

**CORPORATION OF THE
TOWNSHIP OF ZORRA**



BY-LAW NO.17-23

**BEING A BY-LAW TO REGULATE THE DISTRIBUTION OF
GRAPHIC FLYERS IN THE TOWNSHIP OF ZORRA**

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

AND WHEREAS subsection 10(2) of the Municipal Act 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 of the Township of Zorra is satisfied that the unregulated delivery of graphic images to residents does cause harm;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ZORRA ENACTS AS FOLLOWS:

1.0. Short Title

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

2.0 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.

3.0 Definitions

- a) **"Deliver"** or **"delivery"** shall mean 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.
- b) **"Graphic Image"** means an image or photograph showing, or purporting to show, a fetus or any part of a fetus.
- c) **"Residence"** means any property or address that is not clearly identified from the abutting roadway as the location of a business.

4.0 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, and
- b) material that is delivered to the residence at the request or with the consent of the addressee.

4.3 Should a person do or cause or permit to be done any of the conditions laid out in section 4.1, said person shall be subject to a fine as determined by the Township of Zorra in this by-law (see Schedule "A").

5.0 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.

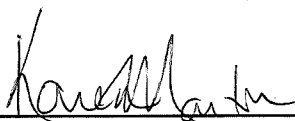
5.4 This by-law shall become effective as of third and final reading.

READ A FIRST AND SECOND TIME THIS 5th DAY OF APRIL, 2023.

READ A THIRD TIME AND FINALLY PASSED THIS 5th DAY OF APRIL, 2023.



**MAYOR
MACUS RYAN**



**TOWNSHIP CLERK
KAREN MARTIN**

**TOWNSHIP OF ZORRA
Part I Provincial Offences Act
BY-LAW 17-23
SCHEDULE "A"
SHORT FORM WORDING**

Short Title: BY-LAW NUMBER 17-23: GRAPHIC IMAGE DELIVERY BY-LAW

| Item | Short Form Wording | Provision Creating or Defining Offence | Set Fine |
|-------------|---|---|-----------------|
| 1 | Delivered a graphic image to a residence that was not concealed within a sealed envelope or package | 4.1(a) | \$350.00 |
| 2 | Delivered a graphic image to a residence without contact information of person responsible for the delivery | 4.1(b)(i) | \$350.00 |
| 3 | Delivered a graphic image to a residence without a warning | 4.1(b)(ii) | \$350.00 |

Note: The general penalty provision for the offences listed above is Section 5.1 of By-law 17-23, a certified copy of which has been filed.