

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2017**

Item 9, Report No. 13, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 19, 2017.

**9                      TECHNICAL AMENDMENTS TO THE LICENSING BY-LAW**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Community Services, and Director of By-law & Compliance, Licensing & Permit Services, dated April 4, 2017:**

**Recommendation**

The Deputy City Manager, Community Services, and Director of By-law & Compliance, Licensing & Permit Services, recommend:

1. That City Council approve eliminating the requirement for vehicle inspections at the time of business licence renewal (however, inspections would continue to be scheduled through Enforcement Services as required);
2. That City Council introduce a re-inspection fee of \$100.00 for any licensee who misses a scheduled inspection without providing prior notice or is required to have a re-inspection as a result of not meeting the requirements of the By-law;
3. That City Council approve eliminating the requirement for a medical clearance requirement;
4. That City Council approve eliminating the absence of communicable disease requirement for every person handling refreshments and in its place require that every person handling refreshments have Food Handlers Certification;
5. That City Council approve the elimination of business licence plate stickers;
6. That City Council approve the requirement for vehicular business owners to return all plates for which the associated licences are expired more than 90 days;
7. That City Council require Tow Truck Owners, Operators, and Brokerages to accept payment by credit or debit card;
8. That City Council require, as part of the licence application and renewal process, Tow Truck Owners to prove that each tow truck that is to operate or operates in Vaughan has a valid Commercial Vehicle Operator's Registration;
9. That City Council approve any consequential by-law amendments to give consistent effect to recommendations nos. 1-8; and
10. That City Council authorize staff to make the amendments to Licensing By-law No. 315-2005, as amended, to give effect to the recommendations and in a form satisfactory to the City Solicitor.

**Contribution to Sustainability**

Through these amendments, staff will be able to improve the customer experience while increasing efficiency by redeploying resources to other value-added activities, such as following up on delinquent renewals. This will have a positive impact on the financial sustainability of the Department's administrative operations.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2017**

#### **Item 9, CW Report No. 13 – Page 2**

##### **Economic Impact**

Assuming a 5% re-inspection rate for the approximately 600 vehicles licensed by the City, the revenues from the new fee are expected to be about \$3,000 annually. This revenue will offset the resources required for those reinspections.

In addition, as a result of the efficiencies gained through this report's recommendations, staff expect to be able to undertake other emerging demands, such as the administration of additional licensing categories (as recently adopted by Council) while still providing more efficient customer service without any additional resources.

##### **Communications Plan**

The recommendations in this report will have a direct impact on licence renewal requirements. As a result, those affected will be notified through their annual renewal notices. Detailed information on the amendments and the consequent changes to licensing requirements will also be posted on the Department's web pages.

Notice of the proposed amendments to the Licensing By-law recommended in this report was conducted in accordance with Section 4(3) of the City's Notice By-law No. 394-2002.

##### **Purpose**

The purpose of this report is to seek Council authorization for a number of technical amendments to Licensing By-law No. 315-2005, as amended, to improve customer service, streamline administrative processes, eliminate redundancies, and support legislative changes.

##### **Background – Analysis & Findings**

The licence and permit issuing functions under the Office of the City Clerk were transferred to By-law & Compliance in February of 2016. The purpose of this transfer was to exploit synergies between the administrative and enforcement branches of Business Licensing & Permitting, thus achieving greater customer experience and service, fewer redundancies, modernizing of processes, and greater efficiencies. Beginning in Q3 of 2016, management staff began to undertake a review of its administrative operations. As part of this review, new renewal dates (based on date of issuance) and late renewal fees were instituted (Item 2, Report 40).

This report's recommendations form part of the ongoing review, modernization and streamlining of operations. Each of the recommendations is explained in turn below.

##### **Elimination of Vehicle Inspections at Time of Renewal and Introduction of Re-inspection Fee**

Under current regulations, owners of vehicles licensed under the City's Licensing By-law must go through an inspection when first licensed and then upon renewal each year. Staff are recommending to eliminate the re-inspection as a condition of renewal for the following reasons:

1. Enforcement staff can conduct scheduled inspections in batches over the course of the year to promote greater efficiency of both administrative and enforcement resources. In addition, in-field inspections will continue to be used as a tool to promote compliance. In the event a scheduled inspection is missed or failed, licensees will be required to reschedule and pay a \$100 fee for a follow-up re-inspection. This approach continues to ensure that the City is addressing the safety of vehicles and compliance with operational standards;
2. Renewal inspections is one of the main reasons for licensees being required to attend in-person to process their renewal. Eliminating this requirement will bring the renewal of

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2017

#### Item 9, CW Report No. 13 – Page 3

vehicular licences one step closer to full on-line renewal, a future endeavor that is currently under review. Therefore, eliminating this requirement as part of the renewal process will improve customer service by making renewals easier; and

3. The elimination of renewal vehicle inspections will decrease demands on licensing issuing staff, lowering the cost of that aspect of the service and increasing the amount of time that can be devoted to other licensing functions, such as following up on expired renewals. This change will also allow resources to be employed in other higher value-added activities.

#### Elimination of Medical Clearances

Under the By-law, certain person licences have a requirement for a medical certificate from a physician affirming that the applicant is in a fit state of health to operate a motorized vehicle. Staff are recommending this requirement be eliminated for the following reasons:

1. The requirement has not been consistently applied across categories of business licences. Limousine and Taxi Operators require the medical certificate as part of licensing, but Tow Truck Operators, Driving School Instructors and Refreshment Vehicle Operators do not; however, the latter are required to be “free from any skin abrasions and communicable diseases of any sort.” This latter requirement is overly broad and difficult to enforce. In addition, and despite these inconsistent requirements, there have not been any noted concerns in those categories that do not require the information;
2. Fitness to drive a vehicle in Ontario is determined and controlled by the Province. Medical doctors are required to notify the Ministry of Transportation if any of their patients are not medically fit to drive a vehicle;
3. The requirement is an additional clearance that has both a nominal and a time cost for licensees. The elimination of this requirement will make the renewal process less onerous and costly for licensees; and
4. The elimination of this requirement will reduce the step of scanning and saving the document, thus streamlining the licensing issuance process.

#### Requirement for Food Handler Certification

As noted above, under the by-law provisions governing Refreshment Vehicles, every person that handles or sells refreshments is required to be free from skin abrasions and communicable diseases of any sort. Although ideal, this requirement is not reasonably practical. Some communicable diseases are highly prevalent (such as the common cold), but can be mitigated through proper handling measures. Other communicable diseases (such as some highly common sexually transmitted illnesses) do not present a material risk when it comes to handling of food.

Instead of these overly restrictive and practically unenforceable provisions, staff are recommending that every person that every person in connection with a Refreshment Vehicle that handles refreshments be required to have Food Handler Certification. There are numerous certification providers accredited by the Ministry of Health and Long Term Care. Courses are generally about five hours long and cost about \$80. Certification is valid for five years.

#### Elimination of Business Licensing Plate Stickers

Currently, some, but not all, vehicles licensed are required under the By-law to have a business licensing plate and a validation sticker affixed to such plate. Staff are recommending the requirement for stickers be eliminated for the following reasons:

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2017**

#### Item 9, CW Report No. 13 – Page 4

1. The requirement has not been consistently applied across categories. Tow Truck Operators require the sticker as part of licensing, but other vehicular businesses do not. Although enforcement staff find the stickers initially helpful in identifying unlicensed vehicles, the same information can be provided to Officers through a daily electronic report; and
2. Since stickers are colour coded to indicate expiry year, their elimination will mean not having to transition to a system that will have to take into account recent amendments to renewal dates, making administration of their issuance more onerous and costly.

#### Requirement for Plates to be Returned to the City

Currently the By-law requires Owners, whose licences are suspended, to return all corresponding vehicle plates to the City.

Recent amendments to the Licensing By-law prescribe that a licence expired more than 90 days be irrevocably cancelled (not simply suspended), thus requiring, in the event the licensee wishes to become licensed again, a brand new application to be undertaken. Under such circumstances, Owners would also be required to return the corresponding plates to the City.

#### Requirement for Tow Trucks to Accept Credit and Debit Cards

In 2016, the Consumer Protection Act, 2002, was amended and O. Reg. 399/16 of the Highway Traffic Act was introduced to collectively include a number of new requirements for tow trucks. Staff are of the opinion that some of these requirements should also be reflected in the City's regulations for ease of enforcement.

Specifically, the Consumer Protection Act, since January 1, 2017, has required that tow and storage providers accept payment for services by credit card, cash and any other prescribed payment method at the consumer's choice. Also since January 1, 2017, O. Reg. 399/16 has required tow trucks to have a Commercial Vehicle Operator's Registration ("CVOR"). Staff are therefore recommending that these two requirements also be included in the City's Licensing By-law.

#### Long-term Impact to Service Delivery

The aim of the recommended by-law amendments and related process changes is to make the licence issuance and renewal process more efficient by moving towards eliminating the need for licensees to have to attend City offices in person. The exercise of modernizing the City's Licensing By-law and related processes is not only an exercise in ensuring effective service delivery and progressing in a direction to support future enhancements (e.g., enhanced on-line capabilities), but it is also strategically and purposely directly aligned with the Department's and the City's guiding public service principles of continuous improvement, citizen experience, staff and operational performance and fiscal sustainability/value for money.

Staff are working to position licensing-related processes so as to be able to conduct most, if not all, transactions on line over the next two years as licensing functions migrate to the latest version of the AMANDA system.

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

The recommendations in this report are in line with the following priorities and initiatives for this term of Council:

- Meet Council tax rate targets (no greater than 3%);
- Consistent service delivery;

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2017**

#### **Item 9, CW Report No. 13 – Page 5**

- Improvement through technology;
- Continuous improvement;
- Demonstrate value for money;
- Sustainable fiscal framework; and
- Effective service delivery

The recommendations of this report are also in line with the objectives and deliverables of the By-law Strategy, mainly to ensure that the City has by-laws and related processes in place that are relevant, effective and sustainable.

#### **Regional Implications**

There are no direct regional implications from the recommendations of this report. However, staff are currently engaged in discussions with the City of Markham and the Town of Richmond Hill to simplify and harmonize municipal regulations across the private ground passenger transportation industry in an effort to modernize and foster the economic viability of the industry and to ensure the continued provision of a vital service to our communities. As a result, both of the aforementioned municipalities would be advised of the changes if approved by Council.

#### **Conclusion**

The proposed amendments are intended to allow for greater administrative efficiencies that will improve customer service, eliminate redundancies, modernize processes, and harmonize municipal regulations with recent legislative changes. These amendments are part of an ongoing review and revision of administrative processes that will culminate in most licensing transactions being offered as on-line self-services.

#### **Attachments**

None.

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

Rudi Czekalla Martínez  
Manager, Policy & Business Planning