

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

Chapter 442

FEES AND CHARGES, ADMINISTRATION OF

§ 442-1. Definitions.

§ 442-2. Fire services and inspections.

§ 442-3. Copies of documents and services of City Clerk.

§ 442-4. Birth registrations.

§ 442-5. Services in respect of liquor licence applications.

§ 442-6. Services by Municipal Licensing and Standards Division.

§ 442-7. Parking tag operations services; interactive voice response system payment and Internet-based parking ticket payment module.

§ 442-8. Sign permit fees.

§ 442-9. Planning application fees.

§ 442-10. Taxation documents and services.

§ 442-11. Remedial work administration services.

§ 442-12. Waste management fees.

§ 442-13. Transfer station fees.

§ 442-13.1. Financial procedures for waste disposal and transfer station customers.

§ 442-13.2. Use of transfer station weigh scales for weight information.

§ 442-13.3. Reserved.

§ 442-14. Reserved.

[HISTORY: Adopted by the Council of the City of Toronto 2006-09-27 by By-law No. 1056-2006.¹ Amendments noted where applicable.]

¹ Editor's Note: This by-law was passed under the authority of sections 391 and 392 of the *Municipal Act, 2001*, S.O. 2001, c. 25.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

General References

Fees and charges - See Ch. 441.

Fees and charges, delegation of authority - See Ch. 443.

Licensing - See Ch. 545.

Education Act - See R.S.O. 1990, c. E.2.

Planning Act - See R.S.O. 1990, c. P.13.

§ 442-1. Definitions.

As used in this chapter or Chapter 441, Fees and Charges, the following terms shall have the meanings indicated: **[Amended 2014-02-20 by By-law No. 116-2014]**

ACCOUNT CUSTOMERS - Transfer station, waste loading and waste disposal customers who provide financial security to the City rather than paying in advance for the services provided by the City. **[Added 2009-08-06 by By-law No. 703-2009]**

ADMINISTRATION FEE - The fee charged to cover the costs associated with the administration of Chapter 545, Licensing, including by-law development, enforcement and administration.

AGENDA LIST - A list that sets out the items and the recommendations before a committee at a particular meeting.

APPLICATION - An application for a preliminary project review.

APPLICATION FEE or **PROCESSING FEE** - The fee charged to cover the costs associated with the intake and processing of a licence application.

ASBESTOS WASTE - Solid waste that results from the removal of asbestos-containing construction or insulation materials or the manufacture of asbestos-containing products and contains asbestos in more than a trivial amount or proportion. **[Added 2014-02-20 by By-law No. 116-2014]**

BIOSOLIDS - Nutrient-rich organic materials resulting from the treatment of domestic sewage in a municipal sewage treatment facility. **[Added 2014-02-20 by By-law No. 116-2014]**

BY-LAW PACKAGE - Those modules of the Taxicab Drivers' Training Course entitled By-law, Maintenance Standards and Business Management, and includes the examinations therein.

CFIA WASTE - Waste requiring disposal by direction of the Canadian Food Inspection Agency. **[Added 2014-02-20 by By-law No. 116-2014]**

CATERING VEHICLE - An itinerant food service premises in which no food is prepared other than hot beverages and French fried potatoes.

CHARITABLE ORGANIZATION - An organization which is a registered charity, as defined in subsection 248(1) of the *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.), or successor legislation,

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

that has a registration number issued by the Canada Revenue Agency, or successor agency.
[Added 2012-06-08 by By-law No. 773-2012]

COMMITTEE - A standing committee of Council and includes a community council.

CUSTOMER SERVICE PACKAGE - Those modules of the Taxicab Drivers' Training Course entitled Customer Relations, Communications Skills Parts I and II, Dealing with Difficult Customers Parts I and II, Cultural Diversity/Human Rights/Women in Society, Stress Management, and Passengers with Disabilities, and includes the examinations therein.

DIRECTOR - The Director of Processing and Resource Management, Solid Waste Management Services. **[Added 2009-08-06 by By-law No. 703-2009; amended 2014-02-20 by By-law No. 116-2014]**

EXECUTIVE DIRECTOR - The Executive Director of the Municipal Licensing and Standards Division of the City of Toronto.

FALSE FIRE ALARM - Malicious false alarm and nuisance false alarm.

FIRE DEPARTMENT - The Fire Department of the City of Toronto established under Chapter 79, Fire Services, and includes its officers and members.

FULL COMMITTEE AGENDA - Includes the agenda list, report items and minutes of previous meetings.

FULL COUNCIL AGENDA - Includes the order paper, communications, bills, committee reports and minutes of previous Council meetings, to the extent to which these documents are available at the time the agenda is mailed to subscribers.

LANDFILL - The City-owned Green Lane Landfill located in the Township of Southwold, County of Elgin, licensed by the Ministry of the Environment under Certificate of Approval No. A051601. **[Added 2009-08-06 by By-law No. 703-2009]**

LETTERS OF RESIDENCY - A letter from the City Clerk advising that an individual is shown as an owner or tenant of property in the City of Toronto according to the assessment roll.

LICENCE FEE or LICENSING FEE - The fee charged to cover all of the costs associated with Chapter 545, Licensing, including application, administration and training (where applicable).

MALICIOUS FALSE ALARM -The negligent or intentional misuse of a fire alarm system resulting in the activation of the system, but does not include the activation of a fire alarm system under circumstances that would have caused a careful or prudent person to believe that a fire-related emergency was in progress at the owner's building or in circumstances where the owner has notified the Fire Department in advance of work being done on the fire alarm system that could cause a false fire alarm.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

MEDICAL OFFICER OF HEALTH - The Medical Officer of Health for the City of Toronto Health Unit.

MOBILE PREPARATION PREMISES - A vehicle or other itinerant food premises from which food prepared therein is offered for sale to the public.

MOE-ORDERED IC&I WASTE - Waste from a commercial, industrial or institutional source disposed at the landfill as required by an order from the Ministry of the Environment or by Order-in-Council. **[Added 2014-02-20 by By-law No. 116-2014]**

MOE-ORDERED MUNICIPAL WASTE - Waste from a municipal source disposed at the landfill as required by an order from the Ministry of the Environment or by Order-in-Council. **[Added 2014-02-20 by By-law No. 116-2014]**

MUNICIPAL CHARGES ADDED TO THE TAX ROLL - Any unpaid fee or charge, charged by the City for a service or for any other purpose, which has been added to the tax roll for collection purposes pursuant to a request from a City department other than the Finance Department.

NON-EMERGENCY ELEVATOR INCIDENT RESPONSE - A response to a building to free an individual from an elevator that is inoperative due to a mechanical failure, equipment malfunction or improper maintenance or installation of the elevator or any of its components, but does not include a response to free an individual who has urgent medical needs or has been placed in immediate danger as a result of the elevator being inoperative.

NUISANCE FALSE ALARM - The activation of a fire alarm system through a mechanical failure, equipment malfunction or improper maintenance or installation of the system, but does not include the activation of a fire alarm system where the activation occurred as a result of accidental damage to the system.

OWNER (FIRE DEPARTMENT FEES) - A person who is shown as the assessed owner or tenant of real property in the assessment rolls for the City in respect of which property services and activities were provided or done by the Fire Department and includes the registered owner or mortgagee in possession of such property and includes a person in actual occupation of such property:

- (1) Under an agreement with the assessed owner for the purchase of it; or
- (2) Sold by the Director in accordance with the Veterans' Land Act (Canada);

but
- (3) Condominiums.
 - (a) In the case of a condominium building, where the service for which a fee is imposed can be traced to a particular condominium unit, means the owner or tenant of that particular condominium unit;

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

- (b) In the case of a condominium building, where the service for which a fee is imposed cannot be traced to a particular condominium unit, means the condominium corporation having control over the common elements of the building; and
- (4) In the case of a vehicle, means person who is the registered owner of the vehicle and includes the person who is licensed to operate the vehicle.

PRELIMINARY PROJECT REVIEW - A detailed review of a proposal to determine its compliance with the City's zoning by-laws, Municipal Codes and other regulations, and to indicate other approvals that are required prior to the issuance of a building permit or sign permit.

PRIOR YEAR TAX RECEIPT - A statement of all payments applied towards a property tax account for a specific year.

PROPOSAL - A proposal to develop or redevelop land or to sever land or to construct, alter, add to or extend buildings or structures, or to erect or modify signs.

PROTECTIVE CARE - The temporary keeping of an animal to a maximum of five days, as a result of an eviction, incarceration, medical or fire emergency or any other situation that the Medical Officer of Health deems appropriate.

RUAC - Residential units above commercial. **[Added 2014-02-20 by By-law No. 116-2014]**

SCALE OF COSTS - A fixed scale/schedule of all associated material, support, and disbursement costs incurred for each legislatively required step of the tax sale process under Part XI of the Act.

SCHOOLS - The Toronto District School Board, the Toronto Catholic District School Board and the Conseil Scolaire de District Catholique Centre - Sud (French Catholic School Board - South) and includes private schools, as defined in the *Education Act*, that utilize the services provided by the City.

SCREEN PRINTOUT - A computer-generated copy of assessment roll information pertaining to a property obtained by printing from the touch screen computer terminals located at City Hall and at each of the Civic Centres.

SINGLE FAMILY HOME - For purposes of fees related to a False Alarm, as defined in this Chapter, a "single family home" is a building which is a Group C Occupancy utilized for purposes of a Residential Occupancy, as those terms are defined by Ontario Regulation 332/12, with a floor area which does not exceed 600 square metres, nor a number of storeys which does not exceed 3 storeys. **[Added 2014-02-20 by By-law No. 140-2014²]**

² Editor's Note: By-law No. 140-2014 came into force March 1, 2014.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

SPECIAL REQUEST SERVICES - Includes, without limitation, training programs offered to municipalities and private/public corporations and any activity conducted by the Fire Department outside of normal business hours.

STATEMENT OF ACCOUNTS (OVERDUE TAX NOTICES) - A statement, excluding the statement sent in January of each year, which provides a notification of outstanding taxes and provides the taxpayer the opportunity to fulfil their tax obligations.

TAX APPORTIONMENT APPLICATION - An application under section 356 of the Act for apportionment of taxes between two parcels of land if each parcel can be legally conveyed under the *Planning Act* individually.

TAX CALCULATION STATEMENT - A statement outlining how annual property taxes, including any capping/claw-back or other adjustments, are calculated for individual commercial, industrial and multi-residential properties.

TAX CLEARANCE CERTIFICATE - A statement of all amounts owing for taxes, issued by the City's Treasurer pursuant to section 352 of the Act.

TAX HISTORY STATEMENT - A record of all transactions occurring within a property tax account for a specific taxation year.

TAX STATUS VERIFICATION - A statement issued to a financial institution for mortgage purposes providing notification of whether property tax payments on an identified tax account are up to date.

TRAINING FEE - The fee charged to cover the costs associated with any training and/or examinations provided in accordance with Chapter 545, Licensing.

TRANSFER STATION - A City-owned and controlled facility used for the purpose of transferring waste from one vehicle to another for transportation to another waste disposal or processing site, including a municipal waste recycling site, a municipal waste recycling depot, and a leaf and yard waste composting site as defined in Ontario Regulation 101/94.

TREATED BIOMEDICAL WASTE - Waste resulting from the provision of human or animal health care, related medical research and teaching, the operation of laboratories, morgues and funeral establishments, the use of biotechnology (such as the production of testing of vaccines) and from mobile health care activities, which have been treated by autoclaving and/or hydroclaving, chemical or thermal means or alternative technologies as more completely described in Guideline C-4, The Management of Biomedical Waste in Ontario, issued by the Ministry of the Environment under the authority of the Environmental Protection Act, and generated by a Ministry of the Environment-approved treatment facility. **[Added 2014-02-20 by By-law No. 116-2014]**

TRIBUNAL - The Toronto Licensing Tribunal exercising its statutory powers of decision pursuant to Chapter 545, Licensing, and includes any successor to the Toronto Licensing

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

Tribunal exercising such statutory powers of decision under the authority of by-laws enacted by the Council of the City of Toronto for the licensing, regulating and governing of trades, businesses and occupations.

WASTE - Garbage, recyclable materials, organic materials, yard waste and prohibited waste.

WATER TREATMENT RESIDUE - The solid waste by-product from the production of potable water. [Added 2014-02-20 by By-law No. 116-2014]

§ 442-2. Fire services and inspections.

A. Payment of fee.

- (1) The owner (Fire Department fees) of any property or vehicle to which services set out in Appendix B, Schedule 1 of Chapter 441, Fees and Charges, were provided or done by the Fire Department, regardless of whether requested by the owner (Fire Department fees) or an agent of the owner (Fire Department fees) or not, shall pay the fee imposed for such services under Chapter 441, Fees and Charges and billed to the owner (Fire Department fees) by the City.
- (2) Where there is more than one owner (Fire Department fees), their liability for payment shall be joint and several.

B. Service of invoice.

An invoice for services billed pursuant to Subsection A may be served by personal service on the owner (Fire Department fees) or by regular letter mail, in which event service shall be deemed to have been made on the third day after the day of mailing, or by electronic transmission or telephone transmission of a facsimile, in which event service shall be deemed to have been made on the first day after the day of transmission, or by some other method that allows proof of receipt.

C. Invoice for services.

Any invoice for services billed pursuant to Subsection A shall describe the service provided or done by the Fire Department, when and where the service was provided or done, the reason for the service, the fee for the service, the terms of payment of the fee prescribed in this section and the consequences of failing to pay the fee for the service as provided for in this section.

D. When and how fee to be paid.

The fee for services charged pursuant to Subsection A shall be payable to the City, by cash, money order, cheque or credit card, no later than 30 days from the date of the invoice for the services.

E. Debt of owner (Fire Department fees).

The fee for services charged pursuant to Subsection A shall constitute a debt of the owner (Fire Department fees) to the City.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

F. Collection of debt.

The City may take such action as it considers necessary and as is permitted by law to collect the debt constituted under Subsection E.

G. Collection costs.

The owner (Fire Department fees) shall be liable to pay to the City any costs incurred by the City in collecting the debt constituted under Subsection E; and such costs shall also constitute a debt of the owner (Fire Department fees) to the City; and Subsection F shall apply to the recovery of such costs, with necessary modifications.

H. Addition to tax roll.

(1) Without restricting the generality of Subsections F and G, where the fee for services or charges or all or any of them remains unpaid, in whole or in part, for a period in excess of 90 days, such fee or charges or all or any of them shall be added to the tax roll for any real property within the territorial limits of the City owned, in whole or in part, by the owner (Fire Department fees) and shall be collected in a like manner as municipal taxes.

(2) Despite Subsection H(1), and without restricting the generality of Subsections G and H, where the fee for services or charges or all or any of them remains unpaid, in whole or in part, by a condominium corporation, for a period in excess of 90 days, such fee or charges or all or any of them may be added to the tax roll of the condominium corporation and collected in a like manner as municipal taxes or, if the condominium corporation does not have a tax roll number then the fee or charges or all or any of them may be added to the tax roll of each of the condominium units of the condominium corporation in proportion to the owner (Fire Department fees)ship interest in the common elements associated with each unit and collected in a like manner as municipal taxes.

I. Joint and several liability.

All of the owners (Fire Department fees) of the real property to whose tax roll the fee for service or charges or any or all of them were added pursuant to Subsection G shall be liable jointly and severally for paying such fee and charges, and such fee and charges shall be collected in a like manner as municipal taxes.

J. False fire alarm reimbursement. **[Amended 2006-12-06 by By-law No. 13-2007]**

(1) If an owner of a building has paid a fee for services or activities provided or done by the Fire Department in respect of a false fire alarm at the owner's building, as prescribed in items 28 and 29 in Schedule 1 of Appendix B of Chapter 441, Fees and Charges (called in this subsection the "fee"), and the owner has since the false fire alarm installed in the building a proper security system, or taken other measures, to reduce the likelihood of the occurrence of a false fire alarm at the building in the future, the owner may apply to the City to be reimbursed for the fee so paid.

(2) An application for reimbursement under Subsection J(1) shall include proof, satisfactory to the Fire Chief, of the installation of a proper security system or of the

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

other measures taken to reduce the likelihood of the occurrence of a false fire alarm at the building in the future, or both, and of the cost of the system or other measures taken.

- (3) The applicant shall submit invoices and such other supporting documentation as the Fire Chief may request in support of the application for reimbursement under Subsection J(1).
- (4) The Fire Chief may approve the application for reimbursement made under Subsection J(1) and may approve the amount of reimbursement and reimburse the owner the amount so approved if the Fire Chief is satisfied that:
 - (a) The owner has installed a proper security system or taken other measures that the Fire Chief considers sufficient to reduce the likelihood of the occurrence of a false fire alarm at the owner's building in the future; and
 - (b) The costs submitted with respect to the system or other measures taken have been incurred for the purpose reducing the likelihood of the occurrence of a false fire alarm at the building in the future.
- (5) The reimbursement under Subsection J(4) shall:
 - (a) Be limited to the lesser of:
 - [1] A maximum of 90 percent of the fee paid by the owner within the twelve-month period preceding the date of application; and
 - [2] A maximum of the costs, determined by the Fire Chief, to have been incurred by the owner, within the twelve-month period preceding the date of application, to install a proper security system, or to take such other measures, for the purpose of reducing the likelihood of the occurrence of a false fire alarm at the building in the future; and
 - (b) Not include reimbursement of any charges levied against the owner under this subsection in respect of an overdue fee or the collection of the fee by the City.

§ 442-3. Copies of documents and services of City Clerk. [Amended 2011-09-27 by By-law No. 1174-2011]

- A. Time of payment; renewal dates; prorated fees; taxes not included.
- (1) The City Clerk may establish one or more renewal dates for annual subscriptions and provide for prorated fees for any application for a subscription that does not start on any renewal date.
 - (2) The fees or charges established in Appendix C, Schedule 10 of Chapter 441, Fees and Charges, for the following services must be paid by cash, money order, certified cheque, credit card or debit card:
 - (a) Screen printouts;
 - (b) Photocopies of assessment roll;

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

- (c) Certified copies of assessment roll; and
 - (d) Letters of residency.
- B. Free copies.
- (1) Despite Appendix C, Schedule 10 of Chapter 441, Fees and Charges, the City Clerk may from time to time, upon written request, provide free of charge copies of agenda lists to resident and ratepayer associations and other non-profit community organizations, and a single copy of any individual agenda item of interest, if necessary, to the extent that copies of the documents are readily available.
 - (2) Despite Appendix C, Schedule 10 of Chapter 441, Fees and Charges, the City Clerk may continue to provide copies of documents free of charge to members of the City of Toronto Press Gallery, on written request, and to public reference libraries.

§ 442-4. Birth registrations.

Despite Appendix C, Schedule 10 of Chapter 441, Fees and Charges, no fee shall be charged for the registration of a stillbirth. **[Amended 2011-09-27 by By-law No. 1174-2011]**

§ 442-5. Services in respect of liquor licence applications.

The fee for services set out in Chapter 441, Fees and Charges, for a liquor licence application shall be payable at the time that a liquor licence application is submitted to the City and shall be payable by:

- A. Cash;
- B. Money order;
- C. Certified cheque;
- D. Credit card; or
- E. Debit card.

§ 442-6. Services by Municipal Licensing and Standards Division. [Amended 2011-09-27 by By-law No. 1174-2011]

- A. Sections 442-6A, B, C, D and E and Appendix C, Schedule 12 of Chapter 441, Fees and Charges, shall be interpreted in a manner consistent with Chapter 545, Licensing, and any successor thereto. **[Amended 2011-04-13 by By-law No. 495-2011]**
- B. Full or partial exemption of certain fees resulting from adverse decision of Tribunal.

Where the filing of a lease agreement, notice of designated agent or notice of designated custodian arises from an adverse decision against a licensee by the Tribunal, the Tribunal may, in its discretion, exempt fully or partially such licensee from the payment of the fees described in Appendix C, Schedule 12 of Chapter 441, Fees and Charges.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

- C. Fee for rescheduling mechanical inspection of a cab or driving school vehicle; waiver of fee.
- (1) The fee for rescheduling a mechanical inspection of a cab or a driving school vehicle payable under Appendix C, Schedule 12 of Chapter 441, Fees and Charges, may be waived at the discretion of the Executive Director, or his or her designate, for compassionate reasons, or when the rescheduling is as a result of:
 - (a) A motor vehicle accident resulting in damage to the cab or driving school vehicle within 14 days prior to the inspection date;
 - (b) A scheduling conflict, other than a conflict arising from a previously booked vacation, which prevents the licensee from being able to produce the vehicle for inspection on the date scheduled, if the licensee advises the Municipal Licensing and Standards Division of such scheduling conflict as soon as he or she is aware of such conflict;
 - (c) A scheduling conflict arising from a previously booked vacation if the licensee notifies the Municipal Licensing and Standards Division of such scheduling conflict at least 30 days prior to the scheduled inspection date;
 - (d) A request by a licensee who wishes to have two or more of his cabs or driving school vehicles inspected on the same day, if such request is made at least 30 days prior to the scheduled inspection date and if such request will not result in an unreasonable delay in the inspection of the vehicles having regard to the length of time which has elapsed since the vehicles were last inspected; or
 - (e) A previously scheduled road test booked for a driving school student requiring the use of a driving school vehicle.
- D. Rescheduling attendance at Taxicab Drivers' Training Course; refund entitlements.
- (1) The refund entitlements set out in Column 2 are established for the time-frames listed opposite under Column 1 respecting the fees for rescheduling the Taxicab Drivers' Training Course payable under Appendix C, Schedule 12 of Chapter 441, Fees and Charges.

Column 1

Refund entitlement if request is made up to 60 days prior to the course date

Refund entitlement if request is made less than 60 days prior to the course date where extenuating circumstances are demonstrated to the satisfaction of the Executive Director or his or her designate

Column 2

New application licensing fee less application fee

New application licensing fee less application fee

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

Column 1

Column 2

Rescheduling cardiopulmonary resuscitation component of the Taxicab Drivers' Training Course	\$25.00
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E. The fees payable under Appendix C, Schedule 12 of Chapter 441, Fees and Charges, for rescheduling attendance at the Taxicab Driver Refresher Training Course or for rescheduling attendance at the First Aid and Cardiopulmonary Resuscitation component of the Taxicab Driver Refresher Training Course may be waived at the discretion of the Executive Director, or his or her designate, for compassionate reasons where the applicant provides supporting documentation of extenuating circumstances acceptable to the Executive Director or his or her designate.

F³. Where a R53 Sidewalk Vending Permit, in existence immediately prior to May 15, 2014, is renewed in accordance with §§ 740-11D or 740-11E of Chapter 740, Street Vending, the annual fee for a Sidewalk Vending Permit (Major Arterial Road) or (Minor Arterial Road) as set out in Schedule 12, Municipal Licensing and Standards, of Appendix C of Chapter 441, Fees and Charges, ("Schedule 12"), shall be phased in over a three year period (2014, 2015 and 2016) such that the difference between the fee as it was immediately prior to May 15, 2014 and the fee as set out in Schedule 12 will be apportioned equally over the three year period and applied on an annual basis, until the new fee as found in Chapter 441, Fees and Charges, applies to these permit holders on January 1, 2017. [Added 2014-05-08 by By-law No. 394-2014⁴]

G. Reserved.

§ 442-7. Parking tag operations services; interactive voice response system payment and Internet-based parking ticket payment module.

The transaction fees set out in Appendix C, Schedule 5 of Chapter 441, Fees and Charges, for use of the City's interactive voice response (IVR) system or the City's Internet-based parking ticket payment module to make a parking infraction payment by credit card shall be automatically added to the parking infraction payment and charged against the credit card.

§ 442-8. Sign permit fees. [Amended 2011-09-27 by By-law No. 1174-2011]

A The fees set out in Appendix C, Schedule 8 of Chapter 441, Fees and Charges, for a permit to erect, display or alter a sign shall be based on the total area of all surfaces of a sign upon, against or through which information is or is intended to be displayed.

³ Editor's Note: Previous Subsection F, reducing or waiving adoption fees for dogs or cats and Subsection G, reducing or waiving impoundment, surrender, sheltering, spaying or neutering fees, was added April 13, 2011 by By-law No. 495-2011 and amended June 13, 2013 by By-law No. 803-2013. Subsections F and G were repealed by By-law No. 1337-2013 which came into force November 1, 2013.

⁴ Editor's Note: By-law No. 394-2014 came into effect May 15, 2014.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

- B. If an application is cancelled or withdrawn, the applicant may apply for a refund, and the amount of the refund shall be calculated based on the total required fee, as follows:
- (1) Seventy-five percent of fee refunded if the application is cancelled or withdrawn prior to the review of the application and 50 percent if it is cancelled or withdrawn after the review has started but prior to permit issuance.
 - (2) Forty percent of fee refunded if the permit has been issued minus \$80 for each field inspection performed before the request for refund was received.
 - (3) If the fees paid are less than the total required fees, the amount of the refund will be reduced by the amount of the unpaid fees.

§ 442-9. Planning application fees. [Amended 2011-09-27 by By-law No. 1174-2011]

- A. Unless the contrary intention appears, terms used in this section and in Appendix C, Schedule 13 of Chapter 441, Fees and Charges, have the same meaning as they do in the *Planning Act*.
- B. (1) A surcharge of 7.5 percent is added to all fees payable under Appendix C, Schedule 13 of Chapter 441, Fees and Charges, to contribute to the costs of legal services.
- (2) A surcharge will be added to all fees payable under Appendix C, Schedule 13 of Chapter 441, Fees and Charges, to cover the City Clerk's direct costs of providing public notices required to process planning applications.
- (3) A surcharge will be levied on all fees payable under Appendix C, Schedule 13 of Chapter 441, Fees and Charges, to cover any direct costs associated with community consultation meetings. These costs include facility rental; and translation and sign language services.
- C. The surcharges described in Subsection B(1) and B(2) above shall be collected by staff in the City Planning Division and then transferred to the budgets of the Legal Division and City Clerk Division respectively.
- D. Reserved⁵
- E. In the case of an application for a conversion or other consent under Chapter 667, Residential Rental Property Demolition and Conversion Control, that is not delegated to the Chief Planner as indicated in Schedule 13, Planning, of Appendix C of Chapter 441, Fees and Charges, and the conversion or consent proposal also requires an official plan amendment for the same proposal, the applicant is only required to pay the fee applicable to the official plan application for an official plan amendment for the same conversion or consent proposal. **[Added 2007-07-19 by By-law No. 885-2007]**
- F. If Subsection E applies, the applicable fees are to be paid at the time of the filing of the application under Chapter 667, Residential Rental Property Demolition and Conversion

⁵ Editor's Note: Subsection D, annual adjustment, was added March 7, 2007 by By-law No. 267-2007 and amended July 19, 2007 by By-law No. 885-2007. Subsection D was repealed September 27, 2011 by By-law No. 1174-2011.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

Control, even if the official plan applicant has not yet been filed. [Added 2007-07-19 by By-law No. 885-2007]

- G. The fee for a request to convert lands designated *Core Employment Areas* or *General Employment Areas* applies from December 18, 2020 up to and including August 3, 2021. [Added 2020-12-18 by By-law 1137-2020⁶]
- H. In the case of the submission of a request to convert lands designated *Core Employment Areas* or *General Employment Areas* where a complete application for an official plan amendment has been submitted for the same address(es), the applicant is only required to pay the fee applicable to the official plan amendment application for an official plan amendment for the same conversion. [Added 2020-12-18 by By-law 1137-2020⁷]

§ 442-10. Taxation documents and services.

- A. Where payment of a fee or charge is required under Appendix C, Schedule 5 of Chapter 441 for a tax clearance certificate, a prior year tax receipt, tax payment details or a detailed tax statement, and a tax status verification, the fee or charge is payable at the time the applicant makes a request for the material and is payable by:
 - (1) Cash;
 - (2) Money order;
 - (3) Cheque; or
 - (4) Debit card.
- B. The fee payable under Appendix C, Schedule 5 of Chapter 441 for municipal charges added to the tax roll shall be added to the tax roll for the property to which the municipal charges are being added, and collected in the same manner as taxes.

§ 442-11. Remedial work administration services. [Amended 2011-09-27 by By-law No. 1174-2011]

- A. The fees and charges established under Appendix C, Schedule 12 of Chapter 441 for the administrative services (which include on-site attendance) provided by staff of the City's Municipal Licensing and Standards Division in undertaking remedial work shall be paid to the City on or before the payment due date as set out in the notice of payment from the City and shall be paid by:
 - (1) Cash;
 - (2) Money order;
 - (3) Certified cheque;

⁶ Editor's Note: The amendments in By-law 1137-2020 come into force on December 18, 2020 up to and including August 3, 2021.

⁷ Editor's Note: The amendments in By-law 1137-2020 come into force on December 18, 2020 up to and including August 3, 2021.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

- (4) Credit card; or
 - (5) Debit card.
- B. The fees and charges established under Appendix C, Schedule 12 of Chapter 441, Fees and Charges, for the administrative services (which include on-site attendance) provided by staff of the City's Municipal Licensing and Standards Division in undertaking remedial work may be added to the tax roll for the property, all of the owners of which are responsible for paying the charge, to be collected in the same manner as municipal taxes, and, if applicable, may have priority lien status as described in section 1 of the Act.

§ 442-12. Waste management fees.

- A. The charges established under Appendix A, Schedule 1 of Chapter 441, Fees and Charges, for waste management fees charged to schools receiving a waste collection and transfer station service shall be paid on or before the payment due date as set out in the invoices for the type of collection service provided and shall be paid to the City by:
- (1) Cash;
 - (2) Money order;
 - (3) Certified cheque;
 - (4) Credit card; or
 - (5) Debit card.
- B. The charges referred to in Subsection A. may be added to the tax roll for the property, all of the owners of which are responsible for paying the charge, to be collected in the same manner as municipal taxes.

§ 442-13. Transfer station fees.

- A. All vehicle operators shall drive their vehicles over the inbound scale and, for cash, credit card and debit card transactions, leave a security deposit with the weighscale operator.
- B. The security deposit will be determined by the weighscale operator based on transfer station fees set out in Appendix A, Schedule 1 of Chapter 441, Fees and Charges.
- C. An appropriate adjustment will be made on the outbound scale by securing additional funds or refunding the difference from the initial security deposit.
- D. In the event that a weighscale is not in service, the charge will be based on vehicle axle rates using the vehicle estimate weight multiplied by the rate standard factor.
- E. Any person who disposes of waste without paying the appropriate fee may be denied entry to all City transfer stations by the Commissioner at his sole discretion.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

- F. Exemptions from the requirement to pay fees or charges apply for: **[Amended 2007-06-22 by By-law No. 705-2007⁸]**
- (1) One load of less than 20 kilograms of recyclable material per day per household at designated transfer stations.
 - (2) One load of less than or equal to 100 kilograms of tires per day per household at designated transfer stations. **[Added 2009-10-27 by By-law No. 1097-2009]**
- G. (Reserved)⁹
- H. (Reserved)¹⁰
- I. (Reserved)¹¹
- J. Policies providing for exemptions from fees or a reduction in fees may be approved by Council of the City of Toronto from time to time.

§ 442-13.1. Financial procedures for waste disposal and transfer station customers.

[Added 2009-08-06 by By-law No. 703-2009]

- A. A credit check may be done for any potential waste loading, transfer station or waste disposal customer following the City's credit check procedure.
- B. Waste loading customers shall be account customers.
- C. The Director may allow transfer station and landfill customers to be account customers.
- D. The security for account customers will be in the form of an irrevocable letter of credit or certified cheque.
- E. Where security is in the form of an irrevocable letter of credit, the letter of credit shall be from a chartered bank, be valid for a period of not less than 12 months, and contain an automatic renewal clause.
- F. The security for account customers will be calculated on the value of the customer's potential disposal costs transacted over an average ten-week period utilizing the average weekly volumes brought to solid waste sites over the most recent fifty-two-week period, where applicable, multiplied by a cost factor of 48 percent.
- G. For the purposes of waste loading account customers, the potential disposal costs will be based on the tip fee per tonne for waste loads at transfer stations.

⁸ Editor's Note: This by-law came into force on July 1, 2007.

⁹ Editor's Note: Former § 442-13G, which required the submission of an application for transfer station fee exemptions, was repealed by By-law No. 705-2007 and came into force July 1, 2007.

¹⁰ Editor's Note: Former § 442-13H, regarding the application for transfer station fee exemptions, was repealed by By-law No. 705-2007 and came into force July 1, 2007.

¹¹ Editor's Note: Former § 442-13I, regarding the audit and review process for transfer station fee exemptions, was repealed by By-law No. 705-2007 and came into force July 1, 2007.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

- H. In the event that a credit check is unsatisfactory to the Director, the Director will determine appropriate security, based on a cost factor of up to 100 percent and/or a longer period of estimated business to ensure risk to the City is minimized.
- I. For waste loading services at transfer stations, the account customer will provide security along with verification of contracts with a licensed hauler(s) and licensed landfill(s) prior to the City receiving the waste.
- J. Account customers will be invoiced monthly.
- K. Before any fees are deducted from the account customer's security, an invoice will be sent to the customer by personal service, regular letter mail, e-mail or fax.
- L. Invoices shall be deemed to have been received on:
 - (1) The third day after the day of mailing by regular letter mail; or
 - (2) The first day after the day of transmission by e-mail or by fax.
- M. An invoice shall describe:
 - (1) The type of waste disposed at the landfill or delivered to the transfer station;
 - (2) The number of tonnes disposed or delivered;
 - (3) The disposal fee, interim disposal fee, loading fee or transfer station fee payable;
 - (4) The total amount owing; and
 - (5) The date on which payment is due.
- N. Customers will have 21 days from the invoice date to notify the City in writing of any billing errors or omissions, otherwise payment will be due within 30 days from the invoice date.
- O. If payment is not made within 30 days from the due date, unless otherwise determined by the Director, all charge account privileges will be removed from the account holder and services may be withheld until payment is made.
- P. If payment is not made within 60 days from the due date, the total amount owing may be deducted from the account holder's security.
- Q. In the period after the due date and before any deduction is made from the account holder's security, a late payment charge will apply as provided in § 441-5 of Chapter 441, Fees and Charges.

TORONTO MUNICIPAL CODE
CHAPTER 442, FEES AND CHARGES, ADMINISTRATION OF

§ 442-13.2. Use of transfer station weigh scales for weight information.

[Added 2011-12-01 by By-law No. 1421-2011¹²]

- A. Any person may use a weigh scale at any of the City transfer stations for the sole purpose of weighing the load being hauled by that person without disposing of the load at the transfer station.
- B. Any person who uses a weigh scale as set out in Subsection A shall pay the transfer station load weighing service fee set out in Schedule 1, Appendix A of Chapter 441, Fees and Charges, for collecting that information.

§ 442-13.3. Reserved.¹³

§ 442-14. Reserved.¹⁴

¹² Editor's Note: This By-law came into force January 1, 2012.

¹³ Editor's Note: Section 442-13.3 respecting transfer station fees applicable to charitable organizations was added June 8, 2012 by By-law No. 773-2012 and came into force July 1, 2012. This section was deleted February 20, 2014 by By-law No. 116-2014.

¹⁴ Editor's Note: Section 442-14 respecting right of entry permit annual increase was added October 30, 2008 by By-law No. 1154-2008 and came into force February 28, 2009. This section was repealed September 27, 2011 by By-law No. 1174-2011.