
City Council

Notice of Motion

MM45.22	ACTION			Ward: All
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Prohibition and Regulation of Graphic Imagery Distributed to Private Residences and Displayed in the Public Realm - by Councillor Mike Layton, seconded by Councillor Robin Buxton Potts

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Mike Layton, seconded by Councillor Robin Buxton Potts, recommends that:

1. City Council request the Executive Director, Municipal Licensing and Standards and the General Manager, Transportation Services, in consultation with the City Solicitor, to assess and report to Executive Committee with options to prohibit the distribution of graphic imagery to private residences, as well as prohibit and regulate the display of graphic imagery in the public realm, based on the interventions proposed by other Canadian jurisdictions.

Summary

Across the country, the use of deeply disturbing graphic images in flyers and other materials distributed to residences and displayed in the public realm at gatherings or demonstrations have continued to rise over the past few years. Increasingly in Toronto, community members have reported such flyers to have been posted in the public realm at public message boards on streets and at bus stops.

On December 5, 2017, City Council adopted a motion directing staff to report back on options to regulate and potentially prohibit the distribution of graphic imagery in print materials to private residences, as well as in temporary signs that are carried, held or displayed in the public realm. However, as the distribution of graphic images within private and public spaces increases, Torontonians remain unprotected. The municipalities of Calgary, Halifax, Hamilton, Montreal, Oakville, Oshawa, Ottawa, and Winnipeg have all passed by-laws or resolutions focused on the distribution of flyers generally, or the graphic imagery on these flyers specifically, to residential properties.

The most recent of which was passed by the City of London. The Canadian Centre for Bio-Ethical Reform, which had previously targeted Torontonians throughout 2017, has continued distributing grotesque images to residences in the City of London. These flyers depicting bloody and dismembered fetuses together with messages equating abortion to "killing" can be psychologically traumatizing to people struggling with reproductive issues and cause harm to those in the process of making or having already made difficult decisions regarding their health and wellbeing. In response, the municipality passed the "Distribution of Graphic Flyers By-

law" which requires any graphic imagery on printed or written materials distributed to residences to be enclosed in an envelope containing a content warning label and distributor identity information. Those failing to comply with the bylaw face a fine of \$350, liable to a maximum fine of \$5000.

Forcing residents without their consent, especially young children, to view graphic images that may trigger a negative reaction to their health and wellbeing, in their own homes or in neighbourhoods where they live and work is unacceptable. The City must determine options to either regulate distribution, similar to the City of London, or fully prohibit the inclusion of graphic imagery in materials distributed to private residences, ensuring consequences for continuing to cause harm. The potential of extending protection into the public realm should also be considered through exploring options to regulate or prohibit graphic imagery that is carried, held or displayed in public spaces. In all cases, the City of Toronto must protect residents of all demographics from the distress and harm caused by exposure to graphic imagery, crafting a by-law founded on respecting the rights of individuals as guaranteed under Canada's Charter of Rights and Freedoms, both those distributing, and receiving the flyers.

Background Information (City Council)

Member Motion MM45.22