

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER F-400
RESPECTING THE DISTRIBUTION OF FLYERS**

BE IT ENACTED by the Council of the Halifax Regional Municipality as follows:

Short Title

1. This By-law shall be known as By-law F-400 and may be cited as the *Flyer Distribution By-law*.

Interpretation

2. In this By-law,

(a) “distributor” means any person, which distributes, permits to be distributed or causes to be distributed any flyer which promotes activities outlined in Section 3 of this By-law;

(b) “flyer” means any non-subscription based printed or written matter, and includes a circular, leaflet, pamphlet, paper, booklet, postcard, coupon, or any other printed or otherwise reproduced matter;

(c) “municipality” means Halifax Regional Municipality;

(d) “newspaper” means any newspaper or magazine of general circulation for which the occupant has paid or requested delivery;

(e) “person” includes a business, company, organization or corporation and the heirs, executors, administrators or other legal representatives of a person;

(f) “residential property” means property or part thereof used or intended to be used for residential purposes, but does not include the portion of a hotel or motel used for the purpose of lodging for the public or an apartment hotel;

Application of By-law

3. This By-law applies to any flyer distributed within the municipality that:

(a) advertises or otherwise promotes any merchandise, product, commodity or thing;

(b) directs attention to any business or mercantile or commercial establishment or other activity, for the purpose of either directly or indirectly promoting the interests thereof; or

(c) directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind for which an admission is charged for the purpose of commercial gain or profit.

General

4. (1) Any owner or occupier of a residential property may post a sign or notice stating they do not wish to receive flyers.

(2) Subject to subsection (1), an owner or occupier may:

(a) post a sign or notice provided by the municipality, or

(b) create a sign or notice to post, provided the sign or notice meets the following specifications:

(i) is a minimum 11 cm (4.5 in) wide by 12.5 cm (5 in) high,

(ii) consists of lettering that is black font on a white background, and

(iii) contains the phrase 'NO FLYERS' in a font size of at least 38 pt in a sans-serif (plain) font type such as Arial.

5. A sign or notice stating the owner or occupier does not want to receive flyers shall be posted at the entrance to the dwelling unit in a manner such that the sign or notice is visible at the applicable locations as outlined in Section 8(1).

6. No distributor shall deliver or cause to be delivered a flyer at or on a residential property if a sign or notice has been posted pursuant to section 5.

7. Section 6 of this By-law shall not apply to the following:

(a) any election advertising material which is permitted to be transmitted or delivered pursuant to any applicable federal, provincial or municipal legislation or regulation;

(b) newspapers delivered to paid subscribers;

(c) community association newsletters or newspapers that do not contain flyers;

(d) information circulars produced by a federal, provincial or municipal government or an agency of such government;

(e) information circulars produced by a member of Halifax Regional Council, a member of the Nova Scotia Legislative Assembly or a member of the federal Parliament; or

(f) an apartment building containing six or more dwelling units.

8. (1) No distributor shall distribute or cause to be distributed any flyers on residential property other than:

(a) in a mail box;

(b) in a mail slot;

(c) in a tube or other receptacle designated for this purpose; or

(d) on a doorstep.

(2) No distributor shall distribute or cause to be distributed any flyers to a residential property where the flyers have not been taken in for two consecutive weeks.

Offences and Penalties

9. (1) A person who violates a provision of this By-law is guilty of an offence.

(2) A distributor that is an individual who contravenes any section of this By-law is liable, upon summary conviction, to a penalty of not less than twenty-five dollars and not more than one thousand dollars.

(3) A distributor other than an individual who contravenes any section of this By-law is liable, on summary conviction, to a penalty of not less than two hundred and fifty dollars and not more than ten thousand dollars.

10. This By-law shall come in force on July 31, 2019

Done and passed by Council this 4th day of June, 2019

MAYOR

MUNICIPAL CLERK

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of the Halifax Regional Council held on June 4, 2019

Kevin Arjoon
Municipal Clerk

Notice of Motion:	April 16, 2019
First Reading:	May 14, 2019
Notice of Public Hearing – Publication:	May 18, 2019
Second Reading:	June 4, 2019
Approval by Minister of Municipal Affairs:	N/A
Effective Date:	July 31, 2019