



REPORT

Council

Meeting Date: April 25, 2022

FROM: Municipal Enforcement Services Department

DATE: April 12, 2022

SUBJECT: **By-law 2022-040: Housekeeping Amendments to Licensing By-law 2015-075 and the Municipal Powers and Duties By-law 2021-077**

LOCATION: Town-wide

WARD: Town-wide

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RECOMMENDATION:

That By-law 2022-040 a By-law to Amend Licensing By-law 2015-075 and the Municipal Powers and Duties By-law 2021-077 as set out in Appendix A to the report from Municipal Enforcement Services dated April 12, 2022, be passed.

KEY FACTS:

The following are key points for consideration with respect to this report:

- By-law 2021-045 authorized the Licensing Commissioner or designate to extend or suspend the model year restriction respecting taxicabs contained in Schedule 34 of the Licensing By-law
- By-law 2021-045 was revoked upon the revocation of the Town's emergency declaration under the *Emergency Management and Civil Protection Act*
- Licensing By-law 2015-075 provides that no motor vehicle more than 10 model years old shall be licensed as a taxicab
- Municipal Powers and Duties By-law 2021-077 consolidates delegations of authority by Council to officers, employees or committees
- Amending By-law 2022-040 contains an amendment to the Licensing By-law to resume the delegation of authority to the Licensing Commissioner or designate to extend or suspend the model year restriction for taxicabs. As well, the Municipal Powers and Duties By-law is being amended to add this delegation to Schedule "A".

BACKGROUND:

On March 24, 2020, Mayor Burton declared a State of Emergency under the *Emergency Management and Civil Protection Act*.

Council determined that additional flexibility under certain Town by-laws was warranted to better enable the Town to maintain services, meet legal requirements and assist local businesses affected by the emergency. As such, on April 8, 2020, Council delegated authority to the Mayor during the COVID-19 Emergency pursuant to By-law 2020-057.

By-law 2021-045 was passed under the Mayor's authority and authorized the Licensing Commissioner or designate to extend or suspend the model year restriction respecting taxicabs contained in Schedule 34 of the Licensing By-law.

The Town's emergency declaration was revoked on March 11, 2022, and the authority provided to the Licensing Commissioner under By-law 2021-045 was also revoked at this time.

COMMENT/OPTIONS:

By-law 2022-040, attached as Appendix A, proposes to amend Licensing By-law 2015-075 to resume the Licensing Commissioner's delegated authority provided by By-law 2021-045 to extend or suspend the model year restriction respecting taxicabs. By-law 2022-040 also provides for the amendment of Municipal Powers and Duties By-law 2021-077 to include this delegated authority.

The continuation of this authority will provide flexibility to the Licensing Commissioner, when the situation dictates, to permit taxicab owners to operate vehicles that are older than 10 model years. This will provide assistance to an industry that suffered economically during the pandemic.

On January 31, 2022, a business licensing by-law review update report was received by Council. The report included a recommendation from staff, suggesting that the 10-year age limit on taxis be deleted and that upon the taxi reaching 10 years of age, the owner must provide an additional safety certificate. This would be consistent with limousines and with vehicles used to provide driving instruction. A final report including a proposed by-law is expected in the first quarter of 2023. Approval of amendments to By-laws 2021-077 and 2015-075 authorizing the Licensing Commissioner to extend or suspend model year restrictions with respect to taxicabs will also provide industry consistency until Council reviews the final updated Licensing By-law.

CONSIDERATIONS:

(A) PUBLIC

The business licensing by-law regulates business operating within the town to address issues related to public health and safety, consumer protection, nuisance control and the general well-being of persons.

(B) FINANCIAL

There is no financial impact with this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Municipal Enforcement Services and Legal have been involved in the review process.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- Continuously improve our programs and services
- Provide outstanding service to our residents and businesses

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

Appendix A – By-law 2022-040 a By-law to Amend Licensing By-law 2015-075 and the Municipal Powers and Duties By-law 2021-077

Prepared and Recommended by:

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Submitted by:

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