

TORONTO MUNICIPAL CODE
CHAPTER 659, REFRIGERATORS AND OTHER APPLIANCES, ABANDONED

Chapter 659

REFRIGERATORS AND OTHER APPLIANCES, ABANDONED

§ 659-1. Removal of all doors and locks.

§ 659-2. Exception.

§ 659-3. Offences.

§ 659-4. Action by City.

§ 659-5. Transition.

[HISTORY: Adopted by the Council of the City of Toronto 2000-08-03 by By-law No. 498-2000.¹ Amendments noted where applicable.]

General References

Property maintenance - See Ch. 629.

§ 659-1. Removal of all doors and locks.

No person shall leave, keep, dispose of, abandon or permit on any land or premises, in a place accessible to children, any ice box, refrigerator, freezer, clothes washer or dryer or other similar appliance or container that is not being used for the purpose for which it was manufactured or produced, without first removing all its locks and doors and taking any other adequate precaution necessary to prevent any person from being trapped in the appliance or container.

§ 659-2. Exception.

Section 659-1 of this chapter does not apply where the ice box, refrigerator, freezer, clothes washer or dryer or other similar appliance or container is being exhibited, stored or displayed within a building by a manufacturer or retailer or where it is being displayed outdoors for sale, provided adequate precautions are taken to prevent any person from being trapped in the appliance or container.

§ 659-3. Offences.

Any person who contravenes any provision of this chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*.²

¹ Editor's Note: This by-law was passed under the authority of section 102 of the *Municipal Act*, R.S.O. 1990, c. M.45. Section 5(1) of this by-law states: (1) Except as provided in subsection (2), the following are repealed: (a) By-law No. 626, as amended, of the former Borough of East York; (b) By-law No. 26676 of the former City of North York; (c) Chapter 901, Refrigerator-Icebox-Freezer-Disposal, of the former City of York Municipal Code; (d) Chapter 203, Unsafe Refrigerators, of the former City of Etobicoke Municipal Code; and (e) Chapter 280, Abandoned Refrigerators, of the former City of Toronto Municipal Code.

² Editor's Note: Under section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, a person convicted of an offence is liable to a fine of not more than \$5,000.

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§ 659-4. Action by City.

If a person fails to remove all locks and doors from an appliance or container or fails to take adequate precautions as required by § 659-1 or 659-2, the City may, without notice and at the expense of such person, remove any locks or doors and take any action deemed necessary to prevent persons from being trapped in the appliance or container, and may recover any expense incurred by action or in like manner as municipal taxes.

§ 659-5. Transition.

Where a person is alleged to have contravened a by-law or chapter listed in section 5(1)³ prior to the date this chapter comes into force, the by-law or chapter listed in section 5(1) shall continue to be in full force and effect for the purposes of any enforcement proceedings brought against such person until the proceedings have been concluded.

³ Editor's Note: Section 5(1) of this by-law has been included in a footnote of the history for Ch. 629.