

CITY OF VANCOUVER



POLICY REPORT
LICENSING

Report Date: June 9, 2006
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Meeting Date: June 29, 2006

TO: Standing Committee on City Services and Budgets
FROM: General Manager of Engineering Services
SUBJECT: Newspaper Box Policy Review

RECOMMENDATION

- A. THAT news boxes on City streets be subject to meeting the by-law provisions identified in this report and the following restrictions:
 - i. Publications solely for the purpose of advertising a retail outlet or product line not be permitted to be displayed on City streets;
 - ii. Each publication be limited to no more than 700 news boxes (not including compartments within a multiple publication news box).
- B. THAT the Director of Legal Services be directed to bring forward the necessary by-law governing policy on news boxes for Council approval as generally set out in Appendix C.
- C. THAT 100 Multiple Publication News boxes be deployed following completion of the trial installation of two prototype units.
- D. THAT the new fee structure for news boxes be approved as detailed in this report for implementation on January 1, 2007.
- E. THAT the current newspaper vending machine fee for coin-operated news boxes on City streets in the License By-law be eliminated.
- F. THAT the Director of Legal Services be directed to amend the License By-law to repeal Section 27.1(5) regarding newspaper vending machine fees.
- G. THAT the new policy be implemented for all news boxes in the City and that the current moratorium on placement of additional news boxes be continued during the implementation period.

- H. THAT the following additional resources be approved through an increase in the budget for news box fee revenues for a net reduction of \$9,700 in the 2006 Operating Budget:
- i. News box coordinator (RFT) subject to classification by the Director of Human Resources plus start up costs;
 - ii. Field inspector (temporary to the end of 2007) subject to classification by the Director of Human Resources plus start up costs;
 - iii. A micro compact vehicle at an annual cost of \$7,200 to fund the rental rates and operating costs for the vehicle.
- I. THAT the 2007 Engineering Operating Budget for street cleaning be increased by \$186,100 to be offset with increased revenues from news box fees.
- J. THAT the City Engineer report back in one year on the implementation of the new policy.
- K. THAT \$25,000 be allocated from the Truck & Equipment Replacement Reserve (Plant Account) to add one micro compact passenger vehicle to the vehicle fleet.

COUNCIL POLICY

Current policy on news box placement on City streets was approved by Council in 1998 and set guidelines on fees, news box design and placement. The current guidelines are attached in Appendix A.

Council approves allocations from Reserves, including the Truck and Equipment Plant Account.

Council approves all increases in service levels including the addition of equipment to the fleet and increases to operating budgets.

SUMMARY

The recommendations in this report respond to problems experienced with the growth in the numbers of news boxes in 2005 and set out some new requirements for placement of news boxes on City streets. An extensive stakeholder review was conducted over the past year, including two public opinion surveys on this issue.

The general direction proposed in this report is to continue to permit news boxes to be placed on City streets but introduce further restrictions regarding their placement and overall numbers and hold publishers accountable for cleaning and maintaining their news boxes. A limited lottery system is proposed to allocate spaces where the demand exceeds available space during the implementation phase of the new policy and where approved locations are vacated. However, following the implementation phase, the majority of spaces would continue to be allocated on a first-come, first-served basis.

The provision of 100 Multiple Publication News boxes (MPNs) is proposed to reduce clutter and provide on-street recycling opportunities for newsprint. Staff are also proposing to increase the street cleaning budget by \$186,100 to provide additional cleaning around bus stops and news boxes and recycle littered newspapers.

A significant fee increase is proposed based on a review of fees charged by other Canadian jurisdictions. However, the fee structure proposed will minimize the impacts of this increase to smaller publishers (those with fewer than 100 news boxes) which account for a majority of publishers. The proposed fee increases will offset a proposed increase in resource costs related to administering the program and will also offset the proposed increase in the street cleaning budget. The proposed changes will result in no net impact to the Operating Budget on an ongoing basis.

Staff will report back in one year on the policy and recommend any further adjustments at that time based on experience implementing the new policy.

PURPOSE

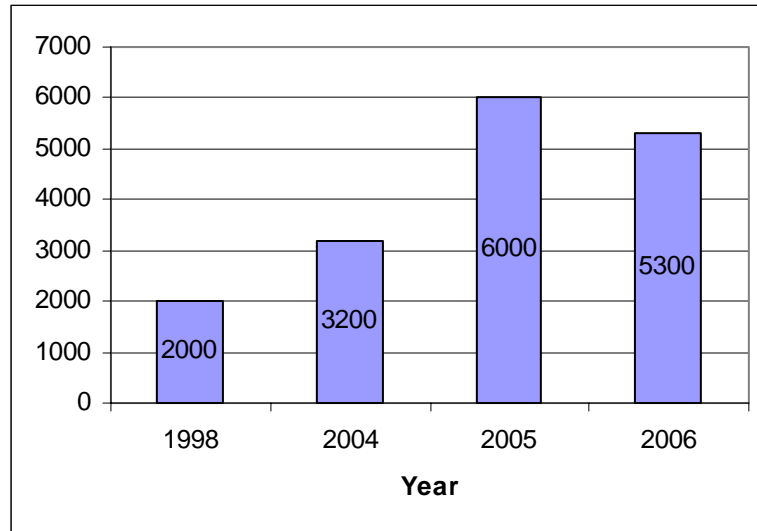
This report recommends revisions to the current policy on news box placement to reduce negative impacts associated with news boxes, the deployment of 100 Multiple Publication News boxes, a revised fee structure, increases to the street cleaning budget and staffing resources to manage the program.

BACKGROUND

Prior to 1998, Council policy permitted only daily newspapers with a paid circulation in excess of 1.5% of the City's population to place news boxes on City streets. In response to growth in the number of free, weekly (or less frequent) publications deploying news boxes, this policy was revised in 1998. At that time, Council approved changes to the policy to permit free publications to place news boxes on City streets, and established fees and guidelines for placement and box design.

The current policy worked relatively well until the explosive growth in numbers of news boxes experienced in 2004 following the introduction of three new free daily papers. Figure 1 highlights that growth which saw a doubling of news boxes on the street over a one-year period from 2004 to 2005.

Figure 1 - Growth of News boxes 1998 - 2006



This growth created a number of issues and generated a significant number of public complaints related to littered newspapers, extra clutter on the sidewalks, and blockage of pedestrian access. In 2005, staff initiated an enforcement campaign to remove news boxes that were placed without approval, and placed a moratorium on placement of additional news boxes on the streets. In response to these issues, Council directed staff to consult with a stakeholder group and report back on a revised news box policy.

Over the past year, staff have had five meetings with the stakeholder group made up of representatives from the publishers, the City's business improvement associations, the West End Residents Association, the Council Advisory Committee on Disability Issues, Translink, and CBS JCDecaux. This group reviewed concerns, objectives and options with respect to news box placement on City streets.

DISCUSSION

Stakeholder Review Group

The stakeholder meetings are summarized in Appendix B. The group had thorough discussions on a wide range of topics and many different points of view were represented. An extensive set of alternatives to improve the way that news boxes are managed on the streets were identified. This process proved very valuable and staff have incorporated ideas from this group in the policy recommendations.

Through the policy review process, a set of objectives of the various stakeholders was developed. These were condensed by staff into the following objectives that were used to guide the proposed policy:

- Improve public safety & accessibility (news box location guidelines)
- Improve aesthetics (news box design, reduce graffiti, maintain news boxes, reduce street clutter)
- Public service (provide public access to news boxes where there is a demand)
- Reduce litter & provide recycling opportunities
- Recover costs & charge market rate for street space being used
- Create level playing field for publishers (consistent application of guidelines, provide opportunities for access to high demand locations for all publications)

In general, the publishers' biggest concern is the magnitude of the proposed fee increase. There are also some concerns about the additional restrictions on news box placement and the impact of the Multiple Publication News boxes on visibility and circulation. The business improvement associations are generally supportive of the guidelines as they address concerns related to litter, box maintenance and box placement. There is also strong business support for the MPNs in BIA areas.

Public Opinion Survey

In the Fall of 2005, Mustel Group was contracted to do a public opinion survey of 300 residents on news boxes. The summary of the results are as follows:

- The majority of residents (81%) support continuing to allow news boxes on Vancouver's sidewalks
- The majority of residents feel that there are either enough (50%) or too many (26%) news boxes on the sidewalks
- Opinion is split on whether news boxes should be allowed in single family residential areas (49% in favour, 45% opposed)
- The biggest public concern about news boxes is litter (noted by 22% of respondents) followed by concerns about clutter on the sidewalk, unattractiveness, too many of them, and blocking pedestrian access
- The most common suggestions for improvement are to control litter, to have recycling containers or better disposal systems, and to reduce or regulate the number of boxes or the concentration of boxes in one area.

In May, 2006, the Mustel Group conducted an on-street survey of pedestrians at the Granville and Broadway prototype MPN location. The results indicate that there is broad support for the use of these MPNs in the City (82%) and that the MPNs should be used to replace news boxes in busy areas (54%).

The City has a long history of permitting news boxes on streets and there is continued acceptance generally, to the concept and utility of news boxes. Therefore, it is recommended that news boxes continue to be placed on the streets. The following sections discuss the proposed policy:

1. Overall numbers and type of publications

The proposed policy does not attempt to restrict publications based on their content, frequency of distribution, or circulation numbers. However, it is proposed to restrict display of material that would advertise a retail outlet or product line. This would prohibit the

display of advertising flyers or product brochures, but would continue to permit the display of publications that list classified ads.

The proposed policy includes a limit of 700 on the number of news boxes per publication, not including compartments in Multiple Publication News boxes. In the history of the news box program, the number of news boxes put out by one publication never exceeded 700 until 2005. Staff are concerned that many of the news boxes placed on the street recently were done so more for advertising and branding purposes than for distribution of newspapers. Staff believe that a publication would have reasonable distribution and access to the City's streets given placement of 700 news boxes. Two publications (Metro and 24 Hours) have more than 700 news boxes approved (currently approximately 900 and 800 respectively). These publishers would need to reduce the number of their news boxes if this change is approved.

2. News box placement and design guidelines

The proposed policy includes more specific requirements with respect to where news boxes are placed on the streets and news box design. Related by-law provisions are attached in Appendix C. Permits would be issued for news box locations approved by the City Engineer.

The news box placement provisions are intended to reduce blockage of the sidewalk, reduce the intrusion of news boxes into residential areas, reduce multiplicity of news boxes from the same publisher in one area, and reduce clutter. The main changes from the current policy can be summarized as follows:

- limit each publication to two news boxes per intersection and one per corner
- prohibit news boxes adjacent to single and two-family residential dwelling areas, except at bus stops
- maximum of four news boxes per cluster (increased from the current three news boxes, to provide more flexibility and recognize that most news boxes installed since 1998 are narrower than news boxes that existed prior to then).

The implementation of these placement provisions will result in a significant number of news boxes needing to be removed and or relocated to new locations. Placement of news boxes will be done in consultation with Business Improvement Associations in their areas.

There is general acceptance of the variation in design, size and colour of news boxes. However, for aesthetic reasons, it is recommended that the height of news boxes remain consistent. The proposed news box design provisions provide a range of acceptable news box dimensions, a minimum weight requirement (40kg), and clarification around brand identification on the news box exterior.

3. Space Allocation

The proposed by-law provisions continue the first-come, first-served allocation for existing available spaces, but introduce a lottery process during the implementation phase of the new policy and for newly available spaces where the demand exceeds availability. This will provide additional opportunities for some turnover of locations and address some concerns expressed by the more recent entrants into the news box market about the lack of space availability in high demand locations. It is not considered necessary to introduce time-limited terms at this time. However, it is recognized that this may limit opportunities for future

entrants into the market. This will be monitored, and if these opportunities become restricted, staff will report back on alternatives.

4. Multiple Publication News boxes (MPNs)

Multiple Publication News boxes (MPNs) contain up to six or seven newspapers in one specially designed unit and a recycling compartment for newsprint (See Photo 1). The purpose of these units is to minimize clutter on the street, improve aesthetics, provide the public with an easily accessible location for newspapers and provide on-street opportunities for newspaper recycling.

Photo 1 - Prototype MPN



The City's street furniture contractor, CBS JCDecaux (formerly Viacom JCDecaux), has built and installed two prototype MPN units as a trial. This trial will be used to assess the design and operation including the utilization of the recycling compartment that has been incorporated into the unit. Following the trial, the design of the prototype will be modified as needed and it is recommended that 100 MPNs be put out on the street in the coming year as provided for in the agreement with CBS JCDecaux. The maintenance and annualized capital costs of the units would be recovered through fees charged to the publishers for access to the MPNs.

The installation of an MPN at an intersection corner would replace all standalone news boxes at that corner. Publishers with existing news boxes at the corner would be required to relocate into the MPN or relocate their news boxes to a different location. A lottery draw would determine allocation of vacant or available spaces in the MPN and compartment position.

5. Recycling and litter

Audits of waste stream in litter containers indicate that the amount of paper in litter containers doubled between 2004 and 2005. It cannot be verified how much of this increase resulted from newsprint since the amount of newsprint was not specifically measured in 2004. However, this increase took place over the same time frame that the numbers of news boxes on the street also doubled. In the 2005 audit, newsprint made up 19% (by weight) of garbage in litter containers.

Anecdotal evidence indicates that since 2004, greater quantities of newsprint are found littered on the streets. The proposed recycling compartment in the MPNs will provide some opportunities for on-street recycling. Staff will monitor the use of the recycling compartment to determine whether this is an effective means of diverting newsprint from the litter stream. Based on staff research, stand alone public recycling receptacles are generally ineffective since contamination is to the point where the material often requires disposal as garbage. However, there may be ways to mitigate this, and options will be investigated as part of the evaluation of the recycling compartments in the MPNs.

To deal with the extra volume of newsprint litter as well as improve the general level of street cleaning, it is recommended that the Engineering Operating Budget for street cleaning be increased by \$186,100 starting in 2007. This will provide for the addition of two shifts of motorized litter cart pickup service and allow the day and night shifts to provide a higher level of service at bus stops and around news boxes. As part of this extra cleanup, the entire motorized litter pickup operation will be recycling littered newspaper.

Publishers in the MPN would be given the option to empty the recycling compartment. This is in keeping with the principles of user pay and product stewardship - key elements of the region's solid waste management plan and also provincial policy. The publishers have expressed some reluctance to take this on due to safety concerns. If none of the publishers in that unit are willing to empty the recycling compartment, other options will be explored with the publishers with the costs being passed on to the occupiers of that MPN.

6. Maintenance and operational issues

Maintenance and cleaning of boxes is one of the greatest concerns to the BIAs and the public. The proposed policy introduces a three day requirement for responding to maintenance requests such as graffiti and news box damage. The proposed policy also makes recommendations with respect to stocking of news boxes with new issues.

Some of the pay publications use "drop boxes" for distribution to retail outlets prior to store opening hours. These boxes are locked and accessed by the retail outlet selling the publication. The proposed policy recognizes drop boxes as a distribution means where no off-street means is available and provides for approval of the drop box design and placement and charging a fee for placement on the street right-of-way.

Newspaper hawkers are a relatively new phenomenon in the city and are employed on a daily basis by two of the free daily newspapers. Staff have received some complaints about hawkers creating a nuisance for pedestrians, although these complaints have lessened recently. Publishers using hawkers have been advised that they must not impede pedestrian access on the streets. There is general acceptance of hawking by the Downtown Vancouver

BIA as a means of providing employment and interest to the streets. The proposed policy recommends that hawkers wear identification badges and that a code of conduct be developed to guide the behaviour of hawkers.

To enforce the new policy and make news box publishers more accountable, the proposed policy sets out conditions under which the City Engineer may revoke location approvals and impound news boxes. Impound fees would be payable as per the Impounding By-law on a consistent basis for all publishers.

7. New Fee Structure

Proposed fees for placement of news boxes are shown in Table 1. The proposed fees are based on rates charged by other Canadian jurisdictions (see Appendix D). The proposed rate structure is based on Toronto's fee structure and provides relief for the smaller, independent publishers with fewer than 100 news boxes. Of 31 publishers operating news boxes on City streets, the majority (19) have less than 100 news boxes on the street. The higher rate for news boxes in excess of 100 will also discourage news box placement for the purpose of advertising and branding. Application fees for new locations are proposed to recover administrative time spent reviewing and approving locations. Based on feedback received from the stakeholder group, these application fees would not be charged for relocations of news boxes required by the City Engineer in implementing the new policy.

Table 1 - Proposed News box Fees (net of GST)

	Existing Fee (per news box)	Proposed Fee (per news box)	% Increase
News boxes			
-first 100 news boxes	\$24.30/yr	\$25/yr	2.9%
-over 100 news boxes	\$24.30/yr	\$75/yr	209%
MPNs	n/a	\$100/yr	New fee
Drop boxes	\$0	\$25/yr	New fee
Application Fees			
-new locations	\$0	\$50/location	New fee
-lottery draw	\$0	\$20/location	New fee
Vending License Fee	\$27/yr	\$0	Eliminated

It is proposed that vending license fees currently charged for coin-operated news boxes (\$27 per news box per year) on City streets through the License By-law be eliminated. From an administrative perspective, there is no reason for additional fees on coin-operated boxes on City streets. The proposed fees account for market value of the space used and more than offset the reduction in vending license fees. Vending fees would continue to be charged for all coin-operated vending machines on private property.

Fees for MPNs are based on estimated annualized capital and maintenance costs and are based on publishers emptying the recycling compartment.

FINANCIAL IMPLICATIONS

The proposed fees will recover City costs related to managing the program and offset a proposed increase of \$186,100 in the Engineering Operating Budget for street cleaning.

Operating Budget impacts of the proposed changes are shown in Table 2 and detailed in Appendix E. There will be a net reduction in the 2006 Operating Budget of \$9,700 and no net impact on the Operating Budget in 2007 and beyond as a result of the proposed changes. It should be noted that the current and proposed budgets result in a net surplus of \$96,100 to the Operating Budget.

Table 2 - Budget Impacts of Proposed News box Policy

	2006 Budget (approved)	2006 Budget (proposed)	2007 Budget (proposed)
Costs			
Salary & startup costs	\$17,500	\$79,350	\$99,100
Vehicle	\$0	\$3,600	\$7,200
Increase to street cleaning budget	\$0	\$0	\$186,100
Total Costs	\$17,500	\$82,950	\$292,400
Revenue			
News boxes	\$70,700	\$145,800	\$328,500
Vending License	\$42,900	\$42,900	\$0
MPNs	\$0	\$0	\$60,000
Total Revenue	\$113,600	\$188,700	\$388,500
Net budget impact	(\$96,100)	(\$105,750)	(\$96,100)
Net change from 2006 Approved	-	(\$9,650)	\$0

PERSONNEL IMPLICATIONS

The news box program will require additional resources to manage news box locations, maintain inventories of approved locations, respond to public complaints, and monitor news box locations in the field. Currently, approved funding for the program consists of 0.25 FTE (three months per year) staff position.

To more effectively manage the program, the following resources are recommended:

- News box Coordinator (RFT position)
- Field Inspector (temporary to the end of 2007)
- Vehicle (compact)

ENVIRONMENTAL IMPLICATIONS

The provision of the recycling compartment in the 100 Multiple Publication News boxes proposed will provide additional opportunities for the public to recycle newspapers.

IMPLEMENTATION PLAN

Implementation of the proposed policy will result in relocation of a considerable number of news boxes. Staff will undertake an area review of all locations in the City to determine how news boxes will be removed and/or relocated. Given the amount of work involved, it is proposed that the existing moratorium on placement of additional news boxes remain in place until the new policy has been implemented, expected to take about eight months.

Staff will report back in one year on experience with the new policy and ongoing resource requirements.

The new policy will be implemented by creating a new by-law for news boxes and amending License By-law No. 4450.

CONCLUSION

The measures proposed in this report should result in a reduction in the negative impacts associated with news boxes while still providing a level playing field for publishers and access to newspapers by the public. The rollout of Multiple Publication News boxes will reduce clutter on the streets and provide a unique on-street opportunity for newspaper recycling. The proposed fee increase will offset a proposed increase in the street cleaning budget and staff resources to manage the program with no net impact to the Operating Budget on an ongoing basis.

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CURRENT NEWS BOX PLACEMENT GUIDELINES

Permission to place news boxes on City street allowance may be granted under the following conditions:

1. Publishers must agree to indemnify the City against any liability arising out of the existence of the news boxes on City property, and they must carry insurance acceptable to the Director of Risk and Emergency Management.
2. Payment of a permit fee for each news box placed on City property in the amount of \$25.00 including GST per year. (Coin operated boxes must also purchase a Vending Machine License in keeping with the License By-Law.)
3. Publishers must provide a list of proposed locations for review prior to street placement. News boxes placed on City property without approval are subject to impoundment and an impound fee of \$200.00 per box.
4. A maximum of three news boxes per location may be approved, with no more than two locations per block face. (These numbers may be adjusted at the discretion of the General Manager of Engineering Services at some locations, based on the physical constraints of the streetscape or the block length.)
5. Each publication is limited to one news box per location. Allocation will initially be on a first-come first-serve basis. Space at high demand locations will be negotiated between the interested parties. If agreement cannot be reached, successful applicants will be chosen through a lottery with preference given to those who do not already have a news box at the same intersection.
6. News boxes must be used for the distribution of a publication, and filled and serviced upon the release of each new edition. Unserviced news boxes will be removed by City staff at the owners expense, and the permit cancelled.
7. News boxes must be well maintained and kept clean and free of graffiti. Graffiti removal and maintenance must be noted during the first service call and corrected within 72 hours or 3 business days of notification (which ever comes first). Failure to do so will result in removal of the news box at the owners expense, and/or cancellation of the permit.
8. The City has the right to remove or relocate news boxes in the event of operational problems (such as: box contents becoming litter or a box collecting litter) or if the space is required for any other purpose. (Examples include but are not limited to: special events, street or utility construction or maintenance, bus shelter installations etc.)
9. News boxes must conform to the following specifications:
Size: 610mm (24 inches) wide (exceptions can be made for narrower boxes)
 380mm (15 inches) deep
 1080mm (42.5 inches) high
Colours: Colours must be approved by the General Manger of Engineering Services.
 No third party advertising is permitted.

Approved by Council July 23, 1998

News box Policy Review - Summary of Stakeholder Meetings

The stakeholder group had 6 meetings to discuss the news box policy with the stakeholder group. The following topics were discussed:

June 13, 2005 - Introductory meeting (concerns & objectives)
July 26, 2005 - News box design, Placement and Enforcement
August 22, 2005 - Space allocation for publishers
September 21, 2005 - Operational Issues and Fees
October 5, 2005 - Evaluation of options/solutions
April 10, 2006 - Proposed policy presented by staff

1. Stakeholder Comments/Concerns

Following is a summary of the general comments/concerns expressed by the various stakeholders through the meetings

Advisory Committee on Disability Issues

- Lack of consultation on increase in the number of news boxes and impacts of news boxes on the safety of the sight and mobility impaired and other disabled people
- Increased litter also presented a safety hazard.

Business Improvement Associations

- City policy has been abandoned
- There are too many news boxes on the street, many are poorly situated (Intersections can have up to 24 boxes/intersection)
- Little enforcement of the current news box policy
- No consultation with BIAs on news box locations
- Increased litter on the sidewalks since the 3 new dailies were introduced
- Some news boxes are empty, some have garbage in them
- Lack of maintenance of the boxes - graffiti, doors stick etc
- The fee that publishers pay is too low
- Distributors are leaving bundles of papers at storefronts and at bus stops

Publishers

- Present policy is unfair to small publications (paid publications dominate good locations; small, free publications have no access to premium locations)
- Boxes are being used by some publishers for advertising rather than distribution.
- Needs access to locations to protect readership and advertisers.
- Difficult to control graffiti on boxes.
- Fees have to make sense from a business point of view
- Important to have decent presence on the street
- Approved process must be followed, is concerned that some publishers have jumped the queue.
- There was a graffiti problem here before the new dailies arrived.
- Concern that 100 superboxes not enough for everyone.
- It is unprecedented to have 3 dailies start up in a city all at once, it created an unprecedented problem, but the City's process is good.
- "Superboxes" a good idea but they are expensive; should have a test period.

- Stated that the newspaper business is changing globally and this change has had impact on cities.
- The 3 box per corner policy has not been consistently followed for years.
- News boxes are needed for distribution since retail outlet distribution is not always possible
- A publishers' campaign could help educate readers on the importance of having a sense of civic pride regarding issues such as littering and graffiti
- Concerns about MPNs; have not been well maintained by contractors in other cities, customers will experience difficulty in locating a particular publication in generic MPNs and their papers will see a decline in readership, publishers will lose their street presence, small publishers will not have space in boxes.

TransLink

- Newspapers are a serious operations issue - since the introduction of the three new dailies, littered papers on the track have caused 23 stoppages on SkyTrain
- Cost generated by the litter problem (\$250,000)
- TransLink customers want access to the papers - TransLink wants to supply them for their customers - need to find a solution to these issues.
- Need to improve aesthetics

CBS JCDecaux

- Has a contract with City to supply MPNs.

West End Residents Association

- Concern with safety; boxes placed at curb cuts create very unsafe conditions for pedestrians, people using wheelchairs or scooters.
- Boxes are not aesthetically pleasing
- Create litter
- Concerned about lack of enforcement.
- Not happy to see boxes in residential areas
- In favour of MPNs.

2. News boxes on City Property (Benefits)

The following points summarize the discussion around the benefits of allowing news boxes on City property to answer the questions, "Why allow news boxes on sidewalks?"

- Papers are available 24/7 - good customer service
- Not always accessible in stores (especially free papers)
- Convenience - no lineups, convenient locations
- Sidewalks are the highest point of contact (exposure) in the public realm
- Provide access to papers in areas without stores (e.g., West of Denman)
- Visibility/Great advertising medium
- Access to tourists
- Connects consumers to specific-interest papers and provides greater selection
- Sometimes the only way to provide access for readers
- Meeting consumer need and demand (based on pickup rates)
- Meets needs of selective and impulse consumers (hunters and browsers)
- Play a role in a free and open society (independence of information, free press, voice)

- Publishers can monitor pick-up rates more effectively
- Ability to mitigate litter (e.g., newspapers in doorways in some circumstances)

3. Program Objectives

At each meeting, objectives for the news box program were discussed for each topic area. These objectives are as follows:

General Objectives

Create level playing field for all publishers	Recover City costs
BIAs would like input into news box locations	Maximize circulation
Facilitate delivery of information of value to the public	Facilitate equitable access for all publications
Provide a favourable experience for tourists	Improve aesthetics
Respect the diversity of needs of different areas of the City	Protect public safety and accessibility

Box Design/Appearance

Consistent look vs. unique designs	Deter graffiti
Integrate with other street furniture	Durable material to resist fading
Limit size (minimize visibility impacts)	Should be visible to the public
Non-climbable	

MPNs

Design to resist placement of garbage	Provide flexibility for different publishers
Provide for branding	

Box Placement

Should be difficult to move/ tip over	Minimize potential for boxes to be used as climbing surface
Provide flexibility in placement of all street furniture	Minimize obstructions to vehicle parking
Flexibility in numbers	Minimize clutter and duplication of service
Keep clusters together	Integrate placement with other street furniture
Minimize visual obstruction	Limit placement in residential areas
Minimize obstruction to pedestrian traffic at bus stops, loading zones and curb ramps	

Enforcement

Enforce regulations equitably	Recover City costs
Ensure high level of compliance with guidelines	

Allocation of Space To Publishers

Fairly and equitably allocate space to publishers	Don't over-regulate the market
Provide opportunities for new and existing publishers to optimize high demand and niche locations	Ensure boxes are deployed efficiently (accessibility without overkill)
Optimize value to the public	Address areas with an over-saturation of boxes from the same publication
Public safety & accessibility	Use spots for distribution, not advertising
Reduce clutter	Maintain circulation volumes
Provide interest to the streetscape	Maximize opportunities for all publishers
Provide for input from community groups on box locations (BIAs, resident groups)	Priority allocation based on community content
Provide for flexibility within the constraints	Disincentive for large numbers of news boxes
Not provide news boxes solely for advertising	Priority allocation for senior publications
Provide value to the public (current, community-oriented, and accessible)	

Publication Disposal

Minimize the number of newspapers going into the waste stream	Provide opportunities for and encourage public to recycle
Keep garbage out of news boxes	Reduce littering of newspapers

Maintenance

Keep news boxes free of graffiti and posters	Keep news boxes in good repair
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Hawkers

Animate the street	Ensure the public is not harassed/impeded
Observe appropriate rules of conduct	

Distribution

Provide mechanisms for paper drop-off prior to business opening hours (esp. for daily papers)	Ensure news boxes are distributed directly to news boxes and business customers
	Keep boxes stocked with new issues

Fees

Ensure fees not cost-prohibitive for smaller publishers (freedom of speech issue for publishers)	Recover market rate for use of space
Cover City costs	Establish rate structure that is easy to administer

4. Solutions/Options

The stakeholder group brainstormed options and solutions to address concerns raised and to satisfy some of the objectives listed above.

News box Design

- Overall size limits
- Branding through colour, logo, size, shape
- Weight boxes to __Kg
- Colour (consistent vs variety)
- Perforated metal, photomurals to deter graffiti

MPN Design

- Sloped roof to resist placement of garbage
- Branding on back through laminated cards/decals
- Reflective material on exterior
- Clear front window for paper display
- Size (standard vs variety)
- Wire mesh/perforated metal to resist graffiti/postering
- Incorporate recycling unit
- Illuminate inside or outside

Box Placement

- Use bar anchored to sidewalk to contain box cluster
- Keep boxes away from curb ramps
- Railings on 3 sides to contain box clusters
- Keep boxes away from pedestrian signal push buttons
- BIA input into box placement
- No boxes on grass areas
- Cluster boxes together
- Prohibit in residential areas except at community centers, corner stores, bus stops, etc.
- Keep news boxes out of bus zone loading areas

Enforcement

- Streamline application process
- Establish process re: notification and impound for violations

Overall Numbers of Boxes

- Limitations based on physical constraints only
- Allow market to self-regulate
- Limit numbers per publisher or establish a City-wide limit
- Limit each publisher to 1 or 2 boxes per intersection, and 1 box per corner
- Limit numbers per publisher based on circulation numbers
- Permit 4 or more boxes per cluster
- Restrict news boxes for advertising publications
- Permit mid-block clusters only for longer blocks

Restrict placement for publications with less than monthly frequency

Space Allocation to Publishers

Allow publishers to negotiate or "horse trade" locations corner by corner

Allocate through an auction

Allocate through lottery

Revisit applications submitted prior to moratorium

MPN Allocation

Priority to publishers existing at that location

Lottery process

Boxes displaced by MPN (remove or relocate?)

Bidding process

Tenure

Grandfathering

Time-limited

Time-limited at high demand locations

"Horse-trade" among publishers, then use other options

Recycling/Litter

Use bottom compartment in news boxes for recycling

Incorporate recycling box in MPNs

Publishers to recycle old papers picked up from news boxes

City Installs stand-alone newspaper recycling boxes

Public education through publications, City PR

Provide litter containers at all downtown street corners instead of MPNs

Encourage businesses to provide recycling box onsite or on sidewalk

Publishers provide recycling containers on street in exchange for reduced fees

Outsource recycling container service, recover costs through sale of paper, advertising

Place blue bins at bus stops

Hawkers to pick up litter around their locations

Hire street people to pick up old newspapers

Maintenance

Publishers be proactive by dedicating maintenance staff

Publishers jointly contract with maintenance/graffiti removal service

Publishers respond immediately (within __ days) to maintenance issues

Distribution staff to report maintenance issues

Track calls/complaints/resolution

DVBIA to assist with reporting problems

Rescind location approval where maintenance not carried out

Hawkers

Provide identification badges for hawkers

Establish code of ethics, best practices for hawking on sidewalks

Monitor number and locations of hawkers

Prohibit hawking

Distribution

Bundle papers being dropped off with rubber bands, plastic, etc

Limit drop-offs to solicited requests

Drop off the appropriate number of papers for the location

Enforce stocking of boxes through appropriate checks based on publication distribution times

Rescind approval for locations not stocked

Fees

Higher rate/box for publishers with higher numbers of boxes

Set fees to recover administrative costs for City to manage program

Set fees to reflect market value of public space for other sidewalk uses

Charge set fee per box

Higher rate for boxes with multiple publications

Higher rate for boxes in busy areas

Higher rate for publication in MPN to recover capital and maintenance costs

Surcharge for hawking

Recycling surcharge - linked to whether recycling plan in place, circulation number (including hawkers)

Litter surcharge - linked to City costs of litter pickup

Re-evaluate need for coin-operated vending machine fee (currently charged through business license)

Proposed News box By-law Provisions

The Director of Legal Services, in preparing the by-law, will include such other provisions as may be necessary to carry out the intent of the attached report and the requirements set out in this Appendix C.

1. General

News box publishers will release and indemnify the City and provide proof of insurance coverage of at least \$2million General Liability with the City as a named insured.

Each publication will be limited to no more than 700 standalone news boxes. . News box inserts in Multiple Publication News box (MPN) compartments will not count toward this total.

Advertising material that is solely for the purpose of advertising a retail outlet or product line will not be permitted. Publications with classified ads will be permitted.

The City Engineer may allow minor variations to sections 2 to 8 of this By-law so long as the variations are applied equitably to all publishers and do not obstruct driver or pedestrian sight lines, or otherwise compromise public safety or accessibility.

2. Application/Approval Process

New publishers will submit an application for the right to place news boxes in the City of Vancouver including plans, photos of their proposed news box design and other information that may be required by the City Engineer prior to approving the design.

Publishers will submit requested news box locations for approval of the City Engineer in a manner described below under “Space Allocation” and if approved, the City Engineer will issue a permit for that location.

The By-law will include appropriate requirements regarding annual permits for the right of each publisher to place news boxes on City streets, and annual location permits for each news box placed on City streets.

No news box will be placed on City streets prior to location approval of the City Engineer. Location approval may be revoked by the City Engineer if a news box is not located at an approved location for a period longer than 3 months.

3. News box Placement

Location approvals are non-transferable

Placement Requirements

- a) maximum of three (3) news box clusters per block face. A block face is defined as the sidewalk area along one side of a street between two streets that intersect the street on that side

- b) maximum news box cluster size of four (4) news boxes, providing all other placement guidelines can be met. Exceptions to this limit may be approved by the City Engineer on a case-by-case basis.
- c) news boxes are to be clustered together and placed parallel to the curb.
- d) no more than two (2) news boxes per publication at an intersection or per block face.
- e) no more than one (1) news box per publication per corner.
- f) no mid-block news box clusters to be approved on blocks measuring less than 110 metres (350 feet)
- g) news boxes will not be permitted in single and two-family dwelling areas except at bus stops. News boxes in higher zoned residential areas may be permitted on a case-by-case basis where the other guidelines can be met.

No news box shall be placed or installed:

- a) within the corner curb radius of any intersection;
- b) within 0.3 metre of the edge of the curb where parking and loading in the adjacent roadway are not permitted at curb locations;
- c) Within 1.0 metre of the edge of a curb where parking and loading in the adjacent roadway is permitted
- d) in any curb cut designed to facilitate access by disabled persons or within one (1) metre of the curb cut;
- e) within any driveway or 0.6 metre of any driveway;
- f) within one and a half (1.5) metres of a fire hydrant or other fire service connection or bicycle rack;
- g) within one (1) metre of a traffic signal, utility pole, decorative street light pole or tree;
- h) between traffic signal poles, or other utility poles to which pedestrian activation buttons are attached, and the crosswalk which they serve;
- i) within any transit loading or unloading area in a manner that interferes with boarding, disembarking or queuing by transit passengers;
- j) in a manner that obstructs the sightlines of an advertising panel on a transit shelter;
- k) on, over or within any part of the travelled surface of the portion of the street, including any curb;
- l) on any sidewalk in such a manner that less than 1.5 metres of sidewalk width immediately adjacent to the installation is available for pedestrian passage;
- m) in a manner that obstructs driver, or pedestrian sight lines, or otherwise compromises public safety;
- n) on top of, or in a manner that interferes with access to any utility access cover;
- o) on grass or landscaped surfaces;
- p) bolted to a sidewalk, or chained to a utility pole, transit stop pole, or any other City street furniture;
- q) in a manner that would required pedestrians to adjust their line of travel to pass the news box;
- r) at an intersection corner or mid-block location where there is a multiple publication news box (MPN)
- s) Exceptions to the above guidelines may be considered by the City Engineer on a case-by-case basis

4. News box Design

News box Size:

Height	Min. 0.9m - Max. 1.08m
Width	Min. 0.42m - Max. 0.61m
Depth	Min. 0.38m - Max. 0.51m

News boxes to be base weighted to minimum of 40kg. (90lbs) for stability.

News boxes less than 0.42m in width may be permitted only if located in the middle of a cluster of three or more news boxes.

News boxes to be manufactured of metal, completely enclosed and have a self-closing door. No plastic news boxes will be permitted.

No 3rd party advertising, notices or signs are permitted. The exterior of the news box may contain the name of the publication, logo, price and box cards. Box cards advertising the publication or promotions sponsored by the publication are permissible. Box cards are to be displayed on the front of the news box below the door.

Each permitted news box must have affixed to it and readily visible and legible at all times, the contact name, address, email address (if applicable) and telephone number of the owner, circulation department of the owner or person in control of the news box.

Drop boxes intended for the purposes of distribution to nearby retail outlets will be permitted only if there is no off-street alternative to their location. The design of drop boxes will be subject to approval of the City Engineer. Generally, these boxes will be expected to be smaller than news boxes, be in a neutral colour (eg-grey), locked and placed against the wall of the associated retail outlet in a way that does not impede pedestrian traffic.

5. Space Allocation - News boxes

Existing available spaces will be allocated on a first-come, first-served basis upon application from a publisher and review of the location. A lottery process will be used to allocate spaces where demand exceeds available spaces during the implementation phase of these requirements and on an ongoing basis where approved locations are vacated. No applications will be received or reviewed during a moratorium. For up to one month following the lifting of any moratorium, the City Engineer may require that spaces at locations for which the demand exceeds the available spaces be allocated through a lottery process as described below.

The lottery process will be as follows:

- Staff will provide a list to all publishers of available spaces at least once every 6 months
- Publishers will be invited to submit an application for locations they are interested in
- If the number of applications received for a location do not exceed the available spaces at that location, the spaces will be assigned according to those publishers applying
- If more applications are received for a location than there are available spaces, the interested publishers will be notified, and the City will conduct a lottery draw for each available space and assign space on the basis of the results of a draw

6. Space Allocation - Multiple Publication News boxes (MPNs)

Staff will determine locations for the MPNs and the process for allocating space in the MPN will be as follows:

- Staff will advise publications with standalone news boxes at the intersection corner or the mid-block location of the proposed MPN location
- Interested publishers will apply for one of the MPN compartments
- If the number of applications is less than the number of compartments available, staff will approve space for those publications applying and will allocate any extra space in the MPN through a lottery draw
- If the number of applications equals the number of compartments available, staff will approve space for those publications applying
- If the number of applications exceeds the number of compartments available, a lottery draw will be held to determine which publications will be approved in that MPN.
- Publications at the intersection corner or mid-block location that do not submit an application for a compartment, or publications that are unsuccessful in the lottery draw must remove their news boxes from that intersection corner or mid-block location

Once the publications that will go into the MPN has been determined, the compartment position for the publications will be allocated as follows:

- The publisher to empty the recycling compartment will be determined through a lottery draw, if necessary, and that publisher will get first choice for compartment location
- A lottery draw will be conducted to determine locations for the remaining publications

No more than one compartment per publication will be permitted in any MPN

If no publisher indicates a willingness to empty the recycling compartment, or the publisher designated to empty the recycling compartment fails to do so on a daily basis, the City Engineer may make other arrangements for the emptying of the compartment and charge related costs equally to the publishers of that MPN

7. Operational Issues

Publishers will be responsible for keeping their news boxes clean and in good repair

Publishers will not be responsible for maintenance of MPNs

Publishers will be responsible for removing old issues from news boxes and recycling them

News boxes must be stocked with new issues on scheduled issue release days and must be stocked at least weekly for publications for which release frequency is less than weekly

Hawkers must wear identification badges, pickup newspapers littered in the vicinity of the hawking location and comply with the Street & Traffic By-law. A code of conduct for hawkers will be developed jointly by publishers employing hawkers and City staff

The City Engineer may require temporary removal of news boxes at the expense of the publisher as a result of any construction, special event, or street use where the City Engineer determines that these news boxes interfere with these activities or compromise public safety

8. Enforcement

The City Engineer may revoke a location permit and impound news boxes without notice where:

- a) A news box is located in a manner that contravenes the placement guidelines above;
- b) A news box has been placed at a location not approved by the City Engineer;
- c) A news box is located in a manner that compromises public safety or security
- d) A publisher has failed to relocate a news box within 3 days of a request from the City Engineer
- e) A publisher fails to keep a news box stocked for 3 consecutive days (for daily publications) or for 3 consecutive weeks (for publications with weekly, monthly or greater release periods)
- f) A publisher fails to respond to notices to clean, maintain or relocate a news box on 3 or more notices from the City Engineer

9. Fees

Fees for news boxes will be payable as follows:

	Fee (per news box)
News boxes	
-first 100 news boxes	\$25/yr
-over 100 news boxes	\$75/yr
MPNs	\$100/yr
Drop boxes	\$25/yr
Application Fees	
-new locations	\$50/location
-lottery draw	\$20/location
Impounding Fees	As per Impounding By-Law No. 3519

News box fees (Other jurisdictions)

Jurisdiction	Annual Fee per news box	Comments
Translink	\$ 50 \$ 75 \$150	3-tiered rate structure dependent on number of circulating passengers at the Translink facility
Toronto	\$25 first 100 news boxes \$100 over 100 news boxes	
Ottawa	\$65	
Montreal	n/a	Don't permit news boxes
Calgary	\$10	
Victoria	n/a	Don't permit news boxes
New Westminster	\$25	
North Vancouver	\$20	

Budget Impacts of Proposed Changes to News box Program				
	2006 Budget (approved)	2006 Budget (proposed)	2007 Budget (proposed)	Comments
A. News boxes				
Costs				
News box Coordinator (PG 19)	\$17,500	\$51,600	\$51,600	Full year in 2006
EAll Field Inspector (PG 17)	\$0	\$23,750	\$47,500	1/2 year in 2006
Vehicle	\$0	\$3,600	\$7,200	1/2 year in 2006
Startup costs		\$4,000		
Total	\$17,500	\$82,950	\$106,300	
Number of news boxes	6,000	6,000	5,300	Reduction in 2007 due to one publication being discontinued and reduction to meet new maximum of 700 per publisher
Revenues				
Revenue – News boxes	\$70,700	\$145,800	\$322,500	
Revenue – MPNs	\$0	\$0	\$60,000	
Application Fees	\$0	\$0	\$5,000	
Drop Box Fees	\$0	\$0	\$1,000	
Vending License Fees	\$42,900	\$42,900	\$0	Fee charged by Licensing to be eliminated
Total Revenue	\$113,600	\$188,700	\$388,500	
Increase to Street Cleaning Budget			\$186,100	
Net Operating Budget Impact	(\$96,100)	(\$105,750)	(\$96,100)	
Savings over approved 2006 Budget		(\$9,650)	\$0	
B. News box Fee Amount 2007				
	Number	2007 Fee	Revenue	
First 100	1500	\$25.00	\$37,500	
Additional	3800	\$75.00	\$285,000	
Total	5300		\$322,500	