

City Council

Motion without Notice

MM30.27	ACTION			Ward: All
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Administrative Penalty Administration During Possible Postal Strike - by Councillor Dianne Saxe, seconded by Councillor Stephen Holyday

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Dianne Saxe, seconded by Councillor Stephen Holyday recommends that:

1. City Council amend sections 610-2.2A(2)(b) and (c) of Toronto Municipal Code chapter 610, Penalties-Administration of, to delete reference to “30 calendar days” and insert in lieu thereof reference to “60 calendar days”.
2. City Council amend sections 610-2.3A(2)(b) and (c) of Toronto Municipal Code chapter 610, Penalties-Administration of, to delete reference to “30 calendar days” and insert in lieu thereof reference to “60 calendar days”.
3. City Council amend section 610-1.2B of Toronto Municipal Code chapter 610, Penalties-Administration of, by inserting a new subsection (3) to read: “(3) Despite anything in this chapter to the contrary, where the City Solicitor and/or Chair have extended time periods in accordance with subsection 610-1.2C(3) or subsection 610-6.7J, respectively, the extended time periods shall be posted on the City’s website and the extended time periods shall govern.”
4. City Council amend section 610-1.2C of Toronto Municipal Code chapter 610, Penalties-Administration of, by inserting a new subsection (3) to read: “(3) The City Solicitor may make a decision to extend time periods within this chapter where the City Solicitor determines extraordinary circumstances exist, including, but not limited to, labour disputes including the disruption of postal services.”
5. City Council amend section 610-6.7 of Toronto Municipal Code chapter 610, Penalties-Administration of, by inserting a new subsection J to read: “J. Make a decision to extend time periods within this chapter associated with the tribunal, including hearing reviews, where the Chair determines extraordinary circumstances exist, including, but not limited to, labour disputes including the disruption of postal services.”
6. City Council amend subsection 610-3.1A(1)(c) of Toronto Municipal Code chapter 610, Penalties-Administration of, by deleting the phrase “at a screening office” and inserting in lieu thereof the phrase “to the screening office”.

7. City Council authorize the City Solicitor to introduce the necessary bills to give effect to City Council's decision, including the necessary bills to amend City of Toronto Municipal Code Chapter 610, Penalties, Administration of, and City Council authorize the City Solicitor to make any necessary clarifications, refinements, minor modifications, technical amendments, or by-law amendments as may be identified by the City Solicitor or General Manager, Transportation Services, in order to give effect to City Council's decision.

Summary

On February 6, 2024, City Council adopted 2024.IE10.1: Administrative Penalty System for Red Light Camera and Automated Speed Enforcement Violations, approving the governance and administrative requirements to establish an Administrative Penalty System for Red Light Camera and Automated Speed Enforcement Violations that included an expanded mandate for the Administrative Penalty Tribunal. The program as outlined in the report was to become effective on November 1, 2024. The link to the staff report and Council's decisions are available at: <https://secure.toronto.ca/council/agenda-item.do?item=2024.IE10.1>

On October 9 and 10, 2024, City Council adopted 2024.IE16.3: Administrative Penalty System for Red Light Camera and Automated Speed Enforcement Violations – Revised Implementation Date, revising the implementation date of the replacement City of Toronto Municipal Code Chapter 610 to December 9, 2024, and authorizing the inclusion of an additional transition provision. The link to the staff report and Council's decision are available at: <https://secure.toronto.ca/council/agenda-item.do?item=2024.IE16.3>

On November 13 and 14, 2024, City Council adopted 2024.MM23.29: Re-Opening and Amending Items 2124.IE10.1 and 2024.IE16.3 – Administrative Penalty System for Red Light Camera and Automated Speed Enforcement Violations, revising the implementation date of the replacement City of Toronto Municipal Code Chapter 610 to January 20, 2025. The link to the motion and Council's decision are available at: <https://secure.toronto.ca/council/agenda-item.do?item=2024.MM23.29>

The new City of Toronto Municipal Code Chapter 610, Penalties, Administration of, took effect on January 20, 2025.

It has been a number of months since the implementation of the new Chapter 610 and the expanded administrative penalties regime has been in operation. In order to approve operational efficiencies, Court Services has requested that the timelines for requesting screening and hearing reviews for designated by-law offences and for designated statute offences be aligned. Further, Court Services has also requested that amendments be made to Chapter 610 in order to create flexibility in extenuating circumstances, such as in the event of a potential postal strike.

This Motion is urgent because of the potential of an impending postal strike and, as such, action is required at this meeting of City Council.

Background Information (City Council)

Member Motion 30.27