

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

Chapter 880

FIRE ROUTES

§ 880-1. Definitions.

§ 880-2. Application for designation of private road as fire route.

§ 880-3. Consideration of application.

§ 880-4. Disposition of application.

§ 880-5. Appeals.

§ 880-6. Designation of private road as fire route.

§ 880-7. Fire route designated under prior by-laws.

§ 880-8. Fire route costs.

§ 880-9. Fire route signs.

§ 880-10. Fire route signs under prior by-laws.

§ 880-11. Fire route sign costs.

§ 880-12. Interference with fire route signs.

§ 880-13. Maintenance.

§ 880-14. Parking prohibition.

§ 880-15. Offences and administrative penalties.

§ 880-16. Removal and impounding.

§ 880-17. Other remedies.

§ 880-18. Power of entry.

§ 880-19. Service.

[Schedule A, Fire Route Designations](#)

[Schedule B, Fire Route Signs](#)

[History: Adopted by the Council of the City of Toronto October 28, 2004 by By-law 987-2004.¹ Amendments noted where applicable.]

¹ Editor's Note: This by-law was passed under the authority of section 7.1 of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4. Section 3, Transition and repeal, of this by-law provided: A. Subject to Subsection B of Section 3, this by-law repeals By-law 647 of the former Borough of East York and all related amendments; Chapter 134, Fire Routes, of the Municipal Code of the former City of Etobicoke and all related amendments; By-law 29704 of the former City of North York and all related amendments; §§ 400-8, 400-45 and 400-87 and §§ 400-2B(5), 400-10C, 400-52C(1)(c) and, in respect of fire routes only, §§ 400-3A, 400-10A(1), 400-10E(1), 400-11B(1)

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

General References

Idling of vehicles and boats - See Ch. 517.
Use of streets and sidewalks - See Ch. 743.
Parking machines and meters - See Ch. 910.
Parking on private or municipal property - See Ch. 915.
Permit parking - See Ch. 925.
Traffic and parking - See Ch. 950.
Building Code Act, 1992 - See S.O. 1992, c. 23.
Condominium Act, 1998 - See S.O. 1998, c. 19.
Fire Protection and Prevention Act, 1997 - See S.O. 1997, c. 4.
Highway Traffic Act - See R.S.O. 1990, c. H.8.
Repair and Storage Liens Act - See R.S.O. 1990, c. R.25.

§ 880-1. Definitions.

- A. As used in this chapter, unless the context otherwise requires, the following terms have the meanings indicated:

ADMINISTRATIVE PENALTY - As defined in Chapter 610, Penalties, Administration of. **[Added 2017-07-07 by By-law 805-2017²]**

APPEAL - An appeal to the Committee of the decision on an application or of an order, as the case may be, under § 880-5.

APPLICATION - An application made under § 880-2 for the designation of a private road as a fire route under this chapter.

BUILDING - A building as defined in the Building Code Act, 1992 that is used for Group A or assembly occupancy, Group B or care or detention occupancy, Group C or residential occupancy, Group D or business and personal services occupancy, Group E or mercantile occupancy, or Group F or industrial occupancy, as each such occupancy is classified and defined in the Building Code, and includes any such building owned by the City.

CITY SOLICITOR - The chief legal officer of the City as appointed by the Council of the City of Toronto from time to time and includes authorized designates.

CLERK - The Clerk of the City as appointed by the Council of the City of Toronto from time to time and includes authorized designates.

COMMITTEE - A community council established under Chapter 27, Council Procedures.

and (3) of the Municipal Code of the former City of Toronto and all related amendments; By-law 13897 of former City of Scarborough and all related amendments; By-law 3387-79 of the former City of York and all related amendments; any other by-law (or part of it) and all related amendments and any resolution of any of the six old area municipalities of the former Metropolitan Toronto relating to the designation of private roads as fire routes and not expressly mentioned in this Subsection A, but only to the extent to which it pertains to the designation of fire routes; B. A fire route by-law or resolution repealed by Subsection A of Section 3 of this by-law shall survive only to the extent required to permit, and otherwise for the limited purpose of enabling, the City or anyone so authorized under this chapter to enforce compliance or prosecute or otherwise remedy non-compliance with: (1) Pursuant to § 880-7A of the Municipal Code, the conditions for the designation of fire routes or the like established under such repealed by-law or resolution; and (2) Pursuant to § 880-10A of the Municipal Code, the requirements for the design and location of fire route signs established under such repealed by-law or resolution.

Section 4 of this by-law stated that it comes into force upon the date of approval by the Regional Senior Justice of the set fines required for the offences created by this by-law; the date of said approval was December 19, 2005.

² Editor's Note: By-law 805-2017 came into effect August 28, 2017.

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

FIRE CHIEF - The Fire Chief appointed by the Council of the City of Toronto under the Fire Protection and Prevention Act, 1997 for the Fire Department of the City of Toronto and includes, in the absence of the Fire Chief, a Deputy Fire Chief, and, except for the purposes of §§ 880-2C, 880-2E(3), 880-3A(1), 880-4C, 880-4D, 880-9C(7), 880-9C(11) and 880-17A and for the purposes of prescribing anything under § 880-2E or 2E(1), also includes such fire prevention officer or other officer employed in the Fire Department as the Fire Chief may designate in writing to do anything that the Fire Chief is authorized to do under this chapter.

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

FIRE DEPARTMENT EQUIPMENT - Any Fire Department equipment, regardless of whether owned or leased by or under the control of or in the possession of the Fire Department of the City or not.

FIRE DEPARTMENT VEHICLE - Any Fire Department vehicle, regardless of whether owned or leased by or under the control of or in the possession of the Fire Department of the City or not.

FIRE PROTECTION SERVICES - The same meaning as in the Fire Protection and Prevention Act, 1997.

FIRE ROUTE - Subject to § 880-7A, that part or those parts of a private road or roads set out on a site plan filed with the Fire Chief, in respect of a municipal address set out in Schedule A, and designated as a fire route under § 880-6. **[Amended 2005-12-07 by By-law 1048-2005]**

FIRE ROUTE SIGN - A road, curb or sidewalk marking or other device prescribed by this chapter that is required to be placed, erected or installed on a fire route for the purpose of identifying the fire route and regulating, warning or guiding traffic in relation to the fire route for the safety of the public, and includes signs replacing existing fire route signs.

OCCUPANT - When used in relation to Subsection (6) of the definition of owner:

- (1) The tenant of the property or part of it whose authority shall extend only to the control of the land held by the tenant;
- (2) The spouse or same-sex partner of the tenant;
- (3) A person or a municipality, or a local board of the municipality, having an interest in the property under an easement or right-of-way granted to or expropriated by the person, municipality or local board whose consent shall extend only to the part of the property that is subject to the easement or right-of-way; or
- (4) A person authorized in writing by the occupant as defined in Subsection (1), (2) or (3) of this definition to act on the occupant's behalf for the purpose of requesting the enforcement of this chapter.

OWNER - When used in relation to property on which a private road or fire route is situated:

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

- (1) The registered owner of the property;
- (2) The registered owner of a condominium unit, but only in relation to the owner's unit and any parking spaces allotted to the owner by the condominium corporation or reserved for the owner's exclusive use in the declaration or description of the property;
- (3) The spouse or same-sex partner of the owner described in Subsection (1) or (2) of this definition;
- (4) Where the property is included in a description registered under the Condominium Act, 1998, the board of directors of the condominium corporation;
- (5) A person authorized in writing by the owner as defined in Subsection (1), (3) or (4) of this definition to act on the owner's behalf for making an application for the designation of a private road as a fire route; or
- (6) An occupant or a person authorized in writing by the owner as defined in Subsection (1), (2), (3) or (4) of this definition to act on the owner's behalf for the purpose of requesting the enforcement of this chapter.

OWNER - When used in relation to a vehicle, the registered owner of the vehicle and includes a person who has leased or rented a vehicle under written contract.

PARK or PARKING - When prohibited, the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

PENALTY NOTICE - As defined in Chapter 610, Penalties, Administration of. [**Added 2017-07-07 by By-law 805-2017³**]

PRIVATE ROAD - Any private road, lane, ramp or other means of vehicular access to or egress from a building or structure and includes a private roadway or yard as referenced in the Building Code in connection with Fire Department equipment access to buildings, and may include part of a parking lot.

VEHICLE - Includes a motor vehicle, trailer, traction engine, farm tractor or road-building machine.

VEHICLE OWNER - As defined in Chapter 610, Penalties, Administration of. [**Added 2017-07-07 by By-law 805-2017⁴**]

- B. A term not defined in Subsection A shall have the same meaning as the term in the Building Code Act, 1992 or in the Building Code or the Fire Protection and Prevention Act, 1997.

³ Editor's Note: By-law 805-2017 came into effect August 28, 2017.

⁴ Editor's Note: By-law 805-2017 came into effect August 28, 2017.

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

§ 880-2. Application for designation of private road as fire route.

- A. The owner of a private road to a building may apply in writing to the Fire Chief requesting that the private road be designated, in whole or in part, as a fire route under this chapter.
- B. Where the Building Code requires that a building be provided with access routes for Fire Department vehicles or that access for Fire Department equipment be provided to a building by private roadway or yard and the Fire Chief so orders, the owner of the private road to a building shall make an application for the designation of the private road as a fire route under this chapter.
- C. Where the Fire Chief, having regard to his or her responsibility for the delivery of fire protection services under the Fire Protection and Prevention Act, 1997, determines that a private road or any part of it requires a fire route for the delivery of fire protection services and the Fire Chief so orders, the owner of a private road to the building shall make an application for the designation of the private road as a fire route under this chapter.
- D. An application required under Subsection B or C shall be made within two months from the date of the receipt of the Fire Chief's order.
- E. The application shall be in such form as the Fire Chief may prescribe from time to time and shall include:
 - (1) Two copies of a site plan of the private road to the building in the form and size prescribed by the Fire Chief, clearly showing:
 - (a) The location of every building and structure on the site;
 - (b) The location of all pedestrian walks, parking areas, parking aisles, and driveways on the site;
 - (c) The location, number and proximity to the building of all fire hydrants and Fire Department connections on the site;
 - (d) The location and design of the proposed fire route; and
 - (e) Proof of compliance with the requirements in the Building Code as required in § 880-3A(2).
 - (2) Proof of ownership of the private road and building.
 - (3) Such other information as the Fire Chief, having regard to his or her responsibility for the delivery of fire protection services under the Fire Protection and Prevention Act, 1997, may prescribe in writing from time to time.

§ 880-3. Consideration of application.

- A. In considering the application, the Fire Chief shall determine whether there is compliance with the following conditions for the designation of a fire route:
 - (1) Having regard to his or her responsibility for the delivery of fire protection services under the Fire Protection and Prevention Act, 1997, the designation of the private

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

road or any part of it as a fire route is necessary for the delivery of fire protection services.

- (2) Where the Building Code requires that access routes for Fire Department vehicles or equipment be provided to a building by private roadway or yard, and in all other cases, the private road has or can provide:
 - (a) The minimum width capable of allowing any Fire Department vehicle or Fire Department equipment unobstructed access to the building;
 - (b) The minimum centre line radius capable of allowing any Fire Department vehicle or Fire Department equipment unobstructed access to the building;
 - (c) Sufficient overhead clearance to allow any Fire Department vehicle or Fire Department equipment unobstructed access to the building;
 - (d) A gradient change ratio sufficient to allow any Fire Department vehicle or Fire Department equipment unobstructed access to the building;
 - (e) The capacity of supporting loads imposed by any Fire Department vehicle or Fire Department equipment;
 - (f) A concrete, asphalt or other surface designed for year-round accessibility;
 - (g) Turnaround facilities where the private road has a dead-end that exceeds 90 metres and such facilities are considered necessary for the proper operation of any Fire Department vehicle or Fire Department equipment; and
 - (h) A direct connection to a public thoroughfare.
- (3) The application otherwise complies with this chapter and the policies and other by-laws of the Council and any other conditions imposed by the Council in respect of such applications or in respect of fire prevention, including the prevention of the spreading of fires.

B. In determining whether there is compliance with the condition set out in Subsection A(2), the Fire Chief may obtain the assistance of any other official of the City, including the local councillor, as the Fire Chief considers advisable.

C. The Fire Chief may call a public meeting to seek input on the details of the proposed fire route if he or she so requires, prior to final approval under § 880-4.

§ 880-4. Disposition of application.

A. Where the Fire Chief, acting in accordance with this chapter, determines that the application complies with all the conditions set out in § 880-3A, the application shall be approved, and the owner of the private road shall be so notified in writing.

B. Subject to § 880-5, where the Fire Chief determines that the application does not comply with all the conditions set out in § 880-3A, the application shall be refused, with reasons, and the owner of the private road shall be so notified in writing.

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

- C. Where the Building Code does not apply to the construction of a private road or a related building that is the subject of an application and where the application may be refused under Subsection B for the reason that it does not comply with a condition set out in § 880-3A(2) in whole or in part, the Fire Chief, having regard to his or her responsibility for the delivery of fire protection services under the Fire Protection and Prevention Act, 1997, and to the extent that the Fire Chief is not prevented from doing so by the Building Code Act, 1992 or any other legislation, may, prior to making a final determination on the application, request or order, in writing, the owner of the private road to take such measures as are necessary to comply with the condition.
- D. The measures referred to in Subsection C shall be taken at the owner's own expense and shall be completed within such time as the Fire Chief may specify in writing.

§ 880-5. Appeals.

- A. Where the application has been refused under § 880-4B, or where the owner of the private road objects to an order made under § 880-2C or 880-4C, the decision on the application or the order may be appealed to the committee, but such appeal must be submitted to the Fire Chief for the consideration of the committee within two months of receipt of notice of the decision or of the order, unless the Council enlarges or extends the period to allow or provide for the appeal.
- B. The appeal shall be made to the committee that is the community council representing the urban area where the private road that is the subject of the application is situated.
- C. Where the appeal is of an order, the order is stayed until the final disposition of the appeal.
- D. An appeal shall be in writing and set out the reasons why the application complies or does not comply with the conditions set out in § 880-3A or why the order made under § 880-2C or 880-4C should be rescinded, as the case may be.
- E. Where an appeal is made, the Fire Chief shall forward a report on the application to the committee setting out the grounds of refusal or approval or the reasons for the order, as the case may be.
- F. Upon hearing the representations of the owner of the private road and considering the report and representations of the Fire Chief, the committee, having regard to the conditions set out in § 880-3A, shall: **[Amended 2007-03-06 by By-law 176-2007⁵]**
 - (1) Recommend to the Council whether to approve or refuse the application or to confirm or amend the order, as the case may be; or
 - (2) Under delegated authority, approve or refuse the application or confirm or amend the order, as the case may be.

⁵ Editor's Note: By-law 176-2007 stated that the amendment to this subsection would come into force upon a Regulation being filed prescribing the Acts under which these powers are exercised as Acts under which the City may delegate its legislative or quasi-judicial power. The delegation for fire routes came into effect on March 2, 2018 under Ontario Regulation 57/18 which amended Ontario Regulation 447/07.

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

- G. The decision of the Council, or of the community council under delegated authority, shall be final and shall not be appealable or reviewable. **[Amended 2007-03-06 by By-law 176-2007⁶]**

§ 880-6. Designation of private road as fire route.

[Amended 2005-07-21 by By-law 683-2005; 2005-12-07 by By-law 1048-2005; 2007-03-06 by By-law 176-2007⁷]

- A. Where an application is approved under § 880-4, or an appeal is approved under § 880-5G, and upon the enactment of a by-law to that effect, that part or those parts of the private road or roads shown on the site plan filed with the Fire Chief in respect of the municipal address set out in the by-law shall be designated as a fire route for the purposes of this chapter.
- B. Any person may view the site plan filed with the Fire Chief in respect of a fire route designated under § 880-6A and may obtain a photocopy of it.
- C. (Reserved)
- D. The Fire Chief shall notify the owner of the private road and the Toronto Police Service of the designation of any private road as a fire route under Subsection A.

§ 880-7. Fire route designated under prior by-laws.

- A. A private road designated or established as a fire route or the like under a by-law of an old area municipality, of the former Metropolitan Toronto, preceding the enactment of this chapter shall be conclusively considered for all purposes to be a fire route under this chapter, and the municipal address in relation to the fire route shall be listed in Schedule A as if originally designated under this chapter, despite the repeal of such by-law by section 3 of By-law 987-2004 and despite the fact that such route does not comply with the conditions established under this chapter for the designation of a private road as a fire route, so long as (and subject to Subsection B) that route continues to comply with the conditions established under such old area municipal by-law for the designation of such routes. **[Amended 2005-12-07 by By-law 1048-2005]**
- B. Nothing in Subsection A precludes the owner of a private road to a building from making an application under this chapter for designation of the private road as a fire route under this chapter.

⁶ Editor's Note: By-law 176-2007 stated that the amendment to this subsection would come into force upon a Regulation being filed prescribing the Acts under which these powers are exercised as Acts under which the City may delegate its legislative or quasi-judicial power. The delegation for fire routes came into effect on March 2, 2018 under Ontario Regulation 57/18 which amended Ontario Regulation 447/07.

⁷ Editor's Note: By-law 176-2007 stated that the amendment to this subsection would come into force upon a Regulation being filed prescribing the Acts under which these powers are exercised as Acts under which the City may delegate its legislative or quasi-judicial power. The delegation for fire routes came into effect on March 2, 2018 under Ontario Regulation 57/18 which amended Ontario Regulation 447/07.

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

§ 880-8. Fire route costs.

The City shall not be responsible in any way for the design, construction or maintenance of a private road or part of it as a fire route or for any cost incurred by the owner of a private road relating to the designation of the private road or part of it as a fire route under this chapter, unless, in either case, the City is the owner of the private road, or for any costs incurred by any person in connection with any application, order, objection, comment, appeal, decision or other action or thing made or taken in relation to the designation of the private road or part of it as a fire route under this chapter.

§ 880-9. Fire route signs.

- A. The owner of a private road designated as a fire route under this chapter shall erect or cause to be erected, at the owner's own cost, fire route signs on the fire route in accordance with the requirements set out in this chapter.
- B. Fire route signs required to be erected under Subsection A shall be erected on the fire route no later than 10 days after service on the owner of the private road designated as a fire route of notice of the designation of the fire route under § 880-6.
- C. A fire route sign shall:
 - (1) Be a permanent structure.
 - (2) Be legible in appearance.
 - (3) Not be obstructed by any structure or vegetation.
 - (4) Be sized in accordance with Schedule B of this chapter.
 - (5) Prominently bear the symbol and show the wording, colour and numbers as indicated in Schedule B of this chapter.
 - (6) Where the owner of a private road designated as a fire route intends to act under § 880-16B to cause the removal of any vehicle parked or left along the fire route and such vehicles will be removed and impounded by persons not acting under the immediate supervision of a police officer or police cadet, have posted immediately below the fire route sign a sign of the same width as the fire route sign that contains a clearly visible statement that vehicles parked or left in contravention of this chapter are subject to being removed from the premises at the owner's expense and a clearly visible reference to a service and its telephone number answerable 24 hours of each day where the driver or owner of the vehicle may determine the location of the impounded vehicle, and such second sign shall be considered as forming part of the fire route sign for the purposes of this chapter.
 - (7) Include such other information as the Fire Chief, having regard to his or her responsibility for the delivery of fire protection services under the Fire Protection and Prevention Act, 1997, may determine.
 - (8) Be affixed to a building, pole or other structure in accordance with Schedule B.

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

- (9) Be installed and located in accordance with Schedule B of this chapter.
 - (10) Be at all locations where the continuity of the fire route is interrupted by any highway, private road, public or private lane, intersection, or ramp.
 - (11) Be at such other locations as the Fire Chief, having regard to his or her responsibility for the delivery of fire protection services under the Fire Protection and Prevention Act, 1997, may determine.
- D. No person shall erect a fire route sign unless an application for a fire route has been made and approved under this chapter or a fire route by-law of an old area municipality. **[Added 2011-12-01 by By-law 1405-2011; amended 2012-07-13 by By-law 1012-2012⁸].**

§ 880-10. Fire route signs under prior by-laws.

- A. Any sign placed, erected or installed for the purpose of identifying or regulating, warning or guiding traffic on a fire route or the like under a by-law of an old area municipality of the former Metropolitan Toronto preceding the enactment of this chapter shall be conclusively considered for all purposes to be a fire route sign under this chapter, despite the repeal of such by-law by this chapter and despite the fact that such sign does not comply with the requirements established under this chapter for the design and location of fire route signs, so long as (and subject to Subsection B) it can be demonstrated that the sign was erected in compliance with the by-law of the former area municipality; and any reference on such sign to the old area municipal by-law shall be conclusively considered to be a reference to this chapter, and such signs on fire routes existing on the day of the enactment of this chapter shall not require replacement until physical deterioration, damage or loss require their replacement and such replacement shall be in accordance with § 880-9.
- B. Nothing in Subsection A precludes the owner of a private road designated as a fire route from replacing a sign authorized under an old area municipal by-law with a fire route sign authorized under this chapter.

§ 880-11. Fire route sign costs.

The City shall not be responsible in any way for the erection or maintenance of fire route signs or for any cost incurred by the owner of a private road designated as a fire route relating to the fire routes, unless the City is the owner of the private road.

§ 880-12. Interference with fire route signs.

Except as otherwise provided in this chapter, no person shall, without the prior permission of the Fire Chief, place, erect, install, alter, move, remove or deface or in any manner obstruct or interfere with a fire route sign or in any manner change the design of or the contact identified in a fire route sign.

⁸ Editor's Note: By-law 1405-2011, as amended by By-law 1012-2012, has received set fine approval and came into force January 23, 2014.

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

§ 880-13. Maintenance.

- A. The owner of a private road designated as a fire route shall at the owner's own expense maintain the fire route in accordance with the Fire Code.
- B. The owner of a private road designated as a fire route shall at the owner's own expense maintain any fire route sign erected on the fire route:
 - (1) In compliance with the requirements for fire route signs under this chapter;
 - (2) In good repair;
 - (3) Clear of snow and ice; and
 - (4) Free of blockage by any means or obstruction of any kind.

§ 880-14. Parking prohibition.

- A. No person shall park or leave a vehicle in a fire route.
- B. Subsection A does not apply to the owner or driver of an ambulance, police, Fire Department, public utility or other emergency, rescue or repair vehicle or other equipment while actually engaged in emergency, rescue or repair activities or operations, as the case may be.

§ 880-15. Offences and administrative penalties.

[Amended 2011-12-01 by By-law 1405-2011; 2012-07-13 by By-law 1012-2012⁹; 2017-03-29 by By-law 311-2017¹⁰; 2017-07-07 by By-law 805-2017¹¹]

- A. Every person who contravenes any provision of this chapter is guilty of an offence or is liable to an administrative penalty.
- B. Unless at the time of the contravention the vehicle was in the possession of another person without the vehicle owner's consent, if a vehicle has been left parked, standing or stopped in contravention of § 880-14A, the vehicle owner shall, upon issuance of a penalty notice, be liable to an administrative penalty.
- C. Every person convicted of an offence under this chapter, other than an administrative penalty under § 880-14A, is liable to a fine as provided for in the *Provincial Offences Act*.

§ 880-16. Removal and impounding.

- A. A police officer, police cadet, municipal law enforcement officer acting in the circumstances and the manner set out in Subsection D, or an officer appointed for the carrying out of the provisions of the Highway Traffic Act, upon discovery of any vehicle

⁹ Editor's Note: By-law 1405-2011, as amended by By-law 1012-2012, has received set fine approval and came into force January 23, 2014.

¹⁰ Editor's Note: By-law 311-2017 removed the fixed fine system for all parking ticket offences and came into effect April 10, 2017.

¹¹ Editor's Note: By-law 805-2017 came into effect August 28, 2017.

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

parked or left in contravention of this chapter, may cause it to be moved or taken to and placed or stored in a suitable place, and all costs and charges for removal, care, and storage of the vehicle, if any, are a lien against the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act.

- B. Subject to Subsection D, where the owner of a private road designated as a fire route has erected fire route signs in accordance with this chapter, any vehicle parked or left along the fire route in contravention of this chapter may be removed and impounded, and the owner of the vehicle shall be responsible for any expenses incurred in removing and impounding the vehicle.
- C. Any lien against a vehicle removed under Subsection A or any charges for the expense of removing and impounding of a vehicle parked or left in contravention of this chapter and removed and impounded under Subsection B may be enforced by the person who has care and control of the vehicle after the vehicle has been removed and impounded.
- D. No owner of a private road designated as a fire route shall, in acting under Subsection B, cause to be removed or impounded any vehicle parked or left in contravention of this chapter, unless the owner of the private road designated as a fire route:
 - (1) Requests a police officer or police cadet or municipal law enforcement officer acting under the supervision of a police officer or police cadet to supervise the removal and impounding of the vehicle; or
 - (2) Requests a municipal law enforcement officer not acting under the supervision of a police officer or police cadet to remove or cause to remove, or impound the vehicle, or both, in which case the owner of the private road designated as a fire route shall ensure that:
 - (a) The vehicle is removed to or impounded in an area that is secured by fences locked to the public and with respect to which security personnel are present 24 hours of each day;
 - (b) A clearly visible sign or signs are posted in the immediate vicinity of the fire route, which sign shall state that vehicles parked or left in contravention of this chapter are subject to being removed from the premises at the owner's expense and indicating a service and its telephone number, answerable 24 hours a day of each day, that the owner or driver of any motor vehicle that has been removed may call to determine the location of the vehicle; and
 - (c) Prior to requesting any municipal law enforcement officer not acting under the supervision of a police officer or police cadet to remove or cause to remove, or impound the vehicle, or both, the owner's property has been inspected by the Toronto Police Service to ensure the requisite towing signage has been posted and the sign has been approved by the Toronto Police Service.

§ 880-17. Other remedies.

- A. Where any person defaults in doing what this chapter directs or requires the person to do or to have done and where the Fire Chief, having regard to his or her responsibility for the

TORONTO MUNICIPAL CODE
CHAPTER 880, FIRE ROUTES

delivery of fire protection services under the Fire Protection and Prevention Act, 1997, considers the matter or thing necessary for the delivery of fire protection services by the Fire Department and where no appeal is available under this chapter to the person in default or, if an appeal under this chapter is available, the time within which the appeal is to be made has expired, the City may, in addition to any other remedy available under this chapter or otherwise at law or in equity or by statute and in addition to any penalty that may be imposed under this chapter, do or cause to have done such matter or thing at the expense of the person in default and the City may recover any costs incurred by the City in doing it or having it done by legal action, or by adding the costs to the municipal tax roll and collecting them in the same manner as taxes.

- B The costs incurred by the City under Subsection A shall include interest at a rate of 15 per cent or such lower rate determined by the City commencing on the day the City incurs the costs and ending on the day the costs, including the interest, are paid in full.

§ 880-18. Power of entry.

- A. The Fire Chief and any person employed by the City as a fire prevention officer in the Fire Department are appointed as officers for the purpose of entering upon the land or into the structures to which this chapter applies at any reasonable time to inspect the land or structures or both to determine whether this chapter is being complied with.
- B. Any person who has been appointed by the City for the purpose of determining whether any other by-law of the City or other law regulating fire prevention or fire safety has been complied with and whose appointment has not been suspended or revoked is also appointed as an officer for the purpose of exercising the power given under Subsection A.

§ 880-19. Service.

- A. Any notice, invoice or other things required to be given or served under this chapter may be served personally, by regular letter mail, by electronic transmission, by telephone transmission of a facsimile or by some other method that allows proof of receipt.
- B. Service by regular letter mail under Subsection A shall be deemed to be received by the person on the fifth day after mailing unless the person establishes that the person did not, acting in good faith, through absence, accident, illness or other cause beyond the person's control receive a copy until a later date than the deemed date of receipt.
- C. Service by electronic transmission or by telephone transmission of a facsimile under Subsection A shall be deemed to be received the day after it is sent or, if that day is a Saturday or holiday, on the next day that is not a Saturday or holiday, unless the person establishes that the person did not, acting in good faith, through absence, accident, illness or other cause beyond the person's control receive a copy until a later date than the deemed date of receipt.