

Authority: Government Management Committee Item 7.9, adopted as amended, by City of Toronto Council on September 21 and 22, 2011 and Section 169-26 of City of Toronto Municipal Code Chapter 169, Officials, City
Enacted by Council: December 1, 2011

CITY OF TORONTO

BY-LAW No. 1406-2011

To amend City of Toronto Municipal Code Chapter 910, Parking Machines, to introduce a fixed fine system for parking tickets.

WHEREAS the June 13, 2011 Staff Report considered by Council on September 21 and 22, 2011 referred to the fixed fine system provided in the *Highway Traffic Act* for speeding offences and recommended fixed fines for parking offences other than accessible parking offences; and

WHEREAS City Council, at its meeting of September 21 and 22, 2011 adopted as amended, the recommendations of the Government Management Committee that a Fixed Fine System for parking ticket offences, other than accessible parking offences, be implemented where a parking ticket proceeding results in a conviction after a defendant in court either pleads guilty or is found guilty; and

WHEREAS the amendment of City of Toronto Municipal Code Chapter 910, Parking Machines, to introduce fixed fines necessitates the relocation of a particular subsection within the Code Chapter and necessitates amendment to a section reference; and

WHEREAS the City Solicitor, in consultation with the City Clerk, may submit bills directly to Council to make technical amendments to the Municipal Code;

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

1. Chapter 910, Parking Machines, of The City of Toronto Municipal Code is amended as follows:
 - A. By inserting a new § 910-6.1 as follows:

"§ 910-6.1.

No person shall park a vehicle, other than a bus, in a bus parking space designated under Section 910-3 and set out in Schedule I at the end of this chapter."
 - B. By deleting the contents of § 910-10 and inserting in lieu thereof a new § 910-10 as follows:

"§ 910-10. Offences; responsibility of vehicle owner; fine.

 - A. Every person who contravenes any provision of this Chapter is guilty of an offence.

- B. Every owner of a vehicle that has been parked in contravention of Subsection 910-4A(1), Subsection 910-4A(2), Subsection 910-4C, Section 910-5, Section 910-5.1, Section 910-6 or Section 910-6.1 is guilty of an offence unless at the time of the offence the vehicle was in the possession of another person without the owner's consent.
- C. The penalty to be imposed on every person convicted of parking a vehicle in contravention of Subsection 910-4A(1), Subsection 910-4A(2), Subsection 910-4C, Section 910-5, Section 910-5.1, Section 910-6 or Section 910-6.1 and the penalty to be imposed on every person convicted as owner of a vehicle parked or stopped in contravention of Subsection 910-4A(1), Subsection 910-4A(2), Subsection 910-4C, Section 910-5, Section 910-5.1, Section 910-6 or Section 910-6.1 shall be a fixed fine in the amount of \$30.00.
- D. Despite Subsection C, the penalty to be imposed on every person convicted of parking a bus in contravention of Subsection 910-4A and the penalty to be imposed on every person convicted as owner of a bus parked in contravention of Subsection 910-4A shall be a fixed fine in the amount of \$300.00.
- E. Every person convicted of an offence under this Chapter for which a fixed fine is not established by Subsection C or Subsection D is liable to a fine as provided for in the *Provincial Offences Act*."
2. This by-law shall come into effect 30 days after approval of the first set fine order subsequent to the enactment of this by-law.

ENACTED AND PASSED this 1st day of December, A.D. 2011.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)