

# PROPOSED

CD2023-0390  
ATTACHMENT 2

## 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

# PROPOSED

BYLAW NUMBER 22M2023

- (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 \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_