

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 038-2017

A By-law of the Corporation of the City of Vaughan to amend Consolidated Licensing By-law No. 315-2005, as amended, to make a number of technical amendments to improve customer service, streamline administrative processes, eliminate redundancies, and support legislative changes, and to amend Fees and Charges By-law No. 171-2013, as amended, to introduce a re-inspection fee.

WHEREAS section 8(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that the powers of a municipality shall be interpreted broadly as to confer broad authority on a municipality to (a) enable it to govern its affairs as it considers appropriate, and (b) enhance its ability to respond to municipal issues;

AND WHEREAS section 11(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides for a lower-tier municipality and an upper-tier municipality to pass by-laws respecting matters that include business licensing;

AND WHEREAS section 151(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides for municipalities to provide for a system of licences with respect to businesses;

AND WHEREAS section 391(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides for a municipality to impose fees or charges on persons for services or activities it provides and for the use of its property;

AND WHEREAS the Council of The Corporation of the City of Vaughan wishes to provide consistent service delivery through the improvement of tools and resources and the implementation of a digital strategy that sets out how the City will deliver its services through multiple channels;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. Amend Licensing By-law 315-2005, as amended, as follows:
 - (a) Add to Section 4.2, in numerical sequence, the following subsection:

(4.1) Every Owner of a motor vehicle that is licensed or required to be licensed under this By-law shall be subject to a licensing re-inspection fee, as set out in Fees and Charges By-law No. 171-2013, as amended, or its successor by-law, when:

(a) A scheduled inspection, pursuant to 4.2(4) is missed without providing 24-hour prior notice to the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law; or

(b) The Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law determines in the course of a scheduled inspection pursuant to 4.2(4) that the vehicle does not meet the requirements of the By-law and a subsequent scheduled inspection will be required to ensure compliance.

(b) Amend Section 14.1 as follows:

(i) Delete 14.1(3) and replace with it the following:

(3) Prior to the issuance of a Driving School Instructor Owner's Licence:

a) The applicant shall produce the vehicle to be licensed for inspection and the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, shall inspect the vehicle for conformity with this By-law;

b) If the vehicle in question, in the opinion of the Chief Licensing Officer, Licensing Officer, or any other person authorized to enforce the provisions of this By-law, does not meet the requirements of this By-law, then the issuance of such licence shall not be granted until such time as the Chief Licensing

Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, is satisfied that the vehicle is in conformity.

(ii) Delete 14.1(5)(k) and replace it with the following:

k) Return all plates that have been expired more than 90 days;

(c) Amend Section 20.0 as follows:

(i) Delete 20.0(11)b).

(ii) Delete 20.0(12)j).

(iii) Delete 20.0(13) and replace it with the following:

(13) Prior to the issuance of a Limousine Owner's Licence:

a) The applicant shall produce the vehicle to be licensed for inspection and the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, shall inspect the vehicle for conformity to this By-law;

b) If the vehicle in question, in the opinion of the Chief Licensing Officer, Licensing Officer, or any other person authorized to enforce the provisions of this By-law, does not meet the criteria of this By-law, then the issuance of such licence shall not be granted until such time as the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, is satisfied that the vehicle is in conformity.

(vi) Add 20.0(19) as follows:

(19) Upon suspension of a licence issued under this By-law, or upon a licence issued under this By-law being expired more than 90 days, the licensee shall return to the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law all plates issued by the City with reference to such licences, and any person authorized by this By-law to do so, shall have access to any premises or vehicles for the purpose of receiving or taking such plate or plates, and no person shall refuse to deliver the plates to a person authorized by this By-law or hinder or prevent said person from receiving or taking said plates.

(d) Amend Section 25.0 as follows:

(i) Add to 25.0(2) the following:

d) A valid Food Handler Certificate recognized by the Ontario Ministry of Health and Long Term Care.

(ii) Add to 25.0(4) the following:

b) A valid Food Handler Certificate recognized by the Ontario Ministry of Health and Long Term Care.

(iii) Delete 25.0(5) and replace it with the following:

(5) Prior to the issuance of a Refreshment Vehicle Owner's Licence, the applicant shall produce the vehicle to be licensed for inspection and the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, shall inspect the vehicle for conformity to this By-law.

(iv) Delete 25.0(6) and replace it with the following:

(6) Notwithstanding subsection 25.0 (5), if the vehicle in question, in the opinion of the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, does not meet the requirements and criteria of this By-law, then the issuance of such licence shall not be granted until such time as the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, is satisfied that the vehicle is in conformity.

(v) Delete 25.0(8) and replace it with the following:

(8) Every person selling or handling refreshments shall be neat and clean in appearance.

(vi) Delete 25.0(9)c) and replace it with the following:

c) No Refreshment Vehicle is operated on any City property except when permission is first obtained in writing, dated not more than seven (7) days old, from the Chief Licensing Officer;

(vii) Renumbering 25.0(15) as 25.0(16) and then adding 25.0(15) as follows:

(15) Upon suspension of a licence issued under this By-law, or upon a licence issued under this By-law being expired more than 90 days, the licensee shall return to the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, all plates issued by the City with reference to such licences, and any person authorized by this By-law to do so, shall have access to any premises or vehicles for the purpose of

receiving or taking such plate or plates, and no person shall refuse to deliver the plates to a person authorized by this By-law or hinder or prevent said person from receiving or taking said plates.

(e) Amend Section 27.0 as follows:

(i) Delete 27.0(4)b).

(ii) Delete 27.0(30)k).

(iii) Delete 27.0(31) and replace it with the following:

(31) Prior to the issuance of a Taxi Owner's Licence:

a) The owner shall produce the vehicle to be licensed for inspection and the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, shall inspect the vehicle for conformity to this By-law;

b) If the vehicle in question, in the opinion of the Chief Licensing Officer, Licensing Officer, or any other person authorized to enforce the provisions of this By-law, does not meet the criteria of this By-law, then the issuance of such licence shall not be granted until such time as the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, is satisfied that the vehicle is in conformity.

(iv) Delete 27.0(50) and replace it with the following:

(50) Upon suspension of a licence issued under this By-law, or upon a licence issued under this By-law being expired more than 90 days, the licensee shall return to

the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, all plates issued by the City with reference to such licences, and any person authorized by this By-law to do so, shall have access to any premises or vehicles for the purpose of receiving or taking such plate or plates, and no person shall refuse to deliver the plates to a person authorized by this By-law or hinder or prevent said person from receiving or taking said plates.

(f) Amend Section 27.1 as follows:

(i) Delete 27.1(1jj).

(ii) Delete 27.1(2) and replacing it with the following:

(2) Prior to the issuance of an Accessible Taxi Owner's Licence:

a) The applicant shall produce the vehicle to be licensed for inspection and the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, shall inspect the vehicle for conformity to this By-law;

b) If the vehicle in question, in the opinion of the Chief Licensing Officer, Licensing Officer, or any other person authorized to enforce the provisions of this By-law, does not meet the criteria and standards of this By-law, then the issuance of such licence shall not be granted until such time as the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law is satisfied that the vehicle is in conformity.

(iii) Renumbering 27.1(9) as 27.1(10) and then adding 27.1(9) as follows:

- (9) Upon suspension of a licence issued under this By-law, or upon a licence issued under this By-law being expired more than 90 days, the licensee shall return to the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, all plates issued by the City with reference to such licences, and any person authorized by this By-law to do so, shall have access to any premises or vehicles for the purpose of receiving or taking such plate or plates, and no person shall refuse to deliver the plates to a person authorized by this By-law or hinder or prevent said person from receiving or taking said plates.

(e) Amend Section 29.0 as follows:

(i) Add to 29.0(2) the following:

- j) Proof, satisfactory to the Licensing Officer, of a valid Commercial Vehicle Operator's Registration issued by the Ontario Ministry of Transportation.

(ii) Delete 29.0(3) and replace it with the following:

(2) Prior to the issuance of a Tow Truck Owner's Licence:

- a) The applicant shall produce the vehicle to be licensed for inspection and the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, shall inspect the vehicle for conformity to this By-law;
- b) If the vehicle in question, in the opinion of the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of

this By-law, does not meet the criteria of this By-law, then the issuance of such licence shall not be granted until such time as the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, is satisfied that the vehicle is in conformity.

(iii) Delete 29.0(22) and replace it with the following:

(22) Upon suspension of a licence issued under this By-law, or upon a licence issued under this By-law being expired more than 90 days, the licensee shall return to the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law, all plates issued by the City with reference to such licences, and any person authorized by this By-law to do so, shall have access to any premises or vehicles for the purpose of receiving or taking such plate or plates, and no person shall refuse to deliver the plates to a person authorized by this By-law or hinder or prevent said person from receiving or taking said plates.

(iv) Delete 29.0(32)b) and replace it with the following:

b) Have at all times prominently affixed to the rear portion on the exterior of the Tow Truck in respect of which the same was issued the Vaughan Licence Plate.

(v) Add 29.0(51.1) as follows:

(51.1) Every Brokerage, Owner and Operator is required to accept payment by credit and debit card from a Hirer.

2. Amend Fees and Charges By-law 171-2013, as amended, as follows:

(a) Add to Schedule "I", under By-law & Compliance Services, the following fee:

<u>ITEM</u>	<u>FEE OR CHARGE</u>	
	2017	2018
Licensing re-inspection fee	\$ 100	\$ 103

3. This By-law comes into effect and force on the date enacted by City Council.

Enacted by City of Vaughan Council this 19th day of April, 2017.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk

Authorized by Item No. 9 of Report No. 13
of the Committee of the Whole
Adopted by Vaughan City Council on
April 19, 2017.