

1990

## c Pr11 City of Toronto Act, 1990 (No. 1)

Ontario

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## CHAPTER Pr11

**An Act respecting the City of Toronto***Assented to April 19th, 1990*

Whereas The Corporation of the City of Toronto, herein Preamble  
called the Corporation, hereby applies for special legislation  
in respect of the matters hereinafter set forth; and whereas it  
is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

1. The council of the Corporation may by by-law, By-laws  
respecting  
permit  
parking
  - (a) allow the parking of motor vehicles, or any class or  
classes thereof, on designated public highways or  
parts of highways during specified hours pursuant to  
permits issued to the owners of the vehicles by an  
official named in the by-law;
  - (b) charge fees for the parking permits;
  - (c) provide for cancelling the permits and refunding the  
unexpired portion of the fee;
  - (d) prohibit the parking of motor vehicles on the desig-  
nated public highways or parts of highways during  
the specified hours unless a permit has been issued  
under the by-law; and
  - (e) allow each person to whom a permit has been  
issued under the by-law to park the motor vehicle in  
respect of which the permit has been issued on pub-  
lic highways or parts thereof designated under the  
by-law without using any automatic or other  
mechanical meter or device erected thereon.

2.—(1) Before passing a by-law under this Act, notice of Notice  
the intention of the Corporation to pass the by-law and notice  
of a poll shall be sent by prepaid mail to all persons rated on  
the last assessment roll returned to the City Clerk as amended  
by decisions of the Assessment Review Board and by written

information received by the City Clerk with respect to land abutting on the parts of the highway to be designated, at the addresses shown for such persons in the roll.

Determi-  
nation by  
City Clerk

(2) The City Clerk shall determine whether the information referred to in subsection (1) is appropriate for the purpose and the determination thereof by the City Clerk and of the persons entitled to notice shall be evidenced by a certificate of the City Clerk.

Effect of  
certificate

(3) The certificate is final and conclusive of the information set out in it.

Information  
contained in  
assessment  
roll

(4) Nothing in subsection (1) authorizes the City Clerk to act on the basis of information not contained in the assessment roll unless it is reasonable for the City Clerk to assume that such information is correct and the information shown on the assessment roll is incorrect, incomplete or out of date.

Majority vote  
required

**3.—**(1) If the majority of poll notices received by the City Clerk within one month following the latest date of mailing of the poll notices is in favour of the proposed by-law, the Corporation may pass the by-law.

Saving

(2) If the council of the Corporation has been prevented from passing the proposed by-law because a majority of poll notices received under subsection (1) opposed the passing of the proposed by-law, the council may again proceed under this Act in respect of the highways or parts thereof proposed to be designated by by-law at any time after the expiry of two years following the one-month period referred to in subsection (1).

Reserve fund

**4.** The net revenue derived from the operation of the permit parking shall be paid into a reserve fund and applied as set out in clause (f) of paragraph 55 of section 208 of the *Municipal Act*.

R.S.O. 1980,  
c. 302

Enforcement

**5.** A by-law under this Act may provide a procedure for the voluntary payment of penalties in cases where it is alleged that the parking provisions of the by-law have been contravened and the owner of the motor vehicle shall incur the penalties provided for any violation unless, at the time of the violation, the motor vehicle was in the possession of some person, other than the owner or his or her chauffeur, without the owner's consent.

Repeal

**6.** Section 4 of the *City of Toronto Act, 1988*, being chapter Pr29, is repealed.

**7. This Act comes into force on the day it receives Royal Assent.** Commence-  
ment

**8. The short title of this Act is the *City of Toronto Act, 1990*.** Short title

