

**ATTACHMENT 1 Amendments to Chapter 150, Municipal Law Enforcement Officers**

**TORONTO MUNICIPAL CODE**

**Chapter 150**

**MUNICIPAL LAW ENFORCEMENT OFFICERS**

**§ 150-13. Removal and impoundment of vehicles by Parking Authority, private agencies or Toronto Transit Commission.**

- A. A municipal law enforcement officer as defined in Article II (Parking Authority), Article III (private agencies) or Article IV (TTC) shall not cause the removal, towing and impounding of a vehicle from municipal property or private property unless:
- (1) The vehicle is parked, stopped, standing or left in contravention of a municipal by-law;
  - (2) The municipal property or private property that the vehicle is parked or left on has been approved by the Chief of Police in accordance with § 150-13.1;
  - (3) A parking infraction notice is issued and served at the time of the alleged parking infraction in accordance with Part II of the *Provincial Offences Act*;
  - (4) A waiting period of 30 minutes has expired; and
  - (5) A Toronto Police Service tow card is issued in respect of the vehicle at the time of the removal.
- B. Subsections A(3) and A(4) shall not apply in the case of a vehicle that does not bear a licence plate if the municipal law enforcement officer has obtained prior authorization to tow that vehicle from the Toronto Police Services Parking Enforcement Unit.

**§ 150-13.1. Approval of properties by the Chief.**

- A. On application for the approval of a property for the purposes of § 150-13A(2), the applicant shall complete the prescribed forms and shall furnish to the Toronto Police Service such information as the Chief may direct, together with all applicable fees.
- B. The Chief shall, upon receipt of a complete application for approval, make such investigations as necessary and approve the property if he or she is satisfied that:
- (1) The boundaries of the property are clearly defined;
  - (2) Signs are posted on the property in locations, with dimensions, and with contents satisfactory to the Chief;

- (3) There are no signs on the property that refer to the ticketing or towing of vehicles except those approved by the Chief;
  - (4) Any reference to a municipal by-law on a sign posted on the property is a reference to a by-law currently in force;
  - (5) In the case of a municipal law enforcement officer as defined in Article III (private agencies), if the property is a residential property with visitor parking for which a permit is required, the Chief is satisfied that a permit may be obtained within a thirty-minute period and clear signs have been posted on the property advising visitors how to obtain a permit;
  - (6) Only private roadways designated as fire routes by municipal by-law are signed as fire routes;
  - (7) The operator of the property, if it is used as a commercial parking lot, holds a valid licence to do so from the Municipal Licensing and Standards Division;
  - (8) The property complies with all applicable laws, including zoning by-laws;
  - (7) The Toronto Police Service has current information on file as to the licensed tow operator contracted to provide services to the property and the public garage where vehicles removed from the property will be stored;
  - (8) The owner of any vehicle removed from the property will have twenty-four-hour access to information as to the location where the removed vehicle is stored; and
  - (9) The owner of any vehicle removed from the property may request a Toronto Police Service review of actions taken to remove the vehicle from the property.
- C. The Chief may revoke or suspend his or her approval of a property under this section at any time if the property is found not to comply with the requirements of Subsection B.
- D. In the event that the Chief revokes his or her approval of a property under this section, all signs posted on the property that refer to the tagging or towing of vehicles shall be immediately removed by the owner or operator of the property.

**§ 150-13.2. Issuance of certificates of parking infraction and parking infraction notices.**

A municipal law enforcement officer as defined in Article III (private agencies) shall not issue certificates of parking infraction or parking infraction notices at a property unless it meets the criteria set out in § 150-13.1B(1) to § 150-13.1B(7).