

Township of Blandford-Blenheim  
I certify this to be a true copy.

THE CORPORATION OF THE

TOWNSHIP OF BLANDFORD-BLENHEIM

  
Signature

D. Clerk  
Title

BY-LAW NUMBER 2354-2023

May 31 2023  
Date

Being a by-law to regulate the distribution of graphic flyers in the Township of Blandford-Blenheim.

**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 residence does cause harm;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BLANDFORD-BLENHEIM 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 and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

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 and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.


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

5.4 This by-law shall become effective as of third and final reading.

By-law read a first and second time this 5<sup>th</sup> day of April, 2023.

By-law read a third time and finally passed this 5<sup>th</sup> day of April, 2023.

  
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MAYOR  
MARK PETERSON

  
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CAO / CLERK  
RODGER MORDUE

TOWNSHIP OF BLANDFORD-BLENHEIM  
PART I PROVINCIAL OFFENCES ACT

CITY OF WOODSTOCK BY-LAW NUMBER 2354-2023

TITLE: A by-law to regulate the distribution of graphic flyers in the Township of Blandford-Blenheim

ITEM COLUMN 1	COLUMN 2	COLUMN 3
Short Form Wording	Provision Creating Or Defining Offence	Set Fine
1 Did deliver a Graphic Image to a Residence that was not concealed within a sealed envelope or package	s. 4.1(a)	\$350.00
2 Did deliver a Graphic Image to a Residence without contact information of person responsible for the Delivery	s. 4.1(b)(i)	\$350.00
3 Did deliver a Graphic Image to a Residence without a warning	s. 4.1(b)(ii)	\$350.00

The general penalty provision for the offences listed above is section 5.1 of bylaw 2354-2023, a certified copy of which has been filed.