

Authority: Works Committee Report No. 5, Clause No. 8,
as adopted by City of Toronto Council on November 23, 24 and 25, 1999
Enacted by Council: November 25, 1999

CITY OF TORONTO

BY-LAW No. 779-1999

**A By-law to appoint Toronto Transit Commission Route Supervisors as
Municipal Law Enforcement Officers.**

WHEREAS the Police Services Act provides that municipal councils may appoint persons to enforce the by-laws of the municipality; and

WHEREAS Part II of the Provincial Offences Act empowers Provincial Offences Officers to issue Certificates of Parking Infraction and Parking Infraction Notices; and

WHEREAS the Highway Traffic Act provides that municipal law enforcement officers are empowered, upon the discovery of any vehicle parked or standing in contravention of a municipal by-law, to cause the vehicle to be moved or impounded; and

WHEREAS the Solicitor General of Ontario designated all municipal law enforcement officers as Provincial Offences Officers; and

WHEREAS the Toronto Police Service intends to continue to train and recommend competent persons for enforcing one or more municipal parking by-laws within the City of Toronto; and

WHEREAS it is deemed expedient to pass this by-law in order that such competent persons employed as Route Supervisors by the Toronto Transit Commission may utilize the procedures available under Part II of the Provincial Offences Act;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. As used in this by-law, the following terms shall have the meanings indicated:

- (a) “Certified Officer (Parking Offences)” means any person employed by the Toronto Transit Commission as a Route Supervisor and who has been or who is hereafter certified by the Chief of the Toronto Police Service as competent for the purposes of enforcing one or more municipal parking by-laws within the City of Toronto or any specified part or parts thereof for any period set out in the certificate and whose certificate has not lapsed or been suspended or cancelled by the Chief.
- (b) “Chief” means the Chief of the Toronto Police Service.
- (c) “City” means the City of Toronto.

- (d) “Motor Vehicle” includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car or other motor vehicles running only upon rails.
- (e) “Municipal Law Enforcement Officer” means a Municipal Law Enforcement Officer appointed as such under this by-law.
- (f) “Parking” means the standing still of a vehicle, whether occupied or not.
- (g) “Vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or street car.

2. (1) Every Certified Officer (Parking Offences) who complies with the conditions set out in subsection (2) is appointed a Municipal Law Enforcement Officer for the City only for the purposes of issuing certificates of parking infraction and parking infraction notices under Part II of the Provincial Offences Act for the purposes of enforcing City by-laws respecting parking on Toronto Transit Commission transit routes and/or on municipal property occupied/used by the Toronto Transit Commission and authorizing the removal, towing, impounding, as the case may be, of vehicles parked, left, stopped or standing in contravention of those by-laws, and only for the periods of time, the purposes and the area of the City set out in the certification of the Chief.

(2) The conditions referred to in subsection (1) are:

- (a) That the person is a Certified Officer (Parking Offences) at least for the purposes of enforcing by-laws respecting parking on Toronto Transit Commission transit routes and on municipal property; and
- (b) That the Toronto Transit Commission which employs the person execute an indemnity agreement with the City in a form satisfactory to the City’s Commissioner of Works and Emergency Services and the City Solicitor; and
- (c) That the Toronto Transit Commission which employs the person provides and maintains liability insurance and files a current certificate in a form and amount satisfactory to the City Treasurer.

ENACTED AND PASSED this 25th day of November, A.D. 1999.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)