

Authority: Planning and Transportation Committee Report No. 4, Clause No. 4,
as adopted by City of Toronto Council on May 17, 18 and 19, 2005
Enacted by Council: May 19, 2005

CITY OF TORONTO

BY-LAW No. 374-2005

To amend City of Toronto Municipal Code Chapter 441, Fees, and Chapter 545, Licensing, respecting advertisements on taxicabs.

WHEREAS Section 150 of the *Municipal Act, 2001*, grants municipalities the authority to license, regulate and govern any business wholly or partly carried on within the municipality for purposes of health and safety, consumer protection and/or nuisance control; and

WHEREAS Toronto City Council has determined that regulation of the physical properties of advertising on taxicabs will enhance health and safety and protect consumers by ensuring that safety is considered in when displaying advertisements on or in taxicabs and ensuring that all required taxicab markings are visible;

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

1. Article VIII of Toronto Municipal Code Chapter 545, Licensing, is amended by deleting § 545-136D and replacing it with the following:

§ 545-136D

- (1) No owner of a taxicab shall display or permit the display of advertisements on or in his or her taxicab until an application for approval of that form of advertising has been granted approved by the Executive Director or his or her designate.
- (2) The Executive Director or his or her designate shall grant applications for approval of a form of advertising on a taxicab unless, in the opinion of the Executive Director or his or her designate, the advertisement or advertisements:
 - (a) are not safe for the driver, passengers and general public;
 - (b) are not or can not be safely attached to the vehicle;
 - (c) extend beyond the dimensions of the vehicle, with the exception of rooftop signs in accordance Subsection 545-136E(e); or
 - (d) any taxicab markings and identifications required by this Chapter are not visible.
- (3) If, in the opinion of the Executive Director or his or her designate, an application for approval of a form of advertising on a taxicab should not be granted on the basis of the criteria in Subsection 545-136D(2), the Municipal Licensing and Standards Division shall send notice of this fact to the applicant by pre-paid mail at the address as shown on the application form.

- (4) The notice sent pursuant to Subsection 545-136D(4) shall include:
- (a) A statement that the applicant may request that the matter be referred to the Planning and Transportation Committee for review and disposition by delivering a written request to the Municipal Licensing and Standards Division within 30 days of the notice sent pursuant to Subsection 545-136D(3); and
 - (b) A statement that if no request for a hearing is delivered by the applicant in accordance with Subsection 545-136D(4)(a), the application will not be granted.
- (5) Where the Municipal Licensing and Standards Division receives a request for a hearing in accordance with Subsection 545-136D(4)(a), the application for approval of a form of advertising on a taxicab shall be referred to the Planning and Transportation Committee forthwith.
2. Section 441-6 of Toronto Municipal Code Chapter 441, Fees, is amended by adding the following subsections:
- M.1 The fee for processing an application for approval of a form of advertising on a taxicab is \$500.00.
 - M.2 The fee for the appeal of an application for approval of a form of advertising on a taxicab is \$200.00.

ENACTED AND PASSED this 19th day of May, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)