

Authority: Community Services Committee Report No. 6, Clause No. 1,
adopted as amended, by City of Toronto Council on September 28, 29, 30 and
October 1, 2004
Enacted by Council: September 30, 2004

CITY OF TORONTO

BY-LAW No. 753-2004

To amend City of Toronto Municipal Code Chapter 441, Fees, respecting the collection of unpaid fees for Fire Services and Inspections.

WHEREAS the Council of the City of Toronto considers it appropriate to amend § 441-1, Fire services and inspections of Chapter 441, Fees, of The City of Toronto Municipal Code to allow for all unpaid fees or charges incurred at a condominium building or unit within that building to be added to the tax rolls of the condominium corporation or the condominium unit owner;

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

1. Subsection 441-1A is amended by deleting subsection (3) under the definition of “OWNER” and replacing it with the following:
 - “(3) (a) In the case of a condominium building, where the service for which a fee is imposed can be traced to a particular condominium unit, means the owner or tenant of that particular condominium unit;
 - (b) In the case of a condominium building, where the service for which a fee is imposed cannot be traced to a particular condominium unit, means the condominium corporation having control over the common elements of the building; and”
2. Subsection 441-1(J)(2) is deleted and replaced with the following:

“Despite Subsection J(1), and without restricting the generality of Subsections H and I, where the fee for services or charges or all or any of them remains unpaid, in whole or in part, by a condominium corporation, for a period in excess of 90 days, such fee or charges or all or any of them may be added to the tax roll of the condominium corporation and collected in a like manner as municipal taxes or, if the condominium corporation does not have a tax roll number then the fee or charges or all or any of them may be added to the tax roll of each of the condominium units of the condominium corporation in proportion to the ownership interest in the common elements associated with each unit and collected in a like manner as municipal taxes.”
3. Subsection 441-1(J)(3) is amended by adding the words “or Subsection J(2)” after the words “Subsection J(1)”.

4. The amendments above apply to all fees and charges outstanding as of the date of enactment of this by-law.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)