

REGION OF OTTAWA-CARLETON
RÉGION D'OTTAWA-CARLETON

REPORT
RAPPORT

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DATE 8 May 2000

TO/DEST. Co-ordinator Transportation Committee

FROM/EXP. Director Mobility Services and Corporate Fleet Services
 Environment and Transportation Department

SUBJECT/OBJET **POSTER COLLAR PROGRAM**

DEPARTMENTAL RECOMMENDATIONS

That the Transportation Committee recommend Council approve that:

- 1. The National Capital Commission be;**
 - a) permitted to install poster collars on the Region's traffic control signal poles located on Confederation Boulevard, at its cost, and;**
 - b) authorized to remove posters from the poster collars and other utility poles located on Confederation Boulevard;**
- 2. The Regional Municipality participate in the project by;**
 - a) sharing equally the cost of developing and implementing a communications plan to promote the poster collar program;**
 - b) making minor adjustments, as required, to its traffic control signal poles to accommodate the poster collars, and;**
 - c) providing Call Centre and by-law enforcement support;**
- 3. The Regional Regulatory Code be amended as described in the report.**

INTRODUCTION

In response to the Supreme Court of Canada's ruling (the Ramsden case) in 1993 prohibiting municipalities from banning the placement of posters on utility poles, Council in 1997 approved the Highway Signs By-law (Part 2.12 of the Regional Regulatory Code). The by-law, among other things, permits the placement of posters on utility poles located in inner and outer boulevards or on community bulletin boards subject to conditions such as size, number, method of attachment, duration, height and removal requirements.

Despite the by-law and staff's attempts to communicate its provisions, the majority of posterers continue to place posters with impunity and with little or no regard for the by-law, the damage caused to poles, how the posters impact on local communities or the aesthetics of a tourist oriented city.

This report recommends a system to provide additional control for the placement of posters.

BACKGROUND

Although posters can appear almost anywhere, the problem is primarily restricted to the central business area of the City of Ottawa because of the concentrated target audience. The by-law does permit posters on utility poles under certain conditions, but almost all of the posters contravene its provisions.

Enforcement currently consists of,

- (a) on a complaint basis, investigating and where necessary removing illegally placed posters;
- (b) sending letters to posterers who habitually contravene the by-law informing them of the regulations;
and
- (c) removing posters on a patrol basis in the central business area. This is accomplished by utilizing the Rideau Street Youth Initiative, which has the added advantage of providing jobs for street youth.

It is problematic to lay charges because the person attaching the poster must be charged and it is difficult to catch them in the act. Further, a By-law Officer isn't empowered to demand identification, therefore if it is not voluntarily offered, the By-law Officer is unable to proceed.

The Region and the City of Ottawa, which have virtually identical poster regulations, have developed information sheets explaining the postering regulations which are both distributed and available at information centres. When the new by-law was approved, there was extensive publicity associated with it, as well as an information poster which was developed and attached to utility poles explaining the regulations. Despite these actions, posterers continue to ignore the by-law.

Posters are routinely attached in contravention of the by-law with glue to traffic signal control boxes, aluminium utility poles (including traffic signal poles) and decorative street light poles. These are particularly difficult to remove and cause considerable damage to infrastructure, especially decorative street light poles which are normally painted or have special finishes. Removing the posters causes scarring and in the case of the decorative street light poles the maintenance costs increase dramatically because the poles frequently have to be removed and refurbished.

This situation is of particular concern to the National Capital Commission (NCC) and the Region as they have jointly just completed the reconstruction of Confederation Boulevard. Along the Boulevard decorative light poles have been placed, along with other street furniture, which reflects the importance of these streets not only to the Capital Area's citizens but Canadians in general. This is the official ceremonial route and it is essential that it be maintained in a pristine condition. The potential for damage by indiscriminate postering is enormous, both from a maintenance perspective and an aesthetic perspective.

POSTER COLLAR CONCEPT

The Supreme Court of Canada's ruling in the Ramsden case was specific in that a municipality couldn't prohibit posters totally, but regulations could be established to control them. For example, if a municipality wanted to prohibit posters on utility poles, another venue would have to be made available for posters on the road allowance, such as a kiosk. The opportunity to poster could not be totally denied.

In an attempt to manage posters more effectively, some municipalities have introduced the use of collars on utility poles. The concept is that collars are attached to some utility poles, usually at intersections, and a by-law is passed prohibiting the placing of a poster within a specified distance of a collar. Posters are stripped from the collars at specified time intervals to make room for new ones, and posters are removed more frequently from the other utility poles located within the exclusion zone not having collars. This concept conforms to the Ramsden decision in that a postering opportunity is provided while simultaneously restricting posters to certain locations.

To test their feasibility the City of Ottawa undertook a demonstration poster collar project in the ByWard Market in 1997. About 80 plastic poster collars were installed at intersections and mid-block locations within the demonstration area. Although the pilot project had marginal success due to limited publicity, it did demonstrate that the use of poster collars provided some structure to the process of postering and created identifiable facilities on which to poster. Although some areas of the ByWard Market remained hot spots for illegal postering, the demonstration zone as a whole experienced a noticeable decrease.

The City's demonstration project did prove that the concept has a good chance of success, and based on the experience gained it is felt that an improved poster collar program can be implemented.

PROPOSED POSTER COLLAR PROGRAM

The NCC and the Region wish to protect its infrastructure investment on the recently reconstructed Confederation Boulevard. As such the NCC has offered to purchase and install poster collars on,

- (a) Wellington Street/Rideau Street between Bay Street and Sussex Drive;
- (b) Sussex Drive between Rideau Street and the Governor General's residence;
- (c) Mackenzie Avenue between Rideau Street and Murray Street;
- (d) St. Patrick Street between Mackenzie Avenue and Sussex Drive; and
- (e) Elgin Street between Laurier Avenue and Wellington Street.

This offer is an opportunity to take what was learned from the City of Ottawa demonstration project and apply it to the Region's arterial roads. This is a win-win situation for both the NCC and Region: the NCC gets to implement a method of controlling posters thereby reducing its maintenance cost while simultaneously preserving the appearance of Confederation Boulevard, and the Region gets to participate in a poster collar project with little associated cost while evaluating its effectiveness on major arterial roads which, if successful, can be expanded to other arterial roads in the central core. The proposed project details follow.

Poster Collars: The collars will be made of .125" thick aluminium, be 20" in diameter and come in two lengths, 32" and 48". The two lengths are required to accommodate the different situations found on poles such as existing hardware that cannot be relocated or removed. At the top of each collar will be the phrase "poster here" and at the bottom will be a phone number to call for additional information, which will be the Region's 24-hour call line. This is necessary because the NCC has no similar information facility.

Location: The highest demand location for posters are at intersections due to the high pedestrian volumes, followed by mid-block locations in exceptionally high pedestrian volume areas. A recent survey of Confederation Boulevard revealed that the only suitable locations for the collars would be the Region's traffic control signal poles. It is estimated that about 70 collars would be required. For the busiest areas, i.e. the most heavily postered, there would be collars installed at all four quadrants, and diagonally at less demand locations. On an as required basis, staff will make minor adjustments to its traffic control signal poles to accommodate the poster collars. The Region will absorb this cost. The presence of the collars won't impact on the public or operationally impede Regional staff.

Collar Installation: The collars will be purchased and installed by the NCC. Each collar will cost about \$260 with an installation cost of about \$25. There will be an additional cost to strip the pole of posters prior to the collar installation which will vary according to the number of posters and how they are

attached. The collars have been designed such that they won't damage the Region's infrastructure. Further, the Region will provide supervision during the collar installation phase to ensure that the NCC's contractor doesn't damage the poles or install them in such a manner that our infrastructure is compromised. It is hoped that installation can commence about the first week of June.

Poster Removal: An important aspect of this project is the removal of posters, both from the collars on a scheduled basis and from the other poles in the exclusion zone on a more frequent basis. If this is not done, and posterers know that it is not done, the installation of collars will be for naught. The NCC will be responsible for both of these activities along Confederation Boulevard. The collars will be stripped of posters twice a month: the first and fifteenth day. The posters will be stripped from the other poles in the exclusion zone along Confederation Boulevard as required.

Communications: Perhaps the most important aspect of this project, at least initially, is an effective communications strategy. For the project to be successful it is essential that posterers know why the project is being implemented and details such as what the posting regulations are and what is expected of them. For this part of the project it is recommended that the Region and NCC work collaboratively and share the cost equally. The reason being that this is a pilot project (as far as the Region is concerned) and if successful it has the potential to be expanded. And, since Confederation Boulevard is composed mostly of Regional roads, and the project may eventually include other Regional roads, it is essential that staff agree with the promotional material produced to advertise the project. The promotional material will be available to the public from both the NCC and Regional facilities. It is anticipated that the communications strategy will be composed of a media launch, preparation and distribution of promotional material, and information prepared for the 24-hour call line staff such that inquiries can be answered. It is estimated that the Region's share of this cost will be about \$5,000.

BY-LAW AMENDMENT

It will be necessary to amend Part 2.12 (the Highway Signs By-law) of the Regional Regulatory Code to implement this project. It is therefore recommended that the following amendments be made.

1. Section 2.12.1 is amended by adding immediately following paragraph (9) the following paragraph:
 - (9a) "poster collar" means a structure designed as a facility upon which a poster may be placed and is installed on a utility pole by the Regional Municipality;
2. Section 2.12.4 is amended by adding immediately following subsection (2) the following subsections:
 - (3) Where a poster collar has been installed,

- (a) no person shall place or cause to be placed a poster within 200 m of that poster collar unless it is in accordance with subsection (4); and
 - (b) paragraph 2.12.2(3)(m) and the portion of subsection 2.12.4(1) relating to utility poles do not apply.
- (4) A person may place or cause to be placed a poster on a poster collar affixed to a utility pole provided that,
- (a) no more than one (1) poster advertising the same company, organization, service, product or event is placed on the same poster collar;
 - (b) the poster dimensions do not exceed 280 mm in width and 435 mm in height;
 - (c) the poster is attached by the use of tape; and
 - (d) the poster is removed by 8:00 a.m. on the first and fifteenth day of each month.
3. Section 2.12.5 is amended by adding immediately following subsection (3) the following subsections:
- (4) The National Capital Commission is authorized to remove or cause to be removed immediately without notice a poster on a utility pole or a poster collar situated on Confederation Boulevard that contravenes subsections 2.12.4(3) and 2.12.4(4).
 - (5) The National Capital Commission is authorized to remove or cause to be removed, on the first and fifteenth day of each month, or the next normal working day if either of these days are on a weekend, posters that are not removed by 8:00 a.m.

CONSULTATION

A copy of this report was forwarded to the community associations, Business Improvement Areas, Ottawa-Carleton Regional Police Service and individuals who have a concern about postering issues. They were advised that any concerns or objections could be sent to the Co-ordinator Transportation Committee prior to 17 May, or to appear in person at the meeting and voice the concerns directly.

CONFORMITY TO OFFICIAL PLAN/TRANSPORTATION MASTER PLAN

This proposal has no impact on either plan. It does however conform to the decision of the Supreme Court of Canada (the Ramsden case) in that if a municipality desires to prohibit postering on utility poles, other opportunities for postering on the road allowance must be provided.

FINANCIAL IMPLICATIONS

It is estimated that the Region's cost to participate with the NCC in this project will be approximately \$8,000: \$5,000 for participation in a communications plan and \$3,000 to make minor adjustments to traffic control signal poles as required and to supervise the NCC's installation of the poster collars.

Funds have been provided for in the 2000 Operating Budget, cost center 132611, Safety and Traffic Studies.

*Approved by
Doug Brousseau*

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