

**SUBJECT:** Monitoring and Review of Municipal Responses Regarding Graphic Images and Non-Peaceful Demonstrations

**TO:** Committee of the Whole

**FROM:** Legal and Legislative Services  
Legal and Halton Court Services

**Report Number:** LLS-17-25

**Wards Affected:** All

**Date to Committee:** February 10, 2025

**Date to Council:** February 18, 2025

---

### **Recommendation:**

Receive for information legal and legislative services report LLS-17-25 regarding an update on staff monitoring and review of recent municipal responses and considerations to the regulation of the delivery of graphic images and non-peaceful demonstrations.

### **Executive Summary**

#### **Purpose of report:**

- To provide Council with an update on the Legal and Legislative Services staff and By-law Compliance staff monitoring and review of recent responses and considerations by municipalities to both the regulation of the delivery of graphic images and non-peaceful demonstrations involving unlawful conduct.

#### **Key findings:**

- Staff are undertaking a review of the City's Graphic Image Delivery By-law 013-2024 to determine whether any amendments are recommended based on further consideration of similar by-laws by other municipalities and Courts.
- Staff are monitoring responses and consideration by various municipalities to non-peaceful demonstrations involving unlawful conduct that has occurred to varying degrees in some municipalities.
- Staff will report back to Council in Q2 2025 with a recommended approach to address these matters.

#### **Implications:**

- There are no legal or financial implications associated with the proposed recommendation to receive and file report LLS-17-25.

# Information Report

---

## Background

- In March 2024, the City enacted a Graphic Image Delivery By-law to address concerns related to the delivery of unsolicited graphic images to residents of Burlington.
- Since that time other municipalities have enacted or considered enacting their own graphic image by-laws. Courts have also considered these types of by-laws since the City's enactment of By-law 013-24.
- Over the last six months, several Ontario municipalities have considered regulating or otherwise responding to the issue of non-peaceful demonstrations involving unlawful conduct that have occurred to varying degrees in some municipalities:
  - The City of Vaughan and the City of Brampton have enacted by-laws (in June 2024 and November 2024, respectively) that intend to regulate these types of demonstrations.
  - The City of Ottawa and the City of Mississauga (in October 2024 and November 2024, respectively) have directed staff to consider the feasibility of implementing a by-law to regulate these types of demonstrations.
  - The Town of Oakville (in December 2024) has directed staff to bring forward a by-law regulating these types of demonstrations in Q1 of 2025.
  - Outside of Ontario, the City of Calgary enacted a by-law in 2023 regulating demonstrations. That by-law is currently the subject of a judicial review application challenging the validity of the by-law which is scheduled to be considered by the Court in February 2025.
- Staff from both the Legal and Legislative Services Division and the By-law Compliance department have been monitoring developments in these respective matters.

---

## Status

Legal and Legislative Services staff and By-law Compliance staff will be reviewing By-law 013-24 in the context of other more recent graphic image by-laws, as well as the consideration and reporting on these by-laws by other municipalities and Courts, to assess whether or not changes to the City's by-law would be recommended to Council.

Staff is also continuing to monitor the status of municipal approaches to non-peaceful demonstrations, as well as any jurisprudence flowing from judicial consideration of these approaches. The development of any regulated approach by a municipality is a complex one, as the Canadian Charter of Rights and Freedoms guarantees certain rights and fundamental freedoms, including the freedoms of opinion, expression and peaceful assembly. However, Section 1 of the Charter provides for the limitation of rights and freedoms in some circumstances.

Staff will report back to Council in Q2 2025 with a recommended approach to addressing this complex issue.

---

## Key Dates & Milestones

- Legal and Legislative Services and By-law Compliance staff will report back on these matters to Committee and Council in Q2 2025.

---

## Implications

- There are no legal or financial implications associated with the proposed recommendation to receive and file report LLS-17-25.

---

## References

Not Applicable

---

## Strategic Alignment

- ☐ Designing and delivering complete communities
- ☒ Providing the best services and experiences
- ☐ Protecting and improving the natural environment and taking action on climate change
- ☐ Driving organizational performance

---

## Author:

Blake Hurley

Commissioner of Legal and Legislative Services/City Solicitor

905-335-7600 ext. 7611

## Appendices:

None

## Notifications:

None

## Report Approval:

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.