

COMMITTEE OF THE WHOLE SEPTEMBER 15, 2003

CITY OF VAUGHAN LICENSING BY-LAW 2-2001

Recommendation

The City Clerk in consultation with the Manager of Special Projects Licensing & Permits recommends:

That the amendments to by-law 2-2001 as noted in Appendix 1 attached hereto, be approved.

Purpose

To make changes to the City's Comprehensive Licensing By-Law based on the concerns of taxi drivers, City residents and York Regional Police.

Background - Analysis and Options

Over the past few years, taxi drivers have expressed a concern to staff regarding the rising price of fuel and the cost of living. The Tariff Rates taxi drivers are permitted to charge have not increased since 1996. In January 2001, Council enacted By-law 2-2001, which required a minimum amount of liability insurance of \$2,000,000.00, significantly raising the premiums charged to drivers. Costs to be absorbed by taxi drivers resulting from recent by-law amendments, specifically the requirement to install intermittent flashing lights by January 1, 2004 and to have their vehicles painted in a colour scheme similar to the corporate colours by January 1, 2005 have also been raised as concerns.

Surrounding municipalities have been consulted and are considering similar taxi tariff increases thereby providing a consistent rate across York Region. Such an increase is also consistent with one being proposed by the City of Toronto. The recommendations contained in this report are intended to address the concerns of taxi drivers and increase their potential income while not adversely affecting the public.

In keeping with our continuing efforts to ensure a higher level of safety for taxi owners, staff is recommending the installation of cameras in all taxis. To lessen the economic impact on taxi owners, all vehicles must have the cameras installed by January 1, 2005 and it is proposed that tariff rates increase to \$3.00 for a period of just over 1 year effective on the date of passing of the By-law and ending December 31, 2004. Effective January 1, 2005 the start rate will revert back to \$2.75. Taxicabs in the City of Toronto have had cameras since December 1, 2000. The licensing sections for the Town of Markham and the Town of Richmond Hill will be proposing similar amendments in the near future.

York Regional Police have expressed concerns that Section 13.0 (3) r) has restricted their ability to conduct investigations into Body Rub Parlours. An undercover police officer posing as a customer in a body rub parlour would be committing an offence under the current provisions, thereby jeopardizing any potential legal proceedings. The recommended changes to this section of the by-law would eliminate any potential challenge to charges being laid by police.

Sunset in the summer months occurs at a later hour and families with young children that are going to bed at earlier hours have complained that their children have been awakened by the music played by ice cream trucks. Restricting the time to 8:30 should alleviate this problem.

The requirement for licensing taxi brokerages was inadvertently omitted due to an administrative oversight during the consolidation of By-laws 378-2002 and By-law 2-2001. To ensure taxi brokerages are properly licensed we need to re-insert this section into the by-law.

Due to the demand for tow truck licenses, staff feels that it is appropriate to add a 30 day grace period to the Tow Truck Section of the By-law within which licenses must be renewed. This process will allow for a faster and more efficient issuance of tow truck licenses to those on the waiting list in the event existing licenses are not renewed.

Conclusion

Adopting the recommended changes to the City's Comprehensive Licensing By-law will provide a more effective tool to enforcement and better service to residents of the City of Vaughan.

Attachments

Appendix 1 – By-law Amendments

Report prepared by:

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Insurance-Risk Management

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Licensing Officer

Respectfully submitted,

John D. Leach
City Clerk

Appendix 1

That Schedule A of By-law 2-2001 be amended by deleting the current Taxi Tariff Rate Category and replacing it with the following:

1 st 200 meters or part thereof	\$3.00
Each additional 200 meters	\$0.25
Waiting Time (engaged)	\$0.25
Each additional 30 seconds	\$0.25

That Section 13.0 (3) r) of By-law 2-2001 be deleted and replaced with the following:

“every attendant at a body rub parlour shall be clothed in a manner in which such person’s pubic area and buttocks and in the case of a woman, also her breasts are completely covered by an opaque material; and, every attendant shall ensure that every customer in a body rub parlour is clothed in a manner in which such person’s pubic area and buttocks and in the case of a woman, also her breasts are completely covered by an opaque material.”

That Section 13.0 (3) of By-law 2-2001 be amended by adding subsection w) as follows:

No person shall in any manner, block, obstruct or impede the view of the window described in Section 13.03 (1) k).

That Section 13.03 (1) b) of By-law 2-2001 be amended by adding the words “and attendant” after to word “operator”.

That Section 29.0 (5) f) i) of By-law 2-2001 be amended by deleting the word sunset and replacing it with 8:30pm.

That Sections 32.0 (82) and (83) of By-law 2-2001 be deleted.

That the following be added to By-law 2-2001 as Section 32.02:

- (1) There shall be taken out by every person carrying on the business of a Taxi Brokerage, a license from the City authorizing the carrying on of the business in the City of Vaughan and no person shall carryon the business of a Taxi Brokerage without a license.
- (2) In addition to any information required to be furnished on the application form, every applicant for a Taxi driver’s license, shall produce with his application:
 - a) the applicable fee as set out in Schedule A of this By-law; and,
 - b) a complete police clearance letter; and,
 - c) a complete listing of all Taxis being operated from the brokerage; and,
 - d) a completed application; and,
 - e) any other information or documents that may be required by the Licensing Officer.
- (3) No taxi broker shall:

- a) accept orders for or in any way dispatch or direct orders to a taxi licensed under this Section when the activity would be illegal under another municipal taxi by-law or similar licensing by-law or provincial statute.
 - b) dispatch or direct orders to a taxi not licensed under this Section to a pick up location within the boundaries of the City.
- (4) Every taxi broker shall:
- a) provide the Licensing Officer on the 1st day of every 3rd month with a listing of taxis operating from its brokerage, showing in numerical order, by plate number, the name of each taxi owner with which an agreement has been entered into;
 - b) operate the taxi brokerage 24 hours per day 7 days a week;
 - c) keep a record of each taxi trip dispatched by it, which records shall be retained for at least six months. Such records shall indicate the date, time and place of pick up and destination;
 - d) upon request, inform any customer of the anticipated length of time required for a taxi to arrive at the requested pick up location;
 - e) dispatch a taxi to any person or business requesting service, unless the person or business requesting service has not paid for a previous trip;
 - f) carry on business only in the name in which the license has been issued;
 - g) not dispatch any calls to any taxi where privileges have been suspended under this Section, upon being notified by the Licensing Officer of such suspension.

That Section 34.0 (63) of By-law 2-2001 by adding the following after the word year:

“And if the application for renewal is received after July 31st in the year in which the date of termination of the license occurs, the license shall not be renewed.”