



**CONSOLIDATION OF BY-LAW NO. 1323  
 CONCERNING THE DISTRIBUTION OF CIRCULARS  
 (AMENDED BY BY-LAWS  
 NOS. 1323-1, 1323-2, 1323-3, 1323-4, 1323-5, 1323-6 and 1385)  
 APRIL 2005**

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**CONSOLIDATION OF BY-LAW NO. 1323  
CONCERNING THE DISTRIBUTION OF CIRCULARS**

**DIVISION I**

**DEFINITIONS**

1. In this by-law, the following words shall have the following meanings:

"sticker": self-adhesive notice distributed by the Town and carrying an inscription indicating delivery of circulars is not desired.

"circular": any flyer, circular, advertisement, newspaper, handbill, pamphlet, business card, prospectus or other similar printed matter or any merchandise sample. (By-law No. 1323-2)

"distributor": any person who distributes, on his own account or for a third party, or publishes a circular, or any person for whom a circular is designed or distributed, including a newspaper owner, whether the distribution is carried out by this person or through a distribution assistant. The word "person" includes a natural or legal person. (By-law No. 1323-4)

**DIVISION II**

**DISTRIBUTION OF CIRCULARS**

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**PROHIBITION**

2. Distribution of circulars on the streets, avenues, lanes, sidewalks, parks, public places, vehicles and private residences including apartment buildings in the Town is hereby prohibited. (By-law No. 1323-3)

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**PRIVATE RESIDENCES  
AND APARTMENT  
BUILDINGS**

3. Notwithstanding Section 2, the distribution of circulars to private residences and apartment buildings in the Town shall be permitted, subject to the following conditions:

- (1) Every circular must be completely inserted in the mailbox or mail slot. The circular shall not be visible from the street. Where a circular cannot be completely inserted in the mailbox or mail slot, the distributor shall not leave any circulars at that address. Without limiting the foregoing, in the case of an apartment building, the distributor may make alternate arrangements with the proprietor of the apartment building concerning the distribution of circulars inside the apartment building; (By-law No. 1323-2)

The first paragraph of Subsection (1) of Section 3 shall not apply to Town publications; (By-law No. 1323-6)

- (2) Circulars shall not be left on porches, balconies, verandas or on the grounds of private residences or apartment dwellings;
- (3) Persons delivering circulars must use only the driveways and sidewalks of private residences and apartment dwellings;
- (4) Circulars shall not be distributed if they do not carry the name and address of the company or person to whom a permit as defined in Section 9 has been issued; however, in the case where the distributor uses for the distribution of circulars a sealed package, these requirements may be carried on the package

**DISTRIBUTION HOURS**

- (5) Persons distributing circulars shall not ring any doorbell nor knock on any door of a private residence or apartment dwelling;

**STICKERS**

- (6) Circulars shall not be distributed between 20:00 and 8:00, or on Sunday, or on any other legal holiday as defined in Article 61 (23) of the Interpretation Act (R.S.Q. Chapter I-16);

**AFFIXING THE STICKER**

4. Upon the coming into force of this by-law stickers will be issued by the Town to those residents who request them.
5. Any resident who does not wish to receive circulars must indicate this by affixing the sticker on his door or mailbox, in the case of a private residence, or on his mailbox in the case of an apartment building. The sticker must be visible to the persons distributing circulars. (By-law No. 1323-2)

Circulars shall not be placed or caused to be placed on private property if the owner or the occupant displays the sticker indicating that he refuses to receive circulars. (By-law No. 1323-6)

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**LOCAL NEWSPAPERS**

**5.1** Section 5 does not apply to local newspapers nor to Town Publications intended exclusively for Town residents. (By-law No. 1323-3, 1323-5)

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**IDENTIFICATION**

**6.** Except as otherwise provided, persons shall not distribute circulars within the limits of the Town without having in his/her possession identification issued by his/her employer in accordance with the provisions of this by-law.

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**DOOR TO DOOR  
SOLLICITATION**

**7.** No person shall solicit from door to door in the Town for charitable purposes or for the purpose of selling goods, merchandise or other services, or for taking orders for goods, merchandise or other services, or for any other purpose. However, this section shall not apply to:

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**EXEMPTIONS**

- (1) representatives of charitable organizations recognized as such by the Federal or Provincial governments calling on prospective donors chosen from lists prepared by such organizations;
- (2) children residing in the Town who are members of a school, Girl Guides, Boy Scouts, Boys' Brigade or other similar organizations, calling on residents for the purpose of selling merchandise or pre-packaged food stuffs in connection with fund-raising activities for their respective organizations;
- (3) election candidates running for Federal, Provincial, municipal or school board office calling on residents during the official campaign period;
- (4) employees of the Town of Mount Royal or its authorized agents calling on residents in connection with municipal services and/or information.

**8.** Persons delivering circulars shall not throw or deposit such circulars in such a manner that they become scattered at large.

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**PERMITS**

**9.** Any distributor wishing to carry out a one-time distribution of circulars in the Town shall be issued a Town permit for such purpose upon payment of a fee of fifty dollars (\$50). Any distributor wishing to carry out regular distribution of circulars during a given year shall be issued a Town permit for such purpose upon payment of a fee of five hundred dollars (\$500). However, payment of these fees shall not be required of distributors having paid a business tax to the Town for the year concerned.

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**IDENTIFICATION**

**10.** Every person distributing such circulars shall carry identification issued by his/her employer certifying he/she is so employed by the employer and that the Business Tax or annual fee for distributing circulars has been paid for the current tax year.

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**EXEMPTIONS**

- 11.** Sections 6 and 7 do not apply to:
- (1) mail carriers distributing for Canada Post when in uniform;
  - (2) distributors of newspapers to subscribers;  
(By-law No. 1323-1)
  - (3) election candidates running for Federal, Provincial, municipal or school board office or their representatives, delivering circulars during the official election period.

**DIVISION III**

**PENALTIES**

**12.** Any person who contravenes any of the provisions of this by-law shall be liable to a fine of not less than two hundred and fifty dollars (\$250) and not more than:

- (1) in the case of a first offence, one thousand dollars (\$1,000) if the offender is a natural person, or two thousand dollars (\$2,000) if the offender is a legal person, a society or an association;

2) in the case of a subsequent offence, two thousand dollars (\$2,000) if the offender is a natural person, or four thousand dollars (\$4,000) if the offender is a legal person, a society or an association. (By-law No. 1385)

**12.1** In default of the immediate payment of such fine and costs, such person shall be treated according to law. (By-law No. 1323-2)

**12.2** If the infraction continues, such continuation shall constitute a separate offense day by day. (By-law No. 1323-2)

**12.3** Payment of the penalty imposed for any contravention of this by-law shall not free one from the obligation of complying with this by-law. (By-law No. 1323-2)

## **DIVISION IV**

### **TRANSITIONAL PROVISIONS**

**13.** Rescinded (By-law No. 1385)

**14.** The Director of Public Security and the Town Treasurer shall be responsible for the administration and enforcement of this by-law. (By-law No. 1323-3)

**15.** If any section of this by-law is illegal, invalid or beyond the powers of this municipality, then such section shall be considered deleted from this by-law, which shall remain in effect as though such section had never been included therein.

**MARIE TURENNE, O.M.A.**  
**TOWN CLERK**