

CONFIDENTIAL – made public by City Council on June 8, 2010

**APPENDIX A TO CONFIDENTIAL ATTACHMENT 1
Current Parking Ticket Cancellation Guidelines**

CITY OF TORONTO

Revised MARCH 12, 2009

**PARKING TAG OPERATIONS
FIRST APPEARANCE FACILITY GUIDELINES**

Introduction

This document contains information to be used as a guideline by Customer Service staff when responding to enquiries from members of the public. It is important that staff refer to these guidelines to ensure consistency in service delivery.

Legislative changes made in 1993 and 1994, contained in Bills 25, 47, and 175, amended the Provincial Offences Act to allow the Municipality to determine which cases should be filed with the court. The Municipality has up to 75 days to make this decision. It is our responsibility to review all cases presented prior to obtaining a conviction or relying on a court to determine the appropriate outcome of a ticket dispute.

When using these guidelines, please consider the circumstances and/or explanation provided by the customer and any documentation presented. A review of the plate history should be conducted on the system.

It is important to provide accurate and relevant information, explain all parking regulations and to educate the public when they wish to dispute a parking infraction notice. This includes explaining signage, new or changes to by-laws, enforcement practices etc.

Working closely with the Parking Enforcement Unit, Quality Control Section, staff should bring to their supervisor's attention, tickets and/or circumstances that identify officer errors. Supervisors are then better able to discuss these issues with the Quality Control Section to resolve problems.

Where the PTMS system reflects a pattern of parking infractions of a similar or habitual nature, and where a reasonable explanation cannot be presented, it is necessary to refer cases to the court. Where sufficient explanation and/or documentation are presented and it is reasonable to assume the circumstances outlined are likely to have occurred, staff is expected to give the recipient the benefit of any doubt. Where no prior tag history is evident, staff is encouraged to withdraw the ticket.

Staff are expected to use these guidelines in conjunction with sound judgement and problem solving skills when reviewing parking tickets with the public.

Do not involve yourself in a situation where a conflict of interest would compromise your position of authority (please refer to the City of Toronto web-site for Conflict of Interest Policy). Staff is reminded that in order to maintain the highest possible integrity in the system, any possible conflict of interest situations should be brought to their Supervisor's attention immediately.

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1.0 DISABLED PARKING PERMITS - VPD**WITHDRAW****(Withdraw as 'VPD' not 'DOC')**

<i>Offence</i>	5	Park signed highway during prohibited times/days (excluding rush hours)
	1	Expired Meter
	210	Park fail to display receipt in windshield
	2	Three Hour Parking
	29	Park (prohibited area/location) without a permit
	6	Park signed highway in excess of permitted time
	8	No Standing EDU/MD can be given if plate check shows
	9	No Stopping good plate history (check with Supervisor if unsure)

APPROVAL FROM AN FAF SUPERVISOR OR THE MANAGER MUST BE OBTAINED WHEN REQUESTING CANCELLATION OF TICKETS ISSUED FOR OFFENCE # 10 PARK VEHICLE IN DESIGNATED DISABLED PARKING SPACE.

1. Check to make sure name and address on permit matches registration on plate. Check with supervisor if there are a large number of withdrawals, or concerns about the validity of the permit.
2. Check that the permit has a valid date.
3. Original permit must be displayed (check for No Visible Permit-NVP code on tag).
4. Ensure that officer has not marked the NO PERMIT DISPLAYED box on the ticket.

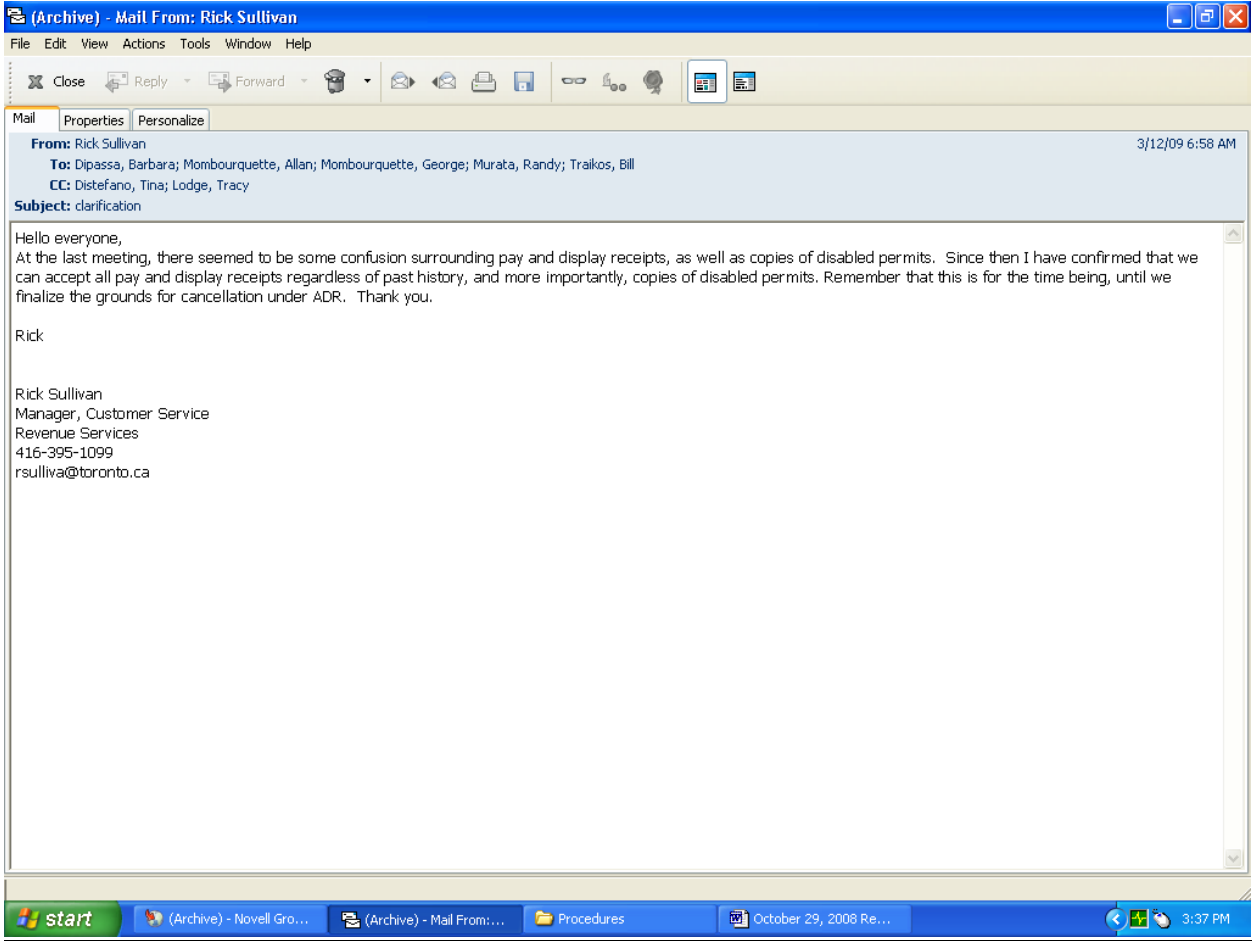
Mark permit number, expiry date, and name of permit holder on STOP PROCESS screen.

PLEASE REFER TO THE TORONTO POLICE – PARKING ENFORCEMENT INFORMATION SHEET ENTITLED “PARKING EXEMPTIONS AND PERMIT HOLDER RESPONSIBILITIES” FOR A DETAILED LIST OF NON - EXEMPTIONS.

Consideration may be given on a ticket issued for one of the above noted infractions if the recipient has not had a previous infraction or cancellation of this type and minimal tag activity exists on the vehicle plate. The counter clerk should use this opportunity to educate the customer on the proper use of the permit and distribute a copy of the permit guidelines.

Persons with disability permits are permitted to fax in copies of their tags provided PTO has a copy of the disability permit on file and the owner of the permit resides at the same address as the registered owner of the vehicle plate.

Forward a copy of all disability permits for central filing by last name; note all licence plates associated with disability permits.



2.0 ON-STREET PERMIT PARKING - VPP

1. Check to make sure the plate number on the Parking Infraction Notice (PIN) matches plate number on permit.
2. Check the City of Toronto permit system to ensure permit is valid.
3. Ensure area indicated on permit is for location indicated on ticket. I.e. 1B
4. Ensure the officer has not indicated the NO PERMIT DISPLAYED box on the ticket.

Permits are not transferable! However, there may be circumstances where this is acceptable, for example, permit car in for repairs and owner has a rental car occupying the paid space. Request a copy of rental agreement and the garage repair bill for documentation.

NOTE: Area 5E is transferable

WITHDRAW

Offence # 1 - Park at expired meter (check if location is licenced in permit book),
 2 - Park longer than 3 hours,
 6 - Park in excess of permitted time, or
 29 - Park without a permit; and
 9 - Stop vehicle during prohibited times (**Residents of street with VDP only**)
 (Mutual, Maitland, Wood and Alexander streets only).

Mark Permit Number, area, expiry date, and plate number on the STOP PROCESS screen.

Streets must allow for offences 1 (Park at expired meter), 2 (Park longer than 3 hours) and 6 (Park in excess of permitted time) to be withdrawn.

Plate owners are allowed to fax in copies of their tags if they have a street permit or a disabled permit.

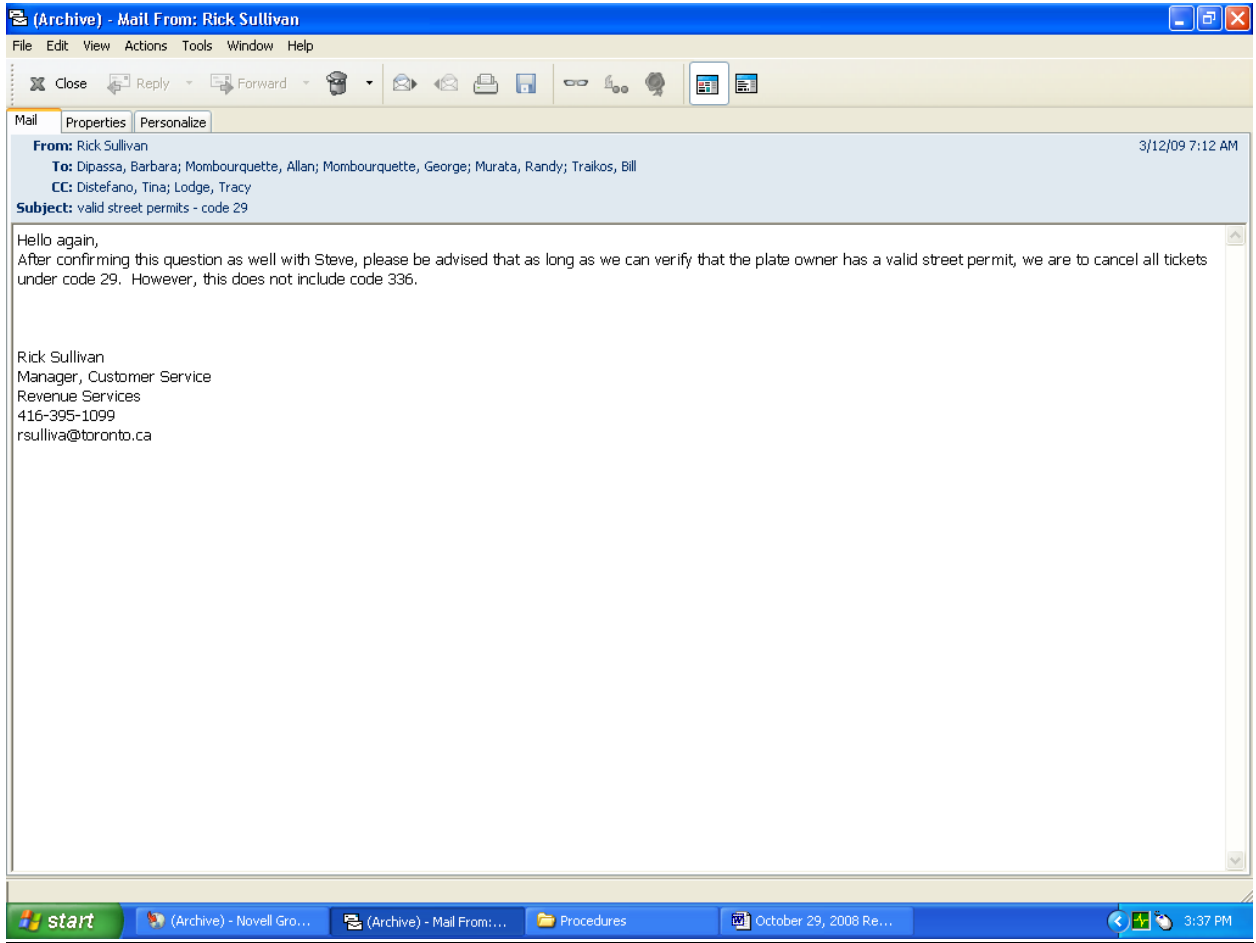
If the officer has written NVP (No Visible Permit) on the PIN, do not withdraw.

GPR cancellation

- late mailings (up to 2 weeks) – check plate history
- new resident (up to 5 business days)
- removal of 'old permit' too early (1 week)
- 1st/16th switchover times (9pm – 9am)
- letter – wrong permit issued

5 RSDs – any reasonable explanation

All cancellations MUST have a FULL explanation regarding reason ticket was withdrawn.



3.0 TEMPORARY PARKING PERMITS- VPT

These permits are transferable.

There is no plate number noted on the temporary permit.

Permit must be visibly displayed through the windshield to be valid. Ensure that the officer has not indicated the “no permit displayed box” on the ticket.

Check date of purchase and expiry date.

Original permit must be presented at counter as access to temporary permits on database unavailable.

Telephone numbers for permit parking information (former cities):

Toronto	392-7873
York	394-2646
Etobicoke	394-8410
East York	397-4480
Scarborough	396-7111

GPR – To get Temporary Permit – 2 business days

DOC – if vehicle in for repair/rental being used

5 RSDs – any reasonable explanation

ALL withdrawals MUST have a COMPLETE explanation in comment section

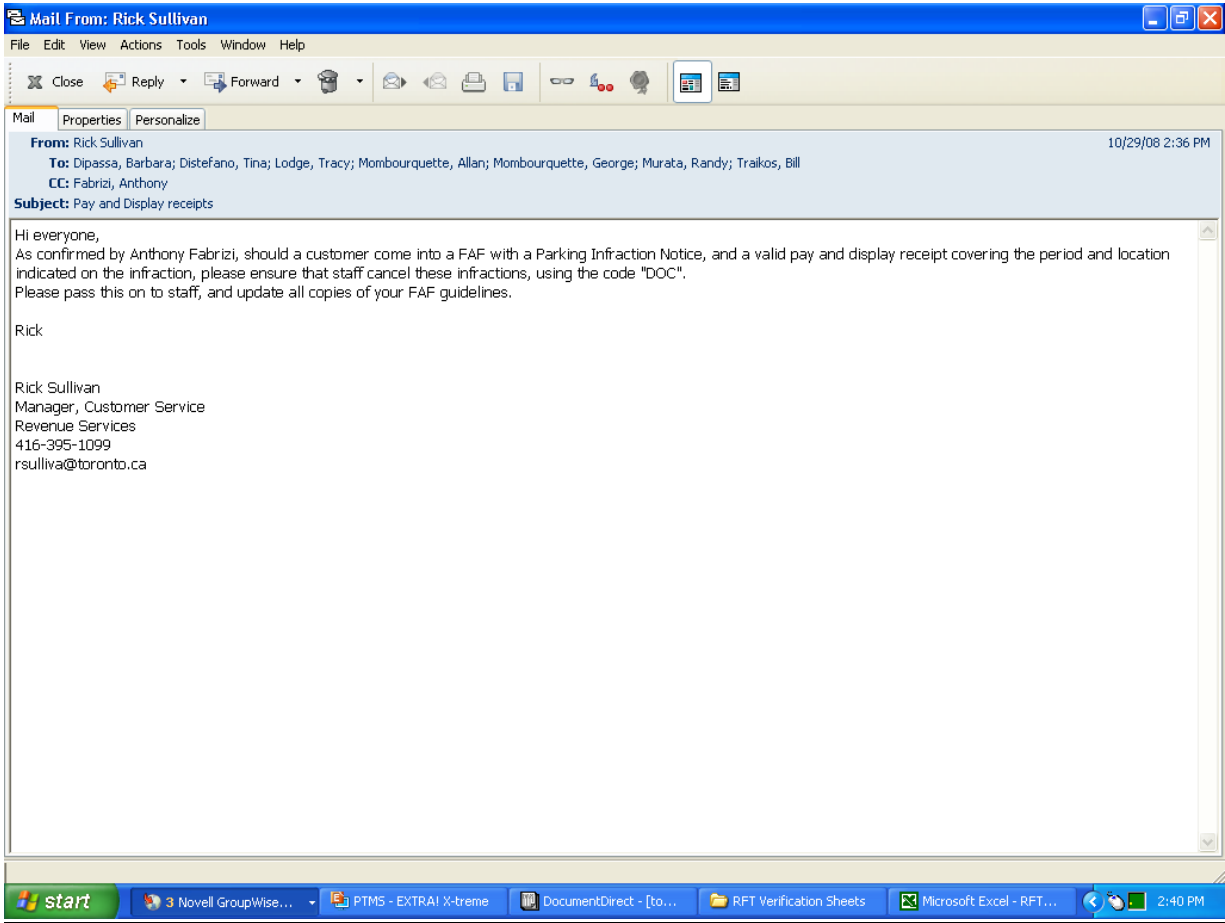
4.0 CHANGE-OVER DATES - GPR

(Applies to regular and temporary permits)

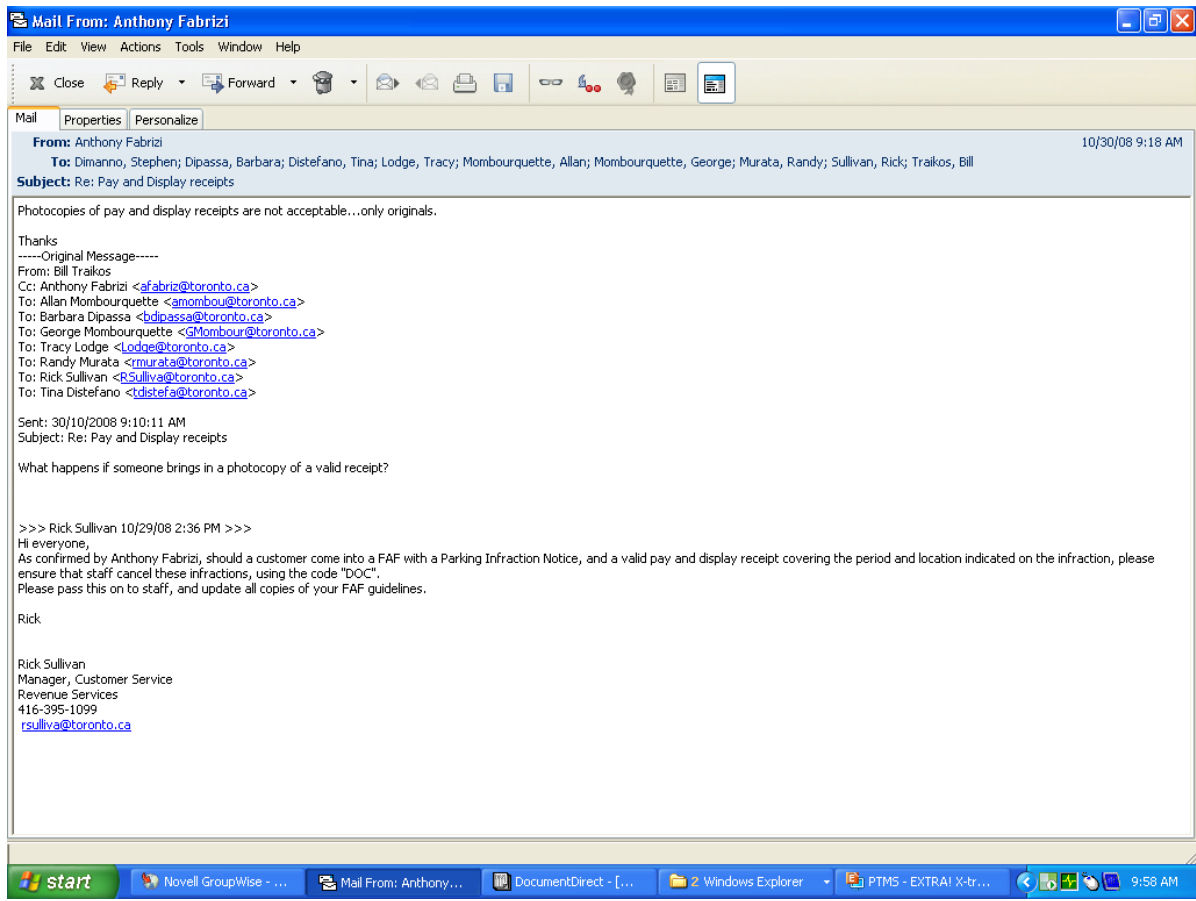
Normal grace period is from 9:00pm the previous evening and extends to 9:00am of next morning. Give consideration for either side of the street during this 12-hour period. However, use judgement in this regard.

For example, if tag issued is prior to noon and prior infraction history is minimal, then consideration to withdraw should be made after an explanation of the guidelines is given.

5.0 Pay & Display Receipt Policy



5.0 Pay & Display Receipt Policy (Continued)



6.0 OBVIOUS ERROR – OER, INC, ILT

WITHDRAW:

- Officer has failed to complete tag (no infraction, missing date, missing signature, service-affected box not marked, etc.)
- "Ontario Plate Renewal Month" must be completed unless officer states it was not visible (or unless not an Ontario vehicle).
- Make and model is **optional**.
- Infraction particulars are not clearly readable.

NOTE: Officer's name is not required at the top, however, the officer would be required to appear in court if the tag is disputed.

NOTE: Where the handwriting of the issuing officer's signature is such that the name cannot be interpreted, lack of clarity is not sufficient grounds to cancel if all other particulars of the infraction are clearly readable.

VAL – CANNOT be BLANK – MUST have a date OR 'N/A'
 (Trailers DO NOT have VAL stickers)

VMM – check other tags/plate – ‘ONE TIME ONLY’

- has more than 2 VMMs – Do Not Withdraw
- blank is OK

7.0 VEHICLES ON DELIVERY - DEL

Drivers on delivery are required to park legally at all times. It is recommended that an “On Delivery” sign be clearly displayed on the dashboard of the vehicle when parking in prohibited areas (officers are educated to use discretion when a sign is displayed). All deliveries should be made in the least amount of time possible.

WITHDRAW (Cancellation MUST have Company Name indicated in explanation)

For a tag to be eligible for withdrawal, the following must be produced with the tag:

1. Letter, preferably typed, on letterhead from the company’s head office noting the PIN number and the fact the vehicle was engaged in making a delivery at the time infraction issued. A senior official (manager) of the firm must sign the correspondence. Photocopies of signatures are not acceptable; AND
2. Original waybill matching the location, date and time on the PIN; AND
3. The infraction is for prohibited parking area (excluding rush hour) and public laneway (not obstructed).
4. The signature on the letter matches the authorized signature we have on file.

DO NOT WITHDRAW

- Infractions for vehicles that are waiting for pick up outside the address of the company. Companies/drivers are responsible for their own parking requirements at/or within the vicinity of their place of employment.
- Any tags that impede vehicular/pedestrian or emergency vehicles. (This includes Stop/Stand, Fire Routes, etc.)
- Tags issued for parking longer than permitted time.

Effective July 1st, 2001, parking considerations will no longer be granted to vehicles on delivery that are parked on main arterial roads in the downtown core between the hours of 7:00am to 7:00pm.

The prohibited roads involved are:

North-South:

- | | |
|---|-------------------------------|
| • Dufferin (including the jog via Peel & Gladstone) | • Jarvis (Bloor to Front) |
| • Bay (Bloor to Queens Quay) | • Bathurst (Bloor to Front) |
| • Ossington from Bloor to Queen | • Sherbourne (Bloor to Front) |
| • Yonge (Eglinton to Queens Quay) | • University (Bloor to Front) |
| • Shaw from Queen to Douro | • Parliament (Bloor to Front) |

East-West:

- Harbord from Ossington to Queen's Park Circle
- Wellesley from Queen's Park Circle to Parliament
- Bloor (from Dufferin to Parliament)
- College (Bathurst to Yonge)
- Dundas (Bathurst to Parliament)
- Richmond and Adelaide from Spadina to Yonge Street
- Queen (Bathurst to Parliament)
- King (Bathurst to Parliament)

8.0 FAST FOOD DELIVERIES – DEL (Same as 'Delivery' above)

- Delivery Slip (stating address, time of delivery and date). Address, time and date must match ticket information.
- Letter on company (or franchise operator) letterhead signed by a manager/supervisor of that company that the vehicle in question was engaged in a delivery.
- If registered owner of the vehicle plate is also the owner of company, a signed letter must be provided from business receiving delivery confirming date and time of delivery

If owner making delivery, same as above.

NOTE: There is no legal exemption for delivery vehicles under any by-law.

9.0 OFFICIAL VEHICLES- OVH, GVB

(Includes Ambulances, Police/Fire/City or Municipal vehicles)

Parking tags may be withdrawn by the First Appearance Facilities provided the Head or Deputy of the Department, Agency, Board or Commission, Managers or Supervisors certifies, in writing, that the vehicle was engaged in business as per the Uniform Traffic By-law, Section 50, subsection A and B, and Municipal Code #400-4.

- Copies of the tags withdrawn for all Police vehicles are to be sent to Superintendent Gary Ellis, Parking Enforcement Unit 1500 Don Mills Rd e.g. RCMP, OPP, Toronto Police, GO Police, CN Police, etc. – Cathy Garbutt
- **Councillors' vehicles** - requests for withdrawal for tags issued to Councillors on City business must be processed through the Council Support Office in City Clerk's. The nature of the City business must be stated.
- City of Toronto employees must park legally unless compliance to parking regulations would be impracticable. The vehicle must actually be engaged in works undertaken for or on behalf of the City. Tickets will NOT be withdrawn at employee's work locations, near Civic Centres, or when attending meetings.

NB. – MUST have Pay & Display receipts

Codes #8 – No Standing

#9 – No Stopping **CAN be withdrawn (NOT near work)**

10.0 NURSING AGENCIES/COMPASSIONATE SERVICE AGENCIES - DOC

There is no legal exemption for this, however:

Consider the withdrawal of parking tags for offence numbers

- 1 - Park at expired meter,
- 2 - Park longer than 3 hours,
- 5 - Park during prohibited times (excluding rush hour),
- 6 - Park in excess of permitted time; and
- 29 - Park no permit (if time/situation of infraction is reasonable) time, date, infraction and location of the duties should be specified.
- 207 – WITH receipt/recently expired
- 210 – WITH valid receipt

- The parking tag is to be accompanied by a letter from an official on letterhead explaining the vehicle was being operated by a staff member while performing duties for the organization.
- The letter must have an original signature and must include the title and telephone number of the authorized writer (Nurse Manager, etc.).
- Check owner's home and company's address against address of infraction.
- NOT for hospital visits.

11.0 UTILITY VEHICLES

(Includes Canada Post, Bell Canada, Cable Cos., Public Utilities, Communication Co.'s, Entourage)

Consider the withdrawal of parking tags for offence numbers

- 1 - Park at expired meter
- 2 - Park longer than 3 hours,
- 5 - Park during prohibited times (excluding rush hour), and
- 6 - Park in excess of permitted time (see Appendix "A" for infraction text).
- 207 – Park fail to deposit fee in machine – recently expired
- 210 – Park fail to display receipt in windshield – valid receipt

- The parking tag is to be accompanied by a typed letter on letterhead signed by an official of the company. The letter should confirm that at the time the ticket was issued, the vehicle was being operated by a staff member while performing duties for the company, legal parking was not available, and the situation was of an emergency nature. These vehicles are not exempt under the by-law.
- Presentation of a work order must accompany the request for withdrawal.

If a valid emergency existed at the time of the infraction, e.g. Consumer's Gas leak, supported by a copy of the work order, the ticket can be withdrawn for no stopping or not standing offences.

Official vehicles/Canada Post/Bell Canada, etc. are required to park legally whenever possible. Tags are withdrawn only when this is not possible and the above guidelines are met.

12.0 SECURITY COMPANIES – ALARM RESPONSE – ARMoured CARS - DOC

Certain security companies respond to alarms at their client's sites. Due to the time requirements for response it is not always possible to park legally. While there is no legal exemption for this, consider the withdrawal of parking tags for the following offences:

- 1 - Park at expired meter,
- 2 - Park longer than 3 hours,
- 5 - Park during prohibited times (excluding rush hour)
- 6 - Park in excess of permitted times, and
- 29 - Park no permit.
- 207 - Park fail to deposit fee in machine
- 210 - Park fail to display receipt in windshield

The parking tag is to be accompanied by a letter from an official in the Security Company on official letterhead explaining that the vehicle was being operated by a security officer while in response to an alarm. The date, time and location of the alarm should be stated and be supported by the alarm response sheet.

13.0 TAXICABS/LIMOS FOR HIRE - TXI

- Metro Toronto By-law 32-92 and City of Toronto Municipal Code Chapter 400, paragraph 43(a)(i) prohibits parking a taxicab for hire in a location, which is not an authorized taxi stand.
- If a cab is parked with the lights off, driver is not with car, and is not available for hire, and then it is subject to the same regulations as all other motor vehicles.
- A taxicab may pick up and discharge passengers in "No Stopping" and "No Standing" zones.

WITHDRAW

- Prohibited parking offences (excluding rush hour) if tag accompanied by a letter, on letterhead from the Dispatcher, indicating pick up location (time & date) and drop off location (time & date) and a taxi licence is in the possession of the owner or driver. Also, check ownership to verify that plate is issued to a "taxi". If required information does not appear on the ownership, phone 392-4125 (Metro Licensing) in order to verify cab registration
- If the driver of the taxi is making a delivery, a letter from the taxi company and a waybill must accompany the request for withdrawal.

DO NOT WITHDRAW

- Stopping/Standing offences. Although a taxi-cab may pick up and discharge passengers in these zones, an officer would be aware of these regulations but did not observe the driver picking up or discharging.
- Any offence that impedes pedestrian or vehicular traffic.
- Any offence that impedes emergency vehicles.

NOTE: Taxis frequently park wherever it is convenient. On "Stop/Stand" offences, the good judgement of all factors should be considered.

14.0 TOUR BUSES - DOC

Tour buses may pick up and discharge passengers. However, they may not park in contravention of the by-laws.

Bus drivers should be aware of facilities available for their use.

Consider the withdrawal of parking tags for offence numbers

- 1 - Park at expired meter
- 2 - Park longer than 3 hours,
- 5 - Parking during prohibited times (excluding rush hour), and
- 6 - Park in excess of permitted time.

- The parking tag is to be accompanied by a typed letter from a management official on letterhead explaining that the vehicle was being operated by a staff member while performing duties for the company and that no other parking was available.
- Attempt to determine if legal parking is available in the vicinity.

15.0 REASONABLE DOUBT - COURTESY CONSIDERATION – EDU, RSD

When an explanation is received and the Municipality wishes to give consideration for medical reasons, age, unusual circumstances, ignorance of by-law etc. the plate owners record should be examined and the decision based on available information.

This should be used particularly when dealing with individuals residing more than 100 kilometres from Toronto.

Our responsibility is to provide information to the public and to ensure that matters going to trial are of a significant nature.

Comment field in 'Stop Process' MUST be completed properly – put in a completely explanation for cancellation of ticket. This allows more informed decisions on future tags submitted for investigation.

If there has already been a consideration given and staff feel the consideration is warranted/justified, the staff must consult with and obtain authorization from a supervisor prior to granting the courtesy.

See Supervisor if there are outstanding fines at MTO.

16.0 RELIGIOUS OBSERVANCE GRACE PERIODS - REX

Parking consideration is given to religious groups by Toronto Police to afford members of congregations to attend worship. This consideration is granted for worship services only.

Exemptions are granted for parking in prohibited areas or at meters

- 1 - Park at expired meter
- 5 - Park signed highway during prohibited (times/days) (excluding rush hour)
- 6 - Park signed highway in excess of permitted time

The religious group must provide a letter from the Minister/Pastor/Holy Man or a copy of the bulletin.

Let customer know their Minister/Pastor/Holy Man can obtain consideration to park during regular worship services by calling 416 808 6500 and obtaining a 'Consideration to Park'.

17.0 PARKING CONSIDERATIONS/GRACE PERIODS - GPR

Toronto Police give consideration under a variety of circumstances upon request of individuals and groups. Consideration numbers allow the withdrawal of infractions involving prohibited parking areas, expired meters, three-hour limit or parking in excess of permitted time. These requests can be handled by phone, fax or mail.

Verify consideration number/area/dates permitted to park.

Plates to be registered to company.

Sub-contractors/personal vehicles must obtain their own consideration number.

18.0 DIPLOMATIC IMMUNITY

DO NOT WITHDRAW - Refer the person to the Office of Protocol as outlined below. (Anne Marie Balzano)

WITHDRAW

- Tags sent directly to us by the Chief of Protocol office that are stamped as recommended for cancellation.
- Refer anyone submitting tags for cancellation to the Ministry of Economic Development/Trade and Tourism, 900 Bay Street, 10th Floor, Hearst Block, Toronto ON, M7A 2E1. This office will review tags and submit any to us that they recommend for cancellation.

19.0 PROCESSING ERRORS - PER

WITHDRAW

- Notices of Impending Conviction (NICs) if keying errors of plate are found.
- NICs if validation month does not match.
- NICs if ownership does not match make of car in any way, i.e. Chevrolet vs. Honda.
- NICs if issued more than 35 days from infraction date.

NOTE: Do not withdraw for those presenting the yellow tag without an investigation.

20.0 CONTINUING INFRACTION - TPI**WITHDRAW**

If more than one tag was issued within 3 hours and the following details exist.

- Same offence (do not withdraw if vehicle towed).
- Same location.
- Same plate number.

The first tag must be paid to allow for this type of cancellation.

21.0 OUT-OF-PROVINCE LICENCE PLATES/TRIP PERMITS

Until legislation is amended, we are unable to obtain a conviction against vehicle owner registered outside of Ontario.

Requests for Trial (RFTs) - ownership information cannot be obtained in time to process Request for Trial.

This condition may change in the future for certain provinces/states.

Accept payments if offered. The IVR system will accept payment on out-of-province tickets.

22.0 PHONE, FAX (392-4436), MAIL

PTO sites will be able to deal with several types of situations via phone, phone with mail follow-up or phone with investigative follow-up.

1. Obvious error (when the image on our system is available for viewing).
2. On-street parking permits (under certain circumstances).
3. Disabled person's parking permit. (under certain circumstances).
4. Stolen vehicle.

Obvious Error (Phone) – OER, INC, DTE, TME, VMM, VUM

Display Certificate of Parking Infraction (CPI) on screen.

If the CPI image is not available, phone customer back when it comes on the system or they may wish to attend a First Appearance Facility (FAF) with the ticket.

If an error is visible on the CPI, print the image, circle the error, and place in stop process tray.

Indicate on the print the cancellation code that describes the error.

If an error is not visible advise caller of their options.

On-Street Parking Permit or Disabled Permit – VPP, VPD, EDU

Check the City of Toronto, Permit system to determine if a permit has been issued. Ensure that the expiry date of the permit is valid and the vehicle was parked in the proper permit area.

Check the CPI to determine if the no permit displayed box was checked by the issuing officer. If the no permit displayed box was indicated, check the plate history and if clear, submit the request for a one-time cancellation.

If a courtesy has already been granted on the system, advise the customer they must attend one of our First Appearance Offices to dispute the ticket.

Defective Meter - DFM

Educate client that the Toronto Municipal Code states a meter must be set into operation in order to legally park at that location.

First time - RSD/EDU – CHECK PLATE - MAKE AWARE (MD IF RSD/EDU USED)

Second time - DFM - COMPLETE SUPERVISORY REVIEW & DO METER CHECK TO VERIFY

Third time - DFM - WITH PROOF (WRONG DATE/BLANK RECEIPT) – DO METER CHECK

Submit screen print for cancellation.

Issue IC (cancellation) letter if requested by the customer.

Stolen Vehicles/Plates - SVH

Ask for phone number of person (have customer complete 'Supervisory Review Form').

Ask in which municipality was the theft reported.

Stolen when? (If available)

Recovered when? (If available)

Print CPIs of all tags issued during that period.

Print screen prints of all tags issued during period of theft.

If stolen report is verified by police - cancel tags - send IC letter.

If stolen report is not verified send IR letter.

If withdrawing, enter occurrence number, date reported, date recovered on STOP PROCESS screen.

23.0 ADMINISTRATION FEES – SCREEN PRINTS, PHOTOCOPIES

Always keep payments for administrative fees separate from parking tag payments.

Staff are reminded that the following administrative fees are charged to customers:

Screen Prints	\$1.00 per page
Photocopies	\$1.00 per page
NSF Cheques	\$35.00 per transaction
IVR Payments	\$1.00 per transaction

Please be advised that at no time should staff provide screen prints or photocopies to members of the public free of charge.

Furthermore, screen prints and photocopies are to be provided to customer in person only. DO NOT mail, fax or email screen prints or photocopies, as the identity of the person requesting this confidential information cannot be determined.