

Authority: Administration Committee Report No. 8, Clause No. 8, as adopted by City of Toronto Council on December 14, 15 and 16, 1999; and Administration Committee Report No. 19, Clause No. 48, as adopted by City of Toronto Council on October 3, 4, and 5, 2000

Enacted by Council: October 5, 2000

CITY OF TORONTO

BY-LAW No. 658-2000

To amend Chapter 400, Traffic and Parking, of the Municipal Code of the former City of Toronto, to establish a new voluntary payment scheme.

WHEREAS Subsection 321(2) of the *Municipal Act* provides that a by-law may provide a procedure for the voluntary payment of penalties out of court in cases where it is alleged that a by-law related to the parking, standing, or stopping of vehicles has been contravened;

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

1. Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto, as amended, is further amended as follows:

A. § 400-11 A is amended by adding new subsections (4), (5) and (6) after subsection (3) as follows:

- (4) Despite subsections (1), (2), and (3) of this section, any person, upon receipt of a Notice of Impending Summons alleging the commission of any of the offences under this chapter set out in the first column of the schedule and advising of possible proceedings under Part III of the *Provincial Offences Act*, may pay out of court, within seven (7) days from the date of receipt of the Notice of Impending Summons, the penalty set out opposite the offences in the second column of the schedule, and upon payment, no further proceedings shall be taken under this chapter in respect of the offence alleged in the Notice of Impending Summons. After seven (7) days and before fifteen (15) days from the date of receipt of that Notice of Impending Summons, the penalty set out opposite the offence in the third column of the schedule may be paid out of court, and upon the payment no further proceedings shall be taken under this chapter in respect of the offence alleged in the Notice of Impending Summons.

Column 1	Column 2	Column 3
Days	1 to 7 Days	8 to 15
Stopping a vehicle in an area prohibited for stopping	\$40.00	\$60.00
Standing a vehicle in an area prohibited for standing	\$40.00	\$60.00
Parking a vehicle in an area prohibited for parking	\$20.00	\$30.00
Parking a heavy truck contrary to § 400-29A	\$60.00	\$90.00
All other parking offences.	\$10.00	\$15.00

- (5) A Notice of Impending Summons delivered by mail shall, unless the contrary is shown, be deemed to have been received on the seventh day following the day on which it is mailed.
- (6) A Notice of Impending Summons shall not be issued pursuant to subsection (4) if a parking infraction notice has been issued pursuant to Part II of the *Provincial Offences Act* in respect of the alleged offence.

B. § 400-11 B is amended by adding new subsections (3), (4) and (5) after subsection (2) as follows:

- (3) Despite subsection (1) of this section, any person, upon receipt of a Notice of Impending Summons alleging the commission of any of the offences under this chapter corresponding to the section set out in the first column of the following schedule and advising of possible proceedings under Part III of the *Provincial Offences Act*, may pay out of court, within seven (7) days from the date of receipt of the Notice of Impending Summons, the penalty set out opposite the section containing the offence in the second column of the schedule, and upon the payment, no further proceedings shall be taken under this chapter in respect of the offence alleged in the Notice of Impending Summons. After seven (7) days and before fifteen (15) days from the date of receipt of that Notice of Impending Summons, the penalty set out opposite the offence in the third column of the

schedule may be paid out of court, and upon the payment no further proceedings shall be taken under this chapter in respect of the offence alleged in the Notice of Impending Summons.

Column 1	Column 2 1 to 7 Days	Column 3 8 to 15 Days
400-34 (private or municipal property)	\$20.00	\$30.00
400-38 (permit parking)	\$20.00	\$30.00
400-40 (alternate side parking)	\$20.00	\$30.00
400-42 (parking meters)	\$15.00	\$20.00
400-43A(2)	\$20.00	\$30.00
400-45 (fire routes)	\$20.00	\$30.00
400-46 (boulevards)	\$20.00	\$30.00
400-47B(1)	\$30.00	\$30.00
400-47(B)(5)	\$30.00	\$30.00
400-51 (municipal parking facilities)	\$20.00	\$30.00
400-52 (disabled parking)	\$100.00	\$150.00

- (4) A Notice of Impending Summons delivered by mail shall, unless the contrary is shown, be deemed to have been received on the seventh day following the day on which it is mailed.
- (5) A Notice of Impending Summons shall not be issued pursuant to subsection (3) if a parking infraction notice has been issued pursuant to Part II of the *Provincial Offences Act* in respect of the alleged offence.

ENACTED AND PASSED this 5th day of October, A.D. 2000.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)