

Authority: Administration Committee Report No. 19, Clause No. 9,
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. 870-2000

Interpretation By-law.

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

1. Applicability.

The provisions of this by-law apply to every by-law and deemed by-law of the Council except insofar as any provision:

- A. Is inconsistent with the intent or object of the by-law;
- B. Would give to a word, expression or provision of the by-law an interpretation inconsistent with the context; or
- C. Is in the by-law declared not applicable to it.

2. Interpretation.

A. Definitions.

In every by-law, unless the context otherwise requires, the following terms shall have the meanings indicated:

CITY - The City of Toronto incorporated by the *City of Toronto Act, 1997 (No. 1)*.

MUNICIPAL CODE - A municipal code adopted by Council under section 104 of the Municipal Act or deemed to be a by-law adopted by Council under the *City of Toronto Act, 1997 (No. 1)*.

COUNCIL - The Council of the City of Toronto.

MONTH - A calendar month.

PERSON - Includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

WRITING - Includes words printed, painted, engraved, lithographed, photographed, or represented or reproduced by any other mode in a visible form.

YEAR - A calendar year.

B. Citations.

In every by-law, unless the contrary intention appears:

- (1) A reference to an Act is to an Act in the Revised Statutes of Ontario, 1990.
- (2) A reference to a regulation is to a regulation in the Revised Regulations of Ontario, 1990.
- (3) A reference to a by-law is to a by-law or deemed by-law of the Council.
- (4) Despite Subsection B(1), (2) or (3), a reference to an Act, regulation or by-law is to that Act, regulation or by-law as it is amended or re-enacted from time to time.

C. Word usage.

In every by-law, unless the contrary intention appears:

- (1) Words importing the singular number shall include more persons, parties or things of the same kind than one (1), and a word interpreted in the singular number has a corresponding meaning when used in the plural.
- (2) Words used in the past or present tense include the future as well as the past and present.
- (3) The word “shall” shall be construed as imperative and the word “may” as permissive.
- (4) Words importing the masculine gender only include females as well as males and the converse.
- (5) A grammatical variation of a word or expression defined or used has a corresponding meaning.

D. Construction.

In every by-law, unless the contrary intention appears:

- (1) Whenever an expression of time occurs, the time referred to or intended shall be standard time or daylight saving time, whichever is in effect at the time.
- (2) Where the time limited by a by-law for the doing of any thing under its provisions expires or falls upon a holiday within the

meaning of the *Interpretation Act*, the time so limited extends to and the thing may be done on the next day following that is not a holiday.

- (3) Where a form is required or prescribed deviations from it not affecting the substance or calculated to mislead do not invalidate it.
- (4) Where power is given to a person, officer or functionary to do or to enforce the doing of an act or thing, all powers necessary to enable the person, officer or functionary to exercise the power given are deemed to be also given.
- (5) Words directing or empowering a public officer or functionary to do an act or thing, or otherwise applying to the public officer by his or her name of office, include his or her successors in office and lawful deputy.
- (6) Where reference is made by number or letter to two (2) or more sections, subsections, paragraphs, clauses or other provisions in a by-law, Act, regulation or any other written instrument, the number or letter first mentioned and the one last mentioned shall both be deemed to be included in the reference.
- (7) The preamble of a by-law shall be deemed a part of the by-law and is intended to assist in explaining the purport and object of the by-law.
- (8) Headings and titles.
 - (a) Headings in the body of a by-law form no part of the by-law but shall be deemed to be inserted for convenience of reference only.
 - (b) Chapter and Article titles, headings and titles of section and other divisions in the Municipal Code or in supplements made to the Municipal Code are inserted in the Municipal Code and may be inserted in supplements to the Municipal Code for the convenience of persons using the Municipal Code and are not part of the legislation.
- (9) Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Municipal Code are inserted in the Municipal Code and may be inserted in supplements to the Municipal Code for the convenience of persons using the Municipal Code and are not part of the legislation.

3. Repeal.

- A. Where a by-law is repealed, its repeal does not:
- (1) Revive any by-law or thing not in force or existing when the repeal takes effect;
 - (2) Affect the previous operation of the by-law;
 - (3) Affect any obligation or liability accrued, accruing or incurred under the by-law;
 - (4) Affect any offence committed against the by-law or any penalty, forfeiture or punishment incurred in respect thereof; or
 - (5) Affect any investigation, legal proceeding or remedy in respect of any such obligation, liability, penalty, forfeiture or punishment.
- B. Despite its repeal, a by-law shall remain good and unrepealed to the extent necessary to give effect to Subsection A and an investigation, legal proceeding or remedy may be instituted, continued or enforced, and a penalty, forfeiture or punishment may be imposed as if the by-law was unrepealed.
- C. If other provisions are substituted for repealed provisions by way of re-enactment, amendment, revision or consolidation:
- (1) All officers and persons acting under the repealed by-law shall continue to act as if appointed under the substituted provisions until others are appointed in their stead;
 - (2) Unless rescinded, all orders made under the repealed by-law continue good and valid in so far as they are not in conflict with the substituted provisions; and
 - (3) A reference in an order or in an unrepealed by-law to the repealed by-law, shall, as regards any subsequent transaction, matter or thing be construed to be a reference to the substituted provisions relating to the same subject-matter and, if there is no substituted provision relating to the same subject-matter, the repealed by-law shall remain good and unrepealed to the extent necessary to support, maintain or give effect to the order or unrepealed by-law.

4. Severability.

Each section of a by-law is an independent section, and the holding of any section or part of it to be void or ineffective for any cause shall not be deemed to affect the validity of any other sections or parts of it.

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

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)