

BYLAW NUMBER 22M2023

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND BYLAW 5M2004,
THE COMMUNITY STANDARDS BYLAW

WHEREAS the *Municipal Government Act*, RSA 2000, c. M-26 authorizes a municipality to pass bylaws respecting the safety, health and welfare of people and protection of people and property;

AND WHEREAS the City seeks to regulate the unsolicited distribution of graphic images to premises, so that recipients have an opportunity to choose whether they wish to view such images;

AND WHEREAS it is desirable to establish a Bylaw to regulate graphic images that may cause harmful and traumatizing impacts to recipients, particularly those who have experienced pregnancy loss.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Bylaw 5M2004, the Community Standards Bylaw, as amended, is hereby further amended.
2. In section 1:
 - (1) the following is added after subsection 1(2)(f.3) as subsection 1(2)(f.4):

“(f.4) “Fetus” means a developing but unborn mammal;”;
 - (2) the following is added after subsection 1(2)(h.4) as subsection 1(2)(h.4.1):

“(h.4.1)“Graphic Image” means a visual image showing, or purporting to show, a Fetus or any part of a Fetus;”.
3. The following is added after subsection 44(5) as subsection 44(6):

“(6) No Person or Distributor shall deposit or distribute a Flyer with a Graphic Image at or on a Premises unless:

 - (a) the Graphic Image is contained in 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.”.

4. In **SCHEDULE “A” – SPECIFIED AND MINIMUM PENALTIES**, under the headings indicated after:

SECTION	OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
“44(4)	Distribute Flyer contrary to sign	\$100	\$300”

the following is added:

SECTION	OFFENCE	MINIMUM PENALTY	SPECIFIED PENALTY
“44(6)(a)	Deposit or distribute a Graphic Image not contained in a sealed opaque envelope	\$500	\$1000
44(6)(b)	Deposit or distribute a Graphic Image without the legible warning	\$500	\$1000
44(6)(c)	Deposit or distribute a Graphic Image without identifying the sender and sender’s address	\$500	\$1000”

5. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME ON MAY 09, 2023

READ A SECOND TIME ON MAY 09, 2023

READ A THIRD TIME ON MAY 09, 2023



MAYOR
SIGNED ON MAY 09, 2023



CITY CLERK
SIGNED ON MAY 09, 2023