

Appendix “A”

Bill No. 138
2022

By-law No. _____

A by-law to regulate the delivery of graphic images in the City of London.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (“*Municipal Act, 2001*”) provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting the “Health, safety and well-being of persons’ as well as by-laws for the “Protection of persons and property, including consumer protection”;

AND WHEREAS the Council is satisfied that the unregulated Delivery of Graphic Images to residences does cause harm;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Short Title

1.1 The short title of this by-law is the Graphic Image Delivery By-law.

Purpose

2.1 The purpose of this by-law is to regulate the unsolicited Delivery of Graphic Images to Residences, so that recipients have an opportunity to choose whether they wish to view such images.

Definitions

3.1 For the purpose of this By-law:

“Deliver” means to leave the Graphic Image anywhere on the property or mailbox associated with a Residence, whether or not the Graphic Image is handed to a person, and the noun “Delivery” has a corresponding meaning;

“Graphic Image” means an image or photograph showing, or purporting to show, a fetus or any part of a fetus;

“Residence” means any property or address that is not clearly identified from the abutting roadway as the location of a business;

Regulation of Deliveries

4.1 No person shall Deliver or participate in the Delivery of a Graphic Image to any Residence, unless:

- (a) the Graphic Image is fully concealed within a sealed envelope or package, and
- (b) the sealed envelope or package containing the Graphic Image is marked with the following notice and information:
 - (i) the name and address of the person who is responsible for Delivery of the Graphic Image, and
 - (ii) a warning that the envelope or package “contains a Graphic Image that may be offensive or disturbing to some people”.

4.2 This By-law does not apply to:

(a) mail that is Delivered to a Residence by Canada Post,

(b) material that is Delivered to the Residence at the request or with the consent of the addressee.

Enforcement

5.1 Any person who contravenes a provision of this By-law is guilty of an offence.

5.2 A director or officer of a corporation who knowingly concurs in the contravention of any provision of this By-law is guilty of an offence.

5.3 Each person who contravenes a provision of this By-law shall, upon issuance of a penalty notice in accordance with the Administrative Monetary Penalty System By-law A-54, be liable to pay the Corporation of the City of London an Administrative Monetary Penalty.

5.4 A person convicted under this by-law is liable to a maximum fine of \$5,000.00.

5.5 This By-law shall come into force and effect on the day it is passed.

PASSED in Open Council on April , 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – April , 2022
Second Reading – April , 2022
Third Reading – April , 2022