

Authority: Notice of Motion J(18), Moved by Councillor Rae, seconded by Councillor Li Preti, as adopted by City of Toronto Council on December 14, 15 and 16, 1999

Enacted by Council: December 16, 1999

CITY OF TORONTO

BY-LAW No. 897-1999

To amend certain City of Toronto by-laws respecting the use of parking meters and parking machines to bring the offence provisions into conformance with the Provincial Offences Act.

WHEREAS City Council, at its meeting of July 27, 28, 29 and 30, 1999, directed that the amount of the voluntary payments for penalties under by-laws of the City of Toronto respecting the use of parking meters and parking machines be set at \$15.00 (payment within 7 days of the date of the ticket) and that the City Solicitor apply to the Province to establish the set fine for offences under these by-laws at \$20.00; and

WHEREAS the Ministry of the Attorney-General has advised that it is necessary to amend the offence provisions of certain of the by-laws of the former Area and Metropolitan municipalities to allow the set fine application to proceed;

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

1. By-law No. 30742, being "A By-law Respecting Parking Meters on the City of North York Roads", of the former City of North York, is amended by:

(1) Repealing section 9.

(2) Repealing subsections 10(1) and 10(2) and substituting the following:

10. (1) Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.

(2) Every owner of a vehicle that is parked in contravention of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another person without the owner's consent, express or implied.

2. Subsections 10(a) and 10(b) of By-law No. 22614, being "A By-law Respecting Parking Meters on Scarborough Roads", of the former City of Scarborough, are hereby repealed and the following substituted:

10. (a) Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.

- (b) Every owner of a vehicle that is parked in contravention of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another person without the owner's consent, express or implied.

3. Subsections 11(1) and 11(2) of By-law No. 107-86, being “ By-law Respecting Parking Meters on Metropolitan Roads”, of the former Municipality of Metropolitan Toronto, are hereby repealed and the following substituted:

- 11.(1) Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.
- (2) Every owner of a vehicle that is parked in contravention of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another person without the owner's consent, express or implied.

4. Subsections 11(1) and 11(2) of By-law No. 1645-89, being “A By-law Respecting Parking Meters”, of the former City of York, are hereby repealed and the following substituted:

- 11. (1) Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.
- (2) Every owner of a vehicle that is parked in contravention of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another person without the owner's consent, express or implied.

5. Chapter 187, Parking Meters, of the Municipal Code of the former City of Etobicoke; is amended by:

- (1) Repealing clauses 187-9C(1) and (2) and substituting the following:
 - C. (1) Every person who contravenes any provision of this chapter is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.

- (2) Every owner of a vehicle that is parked in contravention of this chapter is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, unless the owner proves to the satisfaction of the Court that at the time of the offence the motor vehicle was in the possession of another person without the owner's consent, express or implied.
- (2) Repealing subsection 187-9D and substituting the following:
- D. If a voluntary payment is not made in accordance with the procedure provided in § 187-9C, the procedure of the Provincial Offences Act and the penalties provided in this chapter shall apply.

ENACTED AND PASSED this 16th day of December, A.D. 1999.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)