



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

Interpretation of Section 110 of the *City of Toronto Act, 2006*, with respect to the Regulation of Billboard Signs

Date:	March 27, 2008
To:	Licensing and Standards Committee
From:	City Solicitor
Wards:	ALL
Reason for Confidential Information:	This report contains advice or communications that are subject to solicitor-client privilege.
Reference Number:	

SUMMARY

This report is to provide solicitor – client advice concerning the interpretation of Section 110(1) of the *City of Toronto Act, 2006* with respect to third-party advertising copy on first-party signs.

RECOMMENDATIONS

The City Solicitor recommends that:

1. Council direct that confidential attachment 1 remains confidential indefinitely as it contains advice that is subject to solicitor-client privilege.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

At its meeting on November 19 and 20, 2007, City Council considered recommendations from the Licensing and Standards Committee respecting billboards, Item No. LS8.5,

<http://www.toronto.ca/legdocs/mmis/2007/ls/bgrd/backgroundfile-7887.pdf> together with a confidential attachment to the supplementary report from the City Solicitor dated November 19, 2007. In addition City Council “referred the letter dated August 29, 2007 from Mr. Rami Tabello regarding the interpretation of the *City of Toronto Act, 2006*, section 110(1) with respect to advertising content to the City Solicitor with a request that she report to the Licensing and Standards Committee with an interpretation as it relates to third-party copy on first-party signs.”

ISSUE BACKGROUND

A letter dated August 27, 2007 from Mr. Tabello, on behalf of an organization called Illegalsigns.ca, raised certain concerns with respect to the manner in which section 110(1) of the *City of Toronto Act, 2006* might be interpreted by the City.

In particular, the issue is whether section 110(1) of the *City of Toronto Act, 2006*, is properly interpreted as preventing the City of Toronto from taking enforcement action against signs which display third party advertising rather than first party advertising contrary to permits issued by the City and contrary to the provisions of a previously enacted sign by-law where the City subsequently enacts a new advertising device by-law under the authority of the *City of Toronto Act, 2006*.

COMMENTS

Comments, consisting of solicitor – client advice, are contained within the Confidential Attachment.

CONTACT

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SIGNATURE

Anna Kinastowski
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Information with respect to Interpretation of Section 110 of the *City of Toronto Act, 2006*