

Authority: Administration Committee Report No. 19, Clause No. 9, as adopted by City of Toronto Council on October 3, 4 and 5, 2000, and its Special Meetings held on October 6, 10, 11 and 12, 2000  
Enacted by Council: December 6, 2001

## **CITY OF TORONTO**

### **BY-LAW No. 1109-2001**

**To make technical amendments to various by-laws and Municipal Code chapters to correct codification errors and technical errors in the original by-laws as identified in the codification process.**

WHEREAS the City Solicitor, in consultation with the City Clerk, is authorized to submit bills directly to Council during 2001, to make technical amendments to the Municipal Code to correct codification errors and technical errors in the original by-laws; and

WHEREAS under § 1-7C of the Municipal Code any by-law, whether adopted or deemed adopted before or after the effective date of Article II of Chapter 1, that Council determines is appropriate for inclusion in the Municipal Code may be included in the Municipal Code under the numbering system established by the Municipal Code, despite the fact that the by-law was adopted without reference to the Municipal Code under a different numbering system; and

WHEREAS, Article I, Interpretation, of Chapter 1, General Provisions, of the Municipal Code sets out general by-law interpretation provisions, including severance provisions that do not have to be repeated in Code chapters; and

WHEREAS certain provisions that were in a “clause sandwich” format in the original by-law need to be reformatted; and

WHEREAS section 1 of By-law No. 601-1998, “To provide authority for certain Officials Employed in the Finance Department to Sign Documents on Behalf of the City of Toronto” should be incorporated in Chapter 257, Signing Authority, and not in a footnote reference; and

WHEREAS By-law No. 372-1999, “To Change the Term of Office for Members of the Toronto Transit Commission To Eighteen Months and to Provide for Appointments to be made by a Majority Vote at Council.” is codified in Chapter 279, Toronto Transit Commissioners; and

WHEREAS By-law No. 372-1999 was subject to a court challenge and has now been superceded by By-law No. 3-2001, “To Change the Term of Office for Members of the Toronto Transit Commission To Eighteen Months and to Provide for Appointments to be made by a Majority Vote at Council.”, as enacted under amended legislation, and should be included in Chapter 279;

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

**1. By-law No. 871-2000 (Chapter 1)**

- A. Section 7 of By-law No. 871-2000, “To adopt a Municipal Code under section 104 of the Municipal Act.” is amended by deleting “Article I” and substituting “Article II”.

B. Subsection A is deemed to have come into force on January 1, 2001.

**2. By-law No. 793-2000 (Chapter 227)**

A. Clause 2(a) of By-law No. 793-2000, “To establish a Harbourfront Parklands Reserve Fund and to amend By-law No. 181-2000, the Reserves and Reserve Funds By-law to add the new reserve fund.” is amended by deleting “Schedule ‘C’” and substituting “Schedule ‘C2’”.

B. Subsection A is deemed to have come into force on October 5, 2000.

**3. By-law No. 597-2001 (Chapter 349)**

By-law No. 597-2001, “To amend City of Toronto Municipal Code Chapter 349, Animals, to amend dog licence fees and cat registration fees.” is amended as follows:

A. Section 1A(6) is amended by deleting “\$10.00” and substituting “\$10.00 if senior citizen”.

B. Section 1B(6) is amended by deleting “\$10.00” and substituting “\$10.00 if senior citizen”.

C. Subsections A and B are deemed to have come into force on June 28, 2001.

**4. By-law No. 690-2000 (Chapter 849)**

A. By-law No. 690-2000, “To fix the rates for the supply of water and sewage services by the City of Toronto.” is amended as follows:

(1) Schedule B is amended by deleting “paid” and substituting “pair” in column 2, opposite “Laundry tubs” in column 1.

(2) Schedule C is amended by deleting “paid” and substituting “pair” in column 2, opposite “Laundry tubs” in column 1.

(3) Schedule D is amended by deleting “basic” and substituting “basis” in column 2, opposite “Materials used in Buildings or in alterations or repairs to buildings and other construction work.” in column 1.

B. Subsection A is deemed to have come into force on November 1, 2000.

**5. By-law No. 869-2000 (Chapter 910)**

A. Section 27A of By-law No. 869-2000, “To amend various by-laws to make technical amendments identified in the review of by-laws for a Municipal Code.” is amended by deleting “912-2000” and substituting “912-1998”.

B. Subsection A is deemed to have come into force on October 5, 2000.

## **6. Municipal Code**

The City of Toronto Municipal Code is amended as follows:

A. Chapter 257, Signing Authority, is amended as follows:

- (1) Section 257-1 is amended by deleting “of Toronto (the ‘City’).”.
- (2) By adding the following (a codified version of section 1 of By-law No. 601-1998, “To provide authority for certain Officials Employed in the Finance Department to Sign Documents on Behalf of the City of Toronto.”) as follows:

### **§ 257-8.1.**

The following officials are authorized to sign documents on behalf of the City in the place and stead of the Chief Financial Officer and Treasurer where necessary, to carry out the duties assigned by the Chief Financial Officer and Treasurer:

- A. Director, Accounting Services;
  - B. Director, Budget Services;
  - C. Director, Treasury and Financial Services; and
  - D. Manager, Financial Reporting.
- B. Chapter 279, Toronto Transit Commission (the codified version of By-law No. 372-1999) is deleted and the following, a codified version of By-law No. 3-2001, “To Change the Term of Office for Members of the Toronto Transit Commission To Eighteen Months and to Provide for Appointments to be made by a Majority Vote at Council.”, substituted:

## **Chapter 279 TORONTO TRANSIT COMMISSION**

### **§ 279-1. Appointment.**

The appointment of a member of the Toronto Transit Commission shall require the affirmative vote of a majority of the members of Council present and voting.

### **§ 279-2. Term.**

All appointments of members to the Toronto Transit Commission shall be for a term of 18 months.

C. Chapter 349, Animals, is amended as follows:

- (1) In Schedule C, the fee (in column 3) for the purpose (in column 2) of “Dog that is spayed or neutered” is amended by inserting “if senior citizen” after “\$10.00”.

- (2) In Schedule D, the fee (in column 3) for the purpose (in column 2) “Cat that is spayed or neutered” is amended by inserting “if senior citizen” after “\$10.00”.

D. Subsection C is deemed to have come into force on June 28, 2001.

E. Chapter 553, Lottery Licenses, is amended by deleting § 553-11 and substituting the following (to reflect the Code style including the application § 1-4):

**§ 553-11. Short Title.**

The short title of this chapter is the “Lottery Licensing By-law.”

F. Chapter 681, Sewers, is amended (to correct a clause sandwich format) by deleting § 681-10F and substituting the following:

F. Right of entry.

No person shall prevent, hinder, obstruct or interfere in any way with the Commissioner or an inspector and persons deemed, by the Commissioner, to be essential to an inspection and sampling, bearing proper credentials and identification, from, for the purposes of administering or enforcing this article:

- (1) Entering in or upon, at any reasonable time without a warrant, any land or premises, except land or premises being used as a dwelling house;
- (2) Making such tests or taking such samples as the Commissioner or an inspector deems necessary; or
- (3) Inspecting or observing any plant, machinery, equipment, work, activity or documents.

G. Section 767-34A of Chapter 767, Taxation, is amended as follows:

- (1) By amending Subsection A by deleting “be” before the colon in the first line of Subsection A.
- (2) By amending Subsection A(1) by deleting “In” and substituting “Be in”.
- (3) By amending Subsection A(3) by deleting “Submitted” and substituting “Be submitted”.

H. Chapter 844, Waste, is amended as follows:

- (1) Section 844-12A(1) is amended as follows:
  - (a) By amending Subsection A(1) by deleting “with” before the colon in the first line of Subsection A(1).

- (b) By amending Subsection A(1)(a) by deleting “A” and substituting “With a”.
    - (c) By amending Subsection A(1)(b) by deleting “An” and substituting “With an”.
    - (d) By amending Subsection A(1)(c) by deleting “An” and substituting “With an”.
    - (e) By amending Subsection A(1)(d) by deleting “Capable” and substituting “That is capable”.
    - (f) By amending Subsection A(1)(e) by deleting “Handles” and substituting “With handles”.
  - (2) Section 844-12A(2) is amended as follows:
    - (a) By amending Subsection A(2)(c) by deleting “A” and substituting “With a”.
    - (b) By amending Subsection A(2)(d) by deleting “Have” and substituting “That has”.
    - (c) By amending Subsection A(2)(e) by deleting “Be” and substituting “That is”.
  - (3) Subsection U of Schedule C is amended by inserting “to” after “manner”.
- I. The Schedules to Article II of Chapter 849, Water and Sewer Services, are amended as follows:
- (1) Schedule B is amended by deleting “paid” and substituting “pair” in column 2, opposite “Laundry tubs” in column 1.
  - (2) Schedule C is amended by deleting “paid” and substituting “pair” in column 2, opposite “Laundry tubs” in column 1.
  - (3) Schedule D is amended by deleting “basic” and substituting “basis” in column 2, opposite “Materials used in Buildings or in alterations or repairs to buildings and other construction work” in column 1.
- J. Subsection I is deemed to have come into force on November 1, 2000.
- K. Section 910-10D of Chapter 910, Parking Machines, is deleted and the following substituted (to correct the “clause sandwich” format):

- D. Despite Subsections A, B and C, any person, upon receipt of a notice of impending summons alleging the commission of any parking offence under this article and advising of possible proceedings under Part III of the *Provincial Offences Act*, may pay the following payments:
- (1) Within seven days from the date of receipt of the notice of impending summons, a penalty of \$15; or
  - (2) After seven days and before 15 days from the date of receipt of that notice of impending summons, a penalty of \$20.
- D.1 Upon payment of a penalty under Subsection D, no further proceedings shall be taken under this article in respect of the offence alleged in the notice of impending summons.
- L. Chapter 950, Traffic and Parking, is amended as follows:
- (1) Section 950-501I is amended as follows:
    - (a) By deleting the text before the schedule in § 950-501I(2) and substituting the following (to correct the “clause sandwich” format):
    - (2) Despite Subsections H and I(1), any person, upon receipt of a notice of impending summons alleging the commission of any of the offences under this section 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 the following penalty:
      - (a) Within seven days from the date of receipt of the notice of impending summons, the penalty set out in the third column of the following schedule opposite the section containing the offence; or
      - (b) After seven days and before 15 days from the date of receipt of that notice of impending summons, the penalty set out in the fourth column of the following schedule opposite the section containing the offence.
  - (b) By adding the following:
    - (2.1) Upon payment of a penalty under Subsection I(2), no further proceedings shall be taken under this section in respect of the offence alleged in the notice of impending summons.
  - (2) Section 950-502D is amended as follows:

- (a) The text before the schedule in § 950-502D(2) is deleted and the following substituted (to correct the “clause sandwich” format):
  - (2) Despite Subsections C and D(1), any person, upon receipt of a notice of impending summons alleging the commission of the offence under this section 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 the following penalty:
    - (a) Within seven days from the date of receipt of the notice of impending summons, the penalty set out in the third column of the following schedule opposite the section containing the offence; or
    - (b) After seven days and before 15 days from the date of receipt of that notice of impending summons, the penalty set out in the fourth column of the following schedule opposite the section containing the offence.
- (b) By adding the following:
  - (2.1) Upon payment of a penalty under Subsection D(2), no further proceedings shall be taken under this section in respect of the offence alleged in the notice of impending summons.

7. Except as otherwise provided in this by-law, this by-law comes into force on the day of passage.

ENACTED AND PASSED this 6th day of December, A.D. 2001.

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)