

Authority: Planning and Transportation Committee Report No. 1, Clause No. 1,  
as adopted by City of Toronto Council on January 27, 28 and 29, 2004  
Enacted by Council: January 30, 2004

**CITY OF TORONTO**

**BY-LAW No. 130-2004**

**To amend Municipal Code Chapter 441, Fees, to establish charges for the administration of remedial work by Municipal Licensing and Standards Division staff.**

WHEREAS under section 391 of the *Municipal Act, 2001*, a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it; and

WHEREAS under the authority of section 427 of the *Municipal Act, 2001*, section 15.4 of the *Building Code Act, 1992* and other general or special Acts, or a regulation or by-law passed under the Act, the City may undertake remedial work in default of the work being done by the person directed or required to do it at the person's expense; and

WHEREAS under section 15.7 of the *Building Code Act, 1992*, emergency measures may be taken by the officer to terminate an immediate danger and the City may recover all, part or none of the related costs as determined by a judge at the confirmation hearing; and

WHEREAS administration of the performance of the remedial work, which includes the on site attendance of a by-law enforcement officer of the Municipal Licensing and Standards Division (which includes "officers" under section 15.7 of the *Building Code Act, 1992*), is a service or activity provided by the City of Toronto and part of the City's remedial work costs;

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

1. Chapter 441, Fees, of The City of Toronto Municipal Code is amended by adding the following section:

**§ 441-14. Remedial work administration services.**

- A. The charges set out in Subsection B are established for the administrative services (which include on site attendance) provided by staff of the City's Municipal Licensing and Standards Division in undertaking remedial work under the authority of any general or special Act, or a regulation or by-law passed under the Act.

- B. The charge set out in Column 2 of the following table shall be paid by the persons required to comply with the applicable by-law, regulation or Act, based on the contract costs for the remedial work set out in Column 1:

| <b>Column 1</b><br><b>Contract Costs</b><br><b>(Rounded to nearest dollar)</b> | <b>Column 2</b><br><b>Administration Charge</b> |
|--|---|
| Up to \$200  | \$35.00   |
| \$201 - \$500  | \$70.00   |
| \$501 - \$1,000  | \$100.00  |
| \$1,001 - \$2,000  | \$200.00  |
| \$2,001 - \$5,000  | 500.00  |
| \$5,001 - \$10,000   | \$1,000.00                                      |
| Over \$10,000  | \$2,000.00                                      |

- C. The charges established in Subsection B do not include taxes, and any applicable taxes shall be added to the charge.
- D. The charges established under this section shall be paid to the City by cash, money order, certified cheque, credit card or debit card on or before the payment due date as set out in the notice of payment from the City's Chief Financial Officer and Treasurer.
- E. The charge may be added to the tax roll for the property, all of the owners of which are responsible for paying the charge, to be collected in the same manner as municipal taxes, and, if applicable, may have priority lien status as described in section 1 of the *Municipal Act, 2001*.
2. This by-law comes into force on March 1, 2004.

ENACTED AND PASSED this 30th day of January, A.D. 2004.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)