

PROVINCE OF QUEBEC
CITY OF POINTE-CLAIRE

BY-LAW NUMBER 2512

BY-LAW CONCERNING THE DISTRI-
BUTION OF ADVERTISING MATERIAL

In force on July 8th, 1991

AT THE REGULAR MONTHLY MEETING OF THE COUNCIL OF THE CITY OF POINTE-CLAIRE HELD AT STEWART HALL, 176 CHEMIN BORD-DU-LAC/LAKESHORE, POINTE-CLAIRE, QUEBEC, ON TUESDAY JULY 2ND, 1991, AT 7:30 P.M., AFTER DUE NOTICE HAD BEEN DELIVERED BY THE CITY'S MESSENGER ON FRIDAY, JUNE 28, 1991.

PRESENT: His Worship the Mayor Mr. M.C. Knox and Councillors J.R. Birnie, L. Cocolicchio, M.G. Legault, J.F. Mahaffey, W.F. McMurchie, Mrs. M.F. Patterson, S. Quilliam and J. Robinson, being all Members of Council.

AMONGST OTHER BUSINESS TRANSACTED AT SAID MEETING, WAS THE FOLLOWING:

BY-LAW NUMBER: 2512

RESOLUTION NUMBER: 91-131 c)

PROPOSED BY COUNCILLOR LEGAULT

SECONDED BY COUNCILLOR BIRNIE

AND RESOLVED:

OFFICE CONSOLIDATION

THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:

Article 1. In this by-law:

- a) “advertising material” means a circular, an advertisement, a prospectus or other similar printed material, except an advertising insert in a newspaper; non-profit Pointe-Claire organizations are exempt;
- b) “distributor” designates whoever, for himself or for a third party, distributes, either himself or through a distribution assistant, advertising material on private property;
- c) “responsible officer” is the officer of the City designated by resolution of the municipal council to enforce the provisions of the by-law and to issue distribution permits, as well as his assistants.

Article 2. It is prohibited to distribute advertising material on private property without holding a distribution permit, issued for this purpose by the City. The permit must be carried by any distributor or distribution assistant making a distribution and must be displayed so that the public can see it. The distribution permit is non-transferable and must be renewed annually.

Article 3. To obtain a distribution permit, a distributor must submit the following to the officer responsible:

- a) a completed application form supplied for this purpose by the City;
- b) the sum required to cover the following permit fees:
 - distributor permit: \$50.00
 - distribution assistant permit: \$5.00

Article 4. The application form must contain the following information:

- a) the name, surname, address and telephone number of the distributor;
- b) the number of distribution assistant permits required;
- c) the nature of the advertising material which the distributor wishes to distribute;
- d) the territory in which the distributor intends to distribute advertising material;
- e) a declaration, by the distributor, that he will respect the provisions of the by-law and that he will take the appropriate steps to ensure that they are also respected by his distribution assistants;
- f) the signature of the applicant.

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Article 5. No advertising material may be distributed unless it bears the name and address of the distributor.

In cases where the distributor uses a wrapping for the distribution of advertising material, he may affix his name and address on the wrapping only.

Article 6. It is prohibited to place or cause to be placed advertising material on the public domain.

Article 7. The distribution of advertising material shall take place between 8 a.m. and 8 p.m.

Article 8. Subject to Article 10, it is prohibited to place or cause to be placed advertising material on private property except:

- a) in a letterbox or slot;
- b) in a receptacle provided for such purpose;
- c) on a newspaper rack or by hanging it on such rack;
- d) in the vestibule of a building, when access thereto is authorized, on shelves or in a receptacle provided for such purpose, on condition not to obstruct or clutter up the exit.

In cases where advertising material is inserted in a letter slot, the flap of such slot shall be fully lowered after the material is inserted.

Article 9. Whoever carries out the distribution of advertising material shall use the marked paths or sidewalks leading to the building.

Article 10. It is prohibited to place or to cause to be placed any advertising material on private property if the owner or the occupant displays, in the area where the advertising material is usually placed, the sign prescribed by the second paragraph, which indicates that he or she refuses to receive such material.

The sign mentioned in the first paragraph must show the pictograph shown in Appendix "A" of this by-law.

Article 11. Anyone contravening a provision of this by-law, or tolerating or permitting such a contravention, commits an infraction and is liable to the following fine:

- a) for a first infraction: a minimum of fifty dollars (\$50.00) and a maximum of a thousand dollars (\$1,000.00) if the offender is a physical person or a minimum of fifty dollars (\$50.00) and a maximum of two thousand dollars if the offender is a moral person;
- b) for a repeat infraction: a minimum of one hundred dollars (\$100.00) and a maximum of two thousand dollars (\$2,000.00) if the offender is a physical person or a minimum of one hundred dollars (\$100.00) and a maximum of four thousand dollars (\$4,000.00) if the offender is a moral person.

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Article 12. The present by-law comes into force according to law.

M.C. Knox, Mayor

M. Trudeau, City Clerk

25125

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PROVINCE DE QUÉBEC

VILLE DE POINTE-CLAIRE

RÈGLEMENT NO:

A N N E X E "A"

