

## **COMMITTEE OF THE WHOLE (WORKING SESSION) NOVEMBER 23, 2004**

### **CITY OF VAUGHAN LICENSING BY-LAW**

#### **Recommendation**

The City Clerk, in consultation with the Commissioner of Legal and Administrative Services, the Manager of Licensing and Finance staff, recommends:

- 1) That amendments to Licensing By-Law 2-2001, as noted in Appendix 1, be approved and that a by-law be enacted to implement the amendments;
- 2) That the section in Licensing By-law #2-2001 pertaining to firework permits, special events, filming events, newspaper boxes and outdoor exhibitions be deleted and enacted as separate by-laws; and
- 3) That there be a moratorium on the issuance of taxi owner licenses pending a staff report in mid-2005 addressing the issuance of additional licenses.

#### **Purpose**

To report on amending the City's Comprehensive Licensing By-Law to ensure compliance with the new licensing provisions of the Municipal Act.

#### **Background - Analysis and Options**

The last few years have seen unparalleled changes to municipal government in Ontario. Municipalities have been restructured and costs have been downloaded by the Province and municipalities' opportunities to generate revenue have been restricted including municipal licensing. Historically municipal licensing served two purposes: consumer protection and revenue generation. Municipalities will no longer be able to generate revenue from licensing beyond recovering the costs directly related to the issuance of the licenses.

On January 1, 2003, a new Municipal Act, S.O. 2001, C25, hereinafter referred to as the Act, came into effect setting out a new legislative framework for business licensing in Ontario. Section 150 of the Act is the primary licensing section.

Pursuant to section 150 (2) licensing powers must only be exercised for one or more of the stated purposes. These include, health and safety, nuisance control and consumer protection. Sub-section 150 (3) of the Act makes these stated purposes mandatory. A by-law licensing or imposing any conditions on any business or class of business passed after this section comes into force should include an explanation as to why a municipality is licensing it or imposing the condition (s) and how that relates to the purpose referenced under Sub-section 150 (2). Staff have reviewed the various classes of businesses presently being licensed by the municipality and are confident that these classes fall within at least one of the categories listed in Sub-section 150 (2). These purposes have been referenced in the preamble of the Licensing By-law as well as on Schedule "A"

Section 150 (4)(a) of the Act requires that a Council shall, before passing a by-law under this section, except in the case of an emergency, hold at least one public meeting at which any person in attendance may make representation with respect to the matter being considered. Section 150 (4)(b) states that Council shall ensure that notice of the public meeting is given. The public meeting may be held subsequent to the passing of the by-law where a by-law is passed in an emergency situation, however, the notice requirements must be met as soon as practicable after its passage. The public hearing will be held on November 29, 2004 and was advertised in the Liberal on November 11, 2004.

### **Activity Costing of Licensing Fees**

Recognizing the impact of the Municipal Act on justifying certain user fees and charges, the Finance department initiated a study to address the impact of the development application approval process which involves building permit and planning fees. In order to be efficient and proactive, the study included an activity costing of licensing fees. This study engaged C.N. Watson, in association with Performance Concept Consulting, to complete the study. Both firms had previous experience in activity costing and in the interpretation of the new Municipal Act. This report addresses the activity costing and user fee justification of the licensing fees. The impact on building permit and planning fees is the subject of a separate report at a later date.

Section 150 (9) of the New Municipal Act imposes limitations on the fees that can be charged in relation to licensing fees and sets the parameters. It states:

“The total amount of fees to be charged for licensing a class of business shall not exceed the costs directly related to the administration and enforcement of the by-law or portions of the by-law of the municipality licensing that class of business.”

The key phrase in the clause is “The total amount of the fees...shall not exceed the costs directly related ...”. However, the interpretation of what is direct cost versus indirect according to the legislation differs from the traditional accounting delineation of direct and indirect costs. The legal interpretation of the “directly related” requirement is that municipalities must be able to draw a straight line from the cost to the licensing fee. This means that if a cost can be linked directly to the administration and enforcement of a license, it will be deemed direct. As such costs for Information Technology, Payroll, Fire Mechanical, Legal, Records Management, Occupancy Costs, etc., would be eligible for inclusion in the justification of the fee.

The first step in the process was to undertake an exhaustive time sample study identifying direct staff time from specifically involved departments in the processes of administration and enforcement of all licenses. The sampling was completed and the costing has been updated to reflect 2004 salary rates. It should also be noted that the licensing activity costing study, which incorporates the sample study, as well as legislative defined direct related costs, is complete and is the basis for the licensing fees requiring approval in this report. In the activity costing study, the departmental direct related time study involvement, as well as the departmental allocated costs such as By-law, and the initial and renewal volumes are based on assumptions from the Licensing department.

In addition, the consultants advised that the activity costing meets legislation in that the selected cost objects meet the case law reasonableness test for Part X11 of the Act, user fee costing. They have further advised that the costing design promotes both legislation compliance and the justification of individual licensing fees.

Schedule “A” in Appendix I sets out the fees for new applications and renewals thereof. The costing model used to arrive at these fees has taken into account all costs across the corporation that can reasonably be attributed to the cost of administering and enforcing a license. To ensure the accuracy of licensing fees, sampling updates will take place periodically throughout 2005 to ensure costing information is kept up to date.

### **Renewal Process**

In order to streamline the process for the renewal of licenses and to eliminate the high volume presently being experienced by staff in June and December when the majority of licenses come up for renewal, staff is proposing to spread out renewal dates throughout the year. By so doing, staff will be able to provide a more efficient service to licensees. Staff is proposing that all non-vehicular licenses be renewed by March 31 of every year. With respect to vehicular licenses, staff is proposing various dates for renewal. In these cases, renewal dates align themselves or

are close to renewal dates in other municipalities in which licensees hold licenses. This will assist licensees in their renewal processes. Attached as Schedule "G" are the proposed renewal dates.

Section 150 (13) of the Act causes a by-law passed under the Act to expire 5 years after it comes into force or on the day it is repealed, whichever comes first. Amendments to a by-law licensing a business does not affect the term of the by-law. The present licensing by-law was enacted on January 15, 2001. Accordingly, a new by-law will need to be enacted no later than January 15, 2006.

Section 158 of the Act establishes a requirement that the municipality maintain a list for public inspection indicating those businesses that require licensing and the license fees to be charged for each class of business. In addition, the list shall identify the cost of administering and enforcing the business licensing by-law with respect to each class and how the amount of the business-licensing fee is calculated. Attached, as Appendix II, is a copy of the list.

It is staff's opinion that those sections presently in the licensing by-law relating to firework permits, filming permits, outdoor exhibitions, special events and newspaper boxes do not fall within any of the categories listed under Section 150 (2) of the Act. Accordingly, it is recommended that these sections be deleted from the present licensing by-law and re-enacted as self-standing by-laws.

#### **Relationship to Vaughan Vision 2007**

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

#### **Conclusion**

Council's approval of the recommended amendments to the Licensing By-Law will ensure compliance with the Municipal Act regulations applicable to the licensing of businesses in the municipality.

#### **Attachments**

Appendix I – Table of Changes  
Appendix II – Fee Summary  
Schedule A – Annual Fees for Application for Licenses and Renewal of Such Licenses  
Schedules C1, C2, D1, D2, E1, E2 – Subject Lands  
Schedule F- Wheelchair Sign  
Schedule G – Renewal and Expiry Dates

#### **Report prepared by:**

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Respectfully Submitted

John D. Leach  
City Clerk

LWIW01  
 NOVEMBER 23, 2004  
 ITEM 3

APPENDIX 1 - REVISED

2-2001 Revisions	Fall 2004		
Old Section	Old wording	New Section	New/Revised Wording
Preface	<p>WHEREAS, the City of Vaughan has enacted licensing by-laws to issue, revoke, and suspend licenses, and to regulate, and inspect businesses, trades, professions callings and occupations within the City of Vaughan;</p> <p>AND WHEREAS, from time to time further by-laws were passed amending the above licensing by-laws;</p>	Preface	<p>WHEREAS, the City of Vaughan has enacted licensing by-laws over the years to license, regulate and govern businesses within the City of Vaughan under <i>The Municipal Act</i>, R.S.O. 1990, c. M.45;</p> <p>AND WHEREAS the City of Vaughan deems it appropriate to incorporate into its Licensing By-law the authority now granted to it under Part IV of <i>The Municipal Act</i>, 2001, S.O. 2001, c. 25;</p> <p>AND WHEREAS Section 150 of <i>The Municipal Act</i>, 2001, permits municipalities to license, regulate and govern businesses wholly or partly carried on within the municipality;</p> <p>AND WHEREAS a by-law licensing or imposing a condition on a business shall include an explanation as to the reason the municipality is licensing the business or imposing the condition(s) and how that reason relates to the purposes under the <i>Municipal Act</i>, 2001, subsection 150 (2);</p> <p>AND WHEREAS it has been determined that it is appropriate to license, regulate and govern certain businesses for the purpose(s) of:</p> <ul style="list-style-type: none"> <li>a) Health and safety - businesses, activities or undertakings that could result in hazardous conditions, injury or loss; and/or</li> <li>b) Nuisance control - businesses, activities or undertakings that could adversely affect the quality of life of any person(s); and/or</li> <li>c) Consumer protection - the prevention of unfair or potentially unfair business practice(s) that could result in loss (es) on the part of a consumer.</li> </ul> <p>AND WHEREAS with a view to completing the requirements for the public list to be posted pursuant to Section 158 of the <i>Municipal Act</i>, 2001 setting out all classes of business to be licensed, all licence fees, the costs of all licensing administrative services and the costs of enforcement, and as a result the fees for certain classes of licenses are being charged;</p> <p>AND WHEREAS a public meeting was held on the 29<sup>th</sup> day of November 2004, at which time the report of the City Clerk and the Manager of Special Projects, Licensing and Permits, Insurance-Risk Management, relating to the licensing of businesses, including an explanation as to the reason the municipality is licensing or imposing the conditions and how that reason relates to the purposes under <i>The Municipal Act</i>, 2001, subsection 150(2), as well as an explanation as to the changes in fees for some classes of businesses, was considered;</p> <p>AND WHEREAS, from time to time further by-laws were passed amending the above licensing by-laws;</p>

Definitions	"Parlour, Adult Entertainment" means any premises or part thereof in which is provided in pursuance of a trade, calling, business or occupation, services appealing or designed to appeal to erotic or sexual appetites or inclinations;	Definitions	"Adult Entertainment Parlour" means any premises or part thereof where goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided, in pursuance of a business, in the premises or part of the premises;
Definitions	"Parlour, Body Rub" includes any premises or part thereof where a body rub is performed offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where massages are performed for the purposes of medical or therapeutic treatments by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario;	Definitions	"Body Rub Parlour" means any premises or part thereof where the services of body rub(s) are performed and/or provided, in pursuance of a business, in the premises or part of the premises;
	N/A	Definitions	"Dwelling Unit" means a room or suite of two (2) or more rooms, designated or intended for use by a family, in which sanitary conveniences are provided and in which facilities are provided for cooking or the installation of cooking equipment;
Definitions	"Foodstuffs" is an edible commodity meant for human consumption and shall include but not be limited to items dispensed from vending machines;	Definitions	"Foodstuffs" is any commodity meant for human consumption and shall include but not be limited to items dispensed from vending machines;
Definitions	"Highway" means a street or highway being a provincial highway or under the jurisdiction of the Regional Municipality of York, the City of Toronto, or assumed by the City or being constructed under an agreement with the City;	Definitions	"Highway" means a street or highway being a provincial highway as defined in the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended;
Definitions	"Motor Vehicle" means a motor vehicle as defined in the Highway Traffic Act, R.S.O. 1990, c.H.8., as amended;	Definitions	"Motor Vehicle" means a motor vehicle as defined in the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended, and the term "Motor Vehicle" when used in this By-law means "Motor Vehicle" and/or "Commercial Motor Vehicle" as defined in the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended;
	N/A	Definitions	"Provincial Offences Officer" means a police officer or a person or class of persons designated in writing by a minister of the Crown for the purposes of all or any class of offences;
Definitions	"Refreshment Vehicle" means a motor vehicle, muscle powered cart, wagon or hot dog cart that is licensed or required to be licensed and is designed for or intended to be used for the selling, offering for sale, serving, and/or dispensing of refreshments;	Definitions	"Refreshment Vehicle" means without a qualifier Refreshment Vehicle – Type 1, Type 2, and Type 3;  "Refreshment Vehicle – Type 1" means a motor vehicle that is licensed or required to be licensed and is designed for or intended to be used for the selling, offering for sale, serving, and/or dispensing of refreshments, and includes but is not limited to vehicles such as coffee trucks and ice cream trucks;  "Refreshment Vehicle – Type 2" means a trailer cart that is licensed or required to be licensed and is designed for or intended to be used for the selling, offering for sale, serving, and/or dispensing of refreshments, and includes but is not limited to hot dog carts;

			"Refreshment Vehicle – Type 3" means a muscle powered cart that is licensed or required to be licensed and is designed for or intended to be used for the selling, offering for sale, serving, and/or dispensing of refreshments, and includes but is not limited to bicycle ice cream carts;
Definitions	"Video Store, General" means any premises or part thereof in which videotapes, are provided in the pursuance of a business, where 10% or less of the entire area of the premises devoted to the provision, display and/or storage of videotapes, but more than 0% of such area, is used for the provision, display, storage, sale, or rental of adult videotapes;	Definitions	"Video Store, General" means any premises or part thereof in which videotapes, are provided in the pursuance of a business, where 10% or less of the entire area of the premises devoted to the provision, display and/or storage of videotapes, is used for the provision, display, storage, sale, or rental of adult videotapes;
Definitions	"Taxi" means a motor vehicle of a type approved by the Licensing Officer, licensed or required to be licensed under the provisions of this By-law which is used for the hire and conveyance of persons, materials or luggage, from a point of origin within the City of Vaughan to a destination directly or indirectly and shall not include an accessible taxi;	Definitions	"Taxi" means a motor vehicle of a type approved by the Licensing Officer, licensed or required to be licensed under the provisions of this By-law which is used for the hire and conveyance of persons, materials or luggage, from a point of origin within the City of Vaughan to a destination directly or indirectly and shall not include an Accessible Taxi;
3.0	(5) a) every person shall produce, upon demand of the person authorized to enforce the provisions of this By-law, the license issued to any person pursuant to this By-law; and b) an establishment or premise may at all times when the said premises are open to the public, be entered and inspected by a person authorized to enforce the provisions of this By-law, for the purposes of enforcing this By-law. c) no person shall hinder or obstruct any person authorized to enforce the provisions of this By-law from entering or inspecting an establishment, licensed vehicle, premise or part thereof for the purposes of enforcing the provisions of this By-law.	3.0	(5) Every person shall produce, upon demand of the person authorized to enforce the provisions of this By-law, the license issued to any person pursuant to this By-law. (6) An establishment or premise may at all times when the said premises are open to the public, be entered and inspected by a person authorized to enforce the provisions of this By-law, for the purposes of enforcing this By-law. (7) No person shall hinder or obstruct any person authorized to enforce the provisions of this By-law from entering or inspecting an establishment, licensed vehicle, premise or part thereof for the purposes of enforcing the provisions of this By-law.
3.0	(9) The original license issued in respect of this By-law shall be posted in a conspicuous place within the premise and/or in the vehicle for which it was granted.	3.0	(11) The licensee shall post the original license issued in respect of this By-law in a conspicuous place within the premise and/or affixed to the exterior rear of the vehicle for which it was granted. a) The licensee of a vehicle plate shall ensure that the original or legible photocopy of the Vaughan-issued identification card be maintained in the vehicle for which it was issued and must be produced by the vehicle operator upon the request of any person authorized to administer or enforce the provisions of this By-law.
3.0	(12) The following persons are authorized to enforce the provisions of this By-law: a) the Licensing Officer;	3.0	(14) The following persons are authorized to enforce the provisions of this By-law: a) The Licensing Officer and/or Licensing Enforcement Officer;

	b) Provincial Offences Officer; c) the Chief Fire Official; d) the Chief of Police; e) the Medical Officer of Health.		b) Provincial Offences Officer; c) The Chief Fire Official; d) The Chief of Police; e) The Medical Officer of Health; f) A duly appointed Municipal Law Enforcement Officer.
3.0	N/A	3.0	(18) Every vehicle owner and driver shall, upon request of any person authorized to administer and/or enforce the provisions of this By-law, attend the Licensing Office where the Licensing Officer is conducting an investigation as a result of information relating to such owner and/or driver.
	N/A	4.0	(10) All licenses issued under this by-law must be renewed by the date as set out in Schedule "G". Licenses not renewed by the date set out in Schedule "G" shall be considered lapsed, and the person whose name the original license was issued under will be considered to be operating without a license.
5.0	(4) A license shall terminate when;  a) upon change of ownership of the trade, occupation or business; or  b) when the premises occupied by the trade, occupation or business are vacated.	5.0	(4) A license shall terminate: a) Upon change of ownership of the trade, occupation or business; b) When the premises occupied by the trade, occupation or business are vacated; c) In the case of vehicular licenses, if the license is not renewed by the expiry date. i) Notwithstanding Section 5.0 (4) c), licenses that have not been renewed twenty-one (21) days after the expiry date will be subject to charges being laid for operating without a license.  (5) In the case of vehicular licenses, licensed owners and/or operators who do not comply with the provisions of this by-law shall have their license suspended until such time as the provisions are complied with.
9.0	(6)(b) If favourable reports are received and provided the affected premises are located within the area defined in Schedule C, the Licensing Officer shall issue the license, provided that if the Licensing Officer receives an unfavourable report from any authority, he shall not issue the license and shall forthwith notify the applicant in writing of such report.	9.0	(7) If favourable reports are received and provided the affected premises are located within the areas defined in Schedule "C-1" or Schedule "C-2", the Licensing Officer shall issue the license, provided that if the Licensing Officer receives an unfavourable report from any authority, he shall not issue the license and shall forthwith notify the applicant in writing of such report.
9.0	(12) No person shall own or operate an Adult Entertainment Parlour in the City and no Adult Entertainment Attendant shall perform services in an Adult Entertainment Parlour in the City except in the areas designated as subject lands on Schedule C of this By-law.	9.0	(13) No person shall own or operate an Adult Entertainment Parlour in the City and no Adult Entertainment Attendant shall perform services in an Adult Entertainment Parlour in the City except in the areas designated as subject lands on Schedule "C-1" and Schedule "C-2" of this By-law.
9.01	(7) Issued licenses in Sections 9.0 and 9.01 expire on the 31 <sup>st</sup> day of December in the year in which they were issued.	9.01	(7) Licenses issued under Section 9.01 expire on the 31 <sup>st</sup> day of December in the year in which they were issued.
10.0	(7) A license issued under this Section shall expire on the 30 <sup>th</sup> day of	N/A	DELETED

	June each and every year.		
11.0	(10) A license issued under this Section shall expire on the 30 <sup>th</sup> day of June in each and every year.	N/A	DELETED
12.0	(10) A license issued under this Section shall expire on the 31 <sup>st</sup> day of December in the year in which it was issued.	N/A	DELETED
13.05	(3) Issued licenses referred to in Section 13.0 shall expire on December 31 <sup>st</sup> in the year in which it was issued.	N/A	DELETED
13.06	(14) At the time of submission of their application, every applicant shall pay to the City the fee set forth in Schedule A of this By-law, provided such fee shall be reduced in the event that the period for which the license is granted is less than one year. Fifty percent of such fee is refundable in the event that an application is not accepted for licensing.	N/A	DELETED
14.0	(5) Licenses issued under Sections 14.0 and Section 14.01 shall expire on December 31 <sup>st</sup> in the year in which they were issued.	N/A	DELETED
14.01	(2)(d) "Statement of Driver Record" furnished by the Ministry of Transportation and Communications of the Province of Ontario and dated within the 30 days preceding the date of application;	14.01	(2)(d) "Statement of Driver Record" furnished by the Ministry of Transportation and Communications of the Province of Ontario and dated not more than ninety (90) days preceding the date of application;
14.01	(2)(g) a complete Police Clearance letter issued by the Chief of Police, dated not more than 30 days prior to the date application for license is being made;	14.01	(2)(g) A complete Police Clearance letter issued by the Chief of Police, dated not more than ninety (90) days prior to the date application for license is being made;
14.01	(3)(b) a complete Police Clearance letter issued by the Chief of Police, dated not more than 30 days prior to the date application for license is being made;	14.01	(3)(b) A complete Police Clearance letter issued by the Chief of Police, dated not more than ninety (90) days prior to the date application for license is being made;
14.01	(3)(e) a Safety Standards Certificate for the vehicle in which he intends to carry out the instruction, dated not more than 30 days prior to the date of application or renewal;	14.01	(3)(e) A Safety Standards Certificate for the vehicle in which he intends to carry out the instruction, dated not more than ninety (90) days prior to the date of application or renewal;
	N/A	14.01	(6) No Instructor Driver shall operate a Driving School Vehicle that has not been licensed as a Driving School Vehicle by the City of Vaughan Licensing Department.
15.0	(7) A license issued under this Section shall expire on the 30 <sup>th</sup> day of June in each and every year.	N/A	DELETED
16.0	(5) A license issued under this Section shall expire on the 30 <sup>th</sup> day of June in each and every year.	N/A	DELETED
17.0	Filming Event		DELETED
18.03	Display Fireworks and Theatrical Fireworks		DELETED
18.04	(4) A license issued in this Section	17.03	



	shall expire on the 31 <sup>st</sup> day of December in the year in which it was issued.		
19.0	(3) A license issued in this Section shall expire on the 30 <sup>th</sup> day of June in each and every year.	N/A	DELETED
20.0	RESERVED		DELETED
21.04	(4) Licenses issued under this Section expire on April 30 <sup>th</sup> in each and every year.	N/A	DELETED
22.0	(13)(a)(iii) a certificate of health from a Medical Doctor, not more than 30 days old, that he is in a fit state of health to operate a limousine;	20.0	(13)(c) A certificate of health from a Medical Doctor, not more than ninety (90) days old, that he is in a fit state of health to operate a limousine;
22.0	(13)(a)(iv) "Statement of Driver Record" furnished by the Ministry of Transportation for the Province of Ontario and dated within the 30 days preceding the date of application;	20.0	(13)(d) "Statement of Driver Record" furnished by the Ministry of Transportation for the Province of Ontario and dated within the ninety (90) days preceding the date of application;
22.0	(13)(a)(vii) a complete Police Clearance letter issued by the Chief of Police, dated not more than 30 days prior to the date application for license is being made;	20.0	(13)(g) A complete Police Clearance letter issued by the Chief of Police, dated not more than ninety (90) days prior to the date application for license is being made;
22.0	(13)(b)(ii) a safety standards certificate, dated not more than 30 days prior to the date of application or renewal, and;	20.0	(14)(b) A safety standards certificate dated not more than ninety (90) days prior to the date of application or renewal;
22.0	(13)(b)(iv) a complete Police Clearance letter issued by the Chief of Police, dated no less than 30 days prior to the date application for license is being made, and;	20.0	(14)(d) A complete Police Clearance letter issued by the Chief of Police, dated no less than ninety (90) days prior to the date application for license is being made;
22.0	(13)(b)(viii) if such owner is operating his own limousine, a "Statement of Driver Record" furnished by the Ministry of Transportation for the Province of Ontario, dated not more than 30 days prior to the date of application for license or renewal of such license, and;	20.0	(14)(h) If such owner is operating his own limousine, a "Statement of Driver Record" furnished by the Ministry of Transportation for the Province of Ontario, dated not more than ninety (90) days prior to the date of application for license or renewal of such license;
22.0	(18) Licenses issued under this Section expire on June 30 <sup>th</sup> in each and every year.		DELETED
	N/A	20.0	(19) No driver shall operate a Limousine that has not been licensed as a Limousine by the City of Vaughan Licensing Department.
23.02	(3) A licensed issued under this section shall expire on the 30 <sup>th</sup> day of April of each and every year.	N/A	DELETED
24.0	Newspaper Boxes		DELETED
25.0	Outdoor Exhibitions		DELETED
26.0	(13) Licenses issued under this Section shall expire on the 30 <sup>th</sup> day of June in each and every year.	N/A	DELETED
27.0	(10) A license issued under this Section shall expire on the 31 <sup>st</sup> day of December in the year in which it was issued.	N/A	DELETED

28.0	(11) A license issued under this Section shall expire on the 30 <sup>th</sup> day of June in each and every year.	N/A	DELETED
29.0	(2)(a)(i) a complete Police Clearance letter issued by the Chief of Police, dated not more than 30 days prior to the date application for license is being made;	26.0	DELETED
29.0	(2)(a)(iv) if the Refreshment Vehicle owner operates such vehicle, a certificate of health from a Medical Doctor, not more than 30 days old, that he is in a fit state of health to serve food to the general public;	26.0	DELETED
	(2)(a)(v) a Safety Standards Certificate for the vehicle in which he intends to carry out the instruction, dated not more than 30 days prior to the date of application or renewal;	26.0	DELETED
29.0	(2) a) In addition to any information required to be furnished on the application form, every applicant for a Refreshment Vehicle Owner's license, shall produce with his application:  i) a complete Police Clearance letter issued by the Chief of Police, dated not more than 30 days prior to the date application for license is being made; ii) a valid Class "G" Ontario driver's license; iii) the appropriate fee as set out in Schedule A of this By-law; iv) if the Refreshment Vehicle owner operates such vehicle, a certificate of health from a Medical Doctor, not more than 30 days old, that he is in a fit state of health to serve food to the general public; v) a Safety Standards Certificate for the vehicle in which he intends to carry out the instruction, dated not more than 30 days prior to the date of application or renewal; vi) a certificate of policy of insurance; in the amount of \$2,000,000.00 vii) if such vehicle referred to in Section 29.0(2) is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle's mechanical fitness; viii) the ownership of such vehicle referred to in Section 29.0(2); ix) a certificate from the Medical Officer of health indicating that the refreshment vehicle complies with all regulations regarding food served from vehicles;	26.0	(2) In addition to any information required to be furnished on the application form, every applicant for a Refreshment Vehicle – Type 1 Owner's license, shall produce with his application:  a) The appropriate fee as set out in Schedule "A" of this By-law; b) A valid Class "G" Ontario driver's license; c) A certificate of policy of insurance; in the amount of \$2,000,000 (two million dollars); d) If such vehicle referred to in Section 26.0 (2) is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle's mechanical fitness; e) The ownership of such vehicle referred to in Section 26.0 (2); f) A certificate from the Medical Officer of Health indicating that the refreshment vehicle complies with all regulations regarding food served from vehicles; g) Any other such information as may be required by the Licensing Officer.
29.0	(2) b) On every application for a Refreshment Vehicle Driver's license or for the renewal of such license, the applicant shall complete the prescribed forms and shall furnish to the Licensing Officer original copies of the following information:	26.0	(3) On every application for a Refreshment Vehicle – Type 1 Driver's license or for the renewal of such license, the applicant shall complete the prescribed forms and shall furnish to the Licensing Officer original copies of the following information:  a) The applicable fee as set out in

	<p>i) The applicable fee as set out in Schedule A of this By-law, and;</p> <p>ii) a valid Class G driver's license issued by the Province of Ontario, and;</p> <p>iii) a certificate from the Medical Officer of health indicating that the refreshment vehicle complies with all regulations regarding food served from vehicles;</p> <p>iv) a "Statement of Driver Record" furnished by the Ministry of Transportation for the Province of Ontario, dated not more than 30 days prior to the date of application for license or renewal of such license, and;</p> <p>v) proof of being eligible to gain employment in Canada, and;</p> <p>vi) a complete Police Clearance letter issued by the Chief of Police, dated not more than 30 days prior to the date application for license is being made;</p> <p>viii) if such owner is operating his own refreshment vehicle, a "Statement of Driver Record" furnished by the Ministry of Transportation for the Province of Ontario, dated not more than 30 days prior to the date of application for license or renewal of such license, and;</p>		<p>Schedule "A" of this By-law;</p> <p>b) A valid Class G driver's license issued by the Province of Ontario;</p> <p>c) A "Statement of Driver Record" furnished by the Ministry of Transportation for the Province of Ontario, dated not more than ninety (90) days prior to the date of application for license or renewal of such license;</p> <p>d) Proof of being eligible to gain employment in Canada;</p> <p>e) If such owner is operating his own refreshment vehicle, a "Statement of Driver Record" furnished by the Ministry of Transportation for the Province of Ontario, dated not more than ninety (90) days prior to the date of application for license or renewal of such license;</p> <p>f) Any other such information as may be required by the Licensing Officer.</p>
29.0	<p>(2) a) In addition to any information required to be furnished on the application form, every applicant for a Refreshment Vehicle Owner's license, shall produce with his application:</p> <p>i) a complete Police Clearance letter issued by the Chief of Police, dated not more than 30 days prior to the date application for license is being made;</p> <p>ii) a valid Class "G" Ontario driver's license;</p> <p>iii) the appropriate fee as set out in Schedule A of this By-law;</p> <p>iv) if the Refreshment Vehicle owner operates such vehicle, a certificate of health from a Medical Doctor, not more than 30 days old, that he is in a fit state of health to serve food to the general public;</p> <p>v) a Safety Standards Certificate for the vehicle in which he intends to carry out the instruction, dated not more than 30 days prior to the date of application or renewal;</p> <p>vi) a certificate of policy of insurance; in the amount of \$2,000,000.00</p> <p>vii) if such vehicle referred to in Section 29.0(2) is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle's mechanical fitness;</p> <p>viii) the ownership of such vehicle referred to in Section 29.0(2);</p> <p>ix) a certificate from the Medical Officer of health indicating that the refreshment vehicle complies with all regulations regarding food served from vehicles;</p>	26.0	<p>(4) In addition to any information required to be furnished on the application form, every applicant for a Refreshment Vehicle – Type 2 or Refreshment Vehicle – Type 3 Owner's license, shall produce with his application:</p> <p>a) The applicable fee as set out in Schedule "A" of this By-law;</p> <p>b) A certificate of policy of insurance; in the amount of \$2,000,000 (two million dollars);</p> <p>c) The ownership of such vehicle referred to in Section 26.0 (4);</p> <p>d) A certificate from the Medical Officer of Health indicating that the refreshment vehicle complies with all regulations regarding food served from vehicles;</p> <p>e) Any other such information as may be required by the Licensing Officer.</p>

29.0	<p>(2) b) On every application for a Refreshment Vehicle Driver's license or for the renewal of such license, the applicant shall complete the prescribed forms and shall furnish to the Licensing Officer original copies of the following information:</p> <p>i) The applicable fee as set out in Schedule A of this By-law, and;</p> <p>ii) a valid Class G driver's license issued by the Province of Ontario, and;</p> <p>iii) a certificate from the Medical Officer of health indicating that the refreshment vehicle complies with all regulations regarding food served from vehicles;</p> <p>iv) a "Statement of Driver Record" furnished by the Ministry of Transportation for the Province of Ontario, dated not more than 30 days prior to the date of application for license or renewal of such license, and;</p> <p>v) proof of being eligible to gain employment in Canada, and;</p> <p>vi) a complete Police Clearance letter issued by the Chief of Police, dated not more than 30 days prior to the date application for license is being made;</p> <p>viii) if such owner is operating his own refreshment vehicle, a "Statement of Driver Record" furnished by the Ministry of Transportation for the Province of Ontario, dated not more than 30 days prior to the date of application for license or renewal of such license, and;</p>	26.0	<p>(5) On every application for a Refreshment Vehicle – Type 2 or Refreshment Vehicle – Type 3 Operator's license or for the renewal of such license, the applicant shall complete the prescribed forms and shall furnish to the Licensing Officer original copies of the following information:</p> <p>a) The applicable fee as set out in Schedule "A" of this By-law;</p> <p>b) Proof of being eligible to gain employment in Canada;</p> <p>c) Any other such information as may be required by the Licensing Officer.</p>
29.0	(8)(a) within 100 meters of any intersection or public park;	26.0	(8)(a) Within one hundred (100) meters of public park;
29.0	(9) A license issued under this Section shall expire December 31 in the year it was issued.	N/A	DELETED
	N/A	26.0	(13) No Refreshment Vehicle operator shall operate a Refreshment Vehicle that has not been licensed as a Refreshment Vehicle by the City of Vaughan Licensing Department.
	N/A	26.0	(14) In this section, the words "Refreshment Vehicle" refer to "Refreshment Vehicle – Type 1", "Refreshment Vehicle – Type 2", and "Refreshment Vehicle – Type 3".
30.03	(3) In circumstances where a system is in place with the York Region Police Department for the automated recording of transactions in Second Hand Goods and where the annual number of transactions in Second Hand Goods occurring at any Premise exceeds 500, which transactions shall include acquisitions or dispositions of such good, the Licensing Officer may require a licensee to subscribe to and pay all costs associated with maintaining an automated recording of such transactions in a manner which communicates with the system	27.03	(3) In circumstances where a system is in place with the York Region Police Department for the automated recording of transactions in Second Hand Goods and where the annual number of transactions in Second Hand Goods occurring at any premise exceeds one hundred (100), which transactions shall include acquisitions or dispositions of such goods, the Licensing Officer shall require a licensee to subscribe to and pay all costs associated with maintaining an automated recording of such transactions in a manner which communicates with the system maintained by the York Region Police Department.

	maintained by the York Region Police Department.		
30.05	(9) This license shall expire on June 30 <sup>th</sup> of each and every year.	N/A	DELETED
31.0	Special Events	N/A	DELETED
32.0	(3) If the application for renewal is received after February 1 <sup>st</sup> in the year following the date of termination of the license the license shall not be renewed	28.0	(3) If the application for renewal of a Taxi Driver or Taxi Owner license is received after the expiry date the license shall not be renewed.
32.0	(5)(c) a certificate of health from a Medical Doctor, not more than 30 days old, that he is in a fit state of health to operate a cab, and;	28.0	(5)(c) A certificate of health from a Medical Doctor, not more than ninety (90) days old, that he is in a fit state of health to operate a cab;
32.0	(5)(d) "Statement of Driver Record" furnished by the Ministry of Transportation and Communications of the Province of Ontario and dated within the 30 days preceding the date of application, and;	28.0	(5)(d) "Statement of Driver Record" furnished by the Ministry of Transportation and Communications of the Province of Ontario and dated within the ninety (90) days preceding the date of application;
32.0	(5)(h) a complete Police Clearance letter issued by the Chief of Police, dated not more than 30 days prior to the date application for license is being made, and;	28.0	(5)(h) A complete Volunteer Screening letter issued by York Regional Police, dated not more than ninety (90) days prior to the date application for license is being made;
32.0	(6)(b) Any person who holds a valid Taxi Driver's License or Taxi Owner's license as of January 1, 2003 shall be required to attend and successfully complete the City of Vaughan sensitivity training and examination as prescribed in Schedule G of this By-law.	28.0	(6)(b) The licensing office may suspend or revoke the license of any person who is subject to subsection (6) and does not successfully complete the City of Vaughan Sensitivity Training and Examination within the prescribed time;
32.0	(6)(c) The licensing office may suspend or revoke the license of any person who is subject to (the above new section) and does not successfully complete the City of Vaughan Sensitivity Training and Examination within the prescribed time.	N/A	DELETED
32.0	(6)(d) In order to successfully complete the Taxi Driver examination the applicant shall obtain a grade of at least 75% on his first attempt, 80% on his second attempt and 85% on his third attempt.	28.0	(6)(c) In order to successfully complete the Taxi Driver examination the applicant shall obtain a grade of at least 75% (seventy-five percent).
32.0	(6)(e) Should an applicant fail to obtain the successful grade after the third attempt he shall be deemed ineligible for a license for a period of not less than 90 days.	N/A	DELETED
32.0	(16) Every driver and every owner shall at all times when driving a taxi have his photograph and name affixed in a place in the cab approved by the Licensing Officer in such a manner that the same is plainly visible to and readable by passengers in the back seat.	N/A	DELETED
32.0	(19) Every Taxi owner shall ensure that by January 1, 2005 the taxi for which the license was granted is painted in the colour scheme similar	N/A	DELETED

	to the City's corporate colours, in a manner approved by the Licensing Officer;		
32.0	(28)(b) The Licensing Officer may extend the life of a taxi upon application. If such application granted mechanical fitness certificates must be furnished each 3 month period on the 1 <sup>st</sup> of each third month. Each vehicle must also conform to required physical appearance standards.	28.0	(30) Notwithstanding Section 28.0(29), the Licensing Officer may extend the life of a taxi upon application. If such application is granted, mechanical fitness certificates must be furnished each three (3) month period on the 1 <sup>st</sup> of each third month. Each vehicle must also conform to required physical appearance standards. The vehicle in question shall only be extended for such a time that the age of the vehicle is eight (8) years or less.
32.0	(29)(a) a safety standards certificate, dated not more than 30 days prior to the date of application or renewal, and;	28.0	(31)(a) A safety standards certificate dated not more than ninety (90) days prior to the date of application or renewal;
32.0	(29)(c) a complete Police Clearance letter issued by the Chief of Police, dated no less than 30 days prior to the date application for license is being made, and;	28.0	(31)(c) A complete Volunteer Screening letter issued by York Regional Police, dated no less than ninety (90) days prior to the date application for license is being made;
	N/A	28.0	(93) No Taxi operator shall operate a Taxi that has not been licensed as a Taxi by the City of Vaughan Licensing Department.
32.0	(29)(h) if such owner is operating his own taxi, a "Statement of Driver Record", furnished by the Ministry of Transportation for the Province of Ontario, dated not more than 30 days prior to the date of application for license or renewal of such license, and;	28.0	(31)(h) If such owner is operating his own taxi, a "Statement of Driver Record", furnished by the Ministry of Transportation for the Province of Ontario, dated not more than ninety (90) days prior to the date of application for license or renewal of such license;
32.01	(2)(a) a safety standards certificate, dated not more than 30 days prior to the date of application or renewal, and;	28.01	(2)(a) A safety standards certificate dated not more than ninety (90) days prior to the date of application or renewal;
32.01	(2)(c) a complete Police Clearance letter issued by the Chief of Police, dated no less than 30 days prior to the date application for license is being made, and;	28.01	(2)(c) A complete Volunteer Screening letter issued by York Regional Police, dated no less than ninety (90) days prior to the date application for license is being made;
32.01	(2)(e) if such owner is operating his own taxi, a "Statement of Driver Record", furnished by the Ministry of transportation, dated not more than 30 days prior to the date of application for license or renewal of such license, and;	28.01	(2)(e) If such owner is operating his own taxi, a "Statement of Driver Record", furnished by the Ministry of transportation, dated not more than ninety (90) days prior to the date of application for license or renewal of such license;
32.01	(2)(i) if such owner is operating his own taxi, a medical certificate of health from a medical doctor stating that such person is medically fit to operate an accessible taxi and offer the necessary assistance to the passengers, and;	28.01	(2)(i) If such owner is operating his own taxi, a medical certificate of health from a medical doctor stating that such person is medically fit to operate an accessible taxi and offer the necessary assistance to the passengers, dated not more than ninety (90) days prior to the date of application for license or renewal of such license;
	N/A	28.01	(5)(c) The Accessible Taxi has been licensed as an Accessible Taxi by the City of Vaughan Licensing Department.
	N/A	28.01	(8) The owner of the Vaughan Taxi Plate must be the owner of the vehicle in which the plate is affixed.



33.0	(9) A license issued under this Section shall expire on the 30 <sup>th</sup> day of June in each and every year.	N/A	DELETED
34.0	(2)(b)(iv) A Safety Standards Certificate dated not more than 30 days prior to the date application for license is being made, and;	30.0	(3)(d) A Safety Standards Certificate dated not more than ninety (90) days prior to the date application for license is being made;
34.0	(2)(b)(vii) A "Statement of Driver Record", furnished by the Ministry of transportation, dated not more than 30 days prior to the date of application for license or renewal of such license;	30.0	(3)(g) A "Statement of Driver Record", furnished by the Ministry of transportation, dated not more than ninety (90) days prior to the date of application for license or renewal of such license;
34.0	(3)( c) a "Statement of Driver Record", furnished by the Ministry of transportation, dated not more than 30 days prior to the date of application for license or renewal of such license, and;	30.0	(4)( c) A "Statement of Driver Record", furnished by the Ministry of transportation, dated not more than ninety (90) days prior to the date of application for license or renewal of such license;
34.0	(3)(d) A complete police clearance letter dated not more than 30 days prior to the date application, and;	30.0	(4)(d) A complete police clearance letter dated not more than ninety (90) days prior to the date application;
34.0	(14) The owner of a tow truck shall at all times, while the vehicle is being used as such, keep in the vehicle issued therefore by the City, or a copy of such license, in respect of such license.	30.0	(17) The owner or driver of a tow truck shall at all times while the vehicle is being used as such, keep in the vehicle issued by the City the original or a legible copy of such license.
34.0	(29)(a)(i) a hoisting device of sufficient capacity to safely lift the vehicle to be towed, and a tow cradle, tow bar or tow sling equipped and maintained in a manner to ensure the safe lifting and conveying of towed vehicles;	30.0	(39)(a)(i) Notwithstanding subsection (39) a), tow cradles, tow bars, and/or tow slings are not required on flatbed type tow trucks.
34.0	(29)(a)(iii) at least two (2) fire extinguishers of the following description: 1.25 kilogram dry chemical of a type capable of functioning at -40 degrees Celsius;	30.0	(39)( c) One (1) fire extinguisher of the following description: 1.25 kilogram dry chemical of a type capable of functioning at -40 degrees Celsius;
34.0	(29)(a)(vii) a crow/pry bar at least 152.4 centimetres in length;	N/A	DELETED
34.0	(29)(a)(viii) at least (eight) safety flares and/or reflector kits;	N/A	DELETED
34.0	(29)(a)(xi) a dolly;	30.0	(39)(j) A dolly; i) Notwithstanding subsection (39) j), a dolly is not required on flatbed type tow trucks.
34.0	(29)(a)(vii) a crow/pry bar at least 152.4 centimetres in length;	N/A	DELETED
34.0	(29)(a)(xii) at least 4 safety pylons;	N/A	DELETED
34.0	(29)(a)(vii) at least (eight) safety flares and/or reflector kits;	30.0	(39)(g) At least four (4) safety flares or reflector kits or safety pylons, or any combination of each totalling four (4);
34.0	(62) Tow Truck Owner's licenses shall be issued by the Licensing Officer in proportion to the population of the City of Vaughan as determined by the City's Assessment Section. In no case shall the number of Owner's licenses exceed a ratio of 1 license for every 1280 residents	N/A	DELETED

	N/A	30.0	(86) No Tow Truck driver shall operate a Tow Truck that has not been licensed as a Tow Truck by the City of Vaughan Licensing Department.
34.0	(63) Licenses issued under this Section shall expire on June 30 <sup>th</sup> of each and every year.	N/A	DELETED
35.05	(1) Every license issued under this Section shall expire on the 30 <sup>th</sup> day of June in each and every year.	N/A	DELETED
		Schedule "A"	Updated
		Schedule "C-1"	New
		Schedule "C-2"	New
		Schedule "D-1"	Updated
		Schedule "D-2"	Updated
		Schedule "E-1"	New
		Schedule "E-2"	New
		Schedule "G"	New