

CORPORATION OF THE CITY OF NEW WESTMINSTER

GRAPHIC IMAGE DELIVERY BYLAW NO. 8488, 2024

A Bylaw to regulate the unsolicited Delivery of Graphic Images to Residences

WHEREAS pursuant to section 8 of the *Community Charter*, the City Council of the Corporation of the City of New Westminster is empowered to pass bylaws related to the health, safety and protection of persons and property;

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

AND WHEREAS the Council wishes 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;

NOW THEREFORE BE IT RESOLVED that the City Council of the Corporation of the City of New Westminster in open meeting assembled, ENACTS AS FOLLOWS:

1. Citation

This Bylaw may be cited for all purposes as “Graphic Image Delivery Bylaw No. 8488, 2024.”

2. Definitions

- a) **City** means the City of New Westminster;
- b) **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;
- c) **Distributor** means any person, owner of a business, company or organization which distributes, permits to be distributed or causes to be distributed any Flyer which promotes the distributor’s activities;
- d) **Fetus** means a developing but unborn mammal;
- e) **Flyer** means any printed or written matter, and includes a circular, leaflet, pamphlet, paper, booklet, postcard, or any other printed or otherwise reproduced matter of literature;
- f) **Graphic Image** means a visual image or photograph showing, or purporting to show, an aborted Fetus or any part of an aborted Fetus;

- g) **Person** includes a corporation, society, other legal entities and an individual;
- h) **Residence** means any property or address that is not clearly identified from the abutting roadway as the location of a business.

3. Regulation of Deliveries

3.1 No Person or Distributor shall Deliver or participate in a Delivery of a Flyer with a Graphic Image to any Premises, unless:

- a. the Graphic Image is fully concealed within a sealed opaque envelope;
- b. the exterior of the envelope contains the following legible warning:
"Contains a Graphic Image that may be offensive or disturbing"; and
- c. the exterior of the envelope clearly identifies the sender and the sender's address.

3.2 This Bylaw 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.

4. Enforcement

Every person, including a director or officer of a corporation or society, who violates any of the provisions of this Bylaw or who suffers or permits anything to be done in contravention or violation of this Bylaw, or who neglects or refrains from doing anything required to be done under the provisions of this Bylaw commits an offence and upon summary conviction shall be liable to a fine not exceeding \$10,000.00.

5. Severability

If any part, section, clause or sub-clause of this Bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, it will be severed and the validity of the remaining provisions of this Bylaw will not be affected.

GIVEN FIRST READING THIS 16th day of December 2024.

GIVEN SECOND READING THIS 16th day of December 2024.

GIVEN THIRD READING THIS 16th day of December 2024.

ADOPTED THIS _____ day of _____ 2024.

Mayor Patrick Johnstone

Hanieh Berg, Corporate Officer