

# HALIFAX

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

**SUBMITTED BY:** Original Signed by   
\_\_\_\_\_  
John Traves, Q.C. Acting Chief Administrative Officer

Original Signed by   
\_\_\_\_\_  
Jane Fraser, Acting Deputy Chief Administrative Officer

**DATE:** February 11, 2016

**SUBJECT:** Flyer Distribution and Litter Strategy

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## **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

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A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.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.

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902.490.7176

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## **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<br>1-888-766-6444 |                           |
| Bedford-Sackville Weekly News (TC media – green packaging)      | Customer Service Department:<br>Darlene Snyder<br>Distribution Manager:<br>Shawn Pothier | 902-421-5802<br><br>902-421-5846     |                           |
| Cape Breton Post  | Ed Hillier   | 902-563-3864                         |                           |
| Chronicle Herald  | Customer Service   | 426-2811 ext. 3350<br>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<br>1-888-766-6444 |                           |
| Dartmouth-Cole Harbour Weekly News (TC media – green packaging) | Customer Service Department:<br>Darlene Snyder<br>Distribution Manager:<br>Shawn Pothier | 902-421-5802<br><br>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<br>1-888-766-6444 |                               |
| Halifax West-Clayton Park Weekly News TC media – green packaging) | Customer Service Department:<br>Darlene Snyder<br>Distribution Manager:<br>Shawn Pothier | 902-421-5802<br>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  
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**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

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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

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