



Subject: *Flyer Litter Mitigation Options*
To: Executive Committee
Date Prepared: September 20, 2021
Related Motions: C21(173)
Prepared by: Andrea Trask, Manager of Solid Waste
Approved by: Jesse Hulsman, Director of Infrastructure & Operations

Summary

Staff have been asked to research options to mitigate flyer litter, as per motion C21(173) *Moved that Council discuss a possible flyer delivery bylaw at a future Executive Committee Meeting.* This report outlines staff research on the topic which focused on efforts already in use by other Municipal units.

The topic of flyers is divisive. There are those that appreciate the access to the content, and it is an advertising tool that supports business. The downfalls are those having to deal with material they don't want or didn't ask for, and the reoccurring litter that can happen when a flyer package isn't picked up right away or is not placed in a way that contents stay contained in the packaging.

In Nova Scotia, the majority of flyers are issued through the Chronicle Herald-Saltwire. That company then in turn hires subcontracts to distribute the flyers on their behalf. The contracts with sub-contractors specify performance criteria for deliver. Most of the public would not be aware of the performance criteria or options they would have to contact the supplier to issue a compliant.

Other major municipalities are starting to address flyers through Bylaws. Based on the proximity of East Hants to Halifax, where the Halifax Bylaw is still new with a lot of learnings still to come, it may be opportunity for East Hants to monitor the success/learnings from Halifax further as there may be fringe benefits that happen naturally from the largest population in the Province pushing back on Flyer programming. At the same time East Hants can focus on educating the public on whom runs the flyer programming and how the public can act on their own behalf, for now, to issue complaints directly to the company profiting the most from the distribution of the flyers.

Financial Impact Statement

None based on the staff recommendation.

Recommendation

Staff recommends to Council that in the workplan for next fiscal, solid waste programming will have a focus on flyer delivery education and continue to monitor approaches being used by other Municipalities.

Recommended Motion

Move that the Executive Committee recommend that Council accept that flyer delivery education be added to the solid waste division work plan for next fiscal, while also monitoring different approaches being used by other Municipalities.

Background

This report was requested through motion of council, C21(173). Residents have mentioned concerns with flyer delivery with members of council which prompted the request for a staff review of the topic.

Discussion

Flyer litter is not a new issue for any community, including East Hants. Therefore, staff reached out to all solid waste regional coordinators to understand how their municipalities are currently managing the issue. The following are the results of that outreach.

Halifax

- HALIFAX REGIONAL MUNICIPALITY BY-LAW NUMBER F-400 RESPECTING THE DISTRIBUTION OF FLYERS
- Consistent with Ottawa, Calgary and Moncton
- Have issued 4 tickets for locations where flyers were delivered where there is a clear 'No Flyers' sticker/sign up.
- They are 1-year into the new bylaw. They have fielded approx. 150 complaints; however, many are repeat callers. Those repeat callers are from individuals that had requested no flyer delivery and continue to receive the product or keep having flyers in the driveway.
- Does not allow driveway delivery (whereas the company carrier agreement does)
- Moncton has issued 60 tickets in the last year
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CBRM

- CBRM S-300 Solid Waste Resource Management By-law
- Includes litter with illegal dumping
- Fines start at \$697.50
- Valley Waste
- No specific flyer bylaw
- Specifically took steps to clarify the difference between litter and illegal dumping in their bylaw due to lack of staff resources to manage all calls on litter.

Other Municipal Units

As for the rest of the municipalities it is a split between those that are trying to figure out next steps, others that do not want to touch the topic (as there aren't staff resources to manage litter), to those considering something like Halifax and CBRM.

The Municipality of Guysborough hosted representatives from Saltwire to discuss their concerns and seek a commitment for improvements in their services. This was met with some improvements, but continue to be imperfect. Most recently at their June meeting the issue remains a topic.

Contractor Notes

Further to the above is the actual delivery and management of flyers. In Nova Scotia the majority of flyers are issued through the Chronicle Herald-Saltwire. A copy of the carrier contract has been reviewed. Highlights from the carrier contract include:

- Addresses not on their list should not receive a package
- They should be provided a weekly updated list and that is to be used
- Delivery where safe and dry, with the following locations being the only approved options:
 - mailbox
 - mail slot
 - tube at the end of driveway
 - bagged & placed neatly and carefully on doorstep
 - community herald flyer boxes
- As independent contractors they expect all complaints and services issues to be resolved by the carrier immediately. Repeat complaints may cancel their contract.
- Packages are not to be throw or appear to be thrown.

- Any confirmed cases of thrown packages will result in (a) immediate termination, (b) possible littering fines, (c) potential liability for costs connected with the creation and distribution of the product.
 - Those locations that request no delivery must immediately stopped.
 - If packages are not removed after 2-weeks of delivery carriers are to remove the products and they are to contact their Area Manager.
 - At last check carriers were being paid \$0.19 per bundle, their contract provides details on claimable expenses on their annual income tax.
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Alternatives

1. Education campaign to residents on methods to direct complaints/concerns to the producers/delivery company of flyers directly.
 - a. Social media, information in Municipal Newsletters, sessions with distributors, etc.
 2. Municipal bylaw (similar to Halifax).
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Conclusion

Based on a review of the concern raised by Councillors, information from other municipalities, and from the review of the carrier agreement staff conclude the following:

1. The topic of litter is significant to Council and the communities we serve.
2. Flyers are a love-hate product for residents; some look for them weekly and others don't want them (or at least not the litter created by the delivery process).
3. There are clear expectations for flyer carriers, that work as independent contractors, on how to deliver the product. However, the work is low-pay and direct supervision is not a component of the contracts. In rural areas the expectation for delivery would be cost prohibitive for the delivery contractor.
4. Flyers are a method of advertisement, and the producer is responsible to ensure that as many households in NS receive those advertisements weekly.

Options to mitigate flyer litter include:

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 2. Municipal bylaw (similar to Halifax).
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Recommendation

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