paper, booklet, or any other printed or otherwise reproduced matter or literature, that:

- i. advertises or otherwise promotes any merchandise, product, commodity or thing, or
- ii. directs attention to any business or mercantile or commercial establishment or other activity, for the purpose of either directly or indirectly promoting the interests thereof; or
- iii. directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind for which an admission is charged for the purpose of commercial gain or profit;

“City” means the municipal corporation of the City of Ottawa, or the geographic area as the context requires;

“distributor” means any person, owner of a business, company, or organization which distributes, permits to be distributed or causes to be distributed any bill for profit;

“General Manager” means the General Manager of Emergency and Protective Services of the City of Ottawa or authorized representative; and

“private property” means any dwelling, house, building, or other structure, designed or used either wholly or in part for residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and includes any yard, grounds, walkway, driveway, porch steps, vestibule or mail box belonging or appurtenant to such dwelling, house, building, or other structure.

PROGRAM ESTABLISHMENT

2.

The City hereby establishes a voluntary program for the regulation of the distribution of unaddressed advertising material in the City of Ottawa.

3.

The General Manager is responsible for the administration of this program.

4.

Any owner or occupant of property may participate in the program and indicate their desire not to receive unaddressed advertising material by purchasing the sign as prescribed in accordance with Schedule "A" to this by-law from the City for a fee of two dollars (\$2.00).

5.

The owner or occupant of the property may affix the sign referred to in Section 4 to a mail box or mail slot in a conspicuous way on his or her property, indicating that he or she does not wish to receive any unaddressed advertising material.

GENERAL REGULATIONS

6.

No distributor shall distribute or cause to be distributed any unaddressed advertising material on private property if the owner or occupant of the property has affixed a sign in a conspicuous way on his or her own property, as prescribed in accordance with Schedule "A" to this by-law, indicating that he or she does not wish to receive any unaddressed advertising material.

7.

Subject to Section 6, no distributor shall distribute or cause to be distributed any unaddressed advertising material on private property other than,

- a) in a mail box;
- b) in a mail slot;

BY-LAW NO. 2003-493

- c) in a receptacle identified for this purpose;
- d) on a newspaper rack or hooked to it;
- e) in an apartment building lobby; or
- f) on the door handle if the junk mail is delivered in a bag.

8.

Subject to Section 6, no distributor shall distribute or cause to be distributed any unaddressed advertising material on private property other than by using the driveway and sidewalks of private residences and apartment dwellings.

9.

Subject to Section 6, no distributor shall distribute or cause to be distributed any unaddressed advertising material on private property between the hours of 9:00 o'clock in the afternoon (9:00 p.m.) and 8 o'clock in the forenoon (8:00 a.m.) of the next following day.

BY-LAW NOT APPLICABLE

10.

The affixing of a sign in a conspicuous way on his or her own property, as prescribed in accordance with Schedule "A" to this by-law, indicating that he or she does not wish to receive any unaddressed advertising material does not apply to prevent the distribution of,

- a) newspapers delivered to paid subscribers;
- b) community newspapers;
- c) material produced in the context of a campaign for elected office; or
- d) information circulars produced by governments or their agencies.

SHORT TITLE

11.

This by-law may be referred to as the “Voluntary Ad Mail Reduction Program By-law”
ENACTED AND PASSED this 8th day of October, 2003.

CITY CLERK | MAYOR

Schedule "A"

VOLUNTARY AD MAIL REDUCTION PROGRAM



Figure 1: City of Ottawa "No Junk Mail" graphic for the Voluntary Ad Mail Reduction Program.

BY-LAW NO. 2003-493

BY-LAW NO. 2003-493

A by-law of the City of Ottawa to establish a program for the regulation of the distribution of unaddressed advertising material.

Enacted by City Council at its meeting of
October 8, 2003.

LEGAL SERVICES

AMP: ec - G04-01-VOL-1

COUNCIL AUTHORITY:

City Council – September 24, 2003

EPSC Report 38, Item 1

BYLAW NUMBER 5M2004**Light**

43. No owner or occupier of a Premises shall allow an outdoor light to shine directly into the living or sleeping areas of an adjacent dwelling house unless the outdoor light is permitted or required pursuant to the Land Use Bylaw 1P2007, a development permit or a similar approval.

(35M2004, 2004 May 03)
(51M2016, 2016 December 14)

Flyers and Debris

44. (1) An owner or occupier of a Premises shall ensure that articles such as papers, flyers and loose debris are collected and contained on the Premises so that they do not escape onto adjacent or other neighboring properties.

- (2) An owner or occupier of a Premises is responsible for papers and flyers on their Premises regardless of whether they solicited for the delivery of these papers or flyers.

- (3) No Person shall deposit a Flyer at or on a Premises where a sign or notice has been posted and which is clearly visible at the entrance of a dwelling unit indicating that such Flyers are not wanted.

(51M2016, 2016 December 14)

- (4) No Distributor shall distribute or cause to be distributed Flyers for the purpose of depositing them at or on a Premises where a sign or notice has been posted and which is clearly visible at the entrance of a dwelling unit indicating that such Flyers are not wanted.

(35M2004, 2004 May 03)
(51M2016, 2016 December 14)

- (5) Subsections (3) and (4) do not apply to:

- (a) any election advertising material which is permitted to be transmitted or delivered pursuant to any applicable federal, provincial or municipal legislation;
- (b) newspapers delivered to paid subscribers;
- (c) community association newsletters or newspapers;
- (d) information circulars produced by a federal, provincial or municipal government or an agency of such government;
- (e) information circulars produced by a member of Calgary City Council, a member of the Alberta Legislative Assembly or a member of the federal Parliament.

(51M2016, 2016 December 14)