THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 14-002 AND RESPECTFULLY RECOMMENDS:

1. Intersection Control List (PW14001) (Wards 2, 3, 6, 7, 11 and 12) (Item 5.1)

   That the appropriate By-law be presented to Council to provide traffic control as follows:

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Stop Direction</th>
<th>Existing</th>
<th>Requested</th>
<th>Location / Comments / Petition</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street 1</td>
<td>Street 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section “A” Ancaster</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Hatton Dr.</td>
<td>Calvin St.</td>
<td>NB-Stop</td>
<td>NB-Yield</td>
<td>E. of Fiddlers Green, N. of Hwy 403</td>
<td>12</td>
</tr>
<tr>
<td>(b) Augusta St.</td>
<td>Hughson St.</td>
<td>NB/SB</td>
<td>EB/WB</td>
<td>E. of James St., S. of Main St.</td>
<td>2</td>
</tr>
<tr>
<td>(c) Brenda St.</td>
<td>Halo St.</td>
<td>NC</td>
<td>WB</td>
<td>E. of Up. Sherman Ave., N. of Rymal Rd.</td>
<td>7</td>
</tr>
<tr>
<td>(d) Burbridge Way</td>
<td>Moorland Cres.</td>
<td>NC</td>
<td>EB</td>
<td>E. of Southcote Rd., N. of Garner Rd.</td>
<td>12</td>
</tr>
<tr>
<td>(e) Castlefield Dr.</td>
<td>Fernwood Cres.</td>
<td>NC</td>
<td>WB</td>
<td>S. of Fennell Ave., W. of Up. Ottawa St.</td>
<td>6</td>
</tr>
<tr>
<td>(f) Chamomile Dr.</td>
<td>Dulgaren St.</td>
<td>NC</td>
<td>NB</td>
<td>E. of Up. Sherman Ave., N. of Rymal Rd.</td>
<td>7</td>
</tr>
<tr>
<td>(g) Eaglewood Dr.</td>
<td>Dulgaren St.</td>
<td>NC</td>
<td>SB</td>
<td>E. of Up. Sherman Ave., N. of Rymal Rd.</td>
<td>7</td>
</tr>
<tr>
<td>(h) Greenwood St.</td>
<td>Fernwood Cres.</td>
<td>NC</td>
<td>NB</td>
<td>S. of Fennell Ave., W. of Up. Ottawa St.</td>
<td>6</td>
</tr>
<tr>
<td>(i) Greenwood St.</td>
<td>Castlefield Dr.</td>
<td>NC</td>
<td>SB</td>
<td>S. of Fennell Ave., W. of Up. Ottawa St.</td>
<td>6</td>
</tr>
</tbody>
</table>
Intersection | Stop Direction | Class | Location / Comments / Petition | Ward
--- | --- | --- | --- | ---
(k) King William St. | NB/SB | EB/WB | B. N. of King St., E. of Victoria Ave. | 3
(l) Maplewood Ave. Blake St. | NB/SB | EB/WB | B. E. of Sherman Ave., S. of Main St. | 3
(m) Percy Crt. Hardale Cres. | NC | EB | A. S. of Fennell Ave., W. of Up. Kenilworth Ave. | 6
(n) Thelma Ave. Fernwood Cres. | NC | EB | A. S. of Fennell Ave., W. of Up. Ottawa St. | 6
(o) Nebo Rd. Dickenson Rd. | EB/WB | NB/SB | C. S. of Rymal Rd., W. of Glover Rd. | 11

2. **Terms of Reference for Hamilton Water Public Works Sub-Committee (PW07007(b)) (Item 5.2)**
   (a) That the “Woodward Avenue Wastewater Treatment Plant Phases 3 and 4 Class EA Sub-Committee” be renamed to the “Hamilton Water Sub-Committee”;
   (b) That the Terms of Reference attached as Appendix “A” to PW Report 14-004 be approved.

3. **Public Works Asset Management Plan - Provincial Requirement (PW14035) (City Wide) (Item 7.2)**
   (a) That the Public Works Asset Management Plan (AMP), attached as Appendix “A” to Report PW14035, be adopted in principle as required by the Province for the application of future infrastructure grants;
   (b) That the Public Works Department continue to develop and refine a level of service framework, as outlined within Report PW14035, to establish a clear relationship between infrastructure investment and service outcomes;
   (c) That the Public Works Department continue to develop Asset Management plans for all other categories of Public Works infrastructure;
   (d) That the Public Works Asset Management Plan, attached as Appendix “A” to Report PW14035, be posted in a designated area on the City’s website, as required under the Provincial guide.

4. **Stewards of Cootes Watershed (Item 6.2)**
   (a) That staff examine the approach used by the Stewards of Cootes Watershed and investigate its applicability across the City of Hamilton
   (b) That staff consult with Councillor McHattie and representatives from the Stewards of Cootes Watershed to further explore this issue.

Council - April 9, 2014
5. Proposed New Sewer Use By-law (PW13061(a)) (Item 7.3)

(a) That the Sewer Use By-law, substantially in the form attached as Appendix “B” to Report PW13061a, be enacted, and shall come into force on May 1, 2014;

(b) That the Water and Wastewater/Storm Fees and Charges By-law No. 13-325 be amended to reflect the fees and charges to be imposed for the Sewer Use By-law which are set out in Appendix “C” to Report PW13061a;

(c) That the Director of Hamilton Water be authorized and directed to apply to the Senior Regional Judge for approval of set fines for offences under the Sewer Use By-law when the By-law has been enacted.

6. Mobile Urban Park Initiative Study (PW14033) (Wards 2, 3 and 4) (Outstanding Business List Item) (Item 8.1)

(a) That the use of shipping containers for mobile urban parks be supported only in instances when requests originate through one of the City of Hamilton’s Business Improvement Area (BIA) organizations;

(b) That the temporary placement of mobile urban parks be permitted within the road allowance or City property pending consultation with the BIA and local businesses, Public Works, and Planning and Economic Development, and other required City approvals;

(c) That alternative funding for mobile urban parks be identified exclusive of the Open Space Development Capital Program and the City of Hamilton’s Contribution Towards BIA Operating Budget at Council’s discretion;

7. Update on Light-Emitting Diode (LED) Street Lighting (PW14037) (City Wide) (Item 8.2)

That the Public Works Department be authorized to formally engage the Ontario Energy Board on an ongoing basis for rate applications and all other matters related to street lighting, to ensure service costs are mitigated.

8. Guidelines for Hydrogeological Studies and Technical Standards for Private Services (PW14032) (City Wide) (Item 8.3)

(a) That the Guidelines for Hydrological Studies and Technical Standards for Private Services (“the Guidelines”) be adopted to provide the necessary requirements for the completion of hydrogeological studies to support development in rural areas that rely on private water and wastewater services.

(b) The Guidelines implement the policies of the Rural Hamilton Official Plan and represent an assembly of the technical and planning standards currently in place at the municipal and provincial level.
9. Publication Box Annual Permit Policy (PW14027) (City Wide) (Item 8.4)
   (a) That the Publication Box Annual Permit Policy, attached as Appendix “A” to PW Report 14-004, be approved;
   (b) That the draft by-law to amend the Regional Municipality of Hamilton-Wentworth Regional Roads Use By-law R77-109 and the City of Hamilton Streets By-law 86-77, attached as Appendix “B” to PW14027, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

10. Area Rating Special Capital Re-Investment Reserve Funded Projects (Item 9.1)
    (a) That various roadways within the Berrisfield Neighbourhood and Sherwood Neighbourhood be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt, complete base repairs, along with high risk concrete curb and sidewalk repairs and re-paving;
    (b) That $2,000,000 from Reserve #10856 – Ward 6 Area Rating Special Capital Reinvestment Reserve – be utilized to fund the asset preservation of roadways within the Berrisfield neighbourhood;
    (c) That $500,000 from Reserve #10856 – Ward 6 Area Rating Special Capital Reinvestment Reserve – be utilized to fund the asset preservation of roadways within the Sherwood neighbourhood;
    (d) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

11. Tree Removal at 24 Huntington Avenue (Item 10.1)
    That forestry staff be directed to remove the tree located at 24 Huntington Avenue.

12. Excess Traffic Lanes (Item 10.2)
    That staff investigate transportation corridors/areas in the lower city where excess traffic lanes might be eliminated or temporarily decommissioned to achieve future budget savings (including capital costs) and enhanced safety for all road users.

13. Emergency Detour Routes (Item 10.3)
    (a) That staff be directed to negotiate with the Ministry of Transportation for the approval and installation of supporting traffic signage for Emergency Detour Routes in the City of Hamilton;
(b) That staff be directed to request that the Ministry of Transportation install Variable Message Board Signs, at locations to be agreed upon by staff from the City of Hamilton and the Ministry of Transportation, to enhance the effectiveness of the Long Emergency Detour Routes during incidents on Highway 403; and,

(c) That staff be directed to request the Ministry of Transportation to include Highway 403 through the City of Hamilton, in the COMPASS Freeway Traffic Management System, in order to improve incident management and public notification

(d) That staff advise the Ministry of Transportation that the City supports an Emergency Detour Route off Highway 403 using Highways 52, 5 and 6.

14. Backwater Valves (Item 10.4)

(a) That staff be directed to reimburse the homeowners at 18 Eugene Street and 290 Roxborough Road for the installation of backwater valves as part of the City’s 3P Program.

(b) That the residents be required to submit the appropriate documentation, including receipts.

FOR THE INFORMATION OF COUNCIL:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

(i) Item 6.1 - Delegation from Mr. Ryan Huizinga respecting the installation of a 4-way stop at Powerline Road and Lynden Road has been withdrawn

(ii) Item 9.1 – Amendment respecting a Motion on Area Rating Special Capital Re-investment Reserve Funded Projects

(iii) Added as Item 10.1 - a Notice of Motion respecting a Tree Removal at 24 Huntington Avenue

(iv) Added as Item 10.2 - a Notice of Motion respecting Excess Traffic Lanes

(v) Added as Item 11.3 - Traffic Issues in Ward 6

The April 7, 2014 Public Works Committee Agenda was approved, as amended.
(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) MINUTES (Item 3)

(i) March 17, 2014 (Item 3.1)

The Minutes of the March 17, 2014 Public Works Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Michelle Martin, Community Access to Transportation

The delegation request for June 2, 2014 from Michelle Martin, Community Access to Transportation, respecting a City Funded Bus Training Project was approved.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Delegation by Mr. Alan Hansell respecting Stewards of Cootes Watershed (Item 6.1)

Mr. Hansell was granted ten minutes to make his delegation respecting Stewards of Cootes Watershed.

Mr. Hansell addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record.

The presentation included but was not limited to the following:

- Introduction to the Stewards of Cootes Watershed organization
- Areas of the City where the organization does work
- Accomplishments of the organization
  - 832 bags of garbage removed
  - 238 tires removed
  - 83 shopping carts removed
  - 13,150 pounds of metal removed
  - 47,630 total pounds of garbage removed; including 29,570 pounds on City property
- Work with volunteers and various stakeholders in the community
• Innovative solutions used
• Future Plans/Moving Forward

The delegation by Mr. Alan Hansell respecting the Stewards of Cootes Watershed was received.

For disposition on this matter refer to Item 4.

(f) PRESENTATIONS

(i) Emergency Detour Routes (Item 7.1)

Mr. David Ferguson, Superintendent, Traffic Engineering, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record.

The presentation included but was not limited to the following:

• Definition and purpose of an Emergency Detour Route (EDR)
• Establishing provincial EDRs
• What occurs during a road closure
• Proposed Routes
• Impact of Routes and Goals
• Next Steps

Sergeant M. Pivar, Burlington Detachment, Highway Safety Division, Ontario Provincial Police, was in attendance and answered questions of Committee members respecting Emergency Detour Routes.

The presentation respecting Emergency Detour Routes was received.

For disposition on this matter refer to Item 13.

(ii) Public Works Asset Management Plan - Provincial Requirement (PW14035) (City Wide) (Item 3)

Mr. John Murray, Manager, Engineering Services, Asset Management Section, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record.

The presentation included but was not limited to the following:

• Assessment Management Plan (AMP) is a requirement to qualify for Provincial Funding
• Framework of the Provincial AMP
• Alignment with Strategic Plan

Council - April 9, 2014
• Level of Service Framework  
• Asset Management Strategy  
• Financial Strategy  
• Continuous Improvement

The presentation respecting the Public Works Asset Management Plan - Provincial Requirement was received.

For disposition on this matter refer to Item 3.

(iii) Proposed New Sewer Use By-law (PW13061(a)) (Item 5)

Ms. Cari Vanderperk, Superintendent, Environmental Monitoring and Enforcement, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record.

The presentation included but was not limited to the following:

• Overview of the Existing Sewer Use By-Law  
• Gap Analysis on Existing By-law  
• Discharge Parameters and Limits  
• Sources of Influent Load (Oil and Grease)  
• Grease Control Devices  
• Pollution Control Devices (Interceptors)  
• Sewer Discharge Permits  
• Proposed Permit Fees and Charges  
• Public Consultation Results  
• Feedback from Restaurant Owners  
• Stakeholder Survey Results

The presentation respecting a Proposed New Sewer Use By-Law was received.

For disposition on this matter refer to Item 5.

(g) Park Land Deficits in Ward 3 (Item 11.1)

The Committee agreed to allow Councillor Morrow to address the Committee at this time respecting Item 11.1 (Park Land Deficits in Ward 3).

Councillor Morrow indicated that a recent memorandum he received from staff shows that Ward 3 does not have sufficient park land. Councillor Morrow indicated that he has heard similar concerns expressed at public meetings in his Ward. He asked the Committee to keep this issue in mind in any discussions respecting the establishment of future park lands.
(h) DISCUSSION ITEMS (Item 8)

(i) Update on Light-Emitting Diode (LED) Street Lighting (PW14037) (City Wide) (Item 8.2)

That the General Manager of Public Works report back to the Public Works Committee on results of a Light-Emitting Diode (LED) Study.

For disposition on this matter refer to Item 7.

(iii) Backwater Valves (Item 10.4)

That staff report back to the Committee with policy options related to 3P applications submitted to the City for reimbursement with the required 3 quotes.

For disposition on this matter refer to Item 14.

(i) MOTIONS (Item 9)

(i) Area Rating Special Capital Re-Investment Reserve Funded Projects

For disposition on this matter refer to Item 10.

(j) NOTICES OF MOTION (Item 10)

Councillor Jackson introduced the following Notice of Motion:

(i) Tree Removal at 24 Huntington Avenue (Added Item 10.1)

Forestry staff were directed to remove the tree located at 24 Huntington Avenue.

The rules of order were waived to allow the introduction of a Motion respecting Tree Removal at 24 Huntington Avenue.

For disposition on this matter refer to Item 11.

Councillor Collins introduced the following Notice of Motion:

(ii) Excessive Traffic Lanes (Added Item 10.2)

Staff were directed to investigate transportation corridors/areas in the lower city where excess traffic lanes might be eliminated or temporarily decommissioned to achieve future budget savings (including capital costs) and enhanced safety for all road users.
The rules of order were waived to allow the introduction of a Motion respecting Excess Traffic Lanes.

For disposition on this matter refer to Item 12.

(iii) Emergency Detour Routes (Added Item 10.3)

Staff were directed to negotiate with the Ministry of Transportation for the approval and installation of supporting traffic signage for Emergency Detour Routes in the City of Hamilton;

Staff were directed to request that the Ministry of Transportation install Variable Message Board Signs, at locations to be agreed upon by staff from the City of Hamilton and the Ministry of Transportation, to enhance the effectiveness of the Long Emergency Detour Routes during incidents on Highway 403; and,

Staff were directed to request the Ministry of Transportation to include Highway 403 through the City of Hamilton, in the COMPASS Freeway Traffic Management System, in order to improve incident management and public notification

Staff were directed to advise the Ministry of Transportation that the City supports an Emergency Detour Route off Highway 403 using Highways 52, 5 and 6.

The rules of order be waived to allow the introduction of a Motion respecting Emergency Detour Routes.

For disposition on this matter refer to Item 13.

Councillor Collins introduced the following Notice of Motion:

(iv) Backwater Valves

Staff were directed to reimburse the homeowners at 18 Eugene Street (Mrs. Pat Stevens) and 290 Roxborough Road (Mr. David Matko) for the installation of backwater valves as part of the City's 3P Program.

The residents are required to submit the appropriate documentation, including receipts.

Staff were directed to report back to the Committee with policy options related to 3P applications submitted to the City for reimbursement with the required 3 quotes.
The rules of order were waived to allow the introduction of a Motion respecting Emergency Detour Routes.

For disposition on this matter refer to Item 14.

(k) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Public Works Yard Review Strategy

Due to illness, Councillor Whitehead was not in attendance so discussion on this matter was deferred to the next meeting.

(ii) Petitions respecting Traffic Issues in Ward 6

Councillor Jackson advised the Committee about two petitions he has received from residents in Ward 6. One petition was respecting the installation of a 3-Way Stop at Oakcrest Drive and Mountain Brow Boulevard. The other petition was respecting a 40 kilometre per hour speed zone along sections of Mountain Brow Boulevard. Councillor Jackson has forwarded these petitions to Traffic Engineering staff for consideration.

(iii) Pothole Repairs

Councillor McHattie inquired with Mr. Gerry Davis, General Manager, Public Works about pothole repairs and whether the City’s 2014 budget will cover the costs. Mr. Davis indicated that it is estimated that the pothole repair budget will be two to three times the normal amount due to harsh weather conditions. Mr. Davis indicated that he will be bringing forward a variance report about the costs of pothole repairs as well as the costs of watermain breaks.

(l) ADJOURNMENT (Item 13)

There being no further business, the Public Works Committee adjourned at 12:29 p.m.

Respectfully submitted,

Councillor S. Merulla, Vice-Chair
Public Works Committee
NAME

Hamilton Water Sub-committee (HWSC).

MANDATE

The City of Hamilton wishes to ensure that all of its Water and Wastewater facilities are compatible with the communities they are intended to serve, compliant with regulatory requirements, reflective of the concerns of interested agencies and implemented in a pragmatic and efficient manner. To do this requires careful planning and strategic thinking to ensure that upgrading and expansion of the existing facilities meets the needs of current and future generations.

In response to the increased initiatives within Hamilton Water, a Hamilton Water sub-committee (HWSC) of the Public Works Committee of Council is established to provide a forum for information exchange regarding important operational issues as well as key projects. Currently, key projects include the Woodward Upgrade and Biosolids Management Projects, however future operational issues and projects may also be included within scope of the sub-committee from time-to-time. Information exchange will occur among members of Council, City staff and consultants, according to Public Works Committee Report PW07007b. This effort will support other components of project communications, including the activities of any Technical Advisory Committee’s and/or Community Liaison Committee’s as established for any given project.

The broad mandate of the sub-committee will be to ensure information exchange and offer direction and support to staff, understanding that major decisions and status reports will still formally be brought forward to the Public Works Committee and Council as required.

The HWSC will be in place a minimum term that includes the completion of the Woodward Upgrade and Biosolids Management project and may include other additional projects from time-to-time through to 2020.

Composition: Four members of Council
General Manager of Finance & Corporate Services
General Manager of Public Works

Duration: To expire with the 2010 - 2014 term of Council or until such time as successors are appointed.

Reporting to: Public Works Committee

Stipend: No

Meeting Schedule: Meetings will be at the Call of the Chair.

Contact: Dan McKinnon
905-546-2424 Ext. 5941
1. **Introduction**

This policy sets out the process for permitting Publication Boxes on City Property. It sets out how the Annual Permit will be administered as well as the requirements for installing and maintaining Publication Boxes on City Property.

2. **Definitions**

   **“Annual Permit”** means, collectively, a permit issued by the General Manager for the installation and maintenance of one or more Publication Boxes on City Property and a weather-resistant sticker which shall be affixed to each such Publication Box;

   **“City”** means the municipality of the City of Hamilton or the geographic area of the City of Hamilton, as the context requires;

   **“City Property”** means a road allowance, park, cemetery, open space or any property owned or managed by the City;

   **“General Manager”** means the General Manager of Public Works or his or her designate;

   **“Highway”** includes a common and public highway, road, road allowance, boulevard, street, avenue, parkway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral lot lines thereof, sidewalks and parking areas, or any part of which that is intended for general public passage and is located within the City;

   **“Location”** means the approved location for a Publication Box;

   **“Permit Holder”** means the Person that applies for and receives an Annual Permit to place a Publication Box in a Location;

   **“Publication Box”** means a vending box or other receptacle used for the purpose of displaying or distributing a newspaper, or any other printed, written, photographic or other published material.

3. **Background**

The City may regulate or prohibit the installation and maintenance of Publication Boxes on City Property as the owner of the property. Further, the City is authorized to regulate or prohibit the installation and to regulate the maintenance of Publication Boxes under Sections 8, 9 10 of the *Municipal Act, 2001*. The *Municipal Act, 2001* also authorizes the
City, amongst other things, to delegate its authority, and to impose fees or charges on persons for services or activities provided or done by or on behalf of it. The Public Works Department is responsible for, amongst other things, managing City Property. All fees in this Policy are as set in the City’s User Fees and Charges By-law or as approved by City Council from time to time.

4. **Prohibition**

Publication Boxes shall not be installed or maintained on City Property unless an Annual Permit has been obtained. The General Manager issues Annual Permits where, in his or her sole discretion, he or she is satisfied that this Policy will be complied with, the health and safety of the public will not be in jeopardy, and the installation and maintenance of the Publication Box will be in the public’s best interest.

4.1 **Annual Permit Applications**

An applicant applying for an Annual Permit or the renewal of an Annual Permit shall complete and submit an application, together with:

4.1.1 the application fee;
4.1.2 a photograph and/or sketch showing each Publication Box and its dimensions;
4.1.3 a list of all proposed locations for the installation of each Publication Box;
4.1.4 a description of how each Publication Box will be secured so as not to be easily moved;
4.1.5 the name and contact information of the proposed Permit Holder and the publication owner;
4.1.6 a description of the publication to be distributed through each Publication Box;
4.1.7 evidence of Commercial General Liability insurance satisfactory to the General Manager;
4.1.8 a signed release and indemnity form; and
4.1.9 any other supporting documentation which the General Manager deems necessary for the application.

4.2 **Publication Boxes Location Criteria**

Following receipt of a complete application (including the applicable fees and supporting documentation), each proposed location will be reviewed and may be approved if it adheres to the criteria set out in this subsection:

4.2.1 there shall be no more than three Publication Boxes at any one location;
4.2.2 one location may be established at one corner only at an intersection of roads other than major arterial or collector roads;
4.2.3 two locations may be established at two corners at an intersection of major arterial or collector roads;
4.2.4. no location shall be established within that part a Highway which is City Property, is not used by motor vehicles and is immediately adjacent to a property that:

4.2.4.1. contains at least one dwelling unit; and
4.2.4.2. is not used for a commercial, institutional or industrial purpose, except if such purpose is a home business as defined in the City's zoning by-laws;

4.2.5. locations shall be established with a minimum separation distance of:

4.2.5.1. 6m from a fire hydrant; and
4.2.5.2. 6m from a bus loading area.

4.2.6. locations shall not obstruct:

4.2.6.1. the use of a Highway by pedestrians or vehicles;
4.2.6.2. any sight lines necessary to ensure the safety of pedestrian and vehicle access;
4.2.6.3. any traffic sign;
4.2.6.4. any street furniture, including but not limited to public transit shelters, public benches or waste receptacles;
4.2.6.5. regular Highway maintenance, including but not limited to sidewalk cleaning and snow removal; or
4.2.6.6. access to or maintenance of any hydro transformer, hydro switchgear, telephone or cable television terminal box, postal box or any other utility, aboveground or underground.

4.3 Issuing and Renewing an Annual Permit

4.3.1. Where a completed application has been received, and each proposed location has been approved, the following will be issued by the General Manager:

4.3.1.1. an Annual Permit for the installation and maintenance of each Publication Box; and
4.3.1.2. a weather-resistant sticker which shall be valid for the term of the Annual Permit and which shall be affixed to each Publication Box.

4.3.2. General Manager Authority

Notwithstanding that a proposed location meets the criteria set out in this Policy, the General Manager reserves the right not to approve a location where it determines that the proposed location is likely to jeopardize the health and safety of pedestrian or vehicular traffic or is otherwise not in the public's best interest.

4.3.3. Annual Permit Renewals
4.3.3.1. An application for the renewal of an Annual Permit Location will be considered for issuance before a new proposed location application, unless the Permit Holder owes any fees to the City under this Policy, or has failed to comply with any other condition under this Policy.

4.3.3.2. All applications for renewals of Annual Permit Locations shall be submitted between October 1 and October 31 in the preceding calendar year. New applications shall not be submitted earlier than October 1 in the preceding calendar year.

4.3.4. Term of Annual Permit

An Annual Permit issued on or after January 1 of any year shall expire on December 31 of that year and the Annual Permit fee shall not be pro-rated regardless of the date of issuance.

4.3.5. Property of the City

An Annual Permit is the property of the City and shall not be transferred without the written permission of the General Manager.

4.3.6. Compliance with Conditions

4.3.6.1. A Permit Holder shall comply with all of the conditions of the Annual Permit and this Policy;

4.3.6.2. Failure to comply with any condition of an Annual Permit or this Policy may result in the revocation of the Annual Permit by the General Manager, or the refusal by the General Manager to approve an application to renew an Annual Permit;

4.3.6.3. Upon revocation or refusal of an application to renew an Annual Permit, the Permit Holder shall remove the Publication Box. Failure to remove the Publication Box upon revocation or refusal may result in the Publication Box being removed by the City, with or without notice, at the Permit Holder’s expense.

4.4 Installation and Maintenance of Publication Boxes

4.4.1. Installation

Every Permit Holder shall ensure that each Publication Box is installed only:

4.4.1.1. where the Publication Box has the weather-resistant sticker affixed;

4.4.1.2. at the Location set out in the Annual Permit;

4.4.1.3. where the Publication Box does not exceed 147 cm in height x 51 cm in width and x 46 cm in depth;

4.4.1.4. where the Publication Box is not secured by attaching it to a fixed object on a Highway, including but not limited to a bus stop, light standard, hydro pole, or fire hydrant; and
4.4.1.5 in a manner that complies with the conditions of the Annual Permit and all applicable law.

4.4.2. **Maintenance**

Every Permit Holder shall ensure that each Publication Box installed is:

4.4.2.1. free of graffiti;
4.4.2.2. maintained in a neat, clean and rust free condition at all times with the material it contains completely enclosed;
4.4.2.3. equipped with a self-closing door;
4.4.2.4. free of printed or advertising matter on the Publication Box, other than:
   4.4.2.4.1. the name of the publication being offered;
   4.4.2.4.2. the publication owner’s name;
   4.4.2.4.3. instructions for the use of the Publication Box;
   4.4.2.4.4. information promoting the contents of the publication; and
   4.4.2.4.5. encouragement for participation in recycling;
4.4.2.5. free of litter in, on, or around the Publication Box;
4.4.2.6. otherwise in good and proper repair and condition satisfactory to the General Manager;
4.4.2.7. removed upon the expiration of an Annual Permit, unless the Annual Permit has been renewed; and
4.4.2.8. is maintained in a manner that complies with this Policy and all applicable law.

4.4.3. **Removal of Publication Boxes**

4.4.3.1. Any Publication Box may be removed with or without notice at the expense of the publication owner if there is no Annual Permit for the installation of the Publication Box;
4.4.3.2. In the event that a Publication Box is removed by the City or a public utility or other utility for the purpose of conducting work on or under the Highway, the Permit Holder shall be responsible for the cost of the removal and reinstallation of the Publication Box as invoiced by the City.

4.4.4. **Holding of Removed Publication Boxes**

4.4.4.1. If the General Manager removes a Publication Box under this Policy, the General Manager shall, as a courtesy, hold the Publication Box for a period of 60 days following its removal;
4.4.4.2. The Permit Holder or publication owner may claim the Publication Box during the 60 day holding period by paying the applicable fees;

4.4.4.3. Any Publication Box removed under this Policy shall be disposed of at the expiry of the 60 day holding period, if it has not been claimed by the Permit Holder or publication owner;

4.4.4.4. Regardless of whether or not the Publication Box is claimed, the Permit Holder or the publication owner shall be responsible for the applicable fees.