

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER 315-2005**

### **LICENSING BY-LAW**

Amended by:

By-Law No. 70-2006  
February 27, 2006

(Amending Subsection 27.0 (66) – Taxi Cabs)  
(Amending Schedule B – Taxi Tariff Rates) (By-law 262-2008 deletes and substitutes Schedule “B”)

By-law 262-2008  
October 27, 2008

(Amending Subsection 4.1(3)(g) – Administration)  
(Amending Subsection 4.1(3)(h) – Administration)  
(Deleting Subsections 4.1(3)(i), 4.3(6), 4.3(7), 4.3(8), 4.3(9), 4.3(10), 4.3(11), 4.3(12), 4.3(13), 4.3(16)  
(Amending Subsection 4.3(1) – Applications)  
(Adding Subsection 4.3(1.1) – Applications)  
(Adding Subsection 4.3(1.2) – Applications)  
(Adding Subsection 4.3(1.3) – Applications)  
(Amending Subsection 4.3(5) – Applications)  
(Amending Subsection 6.0(3) – Applications)  
(Renumbered – Summary Suspensions Section 6.1 to read Section 6.3)  
(Deleted Section 8.0 – Grounds for License Refusal, Non-Renewal, Revocation or Suspension replaced with Section 6.1 – Grounds for License Refusal, Non-Renewal, Revocation or Suspension)  
(Adding Section 6.1.1 – License on Terms and Conditions)  
(Adding Section 6.2 – The Chief Licensing Officer’s Power to Refuse to Issue, Renew a License or Revoke or Suspend a License)  
(Amending Section 7.0 – Licensing Committee)  
(Amending Subsection 7.1(1) – Licensing Committee Powers)  
(Deleting Subsections 7.1(2), 7.1(3), 7.1(4), and 7.1(5) - Licensing Committee Powers)  
(Amending Section 7.2 – Licensing Committee Hearings)  
(Amending Subsection 13.6(5) – Body Rub – Application Requirements – replacing “Licensing Committee” with “Chief Licensing Officer” and “terminated” with “revoked”)  
(Amending Subsection 20 (10) – Limousines)  
(Deleted Subsection 27(40)(g) – Taxi Cabs)  
(Amending Subsection 27(41)(k)– Taxi Cabs)  
(Amending Subsection 27(42) – Taxi Cabs)  
(Amending Subsection 27.1(2)(b) – Accessible Taxis – replacing “Licensing Committee” with “Chief Licensing Officer”)  
(Amending Subsection 29(3)(b) – Tow Trucks - replacing “Licensing Committee” with “Chief Licensing Officer”)  
(Amending Subsection 29(18) – Tow Trucks)  
(Amending Subsection 29(33)(b) – Tow Trucks)  
(Amending Section 32 – Offences and Penalties)  
(Amending Section 2.1 – Definitions – Adding - Clothing Donation Drop Boxes)  
(Adding Section 26.4 – Clothing Donation Drop Boxes)  
(Deleting Section 26.1 – Second Hand Goods – Seller Identification Requirements)  
(Deleting Subsections 26.2(b), 26.2(c), 26.2(d) – Second Hand Goods – Transaction Records and 26.2 (4) – Second Hand Goods – Transaction Records)  
(Deleting Subsections 27(30)(c), 27(32), 27(33), 27(34), 27(35), 27(36), 27(37) – Taxi Cabs)

By-law 262-2008  
October 27, 2008

(Amending Subsection 27(4)(g) – Taxi Cabs replacing “complete Vulnerable Screening letter” with “police clearance letter”)  
(Amending Subsection 27.1 (1)(c) – Accessible Taxis - replacing “complete Vulnerable Screening letter” with “police clearance letter”)

Cont'd.

	<p>(Amending Subsection 27.2 (1)(a) – Taxi Brokerages – replacing “complete Vulnerable Sector Screening letter” with “police clearance letter”)</p> <p>(Amending Subsection 27(27) – Taxi Cabs)</p> <p>(Amending Subsection 27.2(3) (c) – Taxi Brokerages)</p> <p>(Amending Section 2.1 – Definitions – Limousines)</p> <p>(Amending Section 2.1 – Definitions – Chief Licensing Officer – replacing “successor” with “designate”)</p> <p>(Adding Subsection 4.2(7) – Inspections)</p> <p>(Amending Section 2.1 – Definitions – Adding – Additional Fees)</p> <p>(Adding Section 3(11) – General Provisions)</p> <p>(Amending Subsection 9(9) – Adult Entertainment Parlours – replacing “9.1(10)” with “9.0(10)”)</p> <p>(Amending Subsection 9(1) – Adult Entertainment Parlours)</p> <p>(Adding Subsection 13.6(1)(i) – Body Rub – Application Requirements)</p> <p>(Amending Subsections 27(4)(f) and 27(4)(g) – Taxi Cabs – deleting “for all new applicants”)</p> <p>(Amending Subsection 20(14) – Limousines)</p> <p>(Adding Subsections 20(17)(e) and 20(17)(f) – Limousines)</p> <p>(Amending Subsection 25.1(2) – Refreshment Vehicles – Temporary Licenses – replacing “ten (10” with “thirty (30)”)</p> <p>(Amending Subsection 27(86)(a) – Taxi Cabs – replacing “one” with “no”)</p> <p>(Amending Subsection 28(1) – Tobacco Shops)</p> <p>(Deleting Subsection 28(2) – Tobacco Shops)</p> <p>(Deleting Subsection 29(5) – Tow Trucks)</p> <p>(Amending Schedule “B” – Classes of Business Licenses and Fees)</p>
By-law 158-2009 June 30, 2009	<p>(Amending Section 2.1 – Definitions – Adding definitions for Hearings Officer and Screening Officer)</p> <p>(Amending Subsection 6.1 (c) - Grounds For License Refusal, Non-Renewal, Revocation Or Suspension – replaced “compliance with this By-law or with any other requirement or prohibition imposed by any other law; or” with “accordance with the law or with honesty and integrity”.)</p> <p>(Amending Subsection 6.1 Grounds For License Refusal, Non-Renewal, Revocation Or Suspension – adding section n)</p> <p>(Adding Section 8.0 – Administrative Penalties)</p> <p>(Adding Subsection 8.1 – Delegation)</p>
By-law 156-2010 June 29, 2010	<p>(Deleted Subsection 33.0 (2))</p>
By-Law 177-2011 September 27, 2011	<p>(Amending Subsection 2.1 – Definitions – Deleting “Licensing Committee”)</p> <p>(Amended Subsection 2.1 – Definitions – Adding “Mobile Sign Distributor”)</p> <p>(Amending Subsection 6.1(1), Grounds For License Refusal, Non-Renewal, Revocation or Suspension – Adding the phrase “the Chief Licensing Officer is of the opinion that any of the following occurs, and in coming to this opinion, the Chief Licensing Officer may be guided by the policy set out in Appendix “1.”” after the word “where” and before subsection 6(1)(a).</p> <p>(Amending Section 6.2(4)(d) – Replacing “Licensee Committee” and “License Committee” with “Hearings Officer”)</p> <p>(Amending Section 6.2(6) – Replacing “Licensing Committee” with “Hearings Officer”)</p> <p>(Amending Section 6.2(7) – Replacing “Licensing Committee” with “Hearings Officer”)</p> <p>(Repealing Section 7.0 – Replacing with “License Appeals”)</p> <p>(Deleting Section 7.1- Licensing Committee Powers)</p> <p>(Amending Section 7.2 – Replacing the title “Licensing Committee Hearings” with “License Appeal Hearings”)</p> <p>(Amending Section 7.2(1) – Replacing “Licensing Committee” with “Hearings Officer”)</p> <p>(Amending Section 7.2(2) – Replacing “Licensing Committee” with “Hearings Officer”)</p> <p>(Amending Section 7.2(4) – Replacing “Licensing Committee” with “Hearings Officer and deleting “by a simple majority”)</p> <p>(Amending Section 7.2(5) – Replacing “Licensing Committee” with “Hearings Officer”)</p> <p>(Amending Section 7.2(6) – Replacing “in making the decision, the Licensing Committee” with “The Hearings Officer”)</p> <p>(Amending Section 7.2(7) – Replacing “Licensing Committee” with “Hearings Officer”)</p>
By-Law 177-2011 September 27, 2011	<p>(Amending Section 7.2(7) – Replacing “Licensing Committee” with “Hearings Officer”)</p> <p>(Amending Section 7.2(8) – Replacing “Licensing Committee” with “Hearings Officer”)</p>

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	<p>(Deleting Schedule "B" – Classes of Business Licenses and Fees) (Replacing with "Attachment "1" – Schedule "B" of By-Law 177-2011) (Adding Attachment "2" – Schedule "I" of By-Law 177-2011) (Amending Section 8.0 – Adding subsection (23)) (Amending Section 8.1(1) – Adding "and the Director of Enforcement Services" in between the words "officer" and "pursuant") Repealed Section 21(1) – Replacing with Section 21.0 "Mobile Sign Distributor") (Amending Section 21.1 – Replacing "Mobile Signs – License Applications and Renewals" with "Mobile Sign Distributor – License Applications and Renewals") (Amending Section 21.1(1) – Deleting the phrase "Mobile Sign License" with "Mobile Sign Distributor license") (Amending Section 21.2(1) – Replacing "licensee" with "Mobile Sign Distributor")</p>
By-Law 116-2012	<p>(Amending Section 2.1 – Definitions – "Towed Vehicle" – Deleting the "lawfully") (Amending Section 2.1 – Definitions - "Tow Truck" – Deleting ", and shall not include a Member Service Vehicle") (Amending Section 29.0 – Adding subsection "(20.1)" ", and shall not include a Member Service Vehicle (Amending Subsection 29.0 (34)(m) – Deleting the word "and") (Amending Subsection 29.0(34) – Adding subsections – "o, p, q)") (Amending Subsection 29.0 (42) – Deleting "related to towing or otherwise conveying a vehicle from a collision scene" – replacing with "prescribed by this By-law", deleting "approved" replacing with "submitted") (Deleted Subsection 29.0 (43), 29.0 (44), 29.0 (45), and 29.0 (46) – Tow Trucks) (Amending Subsection 29.0 (47) – Deleting "offers to tow, tows or otherwise conveys a passenger vehicle, light duty van, or truck" replacing with "tows or otherwise conveys a vehicle") (Amending subsection 29.0 (47) – Deleting "provided further that despite this subsection:" replacing with "a maximum additional fee of one hundred (100.00) dollars for an Off-Road Recovery, the mileage rate in subsection 29.0 (47.2) of this By-law, or the Collision Reporting Centre wait time rate in subsection 29.0 (48) of this By-law.") (Deleted Sections 29.0 (47)(a) and 29.0(47)(b) – Tow Trucks) (Amending Section 29.0 – Adding subsection (47.1) – Tow Trucks) (Amending Section 29.0 – Adding subsection (47.2) – Tow Trucks) (Deleted subsection 29.0 (48) – Replacing with "(48) Where an Owner or Operator is ordered to tow or otherwise convey a vehicle from a collision scene in the City to a Collision Reporting Centre, the Owner or Operator may charge a maximum of sixty-seven (67.00) dollars per hour, calculated in 15 minute increments, for wait time at the Collision Reporting Centre after the first hour of wait time.") (Amending Section 29.0 – Adding Section "(60.1) No Owner or Operator shall charge or permit to be charged by or on behalf of any other person a fee for the storage of a vehicle exceeding fifty-five (55.00) dollars per day for outside storage or sixty (60.00) dollars per day for indoor storage at any building or place where the vehicle is stored, including a Public Garage, storage facility, pound facility, or salvage yard")</p>
By-Law 183-2012	<p>(Deleting Schedule "B" - Classes of Business Licenses and Fees and replacing with Schedule "B" of By-Law 183-2012)</p>
By-Law 174-2013	<p>(Deleting Schedule "B" - Classes of Business Licenses and Fees and replacing with Schedule "B" of By-Law 174-2013)</p>
By-Law 019-2015	<p>(Deleting Schedule "B" – Classes of Business Licenses and Fees and replacing with Schedule "B" of By–Law 019-2015)</p>
By-Law 204-2015	<p>(Deleting Schedule "B" – Classes of Business Licenses and Fees and replacing with Schedule "B" of By–Law 204-2015)</p>
By-Law 124-2016	<p>(Section 2.1 – Definitions – Adding "Animal Services") (Replace Section 19.0(1), paragraph i) (Replace Section 19.1(1), paragraph a) (Replace Section 19.3(1) (Replace Section 19.3(2))</p>
By-Law 194-2016	<p>(Deleting Schedule "B" – Classes of Business Licenses and Fees and replacing with Schedule "B" of By–Law 194-2016)</p>
By-Law 016-2017	<p>(Add to section 2.1 – Definitions, Amend section 4.1(1), Add new titles – 16.1 Fence installers, 19.5 Landscapers, 21.3 Pavers, 23.1 Pool Installers. 25.3 Renovators, Add fees to Schedule "B" - Classes of Business Licenses and Fees, Add to Section 4.1, Delete Schedule "H", Replace subsection 4.3(14), Add section 4.4 Endorsements)</p>

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By-Law 024-2017	(Deleting Schedule "B" – Classes of Business Licenses and Fees and replacing with Schedule "B" of By-Law 024-2017)
By-Law 035-2017	(Add to Section 2.1 – definitions, Delete section 25.0(12) and replace; Add Section 25.2 Refreshment Vehicles – Event Licences, Add fees to Schedule "B" - Classes of Business Licenses and Fees, Add to Subsection 4.3(14))
By-law 038-2017	(Add to Section 4.2, Amend Section 14.1, Delete 14.1(5)(k) and replace, Amend section 20.0, Amend section 25.0, Amend Section 27.0, amend Section 27.1, Amend Section 29.0)
By-law 053-2017	(Delete and replace and add definitions, Amend Schedule "B" – Classes of Business Licences and Fees)
By-law 054-2017	(Amend Section 4.1(1), Amend section 23.1(6) 23.1(9), Amend 25.3(6) and 25.3(9), Amend 4.4(1))
By-law 123-2017	<p>(Add the following definitions to section 2.1: Authorized Agent, Limousine Company, Municipal Law Enforcement Officer, Ontario Police Service, Platform, Private Ground Passenger Transportation Service, Private Transportation Company, Prohibited Ground, PTC Driver, Ride-Sharing Service, Taxicab Stand, Trip Meter)</p> <p>(Amend following definitions in section 2.1: replace "Accessible Taxi Operator" with "Accessible Taxicab Driver". Replace "Driving School Operator" with "Driving School Driver". Replace "Limousine Operator" with "Limousine Driver". Replace "Refreshment Vehicle Operator" with "Refreshment Vehicle Driver" and amend the definition by replacing the word "operates" and "operators" with "drives" and "drivers". Replace "Taxi" and "Taxi Cab" with "Taxicab". Replace "Taxi Broker" and "Taxi Brokerage" with "taxicab Brokerage". Replace "Taxi Operator" with "Taxicab Driver". Replace "Tow Truck Operator" with "Tow Truck Driver" and amend the definition by replacing the words "operates", "operate" and "operation" with "drives", "drive" and "driving". Amend the definition "Limousine")</p> <p>(Amend Section 2.2, by deleting subsection 3)</p> <p>(Amend Section 3.0 by replacing every reference to "Operator" to "Driver")</p> <p>(Amend Section 3.0 by replacing subsections 3 and 6(b))</p> <p>(Amend Section 3.0 by deleting subsection 6(c) and 7)</p> <p>(Add subsections (12) and (13) to Section 3.0)</p> <p>(Amend Section 4.2 by replacing subsection (5) and (6))</p> <p>(Amend Section 4.3 by adding subsection (1.4))</p> <p>(Amend Section 4.3 by replacing subsection 5)</p> <p>(Amend subsection 4.3(14))</p> <p>(Amend Section 4.4)</p> <p>(Amend Section 7.0 by deleting subsection 3)</p> <p>(Amend Section 14.1 by replacing every reference to "Operator" with "Driver")</p> <p>(Delete Section 20.0 and replace)</p> <p>(Add Section 20.1)</p> <p>(Add Section 23.2)</p> <p>(Add Section 23.3)</p> <p>(Amend Section 25.0, 25.1, 25.2 by replacing every reference to "Operator" with "Driver")</p> <p>(Delete section 27.0 and replace)</p> <p>(Delete Section 27.1 and replace)</p> <p>(Delete Section 27.2 and replace)</p> <p>(Amend Section 29.0 by replacing every reference to "Operator" with "Driver")</p> <p>(Amend By-law 315-2005 by deleting Schedule "G")</p> <p>(Amend By-law 315-2005, Schedule B, replace and add fees)</p> <p>(Delete the sub-schedule entitled "Taxi Tariff Rates, Baggage and Wheelchairs")</p>
By-law 019-2018	<p>(Add paragraph (13) to Section 3.0 in General Provisions)</p> <p>(Deleted and replace Schedule "B" – Classes of Business License and Fees)</p>
By-law 044-2018	<p>(Delete and replace section 19.2(1))</p> <p>(Delete and replace section 19.2(2))</p>
By-law 138-2018	<p>(Delete the definition of "Taxicab Owner" in Section 2(1) and replace)</p> <p>(Delete Section 27.0(7))</p> <p>(Delete Section 27.0(36))</p> <p>(Amend section 27.2(3) by adding to existing table)</p>

By-law 025-2019	(Add to Section 3.0, paragraph 14) (Delete Schedule "B" and replace)
By-law 045-2019	(Repeal By-law 025-2019, Delete Schedule "B" and replace)
By-law 063-2019	(Repeal Section 8.0 and replace)
By-law 165-2019	(Repeal Schedule A) (Amend name of the Section 1.0) (Add Section 2.0)
By-law 194-2019	(Repeal By-law 045-2019) (Repeal Schedule B and replace)
By-law 064-2020	(Amend Part 2.1) (Add Part 31.0 and renumber further sections) (Amend Schedule I by adding Commercial Dog Walkers and deleting Criminal Code Offences and replacing it, adding offences for animal cruelty) (Amend Schedule B and replace) (Amend Part 19.3) (Amend Part 19.4) (Repeal subsection 19.0(1)(f) and replace) (Repeal section 19.1(1) and replace)
By-law 098-2020	(Amend Part 2.1) (Add Part 4.5)
By-law 187-2020	(Repeal section 29.0(30) and replace) (Repeal subsection 29.0(42)a) and replace) (Add section 29.0(42.1)) (Amend Part 2.1) (Repeal section 29.0(47) and replace) (Repeal section 29.0(47.1) and replace) (Add section 29.0(47.3)) (Add section 29.0(48.0)) (Add section 29.0(49.1)) (Amend Schedule I by adding Tow Trucks Part)
By-law 196-2020	(Repeal Schedule B and replace)
By-law 133-2021	(Add subsection 4.13(14)(m)) (Add subsection 4.13(14)(n)) (Amend subsection 27.0(21)(a)) (Amend subsection 22.0(4)(b)) (Amend section 2.1 by repealing and replacing the definition of "Pet Grooming Establishment") (Amend subsection 19.0(1)(i)) (Amend subsection 19.1(1)(a)) (Amend subsection 19.1(1)(b)) (Repeal subsection 19.1(1)(e)) (Amend subsection 19.3(6)(iii)) (Amend subsection 19.3(14)(a)) (Amend subsection 19.3(14)(b)) (Amend section 19.3(7)) (Amend section 19.3(8)) (Amend section 19.3(9)) (Amend section 19.3(10)) (Amend section 19.3(11)) (Amend section 19.3(12)) (Amend section 19.3(13)) (Amend section 19.3(14)) (Repeal subsection 22.0(3)(m) and replace) (Amend subsection 25.0(9)(a))
By-law 158-2021	(Replaced Schedule B)

(Office consolidation to December 2021)

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**LIST OF SCHEDULES**

<b>SCHEDULE "A"</b>	<b>REASONS FOR LICENSING AND IMPOSING CONDITIONS ON CLASSES OF BUSINESSES</b> <i>(Repealed by By-Law 165-2019 – November 19, 2019)</i>
<b>SCHEDULE "B"</b>	<b>CLASSES OF BUSINESS LICENSES AND FEES</b>
<b>SCHEDULE "C"</b>	<b>SUBJECT LANDS PLACE OF AMUSEMENT</b>
<b>SCHEDULE "D-1" &amp; "D-2"</b>	<b>ADULT ENTERTAINMENT PARLOUR MAPS</b>
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<b>SCHEDULE "G"</b>	<b>ACCESSIBLE TAXI SIGN</b> <i>(Repealed by By-Law 123-2017 – September 26, 2017)</i>
<b>SCHEDULE "H"</b>	<b>RENEWAL AND EXPIRY DATES</b> <i>(Repealed by By-Law 016-2017 – January 24, 2017)</i>
<b>SCHEDULE "I"</b>	<b>THRESHOLD POLICY FOR LICENSES</b>

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 315-2005**

**A By-law to provide for the licensing, regulating and governing of certain businesses, activities and undertakings in the City of Vaughan.**

WHEREAS section 150 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended provides that a municipality may license, regulate and govern any business, activity or undertaking wholly or partly carried on within the municipality;

AND WHEREAS the current Comprehensive Licensing By-law, By-law Number 2-2001, for The Corporation of the City of Vaughan (the "City"), in accordance with clause 457(1)(a) of the *Municipal Act, 2001*, will expire on the 1<sup>st</sup> day of January, 2006 and the City is required to enact a new Licensing By-law to license, regulate and govern businesses, activities and undertakings for the next five (5) year period;

AND WHEREAS a By-law licensing or imposing conditions on any business or class of business pursuant to subsection 150(3) of the *Municipal Act, 2001* must include an explanation as to the reason the municipality is licensing the business or class of business or imposing conditions on the business and how the reason relates to the purposes contained in subsection 150(2) of the Act;

AND WHEREAS the Council for the City of Vaughan has determined in accordance with subsection 150(2) of the *Municipal Act, 2001* that it is appropriate to license, regulate and govern certain classes of business and to impose conditions on certain classes of business carried on either wholly or partly within the municipality, even if the business is carried on from a location outside of the municipality, for one or more of the following purposes:

- a) Health and Safety: businesses, activities or undertakings that could result in a hazardous condition, injury or loss;
- b) Nuisance Control: businesses, activities or undertakings that could adversely affect the quality of life of any person; or
- c) Consumer Protection: the prevention of an unfair or potentially unfair business practice(s) that could result in a loss on the part of a consumer;

AND WHEREAS a public meeting was held on the 21<sup>st</sup> day of November 2005, 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 reasons the municipality is licensing certain classes of business and imposing conditions on certain businesses was considered;

AND WHEREAS the Council for the City of Vaughan has determined that it is appropriate to license and regulate, including the imposition of conditions on certain classes of business, for the reasons set out in Schedule "A" attached to this By-law;

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

## **PART I: GENERAL**

### **1.0 AUTHORITY AND SHORT TITLE**

This By-law shall be known as the "**Licensing By-law, 2006**".

*(Amended by By-Law 165-2019 – November 19, 2019)*

### **2.0 SCOPE AND APPLICABILITY**

- (1) The provisions of this By-law apply to all businesses, activities and undertakings, owners, Operators, attendants, drivers and vehicles that are or were in existence, carrying on business, providing services and/or operating in any manner whatsoever within the City, whether before or after this By-law comes into force, and as a result of such conduct required or require a license under this By-law or any of the City's previous Licensing By-laws.

- (2) Where any provision of this By-law is in conflict with a provision of any other City by-law, the more restrictive provision shall prevail.

*(Amended by By-Law 165-2019 – November 19, 2019)*

## 2.1 **DEFINITIONS**

In this By-law the following terms have the following meanings:

“Accessible Taxi” means a motor vehicle which can be used for the transportation of passengers unable to board regular vehicles due to physical disability, and for transporting of passengers in wheelchairs for hire or reward and which has been approved by the Licensing Officer for this purpose;

“Accessible Taxicab Driver” means the operator of an accessible taxi who holds and maintains or is required to hold and maintain a City of Vaughan Accessible Taxi License and who transports ambulatory and/or non-ambulatory passengers from any point within the City of Vaughan to any other point;

*(Amended by By-Law 123-2017 – September 26, 2017)*

“Accessible Taxi Owner” means the owner of an accessible taxi who is licensed or required to be licensed under the provisions of this By-law;

“Additional Fees” means a fee, in addition to the license fee, imposed by the City on a licensee at any time during the term of the license for costs incurred by the City attributable to the activities of the licensee.

*(Amended by By-Law 262-2008 – October 27, 2008)*

“Adult Entertainment Attendant” means a person who, in pursuance of a business, activity or undertaking, provides services designed to appeal to erotic or sexual appetites or inclinations at an Adult Entertainment Parlour, and who is licensed or required to be licensed as an Adult Entertainment Attendant under the provisions of this By-law;

“Adult Entertainment Operator” includes a person who is licensed or required to be licensed under the provisions of this By-law, and/or who alone or with others, operates, manages, supervises, runs or directs the business, activity or undertaking carried on at a adult entertainment parlour and “operate”, “operation” and other words of like import or intent shall be given a corresponding meaning;

“Adult Entertainment Owner” means a person who alone or with others owns and/or has the ultimate control over and/or who directs the operation of the business, activity or undertaking carried on at an adult entertainment parlour and includes a lessee, tenant, or licensee of the premises from which the adult entertainment parlour is operated, and the words “own”, “ownership” and words of like import or intent shall be given corresponding meaning;

“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, activity or undertaking carried on in or operated from the premises or part of the premises;

“Adult Video Store” is a class of adult entertainment parlour as defined in subsection 150 (2) of the *Municipal Act, 2001*, as amended, and includes any premises:

- a) where more than ten (10) percent of the entire area of the premises is devoted to the provision, display, storage, sale or rental of adult videotapes;
- b) in respect of which entry by persons under the age of eighteen (18) years is prohibited or where it is advertised or notice is given that such entry is prohibited; or
- c) in respect of which it is advertised or notice is given by signs or other advertising devices on or in the premises, or otherwise, that the premises is an “adult video store” or an “adult video rental store”, or otherwise described by words of like meaning;

“Adult Video Tape” means:

- a) any videotape, digital video disc, or other form of electronic recorded medium, the content of which is designed or held out as designed, to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject-matter distinguished or characterized by the portrayal of one or more persons involved or engaging in specified sexual activities, or by an emphasis on the display of human specified body areas; and
- b) in the absence of evidence to the contrary, a videotape, digital video disc, or other form of electronic recorded medium classified by the Ontario Film Review

Board as “restricted”, with the added information piece “adult sex film”, shall be deemed to be an adult videotape, while a videotape without such classification and information piece shall be deemed not to be an adult videotape;

“Adult Videotape Area” means an identifiable part of any premises, which part is used for the provision, display, exhibition, or viewing of adult videotapes;

“Amusement Machine” means any mechanical, electronic, computerized machine or device, pinball or video game or terminal, television game or any other similar device offered for use to the public for profit or gain;

“Animal Services” means Vaughan Animal Services under the direction of the Director of By-law & Compliance, Licensing & Permit Services;  
(Amended by By-Law 124-2016 – September 20, 2016)

“Applicant” means a *Person* seeking to become licensed under this By-law (i.e., a *Licensee*) and, either in person or through an *Authorized Agent*, makes such an application  
(Amended by By-Law 123-2017 -September 26, 2017)

“Arcade” means a building or part of a building where at least three (3) mechanical, electronic or computerized machines, intended for use as a game, entertainment or amusement and including pinball machines, television games, shooting galleries, video games and other similar machines but not including machines used exclusively for vending merchandise or services or playing recorded music, are available for use by the public;

“Auction” and “Public Auction” means a sale of goods, wares, services, merchandise, animals or land where the public is invited to make competitive bids and the object or other property for sale is secured by the highest bidder, and “Auction” shall include events where the proceeds are intended to be donated to a charitable organization;

“Auctioneer” means a person who sells goods, wares, services, merchandise, animals or land by a bidding process, who holds and maintains or is required to hold and maintain a valid City of Vaughan Auctioneer’s license;

“Auction Hall” means any building or structure either owned or leased by or on behalf of an auctioneer for the holding of auctions or public auctions;

“Authorized Agent” means a Person authorized in writing by an Applicant or Licensee to act on behalf of such Applicant or Licensee for the identified purpose of making an application, renewing a licence, or otherwise complying with the provisions of the By-law;  
(Added by By-Law 123-2017 – September 26, 2017)

“Autobody Repair Shop” means a building or place used for the care and major repair of motor vehicles including bodywork and paintwork, but not including a motor vehicle sales establishment;

“Automobile Service Station” means any premises:

- a) where gasoline or other motor fuels are kept for sale and for delivery directly into a motor vehicle;
- b) for the performance of minor running repairs essential to the actual operation of motor vehicles and for the sale to the motoring public of goods usual to the trade; but,
- c) does not include a motor vehicle sales establishment, a public garage, car wash or an auto body repair shop.

“Banquet Hall” means a building or part thereof used for the purpose of entertaining a large assembly of people, where food and liquor may be provided, and may include an eating establishment as an accessory use;

“Billiard Hall” means a premises or part thereof upon which is kept for hire, amusement, gain or profit one or more billiard table;

“Billiard Table” includes a pool table, table soccer, table hockey or table or other games of a similar nature;

“Boulevard” means all the parts of the highway, save and except the sidewalk and street;

“Boarding” (*Deleted by By-Law 053-2017 – June 5, 2017*);

“Boarding Facility” (*Deleted by By-Law 053-2017 – June 5, 2017*);

"Boarding Facility Owner" (*Deleted by By-Law 053-2017 – June 5, 2017*);

"Boarding Kennel" (*Deleted by By-Law 053-2017 – June 5, 2017*);

"Body Rub" is an activity where the primary function is the kneading, manipulation, rubbing, massaging, touching or stimulating by any means by at least one person of at least one other person's body or part thereof, but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario;

"Body Rub Attendant" means a person, in pursuance of a business, activity or undertaking, provides services at a Body Rub Parlour and holds and maintains or is required to hold and maintain a valid City of Vaughan Body Rub Attendant license;

"Body Rub Operator" includes a person who is licensed or required to be licensed under the provisions of this By-law, and/or who alone or with others, operates, manages, supervises, runs or directs the business, activity or undertaking carried on at a body rub parlour and "operate", "operation" and other words of like import or intent shall be given a corresponding meaning;

"Body Rub Owner" means a person who alone or with others owns and/or has the ultimate control over and/or who directs the operation of the business, activity or undertaking carried on at a body rub parlour and includes a lessee, tenant or licensee of the premises from which the body rub parlour is operated and "own", "ownership" and words of like import or intent shall be given corresponding meaning;

"Body Rub Parlour" includes any premises or part thereof where a body rub is performed offered or solicited in pursuance of a business, activity or undertaking, 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;

"Breeding" means the generating of offspring resulting in quality of bloodlines as in purebred;

"Business" includes a business, activity or undertaking, a trade, calling, occupation, exhibition, concert, festival or other organized public amusement held for profit or otherwise, a place of amusement, the intermittent sale or hire of goods or services, the one-time only sale or hire of goods or services, the display of samples/ specimens or other goods for purposes of sale or hire, but "business" does not include any business licensed, governed or wholly regulated by any other By-law of the City;

"Car Brokerage" means a building or part of a building used for sales, leasing, and/or rental of passenger motor vehicles, and shall not include the sale of automotive parts, mechanical repairs, or auto body repairs, or the outdoor display or storage of motor vehicles;

"Carrying on or engaging in the business of", when used in relation to refreshment vehicles, taxis or accessible taxis, includes the idling, parking or stopping of the vehicle when it is generally assumed that the services of such vehicle are for hire or available for purchase.

"Car Wash" means a building or part thereof used for the operation of automobile wash equipment, with a capacity to wash more than ten (10) cars per hour, and includes coin-operated automobile washing establishments;

"Cat" means any member of the species *felis catus* or *f. Domesticus*;

"Charitable Organization" means a charitable or not for profit organization whether or not incorporated, where all the resources of which are devoted to non-profit or charitable activities carried on by the organization itself or by the organization in combination with other organizations and where no part of the profits earned by the organization are payable to or otherwise available for the personal benefit of any owner, member, director or shareholder thereof;

"Chief Building Official" means the officer or employee of the City of Vaughan appointed by Council as Chief Building Official pursuant to the *Building Code Act, 1992*, S.O. 1992, c.23, as amended;

"Chief Fire Official" means the Chief of the Fire Department for the City of Vaughan, or a person designated to act on his or her behalf;

"Chief Licensing Officer" means the Director or designate and who is responsible for the administration of the provisions of this By-law;

(*Amended by By-Law 262-2008 – October 27, 2008*)

(*Amended by By-Law 016-2017 – January 24, 2017*)

(*Amended by By-Law 054-2017 – June 5, 2017*)

- “Chief of Police” means the Chief of Police of the York Regional Police Department or a person designated to act on his or her behalf;
- “City” or “City of Vaughan” means The Corporation of the City of Vaughan in the Regional Municipality of York or the geographic area of the City of Vaughan, as the context requires;
- “City-Approved Professional Association” or “CAPA” means an association representing an industry group of fence installers, landscapers, pavers, pool installers, or renovators, as defined in this By-law, that has met the requirements established by the Director for becoming a City-Approved Professional Association;  
(Amended by By-Law 016-2017 – January 24, 2017)
- “City Property” means all real property, personal property, chattels or other assets, tangible or intangible, owned and/or controlled by the City;
- “Clerk” means the Clerk of the City, as appointed under the authority of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
- “Clothing Donation Drop Box” means any receptacle used for the purpose of collecting clothing, donated by the public, on an ongoing basis and as part of the regular activity of the Operator which is a registered Charity;  
(Amended by By-Law 262-2008 – October 27, 2008)
- “Collision” means the unintended contact resulting from the motion of a motor vehicle and/or its load;
- “Collision Scene” means the general location or place where a collision occurred;
- “Commercial Breeding Kennel” means any kennel used for the keeping of four (4) or more dogs and/or cats but does not include a veterinary clinic;
- “Commercial Dog Walker” means a *Person* who walks *Dogs* for compensation;  
(Added by By-Law 064-2020 – May 27, 2020)
- “Consumer Fireworks” means low hazard fireworks, generally having a recreational use, as classified and defined in the Explosives Regulations, C.R.C. c. 599, and any amendments or successor Regulations, made under the *Explosives Act*, R.S. 1985, c. E-17, as amended, including but not limited to fireworks showers, fountains, golden rain, lawn lights, pin wheels, roman candles, volcanoes, sparklers, Christmas crackers and caps for toy guns, but excluding “Display Fireworks” and “Prohibited Fireworks”, as such terms are defined in this By-law, and highway flares, fuses or other small distress signals;
- “Corporation” means a body corporate incorporated pursuant to the *Business Corporations Act*, R.S.O.1990 c. B. 16, as amended, or the *Corporations Act*, R.S.O 1990, c. C. 38, as amended;
- “Council” means the Council for the City;
- “Customer” includes any person seeking, soliciting, receiving or requesting the services provided at any business or provided by any person at such business and shall include but not be limited to Adult Entertainment Parlours and Body Rub Parlours;
- “Director” means the Director of By-law & Compliance, Licensing & Permit Services of the City of Vaughan or his or her designate; (Amended by By-Law 016-2017 – January 24, 2017)
- “Display Fireworks” means high hazard fireworks as defined in the Explosives Regulations, C.R.C. c. 599, and any amended or successor Regulations, made under the *Explosives Act*, R.S. 1985, c. E-17, as amended, including but not limited to rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illuminations, set pieces and pigeons, but excluding “Consumer Fireworks” and “Prohibited Fireworks”, as such terms are defined in this By-law;
- “Dog” means any member of the species *canis familiaris*;
- “Dog Owner” means a person who owns, possesses, harbours or has the care and control of a dog and where such person is a minor it shall mean the person who is responsible for the custody of that minor;
- “Domestic Animal” means a dog, cat or other pet generally understood to be domesticated and typically kept indoors at a residential dwelling;
- “Domestic Animal Boarding Facility” (Deleted by By-Law 053-2017 – June 5, 2017);

- “Driveway” has the same meaning as defined in the City of Vaughan’s Parking By-law No. 1-96, as amended, or its successor by-law; *(Amended by By-Law 016-2017 – January 24, 2017)*
- “Driving School” means any place or part thereof where a person teaches or instructs any other person how to drive or operate a motor vehicle;
- “Driving School Instructor Owner” means the owner of a vehicle(s) used to teach or give instruction in the operation of a motor vehicle, who is licensed or required to be licensed under this By-law;
- “Driving School Driver” means any person who teaches or gives instruction from within a motor vehicle to any other person on how to drive or operate a motor vehicle;  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- “Driving School Owner” means a person who alone or with others carries on the business of teaching or giving instruction in the operation of a motor vehicle and who employs persons to teach or give instruction in the operation of a motor vehicle;
- “Drycleaner / Laundromat” means the business of dry cleaning, dry-dyeing, cleaning, pressing, spot or stain removal or other similar applications to clothing, fabric or material, or the business of washing or drying of clothing, fabric or material, or any premises or part thereof where any such activities are carried on;
- “Dry Cleaning Depot” means any premises or part thereof used for the purpose of collecting, receiving or returning clothing, fabric or material upon which dry-cleaning, dry-dyeing, cleaning, pressing and spot or stain removal or other similar application is to be or has been done, whether or not such dry cleaning depot is part of or connected with premises wherein such work is carried out;
- “Dwelling Unit” means a room or suite of two (2) or more rooms, designated or intended for use by an individual, family or other persons, in which sanitary conveniences are provided and facilities are provided for cooking or the installation of cooking equipment;
- “Drop Fee” means any fee or commission paid to the Owner or Operator of a Tow Truck or to a Tow Truck Brokerage in return for the towing or otherwise conveying of a vehicle to a particular place, other than or in addition to the amount to which the Owner or Operator of such Tow Truck is authorized to charge to the hirer in accordance with provisions of this By-law;
- “Eating Establishment” means a building or place where food and drink are prepared and offered for sale and served at the same table or counter where the food and drink are ordered and are to be consumed and shall include but not be limited to, cafeteria-style, buffet, self service, or take out facilities, and includes eating establishment convenience, eating establishment convenience with drive-through and eating establishment takeout, but shall not include a banquet hall as an accessory use;
- “Eating Establishment, Convenience” means a building or place having seating of not less than twenty-four (24) seats, where food and drink are prepared and offered for sale on a cafeteria style, buffet or self service basis for consumption within or outside of such building or place, and where customers do not eat at the same table or counter at which the food is ordered and/or obtained. Such establishments may include take out and/or delivery services, and an outdoor patio as an accessory use thereto; and may be accessory to a bakery and/or delicatessen use, notwithstanding the minimum seating limitation, and that provided in an industrial zone, the accessory Convenience Eating Establishment is subject to the general provisions for accessory retail sales established in By-law 1-88;
- “Eating Establishment, Convenience with Drive-through” means a Convenience Eating Establishment having a drive-through component where food and drink are served for consumption on or off the premises;
- “Eating Establishment, Take-out” means a building or place having limited seating not to exceed twenty-four (24) seats, where food and drink are prepared and offered for sale to be primarily taken out or delivered for consumption off the premises;
- “Endorsement” means the additional consent provided to the holder of a licence under this By-law to carry on a related business activity which would otherwise require a licence under this By-law;  
*(Amended by By-Law 016-2017 – January 24, 2017)*
- “Event” includes a temporary organized public or social occasion that takes place in a predetermined place or places over a specified time period of one day or several consecutive days.  
*(Amended by By-Law 035-2017 – April 19, 2017)*

"Fence" has the same meaning as defined in the City of Vaughan's Fence By-law No. 80-90, as amended, or its successor by-law; (Amended by By-Law 016-2017 – January 24, 2017)

"Fence Installer" means any *Person* who is engaged in the business of installing exterior fences, bannisters or rails, including pool enclosures, and includes any *Person* who solicits for such work, or who in any way advertises or holds themselves out to the public as performing such work, but does not include an individual who is employed by a licensed *Fence Installer* as long as the individual does not perform such work outside his or her employment with the licensed *Fence Installer*; (Amended by By-Law 016-2017 – January 24, 2017)

"Firecracker" means an explosive device that explodes when ignited and has no subsequent display or visible effect after the explosion, but excludes paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, devices for use with such caps, marine rockets, highway flares, fuses or other small distress signals or safety flares;

"Fireworks" includes "Consumer Fireworks" or low hazard fireworks, but excludes "Prohibited Fireworks", "Firecrackers" and "Display Fireworks", as such terms are defined in this By-law;

"Food Safety Inspection Report" means a report issued by the Medical Officer of Health or Certified Public Health inspector to an Eating Establishment or Foodstuffs Establishment as a result of an inspection conducted pursuant to the *Health Protection and Promotion Act*, R.S.O. 1990, c. H-7, as amended, or any regulations thereto;

"Foodstuffs" is any commodity meant for human consumption and shall include but not limited to items dispensed from vending machines;

"Foodstuffs Establishment" means any premises or part thereof where foodstuffs are sold, offered for sale, or displayed, but not intended for consumption on the premises;

"Garage Sale" means a sale of goods from a residential dwelling or premises where the sale lasts no longer than two (2) days, provided further that the sale from that residential dwelling or premises occurs no more than two (2) times per year and the Second-Hand Vendor is either the user of the goods sold, is one of not more than three (3) households conducting a sale of goods used by the members of those households or is a tenant or group of tenants at a residential rental building or premises or is a condominium owner or group of condominium owners, or condominium association, at a residential condominium building or premises;

"General Video Store" means any premises or part thereof in which videotapes are provided in the pursuance of a business, and where ten (10) percent 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;

"Gross Floor Area" means the aggregate of the total area devoted to an Adult Videotape Store within a building, including any basement or cellar, measured to the exterior of the outside walls; or

means the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar or car parking area above or below grade within the building or within a separate structure.

(Added by By-Law 053-2017 – June 5, 2017)

"Gross Vehicle Weight Rate" means the maximum operating weight/mass of a vehicle as specified by the manufacturer including the vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo but excluding that of any trailers; (Amended by By-law 187-2020 – December 15, 2020)

"Hearings Officer" means a person from time to time appointed by Council pursuant to the Screening and Hearings Officer By-law.

(Amended by By-law 158-2009 – June 30, 2009)

"Highway" means a highway or street as defined in the *Highway Traffic Act*, R.S.O. 1990, c.H.8, as amended;

"Hobby Kennel" (*Deleted by By-Law 053-2017 – June 5, 2017*);

"Hirer" means the rightful owner of a motor vehicle or in the absence of such Owner, a person with the lawful custody and/or control of such motor vehicle who authorizes, requests the services of, or gives permission to, a Tow Truck Operator to provide services for, or otherwise convey a motor vehicle;

"Kennel" means any premises, building, structure, dog run or other facility or part thereof where



dogs, cats, other domestic animals, or any combination thereof, are kept for the purposes of breeding and selling of such dogs, cats or other domestic animals, or for the purposes of overnight boarding of owned animals;

*(Deleted and Amended by By-Law 053-2017 – June 5, 2017)*

“Kennel Owner” means the person(s) who is the license holder, the person(s) responsible for the day-to-day operation, control, care or maintenance of the kennel, the person(s) who owns, processes or harbours dogs, cats or other domestic animals and, where the owner is a minor, includes the person(s) responsible for or having custody of the minor;

“Land” or “Lands” means ground, soil or earth and includes any buildings or structures thereon, either above or below the surface;

“Landscape” means any *Person* who is engaged in the business of creating, altering or maintaining hard or soft landscaping features, and includes any *Person* who solicits for such work, or who in any way advertises or holds themselves out to the public as performing such work, but does not include an individual who is employed by a licensed *Landscape* as long as the individual does not perform such work outside his or her employment with the licensed *Landscape*;

*(Amended by By-Law 016-2017 – January 24, 2017)*

“License” means an authorization obtained or granted under this By-law to carry on a business, activity or undertaking that requires a license and the document, certificate or card issued shall provide evidence of such authority as the context may allow;

“Licensed Premises” means the premises referred to in a license;

“Licensee” means a person who has been issued and maintains a valid license pursuant to the terms of this By-law;

“Licensing Committee” *(Deleted by By-law 177-2011 – September 27, 2011)*

“Licensing Office” means the Licensing Section of By-law & Compliance, Licensing & Permit Services of the City of Vaughan;

*(Amended by By-Law 016-2017 – January 24, 2017)*

*(Amended by By-Law 054-2017 – June 5, 2017)*

“Licensing Officer” means an employee(s) or officer(s) of the City of Vaughan responsible for the enforcement of the provisions of this By-law;

“Limousine” means a *Motor Vehicle* with at least four-doors that has been approved to operate as a *Limousine* by the *Licensing Officer* and that is operated in accordance with all of the applicable provisions pertaining to *Limousines* under this By-law.

*(Amended by By-Law 262-2008 – October 27, 2008)*

*(Amended by By-Law 123-207 – September 26, 2017)*

“Limousine Company” means any *Person* who facilitates *Limousine* services by connecting passengers with *Limousine Drivers* or *Limousine Owners*.

*(Added by By-law 123-2017 – September 26, 2017)*

“Limousine Driver” means a limousine operator who is licensed as such or is required to be licensed as such under this By-law;

*(Amended by By-Law 123-2017 – September 26, 2017)*

“Limousine Owner” means the owner of a limousine or limousines, licensed or required to be licensed as such under this By-law;

“Manager” means the Manager, Policy & Business Planning;

*(Amended by By-Law 016-2017 – January 24, 2017)*

*(Amended by By-Law 054-2017 – June 5, 2017)*

“Mechanic” means an inspecting mechanic at a motor vehicle station;

“Medical Officer of Health” means the Medical Officer of Health for the Regional Municipality of York;

“Mobile Sign” means a sign that is specifically designed or intended to be readily moved from one location to another and which does not rely on a building or fixed foundation for its structural support and shall include a portable and re-locatable sign and an “A” board sign but, notwithstanding the provisions of this By-law, mobile sign does not include a sign attached to a vehicle where the principal use of the vehicle is the transportation of people, disabled vehicles, goods or other materials;

“Mobile Sign Distributor” means any person who distributes or installs Mobile Signs, whether by rental or sale, whether permanent or temporary, to any other person;

*(Amended by By-Law 177-2011 – September 27, 2011)*

"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 includes a commercial motor vehicle as defined in the aforesaid Act;

"Municipal Act, 2001" means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, or any successor legislation;

"Municipality" means The Corporation of the City of Vaughan, in the Regional Municipality of York or the geographic area of the City of Vaughan, as the context requires;

"Municipal Law Enforcement Officer" or "MLEO" means a *Person* appointed or employed by the *City* as a municipal law enforcement officer under the *Police Services Act*, R.S.O. 1990, c.P.15, as amended.

(Added by By-Law 123-2017 – September 26, 2017)

"Non-profit Organization" means a not for profit organization whether or not incorporated, where all the resources of which are devoted to non-profit or charitable activities carried on by the organization itself or by the organization in combination with other organizations and where no part of the profits earned by the organization are payable to or otherwise available for the personal benefit of any owner, member, director or shareholder thereof;

"Nudity" and/or "Partial Nudity" means the showing or displaying of the physical human genitalia, pubic area, buttocks, or breasts with less than a full opaque covering;

"Offer" and/or "Solicit" when used in relation to services, means to present for acceptance, refusal or consideration, and/or to express readiness or show intention to make available, to express readiness to do or give a body-rub, by verbal, printed, graphic, and/or Internet communication, and includes the graphic or printed detailing on a tow truck, and the word solicit shall include and have like meaning as the words solicits and soliciting;

"Off Road Recovery" means the up righting of an overturned vehicle or four or more wheels of the vehicle are completely off the travelled portion of the road including the shoulder;

"Ontario Police Service" means a police service established in Ontario under the *Police Services Act*, R.S.O. 1990, c. P.15, as amended.

(Added by By-Law 123-2017 – September 26, 2017)

"OSPCA" means the Ontario Society for the Prevention of Cruelty to Animals;

"Owner" means a person who alone or with others owns, has the ultimate control over, or directs the operation of a business, activity or undertaking carried on at any premises and includes a lessee, tenant or licensee of the premises from which the business is operated and the words "own", "ownership" and words of like import or intent shall be given a corresponding meaning;

"Parking Lot" has the same meaning as defined in the City of Vaughan's Zoning By-law No. 1-88, as amended, or its successor by-law;

(Amended by By-Law 016-2017 – January 24, 2017)

"Partnership" means an association of two or more persons to carry on, as co-owners, a business or other activity;

"Passenger" means any person in a motor vehicle other than the driver or operator of such motor vehicle who is being conveyed from a point of origin to a destination;

"Paver" means any *Person* who is engaged in the business of paving, resurfacing, repairing or sealing *Driveways* or *Parking Lots* situated on private property (which may include municipal boulevards adjacent to such private property), and includes any *Person* who solicits for such work, or who in any way advertises or holds themselves out to the public as performing such work, but does not include an individual who is employed by a licensed *Paver* as long as the individual does not perform such work outside his or her employment with the licensed *Paver*;

(Amended by By-Law 016-2017 – January 24, 2017)

"Pawnbroker" means a person who carries on the business of taking by way of pawn or pledge any article for the repayment of money lent thereon and includes a person who offers a buy-back service in relation to such articles;

"Person" includes a natural individual, a corporation, partnership, proprietorship or other form of business association and the heirs, executors, administrators, successors and assigns, or other legal representatives thereof, or a receiver or mortgagee in possession;

"Personal Services Attendant" means a person who is employed in furnishing services and otherwise administering to another individual and personal needs of persons in a personal services establishment;

- “Personal Services Establishment” means a premises, building or part of a building in which persons are engaged or employed in furnishing services and otherwise administering to the individual and personal needs of persons and includes, without limiting the generality of the foregoing, a barber shop, hair dressing salon, shoe shine shop, tattoo parlour, aesthetician, micropigmentation, laser hair removal, electrolysis, body and ear piercing establishments and tanning parlours, but does not include a body rub parlour;
- “Pet Grooming Establishment” means a building, part of a building, vehicle, or other place in which animals are groomed and may also include pet obedience training, daily animal-sitting, or be accessory to a veterinary clinic or *Pet Shop*;  
(Amended by By-Law 133-2021 – October 20, 2021);
- “Pet Shop” means any building or part thereof where dogs, cats, other domestic animals, or any combination thereof, are either offered for adoption or sale.  
(Added by By-Law 053-2017 – June 5, 2017)
- “Place of Amusement” means, without a qualifier, a Place of Amusement Class A, Class B and/or Class C;
- “Place of Amusement - Class A” means any premises or part thereof containing three (3) or more amusement machines, but shall not include establishments where the sole purpose of such establishments is to sell, repair or maintain amusement machines, provided that such machines are not made available in the establishment for use by the public;
- “Place of Amusement - Class B” means any premise or part thereof where motion pictures of any rating, as defined by the National Film Board of Canada and the *Theatres Act*, R.S.O. 1990 are displayed, provided, shown or viewed and shall not include general or adult video stores;
- “Place of Amusement - Class C” means any premises or part thereof where a privately owned or operated bowling alley or bowling lanes and the facility and services therein are offered for public use.
- “Place of Amusement, Operator” includes a person who alone or with others operates, manages, supervises, runs or directs the business, activity or undertaking carried on at a place of amusement, who is licensed or required to be licensed under the provisions of this By-law, and “operate”, “operation” and other words of like import or intent shall be given a corresponding meaning;
- “Platform” means any software, technology, or service, including a radio, telephone line, website, or smartphone application, intended to connect passengers with a *Private Ground Passenger Transportation Service*, and may also include the facilitation of payment.  
(Added by By-Law 123-2017 – September 26, 2017)
- “Pool Installer” means any *Person* who engages in the business of installing swimming pools or hot tubs, and includes any *Person* who solicits for such work, or who in any way advertises or holds themselves out to the public as performing such work, but does not include an individual who is employed by a licensed *Pool Installer* as long as the individual does not perform such work outside his or her employment with the licensed *Pool Installer*;  
(Amended by By-Law 016-2017 – January 24, 2017)
- “Premises” means any land, building or structure, place or other premises licensed or required to be licensed under this By-law and includes any business, activity or undertaking required to be licensed under this By-law carried on at the premises;
- “Private Ground Passenger Transportation Service” means the use of a private *Motor Vehicle* for the terrestrial conveyance of passengers for a fee.  
(Added by By-Law 123-2017 – September 26, 2017)
- “Private Transportation Company” or “PTC” means any *Person* who facilitates or operates a *Ride-Sharing Service* through a *Platform*.  
(Added by By-Law 123-2017 – September 26, 2017)
- “Prohibited Fireworks” means fireworks included on the most recent list of prohibited fireworks or explosives set out in the *Explosives Act*, R.S. 1985, c. E-17, as amended, and any Regulations made thereunder, including but not limited to cigarette loads or pings, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80’s, silver salutes and flash crackers; throw down and step on torpedoes, crackling balls, exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and battle sky rockets, fake firecrackers and other similar trick devices or practical joke devices;

- “Prohibited Ground” means the prohibited grounds of discrimination as provided for under the *Ontario Human Rights Code*.  
(Added by By-Law 123-2017 – September 26, 2017)
- “Provincial Offences Officer” means a police officer or a person or class of persons designated in writing by a Minister of the Crown, designate or delegated authority for the purposes of all or any class of offences;
- “PTC Driver” means any *Person* who drives a *Motor Vehicle* to provide *Ride-Sharing Services*.  
(Added by By-Law 123-2017 – September 26, 2017)
- “Public Auction” (see “Auction”);
- “Public Garage” means a building or part of a building, which is used for the care, repair or equipping of motor vehicles or motor vehicles available for public transit such as but not limited to buses and taxis, and shall include, any place where a person or licensed mechanic services a motor vehicle, automobile service stations, auto body repair shops, car brokerages and car washes;
- “Purebred” means any dog or cat that is registered or eligible for registration with an association incorporated under the *Animal Pedigree Act*, R.S.C, 1985, c. 8 (4<sup>th</sup> Supp.), as amended;
- “Refreshments” means any food, beverage, or any other edible commodity meant for human consumption and includes but is not limited to items dispensed from vending machines;
- “Refreshment Vehicle Driver” means a person who drives a refreshment vehicle and includes drivers of muscle-powered carts or wagon for which a Provincial Driver’s License is not required, who is licensed or required to be licensed under the provisions of this By-law;  
(Amended by By-Law 123-2017 – September 26, 2017)
- “Refreshment Vehicle Owner” means the owner of a refreshment vehicle who is licensed or required to be licensed under the provisions of this By-law;
- “Refreshment Vehicle” means, without a qualifier, a Refreshment Vehicle – Type 1, Type 2 and/or 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;
- “Region” means The Regional Municipality of York or the geographic area of the Regional Municipality of York, as the context requires;
- “Registered Charity” means an incorporated charitable organization registered under Canada’s *Not-for-profit Corporation Act* S.C. 2009, c.23;  
(Amended by By-Law 098-2020 – June 29, 2020)
- “Regulated Health Professional” means a person registered under the *Regulated Health Professions Act*, 1991, S.O. 1991, c.18, as amended, or registered as a drugless practitioner under the *Drugless Practitioners Act*, R.S.O., 1990, c.D.18, as amended, and includes the following health professionals: Audiologists, Chiropodists, Chiropractors, Dental Hygienists, Dental Technologists, Denturists, Dentists, Dieticians, Massage Therapists, Medical Laboratory Technologists, Medical Radiation Therapists, Midwives, Naturopaths, Nurses, Occupational Therapists, Opticians, Optometrists, Pharmacists, Physicians, Physiotherapists, Podiatrists, Psychologists, Respiratory Therapists and Speech Language Pathologists;
- “Renovator” means any *Person* who engages in the business of altering, repairing or renovating buildings or structures, and includes any *Person* who solicits for such work, or who in any way advertises or holds himself or herself out to the public as performing such work, but does not include a *Person* whose principal business is the construction of new buildings covered by a new home warranty backstopped by Tarion, or any trade required to be licensed or otherwise certified by provincial legislation, or an individual who is employed by a licensed *Renovator* as long as the individual does not perform such work outside his or her employment with the licensed *Renovator*;

(Amended by By-Law 016-2017 – January 24, 2017)

“Retail Sale” means a sale for the purposes of consumption or use and not for resale;

“Ride-Sharing Service” means the use of a *Platform* of a *PTC* and a *Motor Vehicle* with a capacity of fewer than ten passengers, other than a licensed *Taxicab*, *Accessible Taxicab*, or *Limousine*, for the conveyance of passengers for a fee.

(Added by By-Law 123-2017 – September 26, 2017)

“Screening Officer” means a person from time to time appointed by Council pursuant to the Screening and Hearings Officer By-law. (Amended by By-law 158-2009 – June 30, 2009)

“Second Hand Goods” includes, but is not limited to; bicycles; collector cards; coins; compact discs; computers; computer accessories including monitors; printers and fax modems; computer games; computer software including cartridges and discs; computer hardware; electronic equipment; glass; ceramic, china, stone or metal figurines; jewellery; jewellery coins; medals and other precious metals for the purpose of melting; leather jackets; musical instruments; photographic equipment; pre-recorded audio tapes and/or discs; pre-recorded video tapes and/or discs; radios; sports equipment; stereos; telephones; television sets; tools; video games; video game systems; video laser discs and watches;

“Second Hand Goods Premises” means any place that is used by a pawnbroker or a second hand vendor to carry on the business of a pawnbroker or a second hand vendor, and includes any areas where such goods are stored or where records relating to such business are stored, and “premises” includes any booth or stall used by a second hand vendor for the sale of second hand goods;

“Second Hand Vendor” means a person who carries on the business of selling goods by way of retail that have previously been used for the purpose for which such goods were designed and includes any person who travels from place to place to sell second hand goods;

“Seeing Eye Dog” means a dog that is trained for and used specifically for the purposes of aiding a visually impaired person;

“Seller” means a person who sells or who offers to sell any Second Hand Goods to a Pawnbroker or a Second Hand Vendor;

“Services” includes:

- a) activities, facilities, performances, exhibitions, viewings and encounters;
- b) lifting, towing, conveying, moving or removing, working on any vehicle by means of the devices provided on a tow truck; or
- c) providing a body rub.

“Services Designed to Appeal to Erotic or Sexual Inclinations” includes:

- a) services or activities in respect of which a principal feature or characteristic is nudity or partial nudity of any person;
- b) services in respect of which the word nude, naked, topless, bottomless, sexy or any other word or picture, symbol or representation having like meaning or implication used in any advertisement;

“Sidewalk” means all such parts of a highway set aside for the use of pedestrians or used by the general public for the passage of pedestrians;

“Sign” means any advertising device or notice and means any visual medium including its structure and other component parts, which is used or is capable of being used to attract attention to a specific subject matter, other than itself, for identification, information, or advertising purposes and includes but is not limited to the following types of signs, namely, an awing sign, projecting sign, portable sign, ground or pylon sign, canopy sign, inflatable sign, trailer sign or sandwich board sign;

“Sole Proprietorship” means a form of business in which only one person has the sole control, and/or power over the business, and/or sole ownership over the assets of the business, and the only person to receive the profits of the business;

“Special Event Permit” means a permit issued under the authority of the Special Events By-law 370-2004, as amended, or its successor by-law.

(Amended by By-Law 035-2017 – April 19, 2017)

“Specified Body Areas” means any one or more of the following:

- a) In the case of a female person, her areola;
- b) In the case of all persons, the genitals and the anus.

“Specified Sexual Activities” includes but is not limited to actual or simulated sexual intercourse, masturbation, urination, defecation, ejaculation, sodomy, bestiality, anal intercourse, oral sexual intercourse, direct physical stimulation, of unclothed genital organs, and flagellation or torture in the context of a sexual relationship or activity;

“Stationary Business” means any business currently in operation or under a pending licensing application to operate from a premises, but does not include licenses pending or issued to people or vehicles;

“Street” means that part of a highway that is improved, designed or ordinarily used for vehicular traffic;

“Swimming Pool” has the same meaning as the term defined in the City of Vaughan’s Fence By-law No. 80-90, as amended, or its successor by-law;

*(Amended by By-Law 016-2017 – January 24, 2017)*

“Taxicab” 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;

*(Amended by By-Law 123-2017 – September 26, 2017)*

“Taxicab Brokerage” means any person who accepts and dispatches calls from the general public in a fair and equitable manner to taxis owned by someone other than himself, herself, his or her family members, or itself and who is licensed or required to be licensed under the provisions of this By-law;

*(Amended by By-Law 123-2017 – September 26, 2017)*

“Taxicab Driver” means the operator of a taxi who is licensed or required to be licensed with a valid City of Vaughan Taxi Operator’s License under the provisions of this By-law;

*(Amended by By-Law 123-2017 – September 26, 2017)*

“Taxicab Owner” the holder of the taxicab owner licence or the Person required to hold such licence.

*(Replaced by By-Law 138-2018 – June 19, 2018)*

“Taxicab Stand” means a City-approved queue area on public property where City-licensed Taxicabs may park or stop to wait for passengers.

*(Added by By-Law 123-2017 – September 26, 2017)*

“Tobacco Shop” means any premises or part thereof where tobacco, cigarettes, tobacco products or accessories, cigars or cigar products or accessories are sold or offered for retail sale, licensed or required to be licensed under this By-law;

“Tobacco Shop Keeper” means a person responsible for the care and management of a tobacco shop selling tobacco, cigarettes, tobacco products or accessories, cigars or cigar products and accessories and shall include the owner and operator of the tobacco shop;

“To Provide” means:

- a) To sell, offer to sell or display for sale by retail, or to rent, offer to rent or display for rental, whether or not the cost, fee or other consideration passes at the time of such rental or sale, or is effected through the cost of membership, subscription, admission or any other manner, goods and/or services, and “provision” has a similar corresponding meaning;
- b) When used in relation to services and/or body rubs, means to furnish, facilitate the provision of, perform, offer and/or solicit, or give such services and/or body rubs, and “providing” and “provision” have corresponding meanings; or
- c) When used in relation to Adult Entertainment Parlours, Body Rub Parlours, or body rubs, means to furnish, perform, solicit, or give such services in pursuance of a business or activity and “providing” and “provision” have a corresponding meaning;

“Tow Bar” means a device for positioning a towed vehicle behind a tow truck;

“Tow Sling” means a device used for the lifting and towing vehicles with a partial load supported on rubber belts;

“Towed Vehicle” means a vehicle that has been towed or otherwise conveyed by a tow truck;

(Amended by By-Law 116-2012 – June 26, 2012)

“Tow Truck” means a motor vehicle used for the hire for towing, providing services, or otherwise conveying of vehicle, from a point of origin within the City of Vaughan to a destination directly or indirectly;

(Amended by By-Law 116-2012 – June 26, 2012)

“Tow Truck Broker” means a person who, in pursuance of a trade, calling, business or occupation, arranges for the provision for hire to a hirer, of the services of a tow truck not owned by such person;

“Tow Truck Brokerage” means any business where a person(s) accepts and dispatches calls from the general public, businesses, police or other similar type of agency to tow trucks owned or operated by someone other than himself or family members;

“Tow Truck Driver” means a person who alone or with others, drives, manages, supervises, runs or directs the business, activity or undertaking carried on with a tow truck, includes a person who is licensed or required to be licensed under the provisions of this By-law, and “drive”, “driving” and other words of like import or intent shall be given a corresponding meaning;

(Amended by By-Law 123-2017 – September 26, 2017)

“Tow Truck Owner” means the owner of a tow truck, who is licensed or required to be licensed under the provisions of this By-law;

“Trip Meter” means a device that, independently from the *Taxicab Driver*, calculates and displays a trip fare to the passenger.

(Added by By-Law 123-2017 – September 26, 2017)

“Underlift” means a device used for the towing of vehicles by lifting one end of the towed vehicle from under the axle or structural member of the towed vehicle;

“Video Store Operator” means a person who alone or with others, operates, manages, supervises, runs or directs the business, activity or undertaking carried on at an adult videotape store or general videotape store, who is licensed or required to be licensed under the provisions of this By-law, and “operate”, “operation” and other words of like import or intent shall be given a corresponding meaning;

“Video Store Owner” means a person who alone or with others owns or has the ultimate control of or direction over the operation of the business, activity or undertaking carried on at an adult video store or general video store, and includes a lessee tenant, or licensee of the premises from which the adult video store and/or general video store is operated, who is licensed or required to be licensed under the provisions of this By-law, and “own”, “ownership” and words of like import or intent shall be given corresponding meaning;

“Video Tape” means cinematographic film, videotape, digital video disc, or other form of electronic recorded medium and any other medium from which may be produced visual images that may be viewed as moving pictures;

“Visually Impaired Person” means a person to whom an identification card for the visually impaired has been issued by the Attorney General or an officer of his Ministry, pursuant to the *Blind Persons’ Rights Act*, R.S.O. 1990, c.B.7;

“Wheel lift” means a device used for the towing of vehicles by lifting the vehicle by any or all of its wheels;

“Wrecker Body” means an after-market manufacturer’s box designed to be attached to the frame of a cab and chassis and used with an underlift, tow bar, tow sling, tow cradle, or wheel lift or flat bed carrier or other similar device.

## 2.2 INTERPRETATION

- (1) The Schedules attached hereto shall be and hereby form part of this By-law.
- (2) In this By-law, words expressed in one gender shall include both genders.
- (3) (Deleted by By-Law 123-2017 – September 26, 2017)
- (4) If a Court of competent jurisdiction declares any provision or any part of a provision of this By-law to be invalid or of no force and effect, it is the intention of the Council in enacting this By-law that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms, to the extent possible according to law.

### 3.0 GENERAL PROVISIONS

- (1) No person shall carry on or engage in any class of business or other activity listed in Schedule "B" of this By-law, whether wholly or partly located or carried on within the City, unless and until he or she has procured a license to do so from the City.
- (2) No person or licensee shall carry on or engage in any class of business or other activity listed in Schedule "B" of this By-law, whether wholly or partly located or carried on within the City, while the license is not maintained in good standing or has expired.
- (3) Unless otherwise provided for in this By-law, there shall be taken out by every person who operates more than one business or other activity requiring a licence, a separate licence in respect of each such business or other activity.  
(Replaced by By-Law 123-2017 – September 26, 2017)
- (4) There shall be taken out by every person who engages in or operates a business or other activity at more than one location, place of business, branch, store, or other premises requiring a license under this By-law, a separate license in respect of each such business or other activity and each location, place, branch, store or other premises.
- (5) Every person or licensee, upon demand of any person authorized to enforce the provisions of this By-law, shall produce the document, certificate or card known as a license, issued by the City of Vaughan.
- (6) Upon receipt of a license under this By-law, a licensee shall forthwith:
  - a) Where the license relates to an establishment or premises, post and maintain at all times the original license issued under this By-law in a conspicuous place within the establishment or premises for which it is granted;
  - b) Where the licence relates to a *Motor Vehicle*, maintain in the vehicle when in operation the original identification card related to the licence, issued under this By-law.  
(Replaced by By-Law 123-2017 – September 26, 2017)
  - c) (Deleted by By-Law 123-2017 – September 26, 2017)
- (7) (Deleted by By-Law 123-2017 – September 26, 2017)
- (8) Where a person has made application for a license or the renewal of a license and submitted the fee for the license or license renewal under this By-law and such person is refused a license or license renewal or such person terminates the application prior to the issuance of a license, fifty (50) percent of the application fee, as set out in Schedule "B" attached hereto, shall be refunded.
- (9) Notwithstanding any provision of this By-law respecting the suspension or revocation of a license, the license issued to the Owner or Driver of a vehicle that is required to be licensed under this By-law shall be suspended immediately in accordance with subsection 6.1(1) of this By-law for the period of time until such vehicle is produced for an inspection as provided under section 4.2 and passes such inspection;  
(Amended by By-Law 123-2017 – September 26, 2017)
- (10) Every Owner or Driver of a vehicle that is licensed or required to be licensed under the provisions of this By-law shall attend the Licensing Office forthwith upon the request of the person authorized to administer or enforce the provisions of this By-law, where the licensing officer or other authorized person is conducting an investigation;  
(Amended by By-Law 123-2017 – September 26, 2017)
- (11) In addition to the applicable license fees set out in Schedule "B", the City may require the licensee to pay Additional Fees.  
(Amended by By-Law 262-2008 – October 27, 2008)
- (12) No *Person* licensed or required to be licensed under this By-law shall charge any *Person*, or provide services to any *Person*, or deny service to any *Person*, in a manner that in the opinion of the *Chief Licensing Officer* discriminates on the basis of a *Prohibited Ground* or is deemed to have the same or similar effect.  
(Added by By-Law 123-2017 – September 26, 2017)
- (13) No *Person* licensed or required to be licensed under this By-law shall charge, by sole reason, or as a result, of an emergency declared by any municipal government or the governments of Ontario or Canada, fares or fees that exceed those that would otherwise be charged under circumstances in the absence of such an emergency.  
(Added by By-Law 123-2017 – September 26, 2017)
- (14) If a fee for a particular year is not prescribed in the respective schedules and a budget has not been passed by January 1st in a given year, the Treasurer is authorized to apply



a 3 per cent increase to the fee applied in the previous year to account for economic adjustment.

*(Added by By-Law 019-2018 – January 30, 2018)*  
*(Added by By-Law 025-2019 – February 20, 2019)*

#### **4.0 ADMINISTRATION, INSPECTIONS, APPLICATIONS AND RENEWALS**

##### **4.1 ADMINISTRATION**

- (1) The Director or his or her designate is the Chief Licensing Officer under this By-law (hereinafter referred to as the "Chief Licensing Officer") and is authorized to administer the provisions of this By-law on behalf of the City.
- (2) The following persons are authorized to enforce the provisions of this By-law on behalf of the City:
  - a) Chief Licensing Officer;
  - b) Licensing Officer;
  - c) Licensing Enforcement Officer;
  - d) Fire Chief or Chief Fire Official;
  - e) Chief of Police;
  - f) Medical Officer of Health; and
  - g) Any person appointed by by-law of the City from time to time as a Municipal Law Enforcement Officer pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, c. P.15, as amended.
- (3) The Chief Licensing Officer or his or her designate shall have the following duties and responsibilities under this By-law:
  - a) Receiving and processing all applications for licenses and renewals of licenses to be issued under section 4.3;
  - b) Maintaining and keeping records of all applications received and all licenses issued, renewed, refused, revoked or suspended under this By-law;
  - c) Assisting with the enforcement of this By-law;
  - d) Making or causing to be made a circulation respecting each application, which shall include circulation of the license application to the Medical Officer of Health, Chief of Police, Fire Chief and all other municipal departments and provincial bodies or agencies for approval;
  - e) Making or causing to be made all investigations and inspections, which the Chief Licensing Officer deems necessary to determine whether an applicant meets the requirements of this By-law and all applicable law;
  - f) Issuing licenses to persons who meet the requirements of this By-law;
  - g) Imposing terms and conditions on a license where he or she is of the opinion that a term or condition should be imposed.  
*(Amended by By-law 262-2008 – October 27, 2008)*
  - h) Refusing to issue, renewing a license or revoking or suspending a license, where he or she is of the opinion that the applicant or licensee is disentitled to a license under section 6.1 of this Licensing By-law.  
*(Amended by By-law 262-2008 – October 27, 2008)*
  - i) *(Deleted by By-law 262-2008 – October 27, 2008)*
  - j) Performing all other functions incidental to the due administration and enforcement of this By-law.
- (4) The Director shall have the following duties and responsibilities under this By-law:
  - (a) Establishing the criteria for City-Approved Professional Associations ("CAPAs");
  - (b) Granting CAPA status to professional associations, in accordance with the established criteria;
  - (c) Maintaining a publicly available list of CAPAs;

- (d) Revoking, suspending, or placing conditions on the CAPA status of any professional association that he or she deems to no longer meet the established criteria or that otherwise has provided reasonable grounds to believe that such professional association will not carry on or has not carried on its mandate and related activities with integrity or honesty or that its ongoing status as a CAPA is not in the public interest.

#### 4.2 INSPECTIONS

- (1) The Chief Licensing Officer, Licensing Officer, Licensing Enforcement Officer and all other officers or officials authorized to enforce the provisions of this By-law are hereby authorized to:
  - (a) Inspect:
    - i) as much of any place or premises as is used for the carrying on of the business;
    - ii) any books, records or other documents of or relating to any such business; or
    - iii) each motor vehicle operated, provided or used in the business;
  - (b) Require that each motor vehicle operated, provided or used in the business be submitted for inspection; and
  - (c) Ensure that each licensee produces his or her motor vehicle for inspection at the time and place designated by the Chief Licensing Officer or Licensing Officer.
- (2) Any establishment, vehicle or premises, at all times when the said establishment, vehicle or premises is open to the public, may be entered and inspected by a person authorized to enforce the provisions of this By-law for the purposes of enforcing this By-law.
- (3) In addition to the inspection powers related to motor vehicles referred to in subsection 4.2 (1), all vehicles licensed or required to be licensed under this By-law shall be subject to random inspections from time to time throughout the term of the license or any renewal of the license upon the demand of the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law.
- (4) Every Owner and every Operator of a motor vehicle that is licensed or required to be licensed under this By-law, upon the demand of the Chief Licensing Officer, Licensing Officer or any other person authorized to enforce the provisions of this By-law shall produce such vehicle for inspection.
- (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.

*(Amended by By-Law 038-2017 – April 19, 2017)*
- (5) Every *Person* that drives a *Motor Vehicle* that is licensed or required to be licensed under this By-law, upon the demand of any *Person* authorized to administer or enforce the provisions of this By-law, shall surrender for inspection both his or her Driver's Licence and vehicle Permit, as issued pursuant to the *Highway Traffic Act*, R.S.O. 1990 or under the law of any other jurisdiction.
 

*(Replaced by By-Law 123-2017 – September 26, 2017)*
- (6) No *Person* shall hinder or obstruct an inspection or investigation by any *Person* authorized to administer or enforce the provisions of this By-law by:
  - (i) preventing access to any establishment, vehicle, premises or part thereof;
  - (ii) refusing to surrender any documents, samples or items requested;
  - (iii) not following the directions of such authorized *Persons*

*(Replaced by By-Law 123-2017 – September 26, 2017)*

- (7) A Licensing Officer, acting reasonably, may physically remove a plate or license affixed to a vehicle, where he or she has reason to believe that any of the circumstances in section 6.3(1)(c) exist. The Licensing Officer shall forthwith inform the Chief Licensing Officer of such a removal. The Chief Licensing Officer may, in addition to power or duty granted under this By-law, retain the plate until such time that the circumstance or circumstances in section 6.3(1)(c) have been rectified.  
(Amended by By-law 262-2008 - October 27, 2008)

#### **4.3 APPLICATIONS**

- (1) Every person making an application for a license under this By-law shall at the time of application appear in person at the City of Vaughan Licensing Office, and no person other than the applicant shall complete the prescribed application forms.  
(Amended by By-law 262-2008 - October 27, 2008)
- (1.1) Every person making an application for license renewal may renew their licenses through a mail-in procedure approved by the Chief Licensing Officer, unless a Licensing Officer requires the applicant to renew the license in person at the City of Vaughan Licensing Office.  
(Amended by By-law 262-2008 - October 27, 2008)
- (1.2) Where a corporation is making an application for a license under this By-law, the application shall be made by a duly authorized director or officer of that corporation.  
(Amended by By-law 262-2008 - October 27, 2008)
- (1.3) Where a partnership is making an application for a license under this By-law, the application shall be made by one or more of the partners.  
(Amended by By-law 262-2008 - October 27, 2008)
- (1.4) Despite 4.3(1.1), 4.3(1.2) and 4.3(1.3), an application for a licence or a renewal thereof may be made in person by an *Authorized Agent*, provided that he or she has written authorization to do so from the *Applicant* and provides one piece of Canadian government photo identification to the satisfaction of the *Licensing Officer*.  
(Added by By-law 123-2017 – September 26, 2017)
- (2) Every person making an application for a license under this By-law shall at the time of application submit the following:
- (a) A completed application form or forms;
  - (b) The applicable fee as set out in Schedule “B”;
  - (c) Where the applicant is a corporation, the corporation shall file a copy of its articles of incorporation and a document duly certified by the Ministry of Consumer and Business Services verifying the current corporate name, the head office address, the principal place or places of business and the names and addresses of all directors and officers of the corporation, as at the time of application;
  - (d) Where the applicant is a partnership, the partnership shall file a copy of the record of registration of the partnership under the *Business Names Act*, R.S.O.1990, c.B.17, as amended and/or the *Limited Partnerships Act*, R.S.O. 1990, c.L.16, as amended;
  - (e) Any other information required to be provided under the specific or s related to a particular business or activity under this By-law or as may be requested by the Licensing Officer.
- (3) Receipt of the application, request for renewal, or submission of the license fee shall not constitute approval of the application for, or renewal of a license, nor shall it obligate the City to issue or renew any such license.
- (4) Prior to the issuance of a license, a copy of the application shall be forwarded for a report or comments to the Medical Officer of Health, the Chief Fire Official, the Chief Building Official, other Departments of the City, and any other public authorities which may have an interest in the license application, or for such information as may be required under this By-law or any other legislation.
- (5) Despite 4.3(3), if a *Licensee* has remitted the prescribed renewal fee, his or her licence shall be deemed to continue until the renewal is granted or refused, subject to the *Licensee’s* avenue for appeal under sections 7.0 and 7.2.  
(Amended by By-law 262-2008 - October 27, 2008)  
(Replaced by By-law 123-2017 – September 26, 2017)
- (6) (Deleted by By-law 262-2008 – October 27, 2008)

- (7) *(Deleted by By-law 262-2008 – October 27, 2008)*
- (8) *(Deleted by By-law 262-2008 – October 27, 2008)*
- (9) *(Deleted by By-law 262-2008 – October 27, 2008)*
- (10) *(Deleted by By-law 262-2008 – October 27, 2008)*
- (11) *(Deleted by By-law 262-2008 – October 27, 2008)*
- (12) *(Deleted by By-law 262-2008 – October 27, 2008)*
- (13) *(Deleted by By-law 262-2008 – October 27, 2008)*

*(Amended by By-Law 016-2017 – January 24, 2017)*

- (14) (a) Subject to subsections 4.3 (14) (b) to (g), all licences issued under this By-law must be renewed on the annual anniversary date of their issuance and where such date is not known or available, such renewals shall take place as follows:
  - i) For a corporation, registered partnership or registered sole proprietorship, on the annual anniversary date of the date of incorporation or registration;
  - ii) For a vehicle, if owned by a corporation, registered partnership or registered sole proprietorship, on the annual anniversary date of incorporation or registration;
  - iii) For a vehicle owned by a person, on the annual anniversary of the individual's date of birth;
  - iv) For a person, on the annual anniversary of the individual's date of birth.
- (b) Despite subsection 4.3(14)(a), every *Licensee* under this By-law who holds more than one licence shall: *(Added by By-law 123-2017 – September 26, 2017)*
  - (i) renew all the licences he or she holds on the anniversary date of the first licence obtained, or on his or her birthday, as the circumstances require in accordance with subsection 4.3(14)(a), and pay for such renewal on a pro-rated basis;
  - (ii) pay for any new licence on a pro-rated basis with reference to the licensee's renewal date, as determined under subsection 4.3(14)(a).
- (c) A *Licensee* shall not renew a licence more than two (2) months before the date of expiry of such licence.
 

*(Added by By-Law 123-2017 – September 26, 2017)*
- (d) Any licence not renewed by the date set out in 4.3(14)(a) shall be deemed to have lapsed, and the person, corporation, or partnership whose name the original licence was issued under shall be deemed to be operating without a licence.
- (e) Despite subsection 4.3(14)(d), a licence that has not lapsed by more than 90 days may still be renewed subject to the following:
  - i) That for a licence lapsed up to 30 days, a late renewal fee as per the Fees and Charges By-law, as amended, be paid in addition to the renewal fee; or
  - ii) That for a licence lapsed more than 30 days and up to 90 days, a late fee as per the Fees and Charges By-law, as amended, be paid in addition to the renewal fee.
- (f) A licence lapsed more than 90 days shall be deemed cancelled and no longer eligible for renewal.
- (g) Despite subsection 4.3(14)(a), if the Ontario Class "G" licence issued to a vehicle Operator licensed under this By-law expires prior to the renewal date of the licence, then such licence shall expire on the same date, unless the licensee

submits in person to the Licensing Officer proof that the Operator's Ontario Class "G" licence has been renewed, in which case the Operator's licence under this By-law shall be reinstated for the balance of its term.

- (h) Despite subsection 4.3(14)(a), if the Ontario Class "G" licence issued to a vehicle Owner who operates the vehicle licensed under this By-law expires prior to the renewal date of the licence, then such licence shall expire on the same date, unless the licensee submits in person to the Licensing Officer proof that the Owner's Ontario Class "G" licence has been renewed, in which case the Owner's licence under this By-law shall be reinstated for the balance of its term.
- (i) Despite subsection 4.3(14)(a), if the insurance on a vehicle licensed under this By-law expires prior to the renewal date of the licence, then such licence shall expire on the same date, unless the Owner or Operator submits in person to the Licensing Officer proof that the insurance on the vehicle has been reinstated or renewed, in which case the vehicle's licence under this By-law shall be reinstated for the balance of the term.
- (j) Despite subsection 4.3(14)(a), if the government work permit of any person licensed under this By-law expires prior to the renewal date of the licence, then such licence shall expire on the same date, unless the licensee submits in person to the Licensing Officer proof that the government work permit has been extended, in which case the person's licence under this By-law shall be reinstated for the balance of the term.
- (k) Despite subsection 4.3(14)(e), a *Person* whose licence has lapsed more than 90 days, but fewer than 24 months, shall be required to pay any outstanding late fees, as well as any other outstanding fees and penalties that have been applied to the lapsed licence, prior to being eligible to apply for a new licence.  
(Added by By-Law 123-2017 – September 26, 2017)
- (l) Subsections 4.3 (14) (a) to (f) do not apply to Refreshment Vehicle Event Licences.  
(Amended by By-Law 035-2017 – April 19, 2017)  
(Amended by By-Law 123-2017 – September 26, 2017)
- (m) Where an initial licensing or renewal fee prescribed in this By-law has not yet been established by Council, the fee shall be charged at the current year's rate, plus 3.0%, in accordance with section 3.0(14), and any difference between the calculated fee, as per this section, and the actual fee subsequently established by Council shall be accrued to the following year's renewal amount.  
(Added by By-Law 133-2021 – October 20, 2021)
- (n) Where a Licence is obtained or renewed for a period of two years, any amount not yet established by Council shall incur an increase of 3.0% over each of the previous years (or, for greater certainty, at a compounded rate of 6.09% over two years), in accordance with section 3.0(14), and any differences between the total amount calculated, as per this section, and the actual total fee, once all relevant amounts have been established by Council, shall be accrued to the following renewal amount.  
(Added by By-Law 133-2021 – October 20, 2021)
- (15) a) Any notice or other information required or authorized to be forwarded, given or served under this By-law is sufficiently given if delivered personally or sent by first-class prepaid mail addressed to the person to whom delivery is required to be made at the address shown on the application or at last address shown or appearing on the Licensing Office records of the City.
- b) Where service is effected by mail, it shall be deemed to be made on the fifth day after the date of mailing, unless the person on whom service is being made establishes that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond his or her control, receive the notice or order until a later date.
- (16) (Deleted by By-law 262-2008 – October 27, 2008)

#### 4.4 **ENDORSEMENTS**

- (1) A *Person* who holds a licence pursuant to sections 16.1, 19.5, 21.3, 23.1 or 25.3 may apply for an *Endorsement* to perform additional business activity under sections 16.1,

19.5, 21.3, 23.1 or 25.3 by providing the *City* with notice of their intent to perform such additional business activities.

(Amended by By-Law 054-2017 – June 5, 2017)

- (2) A *Person* who holds a *Limousine Owner*, *Taxicab Owner* or *Accessible Taxicab Owner* licence under sections 20.0, 27.0 or 27.1, respectively, may obtain an *Endorsement* to drive his or her *Limousine*, *Taxicab* or *Accessible Taxicab*, as the case may be, by meeting the corresponding requirements set out for *Limousine Driver*, *Taxicab Driver* or *Accessible Taxicab Driver*.

(Added by By-Law 123-2017 – September 26, 2017)

- (3) A *Person* performing an additional business activity under the authority of an *Endorsement*, pursuant to 4.4(1) or 4.4(2), shall comply with all of the pertinent provisions under this By-law with respect to the additional business activity.

(Amended by By-Law 123-2017 – September 26, 2017)

- (4) Any *Person* licensed that intends to begin additional business activity, pursuant to 4.4(1) or 4.4(2), during the tenure of his or her licence shall comply with the provisions under section 5.0 of this By-law and obtain an *Endorsement* prior to commencing such additional business activity.

(Amended by By-Law 123-2017 – September 26, 2017)

#### 4.5 **REGISTERED CHARITIES**

- (1) Where a *Registered Charity* provides goods or services governed by this By-law, the *Chief Licensing Officer* may, upon application, exempt such *Registered Charity* from some or all of the requirements under the By-law.
- (2) An application under this Part shall be presented in person by the *Licensee*, *Applicant* or his or her *Authorized Agent*, and shall constitute of the following:
- a) a completed and signed application form, as provided by the *Chief Licensing Officer*;
  - b) the presentation of the original Articles of Incorporation for the *Registered Charity* and one copy for submission; and
  - c) any other information deemed necessary by the *Chief Licensing Officer*.
- (3) A determination under 4.5(1) of whether a *Registered Charity* may be exempted from requirements under this By-law shall be based on the extent to which:
- a) goods or services are exclusively provided by the *Registered Charity*;
  - b) goods or services provided are in line with the *Registered Charity's* purpose as stated in its governing document, such as letters patent, articles of incorporation, trust, or constitution;
  - c) the exemption sought compromises the health and safety of the public or consumer protection;
  - d) the exemption sought unduly creates a public nuisance;
  - e) the exemption sought unduly adversely affects a local business; and
  - f) the exemption sought advances an identified objective of the *Registered Charity* that is in line with the public interest.
- (4) The determination of the *Chief Licensing Officer*, in accordance with 4.5(3), shall be provided in writing, state the grounds for the decision, and shall be final.
- (5) The determination of the *Chief Licensing Officer* shall form part of a *License* under this By-law and shall be present at the place where the goods or services are being provided and shall produce for inspection upon request.

(Amended by By-Law 098-2020 – June 29, 2020)

#### 5.0 **CHANGES IN INFORMATION**

- (1) Every applicant or licensee shall notify the Licensing Officer in writing within seven (7) days of any change in any information contained in the application for a license or renewal, and whether before or after a license or license renewal is issued.
- (2) Where a change has occurred in the business name or operating name of a Licensee, the Licensee shall attend within seven (7) days of the date of the change at the office of the Licensing Office to have the license and licensing records amended accordingly.

## 6.0 **NOTICES TO COMPLY**

- (1) In the event of non-compliance with any of the provisions of this By-law by any person, a Notice to Comply may be issued and served upon such person, by any person authorized to enforce this By-law.
- (2) Every person to whom a Notice to Comply is issued, or upon whom a Notice to Comply is served, shall, forthwith, take such steps as are necessary to comply with the Notice within the time provided for compliance.
- (3) Where any holder of a license fails to comply with a request to inspect or fails to comply with the Notice to Comply, the Chief Licensing Officer may suspend or revoke their license.  
*(Amended by By-law 262-2008 - October 27, 2008)*

## 6.1 **GROUND FOR LICENSE REFUSAL, NON-RENEWAL, REVOCATION OR SUSPENSION**

- (1) An applicant whose application meets all the requirements of the Licensing By-law is entitled to a license or the renewal of a license except where the Chief Licensing Officer is of the opinion that any of the following occurs, and in coming to this opinion, the Chief Licensing Officer may be guided by the policy set out in Appendix "I":

*(Amended by By-Law 177-2011 – September 27, 2011)*

- a) An applicant for a license or licensee seeking the renewal of a license has not:
  - i) completed the prescribed application forms, renewal forms or delivered all required accompanying documentation;
  - ii) delivered with the application the fee to be paid in full in respect of such license renewal, or any other fees required, as set out in this By-law; or
  - iii) complied with any other application or renewal requirements for the applicable class of business as set out in this By-law; or
- b) There are reasonable grounds to believe that the information provided on the application or renewal forms contains a false statement or information; or
- c) Where past or present conduct of the applicant or licensee, or of any partner, in the case of a partnership, or of any director, shareholder or officer of the corporation, if the applicant or licensee or a party having a direct or indirect interest in the business is a corporation, affords reasonable grounds to believe that such applicant or licensee will not carry on or has not carried on his or her business or other activity in accordance with the law or with honesty and integrity. *(Amended by By-law 158-2009 – June 30, 2009)*
- d) Where past or present conduct of the applicant or licensee, or of any partner, in the case of a partnership, or of any director, shareholder or officer of the corporation, if the applicant or licensee or a party having a direct or indirect interest in the business is a corporation, affords reasonable grounds to believe that such applicant will not carry on or has not carried on his or her business or other activity with integrity or honesty; or

- e) Where the applicant or licensee has failed to pay a fine or fines imposed by a court as a sentence arising from convictions for breach of this By-law or any other City By-law; or
- f) Where any Additional Fee imposed on a Licensee remains unpaid; or
- g) Where past or present conduct of the applicant or licensee, or of any partner, in the case of a partnership, or of any director, shareholder or officer of the corporation, if the applicant or licensee or a party having a direct or indirect interest in the business is a corporation, affords reasonable grounds to believe that the carrying on by the applicant or licensee of the business of other activity in respect the licensee is sought or held would endanger the health or safety of, or infringe on the rights, of members of the public; or
- h) There are reasonable grounds to believe that the carrying on of the business by the applicant or licensee may be adverse to the public interest; or
- i) Where information provided to the City by or on behalf of the applicant or licensee, whether oral or in writing, has ceased to be accurate and the applicant or licensee has not provided up-to-date accurate information to the City sufficient to allow the Chief Licensing Officer to conclude that the license should be granted or maintained or renewed as valid and subsisting; or
- j) Where there are reasonable grounds to believe that the applicant or licensee does not meet all the requirement of this By-law or any other City By-law, or that the business or other activity is carried on or intended to be carried on in an area where such business is prohibited by this By-law from being carried on, or in respect of which the issuing of a license in respect of the business is not permitted by this By-law; or
- k) Where the Chief Licensing Officer has received three (3) or more substantiated complaints against the person, entity, business or other activity that holds a valid license; or
- l) Where an adverse report has been received from any of the officials, departments, or other public authorities listed in section 4.3(4) of this By-law; or
- m) There is any other matter that the Chief Licensing Officer is authorized by law to consider. *(Amended by By-law 262-2008 - October 27, 2008)*
- n) Where the applicant or licensee has failed to pay an administrative penalty imposed in accordance with this By-law.

*(Amended by By-law 158-2009 – June 30, 2009)*

#### **6.1.1 LICENSE ON TERMS AND CONDITIONS**



(1) Notwithstanding any other provisions of this By-law, the Chief Licensing Officer may impose terms and conditions on any licence at issuance, renewal or any time during the licence period, including special conditions, as are necessary to give effect to this By-law.

*(Amended by By-law 262-2008 - October 27, 2008)*

## **6.2 THE CHIEF LICENSING OFFICER'S POWER TO REFUSE TO ISSUE, RENEW A LICENSE OR REVOKE OR SUSPEND A LICENSE**

(1) The powers and authority to refuse to issue or renew a license, to cancel, revoke or suspend a license, or to impose terms and conditions on a license, are hereby delegated to the Chief Licensing Officer.

(2) Where the Chief Licensing Officer is of the opinion that:

- (a) an application for a license or renewal of a license should be refused;
- (b) a license should be revoked;
- (c) a license should be suspended; or
- (d) a term or condition of a license should be imposed;

he or she shall make that decision.

(3) After a decision is made by the Chief Licensing Officer, written notice of that decision shall be given to the applicant or licensee advising the applicant or licensee of the Chief Licensing Officer's decision with respect to the application or license.

(4) The written notice given to be given under subsection (3) shall:

- (a) set out the grounds for the decision;
- (b) give reasonable particulars of the grounds;
- (c) be signed by the Chief Licensing Officer; and
- (d) state that the applicant or licensee is entitled to a hearing by the Hearings Officers if the applicant or licensee delivers to the Clerk, within seven (7) days after the notice under subsection (4) is served, a notice in writing requesting a hearing by the Hearings Officers

*(Amended by By-Law 177-2011 – September 27, 2011)*

(5) Where no appeal is registered within the required time period, the decision of the Chief Licensing Officer shall be final.

(6) Where the applicant or licensee requests a hearing before Hearings Officer within the required time period, the Clerk shall notify the applicant or licensee of the time, place and date of the appeal hearing.

*(Amended by By-Law 177-2011 – September 27, 2011)*

(7) An appeal hearing under this section shall be commenced by the Hearings Officer no earlier than 15 days and no later than 30 days from the date of receipt of the appeal request.

*(Amended by By-law 262-2008 - October 27, 2008)*

*(Amended by By-Law 177-2011 – September 27, 2011)*

### 6.3 **SUMMARY SUSPENSIONS**

*(Amended by By-law 262-2008 - October 27, 2008)*

- (1) The Chief Licensing Officer may suspend any license in an emergency situation for the time and subject to the following conditions:
  - a) the Chief Licensing Officer or his or her designate is hereby authorized to effect the temporary or summary suspension of any license in any of the circumstances set out in subsection 6.1 (1) (c), which summary suspension may be for a minimum period of twelve (12) hours and a maximum period of fourteen (14) days;
  - b) if the violation is corrected during or after the twelve (12) hour period, the license may be reinstated at the first opportunity following the end of the twelve hours period;
  - c) a summary suspension may be initiated by the Chief Licensing Officer or his or her designate in circumstances where:
    - i) a motor vehicle is deemed to be mechanically unsafe, including but not limited to body damage with sharp edges, holes in floorboards, significantly worn or unserviceable tires, doors failing to close properly, wire protruding from any seat or any other mechanical or physical defect that would render the vehicle unsafe;
    - ii) a licensee's liability insurance has expired and he or she continues to carry on business for which the license was issued;
    - iii) an inspection has been performed on a vehicle for transfer of a license and the licensee fails to effect the transfer but the operator or licensee carries on business with the replacement vehicle;
    - iv) there is misuse of a license by a licensee, where the licensee has taken a license plate or decal from one vehicle and affixed it to another vehicle that is not approved under the license;
    - v) a lease agreement has expired and the lessee fails to renew it with the licensee, but the lessor or licensee continues to work while the leasing agreement is expired;
    - vi) a cheque is returned marked Non Sufficient Funds ("NSF") for the payment of a license fee;
    - vii) a licensed vehicle Owner or Operator has failed to attend the Licensing Office as per the directions of the Licensing Officer or anyone authorized to enforce the provisions of this By-law;
    - viii) a licensee fails to comply with a request to inspect or fails to comply with any of the provisions of this By-law;
  - d) a suspension under this section shall take effect upon delivery or service of written notice thereof to the licensee at the business premises of the licensee or at the last address shown or appearing on the Licensing Office records of the City;
  - e) a suspension under this section shall remain in effect for no more than fourteen (14) days from the date of service of the notice.

### 7.0 **LICENSE APPEALS**

- (1) The powers and authority to hear appeals from decisions made by the Chief Licensing Officer pursuant to section 6.2(2) are hereby delegated to the Hearings Officer.
- (2) The Hearings Officer shall hear all appeals from decisions made by the Chief Licensing Officer pursuant to section 6.2(2).
- (3) *(Replaced by By-Law 177-2011 – September 27, 2011)  
(Deleted by By-Law 123-2017 – September 26, 2017)*

**7.1** *(Deleted by By-Law 177-2011 – September 27, 2011)*

## 7.2 **LICENSE APPEAL HEARINGS**

*(Amended by By-Law 177-2011 – September 27, 2011)*

- (1) The provisions of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22, as amended, apply to all appeal hearings by the Hearings Officer under this By-law.

*(Amended by By-Law 177-2011 – September 27, 2011)*

- (2) The Hearings Officer shall hold the hearing at the time, place and date set out in the notice referred to in section 6.2(6).

*(Amended by By-Law 177-2011 – September 27, 2011)*

- (3) At the appeal hearing, the onus shall be upon the applicant or licensee to show cause why:

- (a) the license applied for should not be refused;
- (b) the license should not be suspended or revoked; or
- (c) conditions or special conditions should be imposed on the license.

- (4) All appeal hearings shall be public hearings unless the applicant or licensee requests that the hearing be held in camera and the Hearings Officer approves the request by a simple majority. *(Amended by By-Law 177-2011 – September 27, 2011)*

- (5) When an appeal hearing date before the Hearings Officer has been set or fixed, and the applicant or licensee, having been provided with written notice referred to in section 6.2(6), and the applicant or licensee fails to attend at the appointed time, place and date, the Hearings Officer may proceed in his or her absence and the applicant or licensee will not be entitled to any further notice in the proceedings.

*(Amended by By-Law 177-2011 – September 27, 2011)*

- (6) The Hearings Officer may uphold or vary the decision of the Chief Licensing Officer, or make any decision that the Chief Licensing Officer was entitled to make in the first instance.

*(Amended by By-Law 177-2011 – September 27, 2011)*

- (7) At the conclusion of the appeal hearing, the Hearings Officer may give its decision orally or reserve its decision, but in any case it shall provide its decision in writing, with reasons, within fourteen (14) days of the hearing to the applicant or licensee and the Chief Licensing Officer.

*(Amended by By-Law 177-2011 – September 27, 2011)*

- (8) The decision of the Hearings Officer is final.

*(Amended by By-law 262-2008 - October 27, 2008)*

*(Amended by By-law 177-2011 – September 27, 2011)*

## 8.0 **ADMINISTRATIVE PENALTIES**

*(Amended by By-law 158-2009 – June 30, 2009)*

*(Amended by By-law 177-2011 – September 27, 2011)*

*(Replaced by By-law 063-2019 – May 1, 2019)*

- (1) “Each person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with the Administrative Monetary Penalties By-law, be liable to pay the City an Administrative Monetary Penalty of \$350.”

## 8.1 DELEGATION

- (1) For the purposes of subsection 23.3(4) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, it is the opinion of Council that the powers delegated to the Chief Licensing Officer, the Screening Officer and the Hearings Officer and the Director of Enforcement Services pursuant to this By-law are of a minor nature.

*(Amended by By-law 158-2009 – June 30, 2009)*  
*(Amended by By-law 177-2011 – September 27, 2011)*

## PART II: CLASSES OF LICENSES

### 9.0 ADULT ENTERTAINMENT PARLOURS

- (1) In addition to the requirements of set out in section 4.3, every application for an Adult Entertainment Parlour Owner license or renewal of such license shall be accompanied by a police clearance letter, dated not more than ninety 90 days prior to the date of application or renewal, for:
- a) each officer, if the applicant is a corporation
  - b) each partner, if the applicant is a partnership
  - c) the proprietor of a sole proprietorship  
*(Amended by By-Law 262-2008 – October 27, 2008)*
- (2) In addition to the requirements set out in section 4.3, every application for an Adult Entertainment Parlour Operator license or renewal of such license shall be accompanied by the following:
- a) Proof, satisfactory to the Licensing Officer, that the applicant is at least eighteen (18) years of age, which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Birth Certificate, accompanied by a photo;
    - ii) a valid Canadian Driver's License;
    - iii) a valid Canadian Passport;
    - iv) such other documentation or information as may be required by the Licensing Officer.
  - b) Proof satisfactory to the Licensing Officer of the applicant or licensee being eligible to seek employment in Canada which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Canadian Birth Certificate;
    - ii) a valid Canadian Passport;
    - iii) a Canadian Citizenship card;
    - iv) record of Landing papers;
    - v) a Certificate of Indian Status.
- (3) a) Every person making application for a license under this shall use his or her own name in making such application.
- b) Every person applying for a license under this Section who carries on or intends to carry on the business of or related to an Adult Entertainment Parlour, under a name or designation other than his or her own name or under his or her own name with the addition of the expression "and company" or some other expression indicating a plurality of members in a firm, shall, at the time of the making of the declaration, file with the Licensing Officer a declaration which shall state:
- i) the person's full name and the address of his or her ordinary

- residence;
- ii) any name or designation under which the person carries on or intends to carry on business, and the date when the name or designation was first used by him or her; and
  - iii) the mailing address for the business.
- (4) No person shall erect a sign advertising an Adult Entertainment Parlour unless the sign conforms to the regulations of this and every other By-law of the City and, notwithstanding the provisions of any other by-law of the City, all signs advertising an Adult Entertainment Parlour shall conform to the following restrictions:
- a) An Adult Entertainment Parlour shall only be allowed to erect one (1) sign advertising the premises and such sign must be located on the premises;
  - b) A sign advertising an Adult Entertainment Parlour shall not include any letters, markings, symbols, pictures, or representations except the name, address and phone number of the Adult Entertainment Parlour as recorded on the application for license;
  - c) Nothing in this By-law shall be deemed to prevent any person from erecting or maintaining any sign or other advertising device on any interior wall of an Adult Entertainment Parlour, provided the content of such sign is not visible from the exterior of the Adult Entertainment Parlour.
- (5) For the purposes of this Section, a sign shall include any letters, markings, symbols, pictures, or representations on any building, surface, object, or vehicle whether movable or immovable with the exception of the street address only.
- (6) No Owner or Operator of an Adult Entertainment Parlour shall permit any Adult Entertainment Attendant, while providing services as an Adult Entertainment Attendant, including any performance, encounter, exhibition, dance or other similar activity, to touch or be touched by, or have physical contact with, any person in any manner whatsoever involving any part of that person's body.
- (7) No person shall provide services as an Adult Entertainment Attendant and no Adult Entertainment Parlour Owner or Operator shall permit services to be provided by an Adult Entertainment Attendant unless a valid and subsisting Adult Entertainment Parlour Attendant's license has been issued pursuant to this By-law.
- (8) Every Adult Entertainment Parlour Owner, Operator or Attendant shall ensure that every service provided by an Adult Entertainment Attendant, including every performance, encounter, exhibition, dance or other similar activity, takes place without being hidden or concealed, in whole or in part, so as to hinder or prevent the enforcement of this By-law.
- (9) Subject to subsection 9.0(10), 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 "D-1" or Schedule "D-2" attached to this By-law.  
*(Amended by By-Law 262-2008 – October 27, 2008)*
- (10) There shall be a maximum, total number of three (3) Adult Entertainment Parlours located in the City.
- (11) No person under the age of eighteen (18) years may enter, be allowed to enter, remain in or be allowed to remain in any part of an Adult Entertainment Parlour.
- (12) An Adult Entertainment Parlour may only be open for business between the hours of 11:00 a.m. and 2:00 a.m. on any day, but shall remain closed for business on such days or dates as provided by Federal or Provincial laws.
- (13) Every Adult Entertainment Parlour Owner and Operator shall, upon demand by any person authorized to enforce the provisions of this By-law, produce the license of each Adult Entertainment Attendant performing on the premises, at the time of an inspection.

## **9.1 ADULT ENTERTAINMENT ATTENDANTS**

- (1) In addition to the requirements set out in Section 4.3, every application for an Adult Entertainment Attendant license or renewal of such license shall be accompanied by the following:
- a) Proof, satisfactory to the Licensing Officer, that the applicant is at least eighteen (18) years of age, which may be evidenced by the production of such of the

following original documents as the Licensing Officer may require, without limitation:

- i) a Birth Certificate, accompanied by a photo;
  - ii) a valid Canadian Driver's License;
  - iii) a valid Canadian Passport;
  - iv) such other documentation or information as may be required by the Licensing Officer.
- b) Proof satisfactory to the Licensing Officer of being eligible to seek employment as an Adult Entertainment Attendant in Canada which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
- i) a Canadian Birth Certificate;
  - ii) a valid Canadian Passport;
  - iii) a Canadian Citizenship card;
  - iv) record of Landing papers;
  - v) a Certificate of Indian Status.
- (2) No Adult Entertainment Attendant shall, while providing services as an Adult Entertainment Attendant, including performance, encounter, exhibition, dance or other similar activity, touch or have physical contact with any other person in any manner whatsoever involving any part of that person's body.
- (3) Each Adult Entertainment Attendant shall ensure that every service provided by such Attendant, including every performance, encounter, exhibition, dance, or other similar activity takes place without being hidden or concealed, in whole or in part, so as to hinder or prevent the enforcement of this By-law.
- (4) No Adult Entertainment Attendant or other person shall provide services in any Adult Entertainment Parlour unless the Owner of the said Adult Entertainment Parlour and the Operator, if any, is duly licensed as an Owner or Operator, respectively under this By-law.
- (5) Every applicant for an Adult Entertainment Attendant's license must use his or her full and legal name and no license shall be issued to any person in any name other than his or her full and legal name.

## **10.0 AUCTIONEERS**

- (1) In addition to the requirements set out in section 4.3, an application for an Auctioneer's license or renewal of such license shall be accompanied by a police clearance letter dated not more than ninety (90) days prior to the date of application.
- (2) Any person selling or putting up for sale goods, wares, merchandise or effects by public auction shall be deemed to be an Auctioneer within the meaning of this By-law.
- (3) Every person who exercises the calling, trade or business of an Auctioneer shall, at the place of each auction, prominently display his or her name and business address and shall, in all public advertisements of any nature used by him or her in the course of his or her business, include his or her name and business address in such advertisements.
- (4) Every Auctioneer shall keep proper books of account of the business transacted by him or her as an Auctioneer, which books shall give the names and addresses of the owners of the goods, wares or merchandise to be sold, the description of the same, the price for which the same may be sold, and the names and addresses of the persons purchasing such goods, wares or merchandise, or any portion thereof, account for the proceeds and pay the same to the person or persons entitled to such proceeds, less his or her proper and legal commissions and charges, and the Auctioneer shall, in case no sale is made of such goods, return to the person or persons entitled to receive the same on proper demand.
- (5) No Auctioneer shall:
- a) Permit any disorder or disorderly conduct in his or her auction hall, room or offices;
  - b) Conduct or permit to be conducted any mock auction;

- c) Knowingly make or permit to be made any misrepresentation as to the nature, content, quantity or value of any goods, wares, merchandise or effects which may be offered for sale by him;
  - d) Give away articles or sell them for nominal amounts for the purpose of stimulating bidding;
  - e) Do any act that is calculated to or which may reasonably have the effect of confusing a purchaser as to the amount he or she pays for any goods, wares, merchandise or effects;
  - f) Avail himself or herself of the services of, or act in concert with, persons known in the trade as “beaters”, “boosters” or “shills” for the purpose of raising or stimulating bids;
  - g) Sell or put up for sale by auction any goods, wares, merchandise or effects on a reserve-bid basis without first having announced clearly to those in attendance at the auction the fact of such reserve bid.
- (6) This Section does not apply to a sheriff or bailiff offering for sale goods or chattels seized under an execution or distrained for rent.

#### **10.1 AUCTION HALLS**

- (1) In addition to the requirements set out in section 4.3, every application for an Auction Hall license or renewal of such license shall be accompanied by a listing of all Auctioneers operating or who will be operating from or at the premises.

#### **11.0 BANQUET HALLS**

- (1) In addition to the requirements set out in section 4.3, every application for a Banquet Hall license or renewal of such license shall be accompanied by the following:
- a) A statement on the form provided by the Licensing Officer giving such particulars as to the location, size and construction of the hall, together with a plan of the proposed seating arrangement, as may be required;
  - b) A certificate signed by the Chief Fire Official certifying that he has inspected the building in respect of which the application is made and has found that it is in accordance with fire and life safety regulations;
  - c) A certificate signed by the Chief Building Official certifying that the operation of a hall in the location applied for is approved by him and that he is satisfied with the proposed use of the building or part thereof as a Banquet Hall and with the proposed methods of operation;
  - d) A certificate from the Medical Officer of Health certifying that the premises to be licensed are in a proper sanitary condition and that adequate sanitary facilities are provided for the use of patrons thereto.
- (2) The Licensee of a Banquet Hall shall not permit a greater number of persons to enter or be in the hall at any time than the stated maximum occupancy capacity on the license.
- (3) The Licensee of every Banquet Hall shall display in a prominent place in the entranceway, a placard(s) as required and issued by the Vaughan Fire Department as follows:
- a) the following words shall appear in bold, upper case print on the placard(s):  
“OCCUPANCY OF THIS HALL BY MORE THAN (BLANK) PERSONS IS DANGEROUS AND UNLAWFUL”;
  - b) the area of the placard(s) shown as “(BLANK)” shall set out the maximum capacity or maximum number of persons permitted in the Banquet Hall pursuant to and as stated on the Banquet Hall license issued for the premises; and
  - c) the placard(s) shall state the location of the nearest telephone, the telephone number of the Vaughan Fire Department and the location of the nearest fire alarm box.
- (4) False doors, windows, or any type of decoration which give the appearance of a door or exit where no door or exit exists shall not be permitted except that this shall not prohibit the use of doors or windows forming part of stage properties.

- (5) No mirrors shall be placed in or adjacent to any exit in such a manner as to confuse the direction of exit.
- (6) Metal containers with self-closing covers shall be provided and conveniently placed for the deposit of refuse and the contents of every such container shall be emptied and disposed of immediately following the use of the hall.
- (7) All washrooms shall be kept clean and properly supplied at all times.
- (8) All Banquet Halls shall use only freshly laundered table linen.
- (9) All Banquet Halls shall use only dinnerware, glasses and utensils that are clean and sterilized.

## **12.0 BILLIARD HALLS**

- (1) An Owner or Operator of a Billiard Hall shall not permit it to be open to the public unless:
  - a) A person over the age of eighteen (18) years is present to supervise the use of the facilities;
  - b) The premises are in a clean and sanitary condition.
- (2) An Owner or Operator of a Billiard Hall shall not permit:
  - a) Any disorder or disorderly conduct on or in the premises;
  - b) Loitering on, in or about the premises.
- (3) A Billiard Hall may only be open to the public between the hours of 9:00 am and 2:00 am and shall not be permitted to be open to the public at any time between the hours of 2:00 am and 9:00 am consecutively.
- (4) An Owner or Operator of a Billiard Hall shall not allow a person under the age of sixteen (16) years to enter or remain on the premises or to play in a Billiard Hall unless such person is accompanied by an adult who is a parent or guardian.

## **13.0 BODY RUB PARLOURS**

- (1) Every Body Rub Parlour Owner, Operator and Attendant shall, in carrying on or engaging in the business of a Body Rub Parlour or Body Rubs, comply with the following requirements as set forth:
  - a) No person under the age of eighteen (18) years may enter, be allowed to enter, remain, be allowed to remain, provide services, or be provided services to, in any part of a Body Rub Parlour;
  - b) Every Body Rub Parlour Owner and Operator shall ensure that there is posted in a prominent location at every entrance to the Body Rub Parlour a sign indicating that no person under the age of eighteen (18) years may enter or remain in such premises;
  - c) Every Body Rub Parlour Owner and Operator shall, before permitting any person to provide services at a Body Rub Parlour, provide a copy of the general regulations in this By-law to such person, and instruct such person with respect to all of the regulations;
  - d) Every Body Rub Parlour Owner and Operator shall ensure that no services are provided at the Body Rub Parlour other than in accordance with the requirements of this By-law;
  - e) No Body Rub Parlour Owner or Operator may permit a Body Rub Parlour to be open for business unless the Owner or the Operator is in attendance;
  - f) No Body Rub Parlour Owner or Operator may permit any person who appears to be intoxicated by alcohol or a drug to enter or remain in a Body Rub Parlour;
  - g) No Body Rub Parlour Owner or Operator may advertise or promote a Body Rub Parlour or the provision of services at a Body Rub Parlour except in accordance with the provisions of section 13.2 respecting "Signs and Advertising";
  - h) No Body Rub Parlour Owner or Operator may permit a Body Rub Parlour to open or to remain open for business except in compliance with the provisions



of section 13.4 respecting “Hours of Operation”;

- i) No person may own or operate a Body Rub Parlour except in compliance with the provision of section 13.3 respecting “Design of Premises”;
- j) Every Body Rub Parlour Owner and Operator licensed under this By-law shall cause the license issued to him in respect of the Body Rub Parlour to be posted and maintained in a conspicuous place in the Body Rub Parlour, in a manner satisfactory to the Licensing Officer, at all times during the currency of the license;
- k) No Body Rub Parlour Owner or Operator may permit a person, except a person holding an Attendant’s license, to perform any service at a Body Rub Parlour;
- l) No Body Rub Parlour Attendant may provide services at a Body Rub Parlour unless there is in attendance a person at the premises holding a Body Rub Parlour Owner’s license or a Body Rub Parlour Operator’s license;
- m) Every contract for services or other document pertaining to the relationship between a Body Rub Parlour Owner or Operator and any Attendant at a Body Rub Parlour shall be in writing and shall be made available to the Licensing Officer upon request, for inspection at any time during the business hours of the Body Rub Parlour and at all times when body rubs are provided, and shall be retained for a period of six (6) months after the termination or completion of such contract;
- n) Every Owner and every Operator of a Body Rub Parlour shall produce upon demand, a copy of all Attendant licenses whether currently on duty or not, to a person authorized to enforce the provisions of this By-law;
- o) 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;
- p) 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 in the case of a woman, also her breasts, are completely covered by an opaque material;
- q) No Owner or Operator may use or permit to be used any camera, photographic, or other electronic recording device at a Body Rub Parlour by any person, but this paragraph shall not prohibit:
  - i) the use of any camera or other device used by a public authority for the enforcement of the law;
  - ii) the maintenance of a camera in the entrance area of the premises for security purposes only.
- r) Where the Owner of a Body Rub Parlour is other than a natural person, there must be one or more licensed Operators sufficient to comply with the requirements of this By-law;
- s) No person may offer or solicit a body rub, or the services of a Body Rub Parlour except in accordance with the terms of this By-law, and without making application for, obtaining and maintaining, pursuant to the terms of this By-law, a Body Rub Parlour license;
- t) Every Body Rub Parlour Owner and Operator shall:
  - i) keep a written record of all appointments, bookings and arrangements for body rubs or services and such record shall be made readily available upon demand of a person authorized to enforce the provisions of this By-law;
  - ii) the records referred to in subsection 13.0 (t) i) shall be maintained for a period of not less than three (3) months;
  - iii) the records referred to in subsection 13.0 (t) i) shall indicate the time, date, fee charged, the alias used by the Attendant providing such services, and the customer’s full legal name, current address, and type of identification shown;
  - iv) maintain and produce upon demand of the person authorized to enforce the provisions of this By-law an employee schedule that indicates the full legal name and any alias used by each Operator and Attendant and the start and finish time for each day for each Attendant

and Operator.

- u) No person shall in any manner block, obstruct or impede the view of the window described in subsection 13.3 (1) (k).

### **13.1 BODY RUB - DESIGNATED AREAS AND NUMBER**

- (1) No person shall own or operate a Body Rub Parlour in the City of Vaughan and no Attendant shall perform or provide a body rub at a Body Rub Parlour, except in the areas designated as "Subject Lands" in Schedules "E-1" and "E-2" of this By-law.
- (2) The maximum, total number of licenses that may be issued under, and in accordance with, this By-law for Body Rub Parlours within the City of Vaughan shall be limited to twenty (20).
- (3) Despite the provisions of subsections 13.1 (1) and (2), a Body Rub Parlour may be permitted as an accessory use to a Regulated Health Professional Office to a maximum of thirty (30) percent of the total gross floor area of a Regulated Health Professional Office, provided that the main business access to the Body Rub Parlour shall be from an entrance in common with the principal Regulated Health Professional Office.
- (4) Despite the provisions of subsection 13.1 (3), all other provisions of this By-law shall apply to Body Rub Parlours that are permitted as an accessory use to a Regulated Health Professional Office.

### **13.2 BODY RUB - SIGNS AND ADVERTISEMENTS**

- (1) Notwithstanding the City of Vaughan's Sign By-law, no person may erect or maintain any sign or other device advertising a Body Rub Parlour, except in accordance with the following additional regulations:
  - a) No person shall erect or maintain any of the following signs or other advertising devices on the premises of a Body Rub Parlour or in respect of any services provided at or in a Body Rub Parlour:
    - (i) awning sign;
    - (ii) projecting sign;
    - (iii) portable sign;
    - (iv) ground or pylon sign;
    - (v) canopy sign;
    - (vi) inflatable sign;
    - (vii) trailer sign; or
    - (viii) sandwich board sign.
  - b) No person may circulate, cause to be circulated, post, or cause to be posted, distribute, or cause to be distributed any poster, flyer, handbill or other form of printed sign or advertising device on or at premises or locations other than the Body Rub Parlour, with the exception of advertising located in a newspaper or telephone directory;
  - c) Nothing in this By-law shall be deemed to constrain any person from erecting or maintaining any sign or other advertising device on any interior wall of a Body Rub Parlour, provided the content of such sign is not visible from the exterior of the Body Rub Parlour;
  - d) No person may erect or maintain any sign or other advertising device in respect of a Body Rub Parlour which includes any letters, markings, symbols, pictures or representations, except the name, address, and/or phone number of the Body Rub Parlour as recorded on the application for license, and any logo or symbol, provided a copy of such logo or symbol is filed with the Licensing Officer.
  - e) The logo or symbol referred to in subsection 13.2 (1) (d) shall not be used by a Body Rub Parlour until written approval has been granted by the Licensing Officer.

### **13.3 BODY RUB - DESIGN OF PREMISES**

- (1) No person may engage in the business as an Owner or an Operator of a Body Rub Parlour, except in accordance with the following regulations:
  - a) The Owner or Operator shall provide the Licensing Officer with a floor plan showing the designated room or rooms for the provision of body rubs:

- i) except as shown on the floor plan, no person may provide a body rub or body rubs in any other room, cubicle, enclosure or partitioned area located within the Body Rub Parlour;
  - ii) in the event that the Owner or Operator wishes to amend the floor plan, the Owner or Operator shall first file with the Licensing Officer a copy of the amended floor plan and shall not proceed to make any alterations whatsoever or to use any other room, cubicle, enclosure or partitioned area without obtaining the prior written approval of the Licensing Officer.
- b) Save and except for one room designated by the Owner or Operator for use as an office and one room designated by the Owner or Operator as a storage room, every Owner or Operator shall ensure that no means of access to any room, cubicle, enclosure or partitioned area in a Body Rub Parlour that is used to provide body rubs is equipped or constructed with a locking device of any kind or with any other device or structure which could delay or hinder anyone from entering or obtaining access to such area;
- c) During the hours of operation of a Body Rub Parlour the Owner or Operator shall ensure that the principal means of access into the Body Rub Parlour shall be kept unlocked and available so that anyone coming into the Body Rub Parlour may enter therein without hindrance or delay;
- d) No premises or part thereof used as a Body Rub Parlour shall be used as a dwelling or for sleeping purposes or contain therein any bed or other furniture which is commonly used or which may be used for sleeping purposes;
- e) Every Body Rub Parlour shall be provided with adequate ventilation and with lighting that is adequate to ensure visibility and that is uniformly distributed throughout the premises;
- f) Every Body Rub Parlour and all fixtures and equipment therein shall be regularly washed and kept in a sanitary condition;
- g) Every Body Rub Parlour shall be equipped with an effective utility sink;
- h) Adequate toilet and washroom accommodation shall be provided in accordance with the regulations set forth under the *Ontario Building Code Act, 1992, S.O. 1992, c. 23*, as amended, and the *Ontario Building Code* from time to time;
- i) Washrooms shall be equipped with:
  - i) an adequate supply of hot and cold water;
  - ii) an adequate supply of liquid soap in a suitable container or dispenser;
  - iii) hot air dryers or individual towels in a suitable container or dispenser;
  - iv) a suitable receptacle for used towels and waste material.
- j) No washroom, toilet, sink or basin used for domestic purposes shall be used in connection with a Body Rub Parlour;
  - i) in any shower-bathroom, and in any sauna-bathroom;
  - ii) the floors shall be disinfected at least once a week with a disinfecting solution, approved by the Medical Officer of Health;
  - iii) all surfaces and attached accessories of the bath or shower enclosure must be self-draining;
  - iv) all showers must have removable cleanable drain covers;
  - v) floor surfaces inside of and outside of the shower enclosures shall be of a non-slip type;
  - vi) every Owner and Operator shall provide and maintain at all times within the Body Rub Parlour a first aid kit, equipped in a manner satisfactory to the Medical Officer of Health;
  - vii) the premises for which the Body Rub Parlour license is required shall be subject to the following criteria:
    - a) the maximum gross floor area of the Body Rub Parlour shall be

no more than two hundred (200) square meters; and

- b) where a Body Rub Parlour is located in a multi-unit building, it shall not exceed fifteen (15) percent of the gross floor area of the multi-unit building.
- k) Every door on the room designated in the application for license as a massage room shall be equipped with a window of a size not less than thirty-six (36) centimetres x thirty-six (36) centimetres and such window shall be free of any obstruction except for a curtain of the same size on the exterior of the door and such window shall be free of any tint or other material.
- l) If the room designated in the application for license as a massage room is designed or laid out in a such a way that the entire room is not visible through the window described in subsection 13.3 (1) (k), then such window will be at least large enough to allow the entire room to be visible.

#### **13.4 BODY RUB - HOURS OF OPERATION**

- (1) No Body Rub Parlour shall be open to the public and no Owner or Operator of a Body Rub Parlour may permit services to be provided and no Attendant at a Body Rub Parlour may provide services, except on the following days and between the following hours:
  - a) Monday to Friday from 9:00 am to 10:00 pm of the same day;
  - b) Saturday from 9:00 am to 6:00 pm of the same day;
  - c) Sunday from 10:00 am to 5:00 pm of the same day.

#### **13.5 BODY RUB - NAME**

- (1) No person licensed to carry on any business or activity pursuant to this By-law may advertise or promote or carry on such business or activity under any name other than the name endorsed upon the license issued to that person.

#### **13.6 BODY RUB - APPLICATION REQUIREMENTS**

- (1) In addition to the requirements set out in section 4.3, every application for a Body Rub Parlour Owner's license or renewal of such license shall be accompanied by the following:
  - a) If the applicant is an individual, proof, satisfactory to the Licensing Officer, that the applicant is at least eighteen (18) years of age, which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Birth Certificate, accompanied by a photo;
    - ii) a valid Canadian Driver's License;
    - iii) a valid Canadian Passport;
    - iv) such other documentation or information as may be required by the Licensing Officer.
  - b) If the applicant is a corporation, the date of birth of every shareholder or other person having a beneficial interest of any kind in the shares of the applicant corporation;
  - c) The date of birth shall be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Birth Certificate, accompanied by a photo;
    - ii) a valid Canadian Driver's License;
    - iii) a valid Canadian Passport;
    - iv) such other documentation or information as may be required by the Licensing Officer.
  - d) Where the shares in a corporation applying for a Body Rub Parlour Owner's license are held in whole or in part by another corporation, the corporation so

applying shall file with the Licensing Officer a return in a form supplied by the Licensing Officer, which return shall contain a list of all of its shareholders, and if such return discloses that the shares in such other corporation are in turn held in whole or in part by a third corporation listing its shareholders, and so on until the names of all living persons are shown and identified as the shareholders of any and all corporations having an interest, direct or indirect, in the shares of the applicant corporation;

- e) If the applicant is a corporation, a completed return on a form supplied by the Licensing Officer;
  - f) Every person applying for a Body Rub Parlour Owner's license, where such person is a natural individual, shall provide two (2) passport-size photographs, which must be taken within thirty (30) days of the license application and:
    - i) where the applicant is a corporation, such photographs shall be taken of an officer of the corporation;
    - ii) where the applicant is a partnership, such photograph shall be taken of one of the partners.
  - g) Persons associated in a partnership shall file a statutory declaration, in writing, signed by all members of the partnership stating:
    - i) the full name of every partner and the address of his ordinary residence;
    - ii) the name or names under which they carry on or intend to carry on business;
    - iii) that the persons therein named are the only members of the partnership;
    - iv) the mailing address for the partnership.
  - h) Documentation satisfactory to the Licensing Officer demonstrating the applicant's right to possess or occupy the premises and if any applicant is not the registered owner of the property at which the Body Rub Parlour is to be located, such person shall file with the Licensing Officer a copy of his or her lease of the property and a copy of any other document constituting or affecting the legal relationship between the applicant and the registered owner, relating to the said property;
  - i) A police clearance letter, dated not more than ninety 90 days prior to the date of application or renewal, for
    - i) each officer, if the applicant is a corporation
    - ii) each partner, if the applicant is a partnership
    - iii) the proprietor of a sole proprietorship
- (Amended by By-Law 262-2008 – October 27, 2008)*
- (2) In addition to the requirements set out in section 4.3, a Body Rub Parlour Owner applying for a Body Rub Parlour license or renewal of such license as an accessory use to a Regulated Health Professional Office shall provide the Licensing Officer with the following:
    - a) a letter from the Regulated Health Professional authorizing the Body Rub Parlour to operate in the Regulated Health Professional Office;
    - b) a floor plan as per the provisions of subsection 13.3 (1) (a) of this By-law.
  - (3) The Regulated Health Professional authorizing the Body Rub Parlour to operate as an accessory use in the Regulated Health Professional Office must also comply with all provisions of this By-law and submit to the Licensing Officer all documents required pursuant to the provisions of this By-law.
  - (4) Where a corporation is the holder of a Body Rub Parlour Owner's license or licenses, the corporation shall forthwith notify the Licensing Officer in writing of all transfers of existing shares and of the issue of any existing or new shares of the capital stock of the corporation, and of any such transaction involving the shares of any corporation referred to in subsection 13.6 (4), licenses shall be revoked.
  - (5) Where, by transfer of existing shares, or by an issue of new or existing shares, the controlling interest in a corporation holding one or more Body Rub Parlour Owner's license or licenses is determined by the Licensing Officer to have changed hands, the Licensing Officer shall make recommendation to the Chief Licensing Officer that such

license or licenses be revoked forthwith, and the Licensing Officer may issue a new license or new licenses upon payment of the prescribed fee.

*(Amended by By-law 262-2008 – October 27, 2008)*

- (6) Where the shares of the corporate owner are held in whole or in part by another corporation, such owner shall file with the Licensing Officer at the same time as the owner, an Annual Return as provided in subsection 13.6 (1) of this By-law and if the shares in such other corporation are in turn held in whole or in part by a third corporation, then such owner shall likewise file such an Annual return in respect of such third corporation and so on until the names of all living persons are shown and identified as the shareholders of any and all corporations having an interest, direct or indirect, in the corporate owner.
- (7) For the purpose of subsection 13.6, “shareholder” and any words referring to the holding of shares includes all persons having a beneficial interest of any kind in the shares of the corporation.
- (8) If any member of a partnership applying for a license is a corporation, such corporation shall be deemed to be applying for an Owner’s license, in place and stead of the partnership.
- (9) In addition to the requirements set out in section 4.3, every application for a Body Rub Parlour Attendant’s license or renewal of such license shall be accompanied by the following:
  - a) A letter of prospective employment from the Owner or Operator of a licensed Body Rub Parlour;
  - b) A medical certificate from a physician qualified to practice medicine in the Province of Ontario, dated within thirty (30) days of the date of the application, indicating that the applicant is free from communicable diseases and shall submit to such tests in relation to communicable or transmissible diseases as the physician may require;
  - c) Proof satisfactory to the Licensing Officer that the applicant is at least eighteen (18) years of age, which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Birth Certificate, accompanied by a photo;
    - ii) a valid Canadian Driver’s License;
    - iii) a valid Canadian Passport;
    - iv) such other documentation or information as may be required by the Licensing Officer.
  - d) Proof satisfactory to the Licensing Officer of being eligible to seek employment in Canada which may be evidenced by the by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Canadian Birth Certificate;
    - ii) a valid Canadian Passport;
    - iii) a Canadian Citizenship card;
    - iv) Record of Landing papers;
    - v) a Certificate of Indian Status.
  - e) A complete Police Clearance letter issued by the Chief of Police, dated not more than ninety (90) days prior to the date the application for the license is being made.

## **14.0 DRIVING SCHOOLS**

### **14.1 DRIVING SCHOOL INSTRUCTOR DRIVER AND OWNER**

- (1) In addition to the requirements set out in section 4.3, every application for a Driving School Instructor Driver’s license or renewal of such license shall be accompanied by the following:
 

*(Amended by By-Law 123-2017 – September 26, 2017)*

- a) a valid Ontario Class "G" Driver's License;
  - b) a valid Ontario Driving Instructor's license;
  - c) a "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;
  - d) proof, satisfactory to the Licensing Officer, that the applicant is at least eighteen (18) years of age, which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Birth Certificate, accompanied by a photo;
    - ii) a valid Canadian Driver's License;
    - iii) a valid Canadian Passport;
    - iv) such other documentation or information as may be required by the Licensing Officer.
  - e) Proof satisfactory to the Licensing Officer of being eligible to seek employment in Canada which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Canadian Birth Certificate;
    - ii) a valid Canadian Passport;
    - iii) a Canadian Citizenship card;
    - iv) Record of Landing papers;
    - v) a Certificate of Indian Status.
  - f) 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.
- (2) In addition to the requirements set out in section 4.3, every application for a Driving School Instructor Owner's license or for the renewal of such license shall be accompanied by the following:
- a) 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;
  - b) A valid Ontario Class "G" Driver's License;
  - c) A valid Ontario Driving Instructor's License;
  - d) 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;
  - e) A certificate of policy of insurance in the amount of two million (2,000,000.00) dollars;
  - f) If such vehicle is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle's mechanical fitness;
  - g) The ownership of such vehicle;
  - h) Proof, satisfactory to the Licensing Officer, that the applicant is at least eighteen (18) years of age, which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Birth Certificate, accompanied by a photo;
    - ii) a valid Canadian Driver's License;
    - iii) a valid Canadian Passport;
    - iv) such other documentation or information as may be required by the Licensing Officer.

- i) Proof satisfactory to the Licensing Officer of being eligible to seek employment in Canada which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
  - i) a Canadian Birth Certificate;
  - ii) a valid Canadian Passport;
  - iii) a Canadian Citizenship card;
  - iv) Record of Landing papers;
  - v) a Certificate of Indian Status.
  
- (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.  
*(Amended by By-Law 038-2017 – April 19, 2017)*
  
- (4) No person shall engage in the business of a Driving School Instructor Driver or Driving School Instructor Owner on any City Community Centre or Municipal Office parking lot.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
  
- (5) Every Driving School Instructor Driver and Driving School Instructor Owner shall:  
*(Amended by By-Law 123-2017 – September 26, 2017)*
  - a) Be at least eighteen (18) years of age;
  - b) Be the holder of a license or licenses issued by the Province of Ontario authorizing him to carry on the trade, business or calling of teaching persons to operate motor vehicles;
  - c) Be able to read, write and speak the English and/or French Language with sufficient fluency as to render him, in the opinion of the Licensing Officer, competent to exercise his business, trade or calling;
  - d) Not give, permit or cause instruction to be given on a vehicle that is not equipped with dual braking controls;
  - e) Not give, permit or cause instruction to be given on a vehicle that has not first been examined by the Ministry of Transportation and Communications and issued with a certificate proving the roadworthiness of said vehicle;
  - f) Not give instruction to any student driver who is unable to produce a valid Class "G1", "G2" or "G" Driver's License issued by the Province of Ontario;
  - g) Not give instruction to any student driver when the use of alcohol or drugs by such student driver is apparent;
  - h) Not use any vehicle in the business unless there is securely affixed to the exterior rear of the vehicle, in a position approved by the Licensing Officer, a plate bearing an identifying number indicating that the vehicle is used in a business licensed by the Licensing Officer;
  - i) Advise the Licensing Officer of all vehicles to be used in the operation of the business identifying such by make, Vehicle Identification Number, and Ontario Provincial Plate Number;
  - j) Advise the Licensing Officer of all changes of vehicles, additions to or deletions from the existing licenses allocated to him;
  - k) Return all plates that have been expired more than 90 days;  
*(Amended by By-Law 038-2017 – April 19, 2017)*
  - l) Keep a permanent record of all students giving full information as to the commencement of instruction, date and time of each lesson and the Driving



School Instructor's name;

- m) Allow the Licensing Officer to have access to all premises, vehicles, equipment, books and records used in the operation of the business;
  - n) Display a sign or signs on each vehicle, which comply with the following requirements:
    - i) the sign or signs are readily legible from a distance of thirty (30) meters from both the front and rear of said vehicles and provide the name, address and telephone number of the driving school; and
    - ii) the sign or signs shall not be mounted in such a manner so as to obstruct a clear view of either the Provincial Marker Plate or the identifying plate issued by the City of Vaughan indicating that such vehicle is used in a licensed Driving School business.
  - o) Refrain from employing any instructor not licensed pursuant to this By-law.
- (6) No Driving School Instructor 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 DRY CLEANING DEPOTS AND LAUNDROMATS**

- (1) No Owner or Operator of a Dry Cleaning, Laundry or Laundromat Establishment shall permit:
  - a) the use of solvents that are flammable and emit odours; and
  - b) any noise or vibration within or outside the premises that may cause a disturbance or inconvenience.
- (2) All refuse containers shall be of a non-flammable material or as approved by the Chief Fire Official.
- (3) The premises and any appurtenances or equipment related to any Dry Cleaning, Laundry or Laundromat Establishment, including any vehicles used in collecting laundry or cleaning equipment, shall be kept in a clean and sanitary condition as required by the Medical Officer of Health.

#### **16.0 EATING ESTABLISHMENTS**

- (1) Notwithstanding any other section of this By-law, every Owner and every Operator of an Eating Establishment shall post a notice of availability of the Food Safety Inspection Report.
- (2) Notwithstanding any other section of this By-law, every Owner and every Operator of an Eating Establishment shall, when so requested by any person, produce for inspection the most recent Food Safety Inspection Report or Reports.

#### **16.1 FENCE INSTALLERS**

*(Added by By-Law 016-2017 – January 24, 2017)*

- (1) In addition to the requirements set out in section 4.3, every application for a *Fence Installer's* licence shall include proof, satisfactory to the *Chief Licensing Officer*, that every employee or other person under the applicant's charge is insured in accordance with the *Work Safety and Insurance Act, 1997*, as amended.
- (2) In addition to the requirements set out in section 4.3, every application for a *Fence Installer's* licence shall include, by way of certificate of insurance satisfactory to the *Chief Licensing Officer*, proof of a minimum limit of two million dollars (\$2,000,000) in commercial general liability insurance coverage;
- (3) Every applicant for an initial *Fence Installer's* licence, who also holds a valid licence in a municipality with requirements that, to the satisfaction of the *Chief Licensing Officer*, similarly meet the licensing requirements of this By-law, may be eligible:
  - a) to have the similar requirements in this By-law deemed to be satisfied by the *Chief Licensing Officer*; and
  - b) to pay the renewal (rather than initial) rate for the licence.

- (4) Every applicant for *Fence Installer's* licence, or its renewal, who is a member in good standing of a *City-Approved Professional Associations* representing *Fence Installers*, may be eligible to receive a discount of 20% from the corresponding fee.
- (5) Prior to accepting any payment from a customer or commencing any work for a customer, a *Fence Installer* shall provide a written contract to said customer, specifying the work to be performed and the schedule of payment and such contract shall be signed by the *Fence Installer* and presented to the customer for acceptance and signature.
- (6) Prior to providing a written contract pursuant to section 16.1(5), a *Fence Installer* shall inform the customer in writing of all local by-laws that affect or may affect the proposed project and shall also inform the customer in writing of any permits required by the *City*. For greater clarity, this information shall be provided in a communication separate and apart from the contract.
- (7) The work performed by a *Fence Installer* shall be in compliance with all *City* by-laws and regulations, and where required shall include a valid permit, granted exemption or supporting decision.
- (8) Every vehicle actively used in connection with the business of a *Fence Installer*, with the exception of a personal vehicle used only for the purposes of visiting a work site to meet a customer, provide a quote or check on the progress of ongoing work, shall have visibly displayed on the dashboard a placard identifying the business name and *City of Vaughan* licence number in a form satisfactory to the *Chief Licensing Officer*.
- (9) Placards, as provided for in section 16.1(8) are only transferable to other vehicles used primarily in connection with the licensed business, but does not include any vehicles belonging to or used in connection with any sub-contractors of the licensed business.
- (10) Vehicle licensing placards are subject to the fees set out in Fees and Charges By-law No. 171-2013, as amended, or its successor by-law.
- (11) Every outdoor sign or other advertising or promotional device used in the *City of Vaughan* in connection with the business of a *Fence Installer* shall include its corresponding *City of Vaughan* licence number in a form satisfactory to the *Chief Licensing Officer*.

## **17.0 SALE OF CONSUMER FIREWORKS**

- (1) In addition to the requirements set out in section 4.3, every application for a license for the sale of Consumer Fireworks, as defined in this By-law, shall be accompanied by or include:
  - (a) confirmation of the completion of a site inspection, conducted by the Chief Fire Official; and
  - (b) the completed relevant sections of the application form by the Chief Fire Official and the Chief Building Official.
- (2) Prior to the issuance of a license for the sale of Consumer Fireworks, every applicant must successfully complete an Awareness Training Course offered by the Vaughan Fire and Rescue Service, on the safe sale, storage, display, use and handling of Consumer Fireworks.
- (3) No person or licensee shall offer for sale, cause or permit to be sold, or sell any Prohibited Fireworks or Firecrackers, as defined in this By-law.
- (4) No person or licensee shall offer for sale, cause or permit to be sold, or sell any Consumer Fireworks or Display Fireworks, as defined in this By-law, to any person under the age of eighteen (18) years.
- (5) No person or licensee shall offer for sale, cause or permit to be sold, or sell any Consumer Fireworks, except on the following statutory holidays and on the seven (7) days immediately preceding each such statutory holiday:
  - a) Victoria Day; and
  - b) Canada Day.
- (6) Any unsold fireworks must be returned to the manufacturer within seven (7) days

immediately following Victoria Day or Canada Day, as applicable.

- (7) No person or licensee shall offer for sale, cause or permit to be sold, or sell any Consumer Fireworks unless:
- a) the fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Regulatory Division of Natural Resources Canada, or any successor thereto;
  - b) the fireworks are displayed for sale in lots that do not exceed twenty-five (25) kilograms each in gross weight;
  - c) the fireworks are displayed for sale in a package, glass case or other suitable receptacle away from inflammable goods; and
  - d) the fireworks are displayed in a place where they are not exposed to the rays of the sun or to excess heat.
- (8) Notwithstanding any section of this By-law, no person or licensee shall offer for sale, cause or permit to be sold, or sell any Consumer Fireworks at any time from an outdoor space, stand, tent, van, trailer or motor vehicle.
- (9) Every person or licensee, who holds a valid and subsisting license for the sale of Consumer Fireworks under this By-law, may acquire for sale or sell Consumer Fireworks without a factory license or a vendor magazine license, where it is not required under the *Explosives Act*, R.S. 1985, c. E-17, as amended, or the Explosives Regulations, C.R.C. c. 599, or any amended Regulations made thereunder, provided that the licensee has no more than one-thousand (1,000) kilograms in gross weight of Consumer Fireworks in stock at the retail outlet or premises, including all detached storage units.
- (10) Notwithstanding any section of this By-law, every person or licensee who holds a valid and subsisting license for the sale of Consumer Fireworks is limited to the sale of the following quantities of Consumer Fireworks:
- a) under ten (10) kilograms in gross weight to any person who is at least eighteen (18) years of age; or
  - b) from eleven (11) kilograms to one-hundred (100) kilograms in gross weight to any person who is at least eighteen (18) years of age and provides to the licensee confirmation in writing of the Fire Chief's permission to acquire the Fireworks.
- (11) Every person or licensee shall, at the premises where Consumer Fireworks are offered for sale, at all times post information on the wall adjacent to any display of fireworks for sale, containing lettering clearly visible and legible for a distance of five (5) feet measured from the base of the display table, counter or other structure, for potential purchasers of Consumer Fireworks, setting out information related to the use, handling, setting off and discharge of such fireworks.
- (12) Every person or licensee shall, at the premises where Consumer Fireworks are offered for sale, at all times display copies of the brochure produced by the Vaughan Fire and Rescue Service setting out information related to the proper use, handling, setting off and discharge of Consumer Fireworks and provide a copy of the said brochure to every purchaser of Consumer Fireworks.
- (13) Every retail outlet, shop, store, or other premises, including any detached storage unit, that offers for sale, causes or permits to be sold, or sells Consumer Fireworks must be located at least fifteen (15) meters from any of the following structures:
- a) gas pumps at a gas station or retail outlet;
  - b) propane dispensing tanks;
  - c) above-ground storage tanks for flammable liquid or flammable gas; and/or
  - d) compressed natural gas dispensing facilities, including but not limited to tanks and pumps.
- (14) No person or licensee shall permit Consumer Fireworks on display or displayed in any window of a retail outlet, shop, store or other premises to contain any explosive composition or material of any kind whatsoever and such Consumer Fireworks' samples on display or displayed shall be mock samples at all times.
- (15) No person or licensee shall keep Consumer Fireworks in any location, unless the location at all times is:

- a) designated and posted as a “non-smoking area”;
- b) separated from flammable goods; and
- c) in a location approved by the Chief Fire Official.

## **18.0 FOODSTUFFS ESTABLISHMENTS**

- (1) Notwithstanding any other sections of the By-law every owner and every operator of a Foodstuffs Establishment shall post a notice of availability of the Food Safety Inspection Report.
- (2) Every owner of a Foodstuffs Establishment shall when so requested by any person, produce the most recent Food Safety Inspection Report or reports.

## **19.0 KENNELS**

- (1) In addition to the requirements set out in section 4.3, every application for a License for a Kennel and every renewal of such license(s) shall be accompanied by the following:  
*(Amended by By-Law 053-2017 – June 5, 2017)*
  - a) In the case of a kennel for purebred dogs, proof of active membership in the Canadian Kennel Club or other association incorporated under the Animal Pedigree Act;
  - b) In the case of a kennel for sled dogs, proof of active participation or registration in dog sled or similar races within the previous or upcoming twelve (12) months as may be deemed acceptable by the licensing officer;
  - c) In the case of a kennel for hunting dogs, proof of active membership in the Canadian Kennel Club for registered hunting dogs; or proof of active membership in an association for the purpose of hunting dogs training or trailing; or a hunting dog license for each dog issued by the Ministry of Natural Resources within the previous twelve (12) months; or such other proof of active participation or registration in regular hunting activities within the previous or upcoming twelve (12) months as may be deemed appropriate by the Licensing Officer;
  - d) In all cases, a site plan drawn to scale showing the location of all buildings or structures on the subject property, including the location of all buildings or structures to be used for kennel purposes. The site plan must also specify the distance which separates the kennel buildings, structures, dog runs and facilities from all property lines and all buildings including any residential buildings situated on adjacent properties;
  - e) In all cases, a list of all dogs to be kept at the subject property, including both purebreds and non-purebreds, and verification of current rabies, distemper, and parvo vaccination for each dog;
  - f) A complete Police Criminal Records Check issued by an Ontario Police Service for every owner;  
*(Amended by By-Law 064-2020 – May 27, 2020)*
  - g) In all cases, proof of insurance by way of certificate of insurance showing a minimum limit of two million (2,000,000) dollars in commercial general liability;
  - h) For initial license application purposes only, written clearance from the York Region District Health Unit or such other agency or department responsible for public health, septic system approvals and/or sewage system approvals, as applicable;
  - i) In all cases, clearance from Animal Services, after having conducted an inspection of the premises, that confirms compliance with the provisions of this By-law and payment for said inspection, in accordance with the Fees and Charges By-law, as amended.  
*(Amended by By-Law 124-2016 – September 20, 2016)*  
*(Amended by By-Law 133-2021 – October 20, 2021)*

## **19.1 PET GROOMING ESTABLISHMENT OR PET SHOPS**

*(Amended by By-Law 053-2017 – June 5, 2017)*  
*(Amended by By-Law 064-2020 – May 27, 2020)*

- (1) In addition to the requirements set out in Section 4.3, every application for a Licence for a Pet Grooming Establishment or Pet Shop and every renewal of such Licence(s) shall be accompanied by the following:
- a) clearance from Animal Services, after having conducted an inspection of the *Pet Grooming Establishment* or *Pet Shop*, that confirms compliance with the provisions of this By-law and payment for said inspection, in accordance with the Fees and Charges By-law, as amended;  
(Amended by By-Law 133-2021 – October 20, 2021)
  - b) where the *Pet Grooming Establishment* or *Pet Shop* is not operated in a vehicle, a site plan drawn to scale showing:  
(Amended by By-Law 133-2021 – October 20, 2021)
    - i) the location of all buildings or structures on the subject property, including the location of all buildings, structures, dog runs or facilities to be used by the Pet Grooming Establishments or Pet Shops; and
    - ii) the distance that separates the facility from all property lines and all buildings including any residential buildings situated on adjacent properties;
  - c) a complete Police Criminal Records Check issued by an Ontario Police Service for every owner indicating that there have been no convictions under section 445 or 446 of the Criminal Code of Canada, pertaining to animal cruelty;
  - d) proof of insurance by way of certificate of insurance showing a minimum limit of two million (\$2,000,000) dollars in commercial general liability.
  - e) (Deleted by By-Law 133-2021 – October 20, 2021)

#### **19.2 KENNELS, PET GROOMING ESTABLISHMENTS AND PET SHOPS - PROHIBITED IN A DWELLING UNIT**

(Amended by By-Law 053-2017 – June 5, 2017)

(Replaced by By-Law 044-2018 – March 20, 2018)

- (1) No *Kennels*, *Pet Grooming Establishments* or *Pet Shops* shall be located within any part of any dwelling unit or attached to any dwelling unit or part thereof.
- (2) No part of any building or structure enclosing *Kennels*, *Pet Grooming Establishments* or *Pet Shops* shall be used for human habitation.

#### **19.3 KENNELS, PET GROOMING ESTABLISHMENTS AND PET SHOPS - MINIMUM STANDARDS**

(Amended by By-Law 053-2017 – June 5, 2017)

- (1) Every Kennel, Pet Grooming Establishment or Pet Shop shall be of sufficient space to allow the dogs or domestic animals kept therein to stand erect and be comfortable and shall have no less than 2.3 square meters (25 square feet) of floor area per dog or domestic animal which may be increased in accordance with the size of dog or domestic animal using reasonable judgment and subject to approval by Animal Services.  
(Amended by By-Law 124-2016 – September 20, 2016)
- (2) Each dog run shall have a minimum floor area of 3.0 square meters (32 square feet). In the case of runs for domestic animals, the minimum floor area may be decreased in accordance with the size of the intended domestic animal using reasonable judgment and subject to approval by Animal Services.  
(Amended by By-Law 124-2016 – September 20, 2016)
- (3) Every Kennel, Pet Grooming Establishment or Pet Shop shall provide an adequate constant supply of potable water and food for each animal's consumption.
- (4) Every Kennel, Pet Grooming Establishment or Pet Shop shall be kept in a sanitary, well lit, ventilated condition and free from offensive odours, diseases and vermin and all animal feces shall be removed daily and disposed of properly in accordance with the City of Vaughan Waste Control By-law.
- (5) The Owner of a Kennel, Pet Grooming Establishment or Pet Shop shall comply with the provisions of the City of Vaughan Waste Control By-law and the *Health Protection and Promotion Act* at all times.
- (6) No Pet Grooming Establishment shall: (Added by By-Law 053-2017 – June 5, 2017)

- (i) devote more than 30% of its *Gross Floor Area* to the retail of accessory products;
  - (ii) include any overnight boarding; or
  - (iii) perform any services that are not within a wholly enclosed building or vehicle.  
(Amended by By-Law 133-2021 – October 20, 2021)
- (7) Every Owner of either a Kennel, Pet Grooming Establishment or Pet Shop shall have sufficient number of employees competent in the care of animals to properly care for every animal in such *Kennel, Pet Grooming Establishment* or *PetShop*.  
(Added by By-Law 064-2020 – May 27, 2020)  
(Amended by By-Law 133-2021 – October 20, 2021)
- (8) Every Owner of either a Kennel or Pet Grooming Establishment shall ensure all pets kept in their *Kennel* or *Pet Grooming Establishment* have current municipal Licences and wear tags at all times.  
(Added by By-Law 064-2020 – May 27, 2020)  
(Amended by By-Law 133-2021 – October 20, 2021)
- (9) Every Owner of either a Kennel, Pet Grooming Establishment or Pet Shop shall keep appropriate records on animals, which shall be provided to Animal Control Officers in case of inspection. Such records include:
- a) owner's information;
  - b) emergency contacts;
  - c) information on animals, including vaccination records; Pet Shops shall also have records on sources of animals and proof of sterilization;
  - d) dates of animal's arrival(s) and departure(s).  
(Added by By-Law 064-2020 – May 27, 2020)  
(Amended by By-Law 133-2021 – October 20, 2021)
- (10) Every Owner of either a Kennel, Pet Grooming Establishment or Pet Shop shall ensure that all enclosures in such *Kennel, Pet Grooming Establishment* or *PetShop* have durable and impervious surfaces.  
(Added by By-Law 064-2020 – May 27, 2020)  
(Amended by By-Law 133-2021 – October 20, 2021)
- (11) Every Owner of either a Kennel, Pet Grooming Establishment or Pet Shop shall ensure that all enclosures in such *Kennel, Pet Grooming Establishment* or *PetShop* have species-appropriate temperatures.  
(Added by By-Law 064-2020 – May 27, 2020)  
(Amended by By-Law 133-2021 – October 20, 2021)
- (12) Every Owner of either a Kennel, Pet Grooming Establishment or Pet Shop shall ensure that their personnel are competent in animal care and have knowledge of characteristics, care and handling of the animals.  
(Added by By-Law 064-2020 – May 27, 2020)  
(Amended by By-Law 133-2021 – October 20, 2021)
- (13) Every Owner of either a Kennel, Pet Grooming Establishment or Pet Shop shall keep posted in conspicuous places instructions for handling of emergency situations.  
(Added by By-Law 064-2020 – May 27, 2020)  
(Amended by By-Law 133-2021 – October 20, 2021)
- (14) Every Owner of either a *Pet Grooming Establishment* shall ensure that:
- a) all Dogs kept in a *Pet Grooming Establishment* have valid vaccination status for rabies, canine distemper, canine adenovirus type 2, canine parvovirus, and canine parainfluenza.  
(Amended by By-Law 133-2021 – October 20, 2021)
  - b) all Cats kept in a *Pet Grooming Establishment* have valid vaccination status for rabies, Feline Viral Rhinotracheitis, Calicivirus and Panleukopenia.  
(Added by By-Law 064-2020 – May 27, 2020)  
(Amended by By-Law 133-2021 – October 20, 2021)
- (15) No Pet Shop shall:
- a) offer Dogs or Cats for adoption or sale unless the animal has been spayed or neutered and has valid rabies vaccination status;
  - b) offer Dogs for adoption or sale unless they have valid vaccination status for canine distemper, canine adenovirus type 2, canine

- c) parvovirus, and canine parainfluenza;  
offer Cats for adoption or sale unless they have valid vaccination status for Feline Viral Rhinotracheitis, Calicivirus and Panleukopenia.  
(Added by By-Law 064-2020 – May 27, 2020)

#### **19.4 KENNELS, PET GROOMING ESTABLISHMENTS AND PET SHOPS - CONFINEMENT AND CONTROL OF ANIMALS**

(Amended by By-Law 053-2017 – June 5, 2017)

- (1) All dogs, cats or domestic animals shall be confined inside the Kennel, Pet Grooming Establishment or Pet Shop building between the hours of 10:00 pm to 7:00 am consecutively.
- (2) The Owner of a Kennel, Pet Grooming Establishment or Pet Shop shall maintain control of all dogs, cats or domestic animals under his care at all times.
- (3) The Owner of a Kennel, Pet Grooming Establishment or Pet Shop shall comply with the provisions of the City's Noise By-law at all times.
- (4) Every Kennel shall not keep more than one animal in the same enclosure without prior consent of the owner.  
(Added by By-Law 064-2020 – May 27, 2020)
- (5) Every Kennel, Pet Grooming Establishment or Pet Shop shall isolate animals from other animals and people in case of suspected or confirmed contagious diseases.  
(Added by By-Law 064-2020 – May 27, 2020)
- (6) Every Kennel or Pet Grooming Establishment shall ensure that any area containing Dogs is secured and closed at all times  
(Added by By-Law 064-2020 – May 27, 2020)

#### **19.5 LANDSCAPERS**

(Added by By-Law 016-2017 – January 24, 2017)

- (1) In addition to the requirements set out in section 4.3, every application for a *Landscaper's* licence shall include proof, satisfactory to the *Chief Licensing Officer*, that every employee or other person under the applicant's charge is insured in accordance with the *Work Safety and Insurance Act, 1997*, as amended.
- (2) In addition to the requirements set out in section 4.3, every application for a *Landscaper's* licence shall include, by way of certificate of insurance satisfactory to the *Chief Licensing Officer*, proof of a minimum limit of two million dollars (\$2,000,000) in commercial general liability insurance coverage;
- (3) Every applicant for an initial *Landscaper's* licence, who also holds a valid licence in a municipality with requirements that, to the satisfaction of the *Chief Licensing Officer*, similarly meet the licensing requirements of this By-law, may be eligible:
  - a) to have the similar requirements in this By-law deemed to be satisfied by the *Chief Licensing Officer*; and
  - b) to pay the renewal (rather than initial) rate for the licence.
- (4) Every applicant for *Landscaper's* licence, or its renewal, who is a member in good standing of a *City-Approved Professional Associations* representing *Landscapers*, may be eligible to receive a discount of 20% from the corresponding fee.
- (5) Prior to accepting any payment from a customer or commencing any work for a customer, a *Landscaper* shall provide a written contract to said customer, specifying the work to be performed and the schedule of payment and such contract shall be signed by the *Landscaper* and presented to the customer for acceptance and signature.
- (6) Prior to providing a written contract pursuant to section 19.5(5), a *Landscaper* shall inform the customer in writing of all local by-laws that affect or may affect the proposed project and shall also inform the customer in writing of any permits required by the *City*. For greater clarity, this information shall be provided in a communication separate and apart from the contract.
- (7) The work performed by a *Landscaper* shall be in compliance with all *City* by-laws and regulations, and where required shall include a valid permit, granted exemption or supporting decision.

- (8) Every vehicle actively used in connection with the business of a *Landscaper*, with the exception of a personal vehicle used only for the purposes of visiting a work site to meet a customer, provide a quote or check on the progress of ongoing work, shall have visibly displayed on the dashboard a placard identifying the business name and *City of Vaughan* licence number in a form satisfactory to the *Chief Licensing Officer*.
- (9) Placards, as provided for in section 19.5(8) are only transferable to other vehicles used primarily in connection with the licensed business, but does not include any vehicles belonging to or used in connection with any sub-contractors of the licensed business.
- (10) Vehicle licensing placards are subject to the fees set out in Fees and Charges By-law No. 171-2013, as amended, or its successor by-law.
- (11) Every outdoor sign or other advertising or promotional device used in the *City of Vaughan* in connection with the business of a *Landscaper* shall include its corresponding *City of Vaughan* licence number in a form satisfactory to the *Chief Licensing Officer*.

## **20.0 LIMOUSINE OWNERS AND DRIVERS**

*(Replaced by By-Law 123-2017 – September 26, 2017)*

*Previously amended by:*

*(Amended by By-Law 262-2008 – October 27, 2008)*

*(Deleted by By-Law 038-2017 – April 19, 2017)*

### LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) Every *Limousine Owner* and *Limousine Driver* must be licensed by the *City*.
- (2) No *Person* may operate a *Limousine* unless such *Person* holds either:
  - (a) a valid *City of Vaughan Limousine Driver* licence;
  - (b) or *Limousine Owner* licence with an *Endorsement* to drive such *Limousine*.
- (3) No *Limousine Owner* may permit, allow or cause any other *Person* to operate his or her *Limousine* unless such *Person* holds a valid *City of Vaughan Limousine Driver* licence.
- (4) No *Limousine Driver* or *Limousine Owner* may operate a *Limousine* that has not been licensed by the *City*.
- (5) No *Limousine Owner* or *Limousine Driver* may apply for a licence or renew his or her licence for a period that exceeds one year, unless provided for under this By-law.
- (6) For purposes of this section, an *Applicant* for a *Limousine Driver* or *Limousine Owner* licence who, in the opinion of the *Chief Licensing Officer*, is satisfactorily licensed by another municipality shall be considered licensed by the *City of Vaughan* and may operate within the *City's* boundaries, subject to the following:
  - (a) the *Applicant* is not in breach of the *City's* threshold policy for licences, as per Schedule "I" of this B-law;
  - (b) the *Applicant* owes no amounts to the *City* as a result of outstanding fees or fines;
  - (c) the *Applicant* has paid the required initial licensing fee, which equals the renewal fee for the licence; and
  - (d) once licensed, the *Licensee* continues to either:
    - (i) be licensed with the other municipality and meet the requirements of this subsection; or
    - (ii) meet the renewal requirements for the licence, as per subsection 20.0(7) for *Limousine Drivers* or subsections 20.0(9) and 20.0(10) for *Limousine Owners*.

### LIMOUSINE DRIVER APPLICATIONS AND RENEWALS

- (7) In addition to the requirements set out in section 4.3, every application for a *Limousine Driver's* licence or renewal of such licence shall be accompanied by the following:
  - (a) a valid Class "G" driver's license issued by the Province of Ontario;



- (b) a 3-Year Statement of Driver Record furnished by the Ministry of Transportation for the Province of Ontario and dated within the 90 days preceding the date of application or renewal;
  - (c) proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced upon request by the production of one piece of Canadian federally or provincially issued document that confirms such eligibility;
  - (d) a complete Police Criminal Records Check issued by an *Ontario Police Service*, dated not more than 90 days prior to the date application for license is being made; and
  - (e) proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age;
  - f) any other documentation or information requested by the *Licensing Officer*.
- (8) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 20.0(7), a *Limousine Company* or a *Limousine Owner* holding a valid City of Vaughan licence may, on behalf of a *Limousine Driver*, submit and maintain the required documents and, under such circumstances, the *Limousine Driver* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.

#### LIMOUSINE OWNER APPLICATIONS AND RENEWALS

- (9) In addition to the requirements set out in section 4.3, every application for a *Limousine Owner's* licence or for the renewal of such licence shall be accompanied by the following:
- (a) a Safety Standards Certificate dated not more than 90 days prior to the date of application or renewal for every *Motor Vehicle* to be licensed or *Limousine* to be renewed;
  - (b) the provincial *Motor Vehicle* permit issued with respect to every *Limousine* licensed or *Motor Vehicle* to be licensed;
  - (c) a certificate of policy of insurance that provides coverage in the amount of two million (\$2,000,000.00) dollars, comprehensive against loss or damage resulting from any one accident, for each *Limousine* licensed or *Motor Vehicle* to be licensed and such policy shall provide for passenger hazard and be endorsed to the effect that the *City* will be given at least ten (10) days notice in writing of any cancellations, expiry or variation in the amount of the policy;
  - (d) approval from the *Licensing Officer*, after a vehicle inspection, for all new applications;
  - (e) in the case of a natural individual, a complete Police Criminal Records Check issued by an *Ontario Police Service*, dated no less than 90 days prior to the date of application or renewal for a licence is being made;
  - (f) in the event the *Limousine Owner* wishes to be licensed to drive his or her *Limousine*, a valid Class "G" Driver's Licence issued by the Province of Ontario;
  - (g) in the event the *Limousine Owner* wishes to be licensed to drive his or her *Limousine*, a 3-Year Statement of Driving Record furnished by the Ministry of Transportation for the Province of Ontario, dated not more than 90 days prior to the date of application for a licence or renewal of such licence;
  - (h) in the case of a natural individual, proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of a Canadian federally or provincially issued document that confirms such eligibility;
  - (i) in the case of a natural individual, proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced upon request by the production of one piece of Canadian federally or provincially issued document that confirms such eligibility to the satisfaction of the *Licensing Officer*;
  - (j) if such *Limousine* is powered by propane, a certificate from an authorized propane inspection station, accounting for such *Motor Vehicle's* mechanical fitness; and
  - (k) any other documentation or information requested by the *Licensing Officer*.

- (10) If, pursuant to subsection 27.0(9), the *Motor Vehicle* to be licensed or renewed as a *Limousine*, in the opinion of the *Licensing Officer*, does not meet the criteria of this By-law, then the issuance or renewal of such licence shall not be granted until such time as the *Licensing Officer* is satisfied that the *Motor Vehicle* is in conformity.
- (11) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 27.0(9) and 27.0(10), a *Limousine Company* holding a valid City of Vaughan licence may, on behalf of a *Limousine Owner*, submit and maintain the required documents and, under such circumstances, the *Limousine Owner* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.

#### SUSPENSIONS AND REVOCATIONS

- (12) Upon suspension or revocation of a *Limousine Driver* or *Limousine Owner* licence issued under this By-law, or upon such a licence issued under this By-law being expired more than 90 days, the *Licensee* shall return to any *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.

#### LIMOUSINE VEHICLE REQUIREMENTS

- (13) A vehicle may only be licensed as a *Limousine* if it is:
- (a) at least a four-door vehicle; and
  - (b) no older than ten model years old.
- (14) Despite subsection 20.0(13)(b), a *Limousine Owner* may apply to continue to operate his or her *Limousine* for an additional year by making an application to the *City*. Such an application may not be made if the model year of the *Limousine* is more than eleven (11) years old or for an initial licensing application.
- (15) An application under subsection 20.0(14) must be made at the time of renewal and shall require an inspection by the *Licensing Officer*.
- (16) Every *Limousine* shall have a City of Vaughan *Limousine* plate attached to either its front or rear bumper and such plate shall not be obstructed in any manner.
- (17) Every *Limousine Owner*, in respect of each *Limousine* for which the *Limousine Owner* holds a licence, shall produce a policy of insurance endorsed to the effect that the City of Vaughan will be given at least ten (10) days prior notice in writing of any cancellation, expiry or variation in the amount of the policy and shall include a provision for passenger(s) hazard in an amount not less than the foregoing. A copy or certificate of such insurance shall be filed with the *Licensing Officer* prior to the issuance or renewal of a *Limousine Owner's* licence.

#### LOST OR STOLEN PLATES

- (18) Every *Limousine Owner* shall:
- (a) report the loss of a *City* issued plate to the *City* no later than the following business day;
  - (b) in the event such plate is considered to have been stolen, report such theft at the nearest police station and provide such report to the *City* no later than the following day;
  - (c) return to the *Licensing Officer*, no later than the following business day, a *City* issued plate that has been defaced or damaged; and
  - (d) pay the prescribed fee for the issuance of a replacement plate.

#### ROUTES, FARES AND CHARGES

- (19) Every *Limousine Owner* not operating through a *Limousine Company* shall:

- (a) file with the *Licensing Officer* a schedule of tariff rates and any other charges to be charged;
  - (b) file with the *Licensing Officer*, at least seventy-two (72) hours prior to the effective date, all changes in tariff rates.
- (20) *Persons* contracting for conveyance by *Limousine* shall be informed of the rate to be charged, in accordance with 20.0(19)(a) or 20.1(4), at the time of contracting such conveyance and no greater amount shall be demanded. Upon request, the passenger must be provided with a receipt indicating the amount paid, the name of the driver, and the vehicle plate number.
- (21) A *Limousine Driver* or a *Limousine Owner* driving his or her *Limousine* shall take the shortest possible route to the destination desired, unless the passenger designates another route.

#### REQUIREMENTS WHEN OPERATING A LIMOUSINE

- (22) Every *Limousine Owner* and every *Limousine Driver* shall, upon request by any *Person* authorized to administer or enforce the provisions of this By-law, surrender for inspection his or her *Limousine Owner* or *Limousine Driver* licence, as the circumstances require.
- (23) No *Limousine Owner* or *Limousine Driver* shall operate, or permit or allow to be operated, a *Limousine* unless it is in good mechanical condition and in good repair as to both its exterior and interior.
- (24) No *Person* shall provide *Limousine* services or allow or permit *Limousine* services to be provided using a *Limousine* that has been damaged in a collision, without such damage being fully repaired.
- (25) Every *Limousine Owner*, driving his or her *Limousine*, and every *Limousine Driver* shall:
- (a) only provide *Limousine* service on a pre-arranged basis;
  - (b) keep a daily record in a manner satisfactory to the *Chief Licensing Officer* setting out all trips made by the *Limousine* and such record shall contain the following information:
    - (i) the *Limousine Owner* licence number for the *Limousine*;
    - (ii) the name of the *Limousine Driver*;
    - (iii) the *Limousine Driver* licence number;
    - (iv) the date, time, and place of the beginning and termination of each trip, and the number of passengers carried; and
    - (v) the amount of the fare collected for each trip.
  - (c) retain all records referred to in this section for a minimum of six (6) months and, upon request by any *Person* authorized to enforce the provisions of this By-law, provide such records for inspection, which may include removal of such records and their retention for a reasonable time;
  - (d) be civil and well-behaved;
  - (e) not carry a greater number of *Persons*, inclusive of the driver, than that indicated by the manufacturer's rating of seating capacity for the *Motor Vehicle*;
  - (f) not operate the *Limousine* with luggage or other material piled or placed in a manner that obstructs the driver's view;
  - (g) not dismiss or discharge any passenger at a point other than the destination without adequate cause;
  - (h) not stop upon a highway unless it is safe to do so and solely for the immediate purpose of:
    - (i) taking on a passenger;
    - (ii) discharging a passenger;

(iii) waiting, by request of a passenger, provided such request is in the continuance of the trip;

(i) not park or stop on a *Taxicab Stand*.

## 20.1 **LIMOUSINE COMPANIES**

*(Added by By-law 123-2017 – September 26, 2017)*

### LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) No *Limousine Company* may operate without holding a valid City of Vaughan licence.
- (2) No *Limousine Company* shall provide or offer to provide the use of its *Platform* to a *Limousine Owner* who is not licensed by the *City* or whose licence has been suspended.

### APPLICATIONS AND RENEWALS

- (3) In addition to the requirements set out in section 4.3, every application for a *Limousine Company* licence or renewal of such licence shall be accompanied by the following:
  - (a) a complete listing of all *Limousines* being operated through the *Limousine Company*;
  - (b) a description of the *Platform* used in the provision of services, including:
    - (i) means by which customers interact with the *Platform*;
    - (ii) all types of data collected from customers;
    - (iii) all types of data provided to customers;
    - (iv) means by which the customer is provided with the fare amount;
    - (v) how payment is made through the *Platform*, if applicable;
    - (vi) any other information the *Licensing Officer* may request;
  - (c) proof, satisfactory to the *Chief Licensing Officer*, that the *Limousine Company* has appropriate general liability insurance in the amount of \$5,000,000 or more;
  - (d) a complete listing of all fares and other fees that may be charged customers for the service provided.

### ROUTES, FARES AND CHARGES

- (4) A *Limousine Company* may only offer or charge customers fares and fees that have been filed with the *City*.
- (5) Prior to undertaking any engagement, a *Limousine Company* shall provide the customer the full fare to be charged for the service.
- (6) Every *Limousine Company* shall notify the *City* in writing, at least 72 hours before the effective date, of any changes to its tariff rates or other fees.
- (7) Despite subsection 20.1(5), if a customer requests a change to his or her final destination or route, the *Limousine Company* may authorize additional fees, provided that:

- (i) such additional fees are provided in writing to the customer at the conclusion of the engagement; and
- (ii) the customer agrees to the additional fees.

#### GENERAL REQUIREMENTS

- (8) No *Limousine Company* shall:
  - (a) accept orders for, or in any way dispatch or direct orders to, a *Limousine* licensed under this By-law when doing so would be illegal under another municipal by-law or provincial statute;
  - (b) dispatch or direct orders to a *Limousine* not licensed under this section to a pick-up location within the boundaries of the *City*;
  - (c) charge a customer a tariff rate or other fee not filed with the *City*.
- (9) Every *Limousine Company* shall:
  - (a) provide the *Licensing Officer*, upon request, with a listing of *Limousines* operating through its *Platform*, showing in numerical order, by plate number, the name of each *Limousine Owner* with which an agreement has been entered into;
  - (b) keep for a minimum of six (6) months a record of every *Limousine* dispatched on a trip, the date and time of dispatch, the place of pick-up and destination of such trip;
  - (c) submit, upon request, any such document deemed relevant by the *Chief Licensing Officer* to any *Person* authorized to administer or enforce the provisions of this By-law;
  - (d) carry on business only in the name in which the *Limousine Company* licence has been issued.

#### **21.0 MOBILE SIGNS DISTRIBUTOR**

- (1) Every Mobile Sign Distributor shall ensure that all required permits under City by-laws are obtained prior to the placement of any Mobile Sign and that any Mobile Sign is placed or located in accordance with any such permit.  
(*Repealed By-Law 177-2011 – September 27, 2011*)

#### **21.1 MOBILE SIGNS DISTRIBUTOR – LICENSE APPLICATIONS AND RENEWALS**

(*Amended by By-Law 177-2011 – September 27, 2011*)

- (1) In addition to the requirements set out in section 4.3, an application for a Mobile Sign Distributor license or renewal of such license shall be accompanied by a certified copy of a policy of insurance in the amount of at least two million (2,000,000.00) dollars exclusive of interest and costs, naming the City as coinsured and holding the City harmless from any action that may be taken against it resulting from the placement of any mobile sign in the City.  
(*Amended by By-Law 177-2011 – September 27, 2011*)

#### **21.2 MOBILE SIGNS - IDENTIFICATION**

- (1) Every Mobile Sign Distributor shall ensure that every mobile sign that is being leased or rented displays the name and telephone number of the licensee.

(Amended by By-Law 177-2011 – September 27, 2011)

### **21.3 PAVERS**

(Added by By-Law 016-2017 – January 24, 2017)

- (1) In addition to the requirements set out in section 4.3, every application for a *Paver's* licence shall include proof, satisfactory to the *Chief Licensing Officer*, that every employee or other person under the applicant's charge is insured in accordance with the *Work Safety and Insurance Act, 1997*, as amended.
- (2) In addition to the requirements set out in section 4.3, every application for a *Paver's* licence shall include, by way of certificate of insurance satisfactory to the *Chief Licensing Officer*, proof of a minimum limit of two million dollars (\$2,000,000) in commercial general liability insurance coverage;
- (3) Every applicant for an initial *Paver's* licence, who also holds a valid licence in a municipality with requirements that, to the satisfaction of the *Chief Licensing Officer*, similarly meet the licensing requirements of this By-law, may be eligible:
  - a) to have the similar requirements in this By-law deemed to be satisfied by the *Chief Licensing Officer*; and
  - b) to pay the renewal (rather than initial) rate for the licence.
- (4) Every applicant for *Paver's* licence, or its renewal, who is a member in good standing of a *City-Approved Professional Associations* representing *Pavers*, may be eligible to receive a discount of 20% from the corresponding fee.
- (5) Prior to accepting any payment from a customer or commencing any work for a customer, a *Paver* shall provide a written contract to said customer, specifying the work to be performed and the schedule of payment and such contract shall be signed by the *Paver* and presented to the customer for acceptance and signature.
- (6) Prior to providing a written contract pursuant to section 21.3(5), a *Paver* shall inform the customer in writing of all local by-laws that affect or may affect the proposed project and shall also inform the customer in writing of any permits required by the *City*. For greater clarity, this information shall be provided in a communication separate and apart from the contract.
- (7) The work performed by a *Paver* shall be in compliance with all *City* by-laws and regulations, and where required shall include a valid permit, granted exemption or supporting decision.
- (8) Every vehicle actively used in connection with the business of a *Paver*, with the exception of a personal vehicle used only for the purposes of visiting a work site to meet a customer, provide a quote or check on the progress of ongoing work, shall have visibly displayed on the dashboard a placard identifying the business name and *City of Vaughan* licence number in a form satisfactory to the *Chief Licensing Officer*.
- (9) Placards, as provided for in section 21.3(8) are only transferable to other vehicles used primarily in connection with the licensed business, but does not include any vehicles belonging to or used in connection with any sub-contractors of the licensed business.
- (10) Vehicle licensing placards are subject to the fees set out in Fees and Charges By-law No. 171-2013, as amended, or its successor by-law.
- (11) Every outdoor sign or other advertising or promotional device used in the *City of Vaughan* in connection with the business of a *Paver* shall include its corresponding *City of Vaughan* licence number in a form satisfactory to the *Chief Licensing Officer*.

### **22.0 PERSONAL SERVICES ESTABLISHMENTS**

- (1) No person licensed as the Owner of a Personal Services Establishment shall employ any person or permit any person to engage in the trade of a Personal Services Attendant therein, unless such person employed or engaged in the trade as aforesaid is:
  - a) if applicable, registered with the Director of Apprenticeship as an apprentice hairdresser or under the Apprenticeship and Tradesmen's Qualification Act;
  - b) if applicable, the holder of a current certificate to the particular trade issued pursuant to regulations made under the Apprenticeship and Tradesmen's Qualification Act.

- (2) No person licensed as the Owner of a Personal Services Establishment shall actively engage in the trade of a hairdresser therein unless such person is the holder of a current certificate of qualification, or is registered with the Director of Apprenticeship as an Apprentice Hairdresser.
- (3) Every person licensed under this section as the Owner of a Personal Services Establishment shall comply with the following requirements in respect of the operation of such shop or establishment:
- a) Adequate facilities shall be provided for a continuous supply of hot water;
  - b) All razors, scissors, needles, combs and other instruments shall be properly cleaned and disinfected by immersion in water heated to the boiling point or in a solution of a suitable and efficacious recognized germicide before being used on a customer and shall not be used on any other customer without being re-disinfected;
  - c) All hair brushes shall be immersed in a strong solution of a recognized disinfectant or water heated to the boiling point, rinsed in clean water and properly dried before being used on any customer, and all shaving brushes shall be cleansed in the same manner as hair brushes and shall be rinsed in hot water or disinfected in such a manner as is approved by the Medical Officer of Health, before each and every use;
  - d) For shaving purposes, only powdered or liquid soap, shaving cream or other lathering appliances approved by the Medical Officer of Health shall be used and, if prepared in a shaving mug, such mugs shall be thoroughly cleansed before each use;
  - e) On the back of every chair used for the purposes of his business there shall be placed a roll of clean paper in such a way as to provide a cover for the head rest. A fresh clean section of the said roll of paper shall be used for each customer;
  - f) Fresh, separate, individual, clean neck bands or clean towels shall be placed around the neck of each customer;
  - g) Each towel or steamer used shall be individual and clean and, after being used, such towel or steamer shall immediately be deposited in a receptacle reserved for that purpose and shall not again be utilized for any purpose before being freshly laundered;
  - h) No caustic or styptic pencils, powder puffs or sponges shall be used;
  - i) Alum or other astringent may be applied but only when in liquid or powdered form;
  - j) No customer shall be shaved whose neck or face is broken out with a rash, and no customer shall be served when the surface which is to be treated is inflamed or broken out with a rash;
  - k) No shop or establishment, in respect of which a license was issued, shall be used for living, dining or sleeping purposes;
  - l) No sink or basin used for domestic purposes shall be used in connection with any Personal Services Establishment;
  - m) If food or drink is offered for sale or is otherwise provided on the premises, every Owner of a *Personal Services Establishment* shall post a notice of availability of the Food Safety Inspection Report issued by York Region Public Health and shall, when so requested by any person, produce the most recent Food Safety Inspection Report or reports.
- (Amended by By-Law 133-2021 – October 20, 2021)*
- (4) Every person licensed under this section as the Owner of a Personal Services Establishment shall in the licensed premises satisfy the Medical Officer of Health of the following:
- a) Proper lighting and ventilation;
  - b) Furnishings and equipment kept in a sanitary condition at all times;
- (Amended by By-Law 133-2021 – October 20, 2021)*
- c) Ample supply of running hot and cold water;

- d) Proper sanitary conveniences for all employees;
  - e) Any other provision as the Medical Officer of Health may require.
- (5) Every person licensed under this section as an Owner of a Personal Services Establishment who is a hairdresser and every hairdresser shall:
- a) wash his or her hands with hot water and soap before attending to each customer;
  - b) satisfy the Medical Officer of Health as to his or her freedom from communicable or transmissible disease and submit to such medical examinations and tests as the Medical Officer of Health may require and, upon request, provide proof thereof to the Licensing Officer in the form of a letter or certificate from the Medical Officer of Health.
- (6) Every person licensed under this section as an Owner of a Personal Services Establishment shall at all times require every employee actively engaged in such shop as a Personal Services Attendant to comply with the regulations set out in section 22.0 and shall not employ or continue to employ any such person who fails to so comply.

### **23.0 PLACES OF AMUSEMENT**

- (1) No Place of Amusement shall be located in a vehicle as defined in the *Highway Traffic Act*.
- (2) The Owner or Operator of a Place of Amusement licensed under this By-law shall not permit the premises to be open to the public unless:
  - a) a person over the age of eighteen (18) years is present at all times to supervise the use of the facilities; and
  - b) the premises is and remains in a clean and sanitary condition.
- (3) The Owner or Operator of any premises licensed under this section shall not permit any disorderly conduct to take place on, in or about the premises and shall not permit any loitering on, in or about the premises.
- (4) No person shall operate or permit to be operated a Place of Amusement - Class A at any time between the hours of 11:00 pm and 9:00 am consecutively, provided that this subsection shall not restrict the hours of operation of a Place of Amusement - Class A where:
  - a) the premises is licensed pursuant to the *Liquor License Act*, R.S.O. 1990, c. L.19, as amended,
  - b) the premises is located in a Place of Amusement - Class B; and
  - c) the premises is accessible by a common interior entrance.
- (5) Notwithstanding any other provision of this By-law, no license shall be issued for any Place of Amusement located in the City of Vaughan on lands that abut the highways or roads set out in Schedule "C" attached to this By-law.

### **23.1 POOL INSTALLERS**

*(Added by By-Law 016-2017 – January 24, 2017)*

- (1) In addition to the requirements set out in section 4.3, every application for a *Pool Installer's* licence shall include proof, satisfactory to the *Chief Licensing Officer*, that every employee or other person under the applicant's charge is insured in accordance with the *Work Safety and Insurance Act, 1997*, as amended.
- (2) In addition to the requirements set out in section 4.3, every application for a *Pool Installer's* licence shall include, by way of certificate of insurance satisfactory to the *Chief Licensing Officer*, proof of a minimum limit of two million dollars (\$2,000,000) in commercial general liability insurance coverage;
- (3) Every applicant for an initial *Pool Installer's* licence, who also holds a valid licence in a municipality with requirements that, to the satisfaction of the *Chief Licensing Officer*, similarly meet the licensing requirements of this By-law, may be eligible:



- a) to have the similar requirements in this By-law deemed to be satisfied by the *Chief Licensing Officer*; and
  - b) to pay the renewal (rather than initial) rate for the licence.
- (4) Every applicant for *Pool Installer's* licence, or its renewal, who is a member in good standing of a *City-Approved Professional Associations* representing *Pool Installers*, may be eligible to receive a discount of 20% from the corresponding fee.
  - (5) Prior to accepting any payment from a customer or commencing any work for a customer, a *Pool Installer* shall provide a written contract to said customer, specifying the work to be performed and the schedule of payment and such contract shall be signed by the *Pool Installer* and presented to the customer for acceptance and signature.
  - (6) Prior to providing a written contract pursuant to section 23.1(5), a *Pool Installer* shall inform the customer in writing of all local by-laws that affect or may affect the proposed project and shall also inform the customer in writing of any permits required by the *City*. For greater clarity, this information shall be provided in a communication separate and apart from the contract. *(Amended by By-Law 054-2017 – June 5, 2017)*
  - (7) The work performed by a *Pool Installer* shall be in compliance with all *City* by-laws and regulations, and where required shall include a valid permit, granted exemption or supporting decision.
  - (8) Every vehicle actively used in connection with the business of a *Pool Installer*, with the exception of a personal vehicle used only for the purposes of visiting a work site to meet a customer, provide a quote or check on the progress of ongoing work, shall have visibly displayed on the dashboard a placard identifying the business name and *City of Vaughan* licence number in a form satisfactory to the *Chief Licensing Officer*.
  - (9) Placards, as provided for in section 23.1(8) are only transferable to other vehicles used primarily in connection with the licensed business, but does not include any vehicles belonging to or used in connection with any sub-contractors of the licensed business. *(Amended by By-Law 054-2017 – June 5, 2017)*
  - (10) Vehicle licensing placards are subject to the fees set out in Fees and Charges By-law No. 171-2013, as amended, or its successor by-law.
  - (11) Every outdoor sign or other advertising or promotional device used in the *City of Vaughan* in connection with the business of a *Pool Installer* shall include its corresponding *City of Vaughan* licence number in a form satisfactory to the *Chief Licensing Officer*.

## **23.2 PTC DRIVERS**

*(Added by By-law 123-2017 – September 26, 2017)*

### LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) No *PTC Driver* may provide *Ride Sharing Services* in Vaughan without being licensed by the City of Vaughan.
- (2) For purposes of this section, any *PTC Driver* who in the opinion of the *Chief Licensing Officer* is satisfactorily licensed by another municipality shall be considered licensed by the City of Vaughan and may operate within the *City's* boundaries.

### APPLICATIONS AND RENEWALS

- (3) Section 4.3 of this By-law does not apply to *PTC Drivers*.
- (4) To be licensed by the City, every *PTC Driver* must:

- (a) hold a valid Class “G” driver’s license issued by the Province of Ontario;
  - (b) submit a 3-Year Statement of Driving Record furnished by the Ministry of Transportation of the Province of Ontario, dated not more than 90 days from the date of application, for all new *Applicants*, or upon demand from the *Licensing Officer* at any time thereafter;
  - (c) provide proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification.
  - (d) provide proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced upon request by the production of one piece of Canadian federally or provincially issued document that confirms such eligibility.
  - (e) submit a complete Police Criminal Records Check issued by an *Ontario Police Service*, not more than 90 days old, from the date of application.
- (5) For purposes of complying with subsection 23.2(4), a *Private Transportation Company* holding a valid City of Vaughan licence may, on behalf of a *PTC Driver* using its *Platform*, submit and maintain the required documents and, under such circumstances, the *PTC Driver* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.
- (6) For purposes of subsection 23.2(4), “the date of application” shall be the date that the *PTC Driver* was provided with access to the *Private Transportation Company’s Platform*.
- (7) No *PTC Driver* shall be deemed licensed until he or she has met all of the requirements under 23.2(4) and has provided *Ride Sharing Services* within the City of Vaughan.
- (8) A *PTC Driver’s* licence shall be deemed to continue as long as the associated *Private Transportation Company* pays its licensing fees in full and the *PTC Driver* complies with the provisions of this By-law.

#### SUSPENSIONS AND REVOCATIONS

- (9) Every *PTC Driver*, whose licence has been refused, suspended or revoked by the *City* shall not offer or provide *Ride-Sharing Services*.

#### RIDE-SHARING VEHICLE REQUIREMENTS

- (10) No *Motor Vehicle* shall be used to provide *Ride-Sharing Services* if the model year for such *Motor Vehicle* is more than ten (10) years old.
- (11) Despite subsection 23.2(10), a *PTC Driver* may apply to continue to operate his or her *Motor Vehicle* for an additional year by making an application to the *City*. Such

an application may not be made if the model year of the *Motor Vehicle* is more than eleven (11) years old or for an initial licensing application.

- (12) An application under subsection 23.2(11) must be made at the time of renewal and shall require an inspection by the *Licensing Officer*.

#### REQUIREMENTS WHEN PROVIDING RIDE-SHARING SERVICES

- (13) No *PTC Driver* shall operate, or permit or allow to be operated, a *Motor Vehicle* being used to provide *Ride-Sharing Services* unless it is in good mechanical condition and in good repair as to both its exterior and interior.
- (14) No *PTC Driver* shall provide *Ride-Sharing Services* using a *Motor Vehicle* that has been damaged in a collision, without such damage being fully repaired.
- (15) All *PTC Drivers* shall:
- (a) only provide *Ride-Sharing Services* on a pre-arranged basis;
  - (b) only charge for services in accordance with the tariff rates filed under subsection 23.3(3)(d);
  - (c) while providing *Ride-Sharing Services*, display in a conspicuous place that is readily and easily viewable by any potential passenger, the *City*-approved decal that identifies the *Private Transportation Company*;
  - (d) when requested to do so by any *Person* authorized to administer and enforce this By-law, surrender for inspection any documents or devices pertaining to the identification or operation of the *Motor Vehicle*, the *PTC Driver*, or the associated *Private Transportation Company*;
  - (e) be civil and well-behaved;
  - (f) take the shortest possible route to the destination desired, unless the passenger designates another route.
  - (g) not carry a greater number of *Persons*, inclusive of the driver, than that indicated by the manufacturer's rating of seating capacity for the *Motor Vehicle*.
  - (h) while providing *Ride-Sharing Services*, not operate a *Motor Vehicle* with luggage or other material piled or placed in a manner that obstructs the driver's view;
  - (i) not dismiss or discharge any passenger at a point other than the destination without adequate cause;
  - (j) not stop upon a highway unless it is safe to do so and solely for the immediate purpose of:
    - (i) taking on a passenger;
    - (ii) discharging a passenger;
    - (iii) waiting, by request of a passenger, provided such request is in the continuance of the trip;
  - (k) not park or stop on a *Taxicab Stand*.

### 23.3 PRIVATE TRANSPORTATION COMPANIES

(Added by By-law 123-2017 – September 26, 2017)

#### LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) No *Private Transportation Company* may operate without holding a valid City of Vaughan licence.
- (2) No *Private Transportation Company* shall provide or offer to provide the use of its *Platform* to any *Person* who is not licensed as a *PTC Driver* by the *City* or whose *PTC Driver* licence has been suspended.

#### APPLICATIONS AND RENEWALS

- (3) In addition to the requirements set out in section 4.3, every application for a *Private Transportation Company* licence or renewal of such licence shall be accompanied by the following:
  - (a) a complete listing of all *PTC Drivers* and *Motor Vehicles* that have used its *Platform* to pick up passengers in the City of Vaughan in the month previous to application.
  - (b) a description of the *Platform* used in the provision of services, including:
    - (i) means by which customers interact with the *Platform*;
    - (ii) all types of data collected from customers;
    - (iii) all types of data provided to customers;
    - (iv) means by which the customer is provided with the fare amount;
    - (v) how payment is made through the *Platform*, if applicable;
    - (vi) any other information the *Licensing Officer* may request;
  - (c) proof, satisfactory to the *Chief Licensing Officer*, that the *Private Transportation Company* has appropriate general liability insurance in the amount of \$5,000,000 or more;
  - (d) either confirmation that the passenger, prior to commencing a trip, receives the full rate to be charged for the trip or a complete listing of all fares and/or basis upon which such fares are calculated, as well as any other fees that may be charged customers for the services provided.

#### ROUTES, FARES AND CHARGES

- (4) Despite subsection 23.3(3)(d), if a customer requests a change to his or her final destination or route, the *Private Transportation Company* may authorize additional fees, provided that:
  - (a) such additional fees are provided in writing to the customer at the conclusion of the engagement; and
  - (b) the customer agrees to the additional fees.

## GENERAL REQUIREMENTS

- (5) Every *Private Transportation Company* is presumed to be responsible for ensuring that:
- (a) every *Motor Vehicle* used to provide *Ride-Sharing Services* is in good mechanical condition and in good repair as to both its exterior and interior.
  - (b) No *Motor Vehicle* is being used to provide *Ride-Sharing Services* that has been damaged in a collision, without such damage being fully repaired.
  - (c) every *Motor Vehicle* that is operating through its *Platform* is properly displaying a *City*-approved decal that identifies the *PTC*;
  - (d) every *Motor Vehicle* used to provide a *Ride Sharing Service* is only operated by the *PTC Driver* licensed to do so.
- (6) No *Private Transportation Company* shall:
- (a) accept orders for, or in any way dispatch or direct orders to, a *Person* licensed under this section when doing so would be illegal under another municipal by-law or provincial statute;
  - (b) dispatch or direct orders to a *Person* other than a licensed *PTC Driver*;
  - (c) charge to a customer a tariff rate or other fee not filed with the *City*.
- (7) Every *Private Transportation Company* shall:
- (a) provide the *City* on the first day of every third month with a count of the number of rides dispatched through its *Platform* originating in the *City* and shall concurrently, and in accordance with Schedule "B" of this By-law, submit the corresponding quarterly fee.
  - (b) provide the *Licensing Officer* on the first day of every third calendar month with a list of *PTC Drivers* and *Motor Vehicles* (including plate numbers) that are using its *Platform* in the *City*;
  - (c) keep for a minimum of six (6) months a record of every *Motor Vehicle* dispatched on a trip, the date and time of dispatch, the place of pick-up and destination of such trip;
  - (d) submit, upon request, any such document deemed relevant by the *Chief Licensing Officer* to any *Person* authorized to administer or enforce the provisions of this By-law;
  - (e) carry on business only in the name in which the licence has been issued;
  - (f) prior to accepting a customer's request for service, provide in writing to the customer the full fare to be charged for the service;
  - (g) notify the *City*, at least 72 hours before the effective date, of any changes to its tariff rates or other fees.

- (8) No owner, director, officer or employee of a *Private Transportation Company* shall refuse to provide information requested by the *City* for the purposes of an investigation pertaining to the administration or enforcement of this By-law.
- (9) No owner, director, officer or employee of a *Private Transportation Company* shall refuse to cancel the access to its *Platform* to any *PTC Driver* whose licence has been refused, suspended or revoked by the *City*.

#### **24.0 PUBLIC GARAGES**

- (1) No Owner or Operator of a Public Garage shall:
  - a) store or permit to be stored on the premises any trailer or motor vehicle for a period of longer than forty-eight (48) hours unless such vehicle is there for the specific purpose of being repaired;
  - b) notwithstanding subsection 24.0 (1)(a), no Owner or Operator shall store, repair or permit to be stored or repaired on the premises any trailer or motor vehicle in any area or part of an area designated as a Fire Route.
- (2) Every Owner or Operator of a Car Wash shall ensure, where the Car Wash abuts a residential zone, as defined in the City of Vaughan Zoning By-law, By-law Number 1-88, as amended, that the Car Wash is not open for business between the hours of 10:00 pm and 7:00 am consecutively, including any vacuum equipment located on the site.
- (3) A public garage shall at all times be kept free from rubbish and in a clean and neat condition by the Owner or Operator of such garage.

#### **25.0 REFRESHMENT VEHICLES**

- (1) In addition to the requirements set out in section 4.3, every application for a Refreshment Vehicle – Type 1 Owner’s license or for the renewal of such license shall be accompanied by the following:
  - a) A valid Ontario Class “G” Driver’s License;
  - b) A certificate of policy of insurance in the amount of two million (2,000,000.00) dollars;
  - c) If such vehicle is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle’s mechanical fitness;
  - d) The ownership certificate of such vehicle;
  - e) A certificate from the Medical Officer of Health indicating that the Refreshment Vehicle complies with all regulations regarding food served from vehicles, if the vehicle has not been previously licensed as a Refreshment Vehicle by the City of Vaughan;
  - f) 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, if the Owner operates the vehicle.
- (3) In addition to the requirements set out in section 4.3, every application for a Refreshment Vehicle – Type 1 Driver’s license or for the renewal of such license shall be accompanied by the following. *(Amended by By-law 123-2017 – September 26, 2017)*
  - a) A valid Ontario Class “G” Driver’s License;
  - b) 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;
  - c) Proof satisfactory to the Licensing Officer of being eligible to seek employment in Canada which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Canadian Birth Certificate;

- ii) a valid Canadian Passport;
    - iii) a Canadian Citizenship card;
    - iv) Record of Landing papers;
    - v) a Certificate of Indian Status.
  - d) A valid Food Handler Certificate recognized by the Ontario Ministry of Health and Long Term Care. *(Added by By-Law 038-2017 – April 19, 2017)*
- (3) In addition to the requirements set out in section 4.3, every application for a Refreshment Vehicle – Type 2 or Refreshment Vehicle – Type 3 Owner’s license or for the renewal of such license shall be accompanied by the following:
- a) A certificate of policy of insurance in the amount of two million (2,000,000.00) dollars;
  - b) The ownership certificate of such vehicle;
  - c) A certificate from the Medical Officer of Health indicating that the Refreshment Vehicle complies with all regulations regarding food served from vehicles, if the vehicle has not been previously licensed as a Refreshment Vehicle by the City of Vaughan.
- (4) In addition to the requirements set out in section 4.3, every application for a Refreshment Vehicle – Type 2 or Refreshment Vehicle – Type 3 Driver’s license or for the renewal of such license shall be accompanied by the following:  
*(Amended by By-law 123-2017 – September 26, 2017)*
- a) Proof satisfactory to the Licensing Officer of being eligible to seek employment in Canada which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Canadian Birth Certificate;
    - ii) a valid Canadian Passport;
    - iii) a Canadian Citizenship card;
    - iv) Record of Landing papers;
    - v) a Certificate of Indian Status.
  - b) A valid Food Handler Certificate recognized by the Ontario Ministry of Health and Long Term Care. *(Added by By-Law 038-2017 – April 19, 2017)*
- (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.  
*(Amended by By-Law 038-2017 – April 19, 2017)*
- (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.  
*(Amended by By-Law 038-2017 – April 19, 2017)*
- (7) Every Refreshment Vehicle Owner and Driver shall ensure that each Refreshment Vehicle is equipped with refuse or litter containers which shall be used for the disposal of all refuse and such containers may be either:  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (a) a metal refuse container with a self closing lid which shall be kept clean and sanitary at all times and shall be emptied at least once per day; or
  - (b) a disposable litter container which shall be replaced at least once per day.
- (8) Every person selling or handling refreshments shall be neat and clean in appearance.  
*(Amended by By-Law 038-2017 – April 19, 2017)*
- (9) Every Owner and every Driver of a Refreshment Vehicle shall ensure that:  
*(Amended by By-Law 123-2017 – September 26, 2017)*

- a) When refreshments are being sold or offered for sale from a Refreshment Vehicle being operated on a highway, that such Refreshment Vehicle does not remain stationary for a period of more than fifteen (15) minutes;  
(Amended by By-law 133-2021 – October 20, 2021)
  - b) No refreshments are sold or offered for sale within fifteen (15) meters of any intersection;
  - 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;
  - d) No Refreshment Vehicle is operated on any private property without the written consent of the property owner or management company;
  - e) Every Refreshment Vehicle at all times, is safe, mechanically sound and free of any defect that may cause damage to the refreshment carried therein;
  - f) No amplification of any sounds, ringing of any bells or chimes, or other means of recognition shall be conducted:
    - i) After 8:30 pm;
    - ii) At intervals of less than five (5) minutes;
    - iii) Not lasting longer than five (5) seconds at a time.
  - g) No person is served any refreshment while standing on a traveled portion of any highway as defined in the *Highway Traffic Act*, R.S.O. 1990, c.H.8;
  - h) Every Refreshment Vehicle is operated in a way that is safe for the public;
  - i) Prior to departing from any stop made for the sale of refreshments or other products that all wrappers or other related refuse, debris or wrappers are disposed of in a proper refuse container;
  - j) Every Refreshment Vehicle is in compliance with the Medical Officer of Health;
  - k) No Refreshment Vehicle that is pulled or not motorized is operated on any highway as defined in the *Highway Traffic Act*, R.S.O. 1990, c.H.8, or part thereof;
  - l) For Refreshment Vehicle – Type 1 licenses, the Refreshment Vehicle is equipped with a back-up warning device.
- (10) Every Refreshment Vehicle Owner and Driver shall ensure that every Refreshment Vehicle is affixed with the following: (Amended by By-law 123-2017 – September 26, 2017)
- a) If such vehicle dispenses ice cream or other similar type of products, it shall have in a conspicuous place on the rear of the vehicle in a colour contrasting the colour of the vehicle the words "WATCH FOR CHILDREN". Such letters shall be no less than fifteen (15) centimetres in height;
  - b) Such vehicle shall have in a conspicuous place on both sides of the Refreshment Vehicle in a colour contrasting the colour of the vehicle the registered name and address of the owner. Such letters shall be no less than ten (10) centimetres in height.
- (11) No Owner or Driver of a Refreshment Vehicle shall permit any person not licensed under the provisions of this section to assist in driving or operating a Refreshment Vehicle while engaged in the business of the Refreshment Vehicle, or engage in the sale, dispensing or serving of any refreshments.  
(Amended by By-law 123-2017 – September 26, 2017)
- (12) Unless authorized by a permit for a special event organized or sponsored by the City or by a *Special Event Permit*, and subject to the conditions therein, no Owner or Driver of a Refreshment Vehicle shall sell or offer for sale refreshments or other products:  
(Amended by By-law 123-2017 – September 26, 2017)
- a) Within one hundred (100) meters of a public park;
  - b) In any way that impedes or obstructs traffic, private roadways or driveways;
  - c) From September 1st to June 30th inclusive from 7:00 am to 7:00 pm consecutively within a two hundred (200) meter radius of any school grounds.  
(Amended by By-Law 035-2017 – April 19, 2017)



- (13) No Driver of a Refreshment Vehicle shall operate a Refreshment Vehicle that has not been licensed as a Refreshment Vehicle under the provisions of this By-law.  
(Amended by By-law 123-2017 – September 26, 2017)
- (14) The licensee shall affix the original license to the exterior rear of the vehicle for which such license was granted.
- (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.  
(Amended by By-Law 035-2017 – April 19, 2017)
- (16) In this section, the words “Refreshment Vehicle” refer to “Refreshment Vehicle – Type 1”, “Refreshment Vehicle – Type 2” and “Refreshment Vehicle – Type 3”.  
(Amended by By-Law 035-2017 – April 19, 2017)

### **25.1 REFRESHMENT VEHICLES – TEMPORARY LICENSES**

- (1) Subject to subsections 25.1 (2) to (4), no Driver shall operate and no Owner shall cause to be operated a Refreshment Vehicle as a temporary replacement for a licensed Refreshment Vehicle unless:  
(Amended by By-law 123-2017 – September 26, 2017)
- a) prior notification has been received by the Licensing Officer;
  - b) the Licensing Officer has approved the vehicle for use as a Replacement Vehicle;
  - c) the applicable fee as set out in Schedule “B” of this By-law has been paid;
  - d) a Temporary Refreshment Vehicle license has been issued by the Licensing Officer.
- (2) The Licensing Officer may issue a Temporary Refreshment Vehicle license for a maximum period of thirty (30) business days.
- (3) Prior to the use of the Temporary License, the Owner shall provide the Licensing Officer with information respecting the vehicle to be used and the period of use, and shall notify the Licensing Officer:
- a) by telephone, with the date and time noted, followed by submission of the replacement vehicle’s ownership certificate and certificate of policy of insurance in the amount of two million (2,000,000.00) dollars in a manner approved by the Licensing Officer;
  - b) By facsimile, with the date and time noted, followed by submission of the replacement vehicle’s ownership certificate and certificate of policy of insurance in the amount of two million (2,000,000.00) dollars in a manner approved by the Licensing Officer;
  - c) In person, with the date and time noted, followed by submission of the replacement vehicle’s ownership certificate and certificate of policy of insurance in the amount of two million (2,000,000.00) dollars in a manner approved by the Licensing Officer.
- (4) The licensee shall affix the original license to the exterior rear of the vehicle for which such license was granted.

### **25.2 REFRESHMENT VEHICLES – EVENT LICENSES**

(Added by By-law 035-2017 – April 19, 2017)

- (1) Unless licensed under Section 25.0 or Section 25.1, no person shall cause a *Refreshment Vehicle* to be operated at an *Event* without a Refreshment Vehicle Event Licence.
- (2) Every *Refreshment Vehicle Owner* who applies for a Refreshment Vehicle Event Licence shall be subject to the applicable fee, as set out in Schedule “B”.

- (3) In addition to the requirements set out in section 4.3, every *Refreshment Vehicle Owner* who applies for a Refreshment Vehicle Event Licence shall include proof, satisfactory to the *Chief Licensing Officer*, that all of the application requirements for a *Refreshment Vehicle Owner* under section 25.0 of this By-law, as amended, have been met.
- (4) Despite Subsection 25.2(3), the requirement under 25.0(14), to affix the original license to the exterior rear of the vehicle for which such license was granted, does not apply to vehicles with a Refreshment Vehicle Event Licence.
- (5) In addition to the requirements set out in section 4.3, every *Refreshment Vehicle Owner* who applies for a Refreshment Vehicle Event Licence shall include proof, satisfactory to the *Chief Licensing Officer*, that every person under the *Refreshment Vehicle Owner's* charge during the *Event* meets the requirements of *Refreshment Vehicle Drivers* as set out under section 25.0 of this By-law, as amended.  
(Amended by By-law 123-2017 – September 26, 2017)
- (6) Every *Refreshment Vehicle Owner* who applies for a Refreshment Vehicle Event Licence, who also holds a valid licence in a municipality with requirements that, to the satisfaction of the *Chief Licensing Officer*, similarly meet the licensing requirements of this By-law, may be eligible to have the similar requirements in this By-law deemed to be satisfied by the *Chief Licensing Officer*.
- (7) Every *Refreshment Vehicle Owner* licensed under this section and operating at an *Event* shall have for inspection and make available upon request its Refreshment Vehicle Event Licence that confirms permission for the *Refreshment Vehicle* and all its *Refreshment Vehicle Drivers* to vend at the *Event*.  
(Amended by By-law 123-2017 – September 26, 2017)
- (8) No *Refreshment Vehicle Owners* or *Refreshment Vehicle Drivers* licensed under section 25.2 of this By-law shall sell or offer to sell any refreshments at any place or time not explicitly provided for under their Refreshment Vehicle Event Licence.  
(Amended by By-law 123-2017 – September 26, 2017)

### 25.3 **RENOVATORS**

(Added by By-Law 016-2017 – January 24, 2017)

(Amended by By-Law 054-2017 – June 5, 2017)

- (1) In addition to the requirements set out in section 4.3, every application for a *Renovator's* licence shall include proof, satisfactory to the *Chief Licensing Officer*, that every employee or other person under the applicant's charge is insured in accordance with the *Work Safety and Insurance Act, 1997*, as amended.
- (2) In addition to the requirements set out in section 4.3, every application for a *Renovator's* licence shall include, by way of certificate of insurance satisfactory to the *Chief Licensing Officer*, proof of a minimum limit of two million dollars (\$2,000,000) in commercial general liability insurance coverage;
- (3) Every applicant for an initial *Renovator's* licence, who also holds a valid licence in a municipality with requirements that, to the satisfaction of the *Chief Licensing Officer*, similarly meet the licensing requirements of this By-law, may be eligible:
- a) to have the similar requirements in this By-law deemed to be satisfied by the *Chief Licensing Officer*; and
  - b) to pay the renewal (rather than initial) rate for the licence.
- (4) Every applicant for *Renovator's* licence, or its renewal, who is a member in good standing of a *City-Approved Professional Associations* representing *Renovators*, may be eligible to receive a discount of 20% from the corresponding fee.
- (5) Prior to accepting any payment from a customer or commencing any work for a customer, a *Renovator* shall provide a written contract to said customer, specifying the work to be performed and the schedule of payment and such contract shall be signed by the *Renovator* and presented to the customer for acceptance and signature.
- (6) Prior to providing a written contract pursuant to section 23.3(5), a *Renovator* shall inform the customer in writing of all local by-laws that affect or may affect the proposed project

and shall also inform the customer in writing of any permits required by the *City*. For greater clarity, this information shall be provided in a communication separate and apart from the contract.  
(Amended by By-Law 054-2017 – June 5, 2017)

- (7) The work performed by a *Renovator* shall be in compliance with all *City* by-laws and regulations, and where required shall include a valid permit, granted exemption or supporting decision.
- (8) Every vehicle actively used in connection with the business of a *Renovator*, with the exception of a personal vehicle used only for the purposes of visiting a work site to meet a customer, provide a quote or check on the progress of ongoing work, shall have visibly displayed on the dashboard a placard identifying the business name and *City of Vaughan* licence number in a form satisfactory to the *Chief Licensing Officer*.
- (9) Placards, as provided for in section 25.3(8) are only transferable to other vehicles used primarily in connection with the licensed business, but does not include any vehicles belonging to or used in connection with any sub-contractors of the licensed business.  
(Amended by By-Law 054-2017 – June 5, 2017)
- (10) Vehicle licensing placards are subject to the fees set out in Fees and Charges By-law No. 171-2013, as amended, or its successor by-law.
- (11) Every outdoor sign or other advertising or promotional device used in the *City of Vaughan* in connection with the business of a *Renovator* shall include its corresponding *City of Vaughan* licence number in a form satisfactory to the *Chief Licensing Officer*.

## 26.0 SECOND HAND GOODS

- (1) This By-law shall not apply to any Second Hand Vendor solely engaged in the following types of activities:
  - a) The sale of goods for charitable purposes;
  - b) The sale of goods as part of a Garage Sale;
  - c) Where the second hand goods consist primarily of used books, maternity wear or infant's accessories;
  - d) Where the second hand goods consist of used automobiles;
  - e) Where the second hand goods consist of articles purchased new and rented out in the normal course of business by the Second Hand Vendor.
- (2) In addition to the requirements set out in section 4.3, every application for a Second Hand Goods license or renewal of such license, shall be accompanied by the following:
  - a) Where the applicant is a natural individual, two (2) passport size photographs, taken within thirty (30) days of the license application;
  - b) Where the applicant is a partnership, such photographs shall be taken of one of the partners;
  - c) Where the applicant is a corporation, such photographs shall be taken of an officer of the corporation;
  - d) Without limiting the generality of any other provision in this By-law, persons associated in a partnership applying for a license under this By-law shall file with their application a statutory declaration, in writing, signed by all members of the partnership, which declaration shall state:
    - i) the full name of each partner and the address of his or her ordinary residence;
    - ii) the name or names under which the partnership carries on or intends to carry on business;
    - iii) that the persons named therein are the only members of the partnership;
    - iv) the mailing address for the partnership.

- e) Documentation satisfactory to the Licensing Officer, demonstrating the applicant's right to possess or occupy the premise and if any applicant is not the registered owner of the property upon which the business is to be located, such person shall file with the Licensing Officer a copy of his lease, if any, and a copy of any other document constituting or affecting the legal relationship relating to the said lands or premises between said applicant and the registered owner or owner in fee simple of said real property.
  - f) A Police Clearance letter for:
    - i) each officer, if the applicant is a Corporation;
    - ii) each partner, if the applicant is a Partnership;
    - iii) the proprietor of a Sole Proprietorship.
- (3) If any member of a partnership applying for a license is a corporation, such corporation shall be deemed to be applying for a license in place and stead of the partnership.
- (4) No person may be a Pawnbroker or a Second Hand Vendor or operate a second hand goods premises, except in accordance with the following requirements:
- a) No person may receive second hand goods from any person who is under the age of eighteen (18) years or from any person who appears to be under the influence of alcohol or illegal drugs;
  - b) No person may receive second hand goods from any person on a "holiday" as defined in the *Interpretation Act*, R.S.O. 1990, c. I-11, as amended, or at any time between the hours of 9:00 pm to 9:00 am consecutively;
  - c) No Pawnbroker or Second Hand Vendor may permit any employee to work at the premises without first instructing such employee as to the requirements and regulations under this By-law and ensuring that such employee complies with such requirements or regulations;
  - d) No Pawnbroker or Second Hand Vendor may engage any employee for the purpose of acquiring or selling second hand goods without first providing a Licensing Officer with a police clearance letter related to that employee and every Pawnbroker and Second Hand Vendor shall keep a record of all persons employed by them either for the purpose of acquiring or selling second hand goods;
  - e) In circumstances where a seller refuses to provide identification as required under this By-law, where identifying features of the Second Hand Goods presented by the Seller have been removed or obliterated or in other circumstances where a person might believe that the Second Hand Goods have been stolen, the Pawnbroker or Second Hand Vendor shall not purchase such goods, shall attempt to ascertain the identity of the Seller and shall contact the nearest police station as soon as is practicable to report such circumstances.

**26.1** *(Deleted by By-Law 262-2008 – October 27, 2008)*

**26.2 SECOND HAND GOODS - TRANSACTION RECORDS**

- (1) No Second Hand Vendor or a Pawnbroker may receive any Second Hand Goods without maintaining a record containing the following information:
- a) The day, month, year and time of the transaction;
  - b) *(Deleted by By-Law 262-2008 – October 27, 2008)*
  - c) *(Deleted by By-Law 262-2008 – October 27, 2008)*
  - d) *(Deleted by By-Law 262-2008 – October 27, 2008)*
  - e) The price paid by the Second Hand Vendor or a Pawnbroker or the value of any goods exchanged for each of the Second Hand Goods; and
  - f) The name of the employee who conducted the transaction.
- (2) In circumstances where the Second Hand Goods consist of a number of related or similar materials, the Second Hand Vendor or a Pawnbroker shall record the exact number of articles received and any identifying features of such goods.

- (3) Notwithstanding subsection 26.2 (2), in circumstances where more than ten (10) such related or similar goods are received, the exact number of articles received shall be recorded and the identifying features of the ten (10) most valuable articles in the collection shall be recorded.
- (4) *(Deleted by By-Law 262-2008 – October 27, 2008)*

### **26.3 SECOND HAND GOODS - INSPECTIONS OF PREMISES AND RETENTION OF GOODS**

- (1) No Second Hand Vendor or a Pawnbroker may sell, exchange, alter, melt or otherwise dispose of any Second Hand Good within the earlier of thirty (30) days from the date of obtaining possession thereof or thirty (30) days after providing an automated transaction record relating to such Second Hand Good as required in this By-law and, during this period, such goods shall be kept separate from and not commingled with other Second Hand Goods in the same Premises.
- (2) Every Second Hand Vendor or a Pawnbroker shall during the regular operating hours of the Premise and at all times when Second Hand Goods are provided therein make available for inspection to the Licensing Officer, a Provincial Offences Officer or a Peace Officer, the original of any document or record referred to in this By-law and shall provide a photocopy thereof upon request.
- (3) Every Second Hand Vendor or a Pawnbroker shall, at all times during the regular operating hours of the Premise and at all times when Second Hand Goods are provided therein, permit the entry of the Licensing Officer, Provincial Offences Officer or a Peace Officer, together with such persons who may be necessary to identify potentially stolen Second Hand Goods for the inspection of the premises and of the Second Hand Goods and transaction records of the Pawnbroker or the Second Hand Vendor.
- (4) In circumstances where a Peace Officer suspects that specified Second Hand Goods were stolen, the Peace Officer shall be entitled, upon providing a receipt to remove such Second Hand Goods for the purpose of criminal investigation, provided such Second Hand Goods are either returned within sixty (60) or further retained by means of a court order.

### **26.4 CLOTHING DONATION DROP BOXES**

- (1) Every owner of property on which a clothing donation drop box is used or located shall ensure that the clothing donation drop box is clean, rust free, in good repair, and free of graffiti.
- (2) Every owner of property on which a clothing donation drop box is used or located shall ensure that all areas immediately adjacent to the clothing drop box are clean and free of litter, refuse and debris.
- (3) Only organizations registered as a Charity under the federal *Income Tax Act*, R.S.C. 1985, c. 1, as amended, are permitted to make application for a license to provide, place, maintain or secure a clothing donation drop box on private property within the City.
- (4) A clothing donation drop box shall be located within designated areas and subject to compliance with the provisions of this By-law.
- (5) The applicant shall:
  - a) Pay in full and in advance an annual permit fee of twenty five (\$25.00) plus, fifty (\$50.00) dollars for each clothing donation drop box location;
  - b) Provide proof of insurance in an amount of at least two million (\$2,000,000) dollars;
  - c) Agree, in writing, to indemnify and save harmless the City from any action, claims, damages or loss whatsoever arising from the issuance of the permit or anything done or neglected to be done in connection with the privilege conferred;
  - d) Provide a letter of consent from the property owner, acknowledging responsibilities under the bylaw and permission from the property owner for installation of said donation boxes on the property;
  - e) Provide a sketch and description of the location on the private property for the proposed clothing donation drop box.
- (6) Every licensee shall follow the placement criteria for the placement of a clothing donation drop box as follows:

- a) No Clothing Donation box shall be placed:
    - i) On any street or property owned or maintained by the City;
    - ii) On the frontage of any property zoned residential;
    - iii) within a parking space or 1 meter thereof;
  - b) Clothing donation boxes shall only be placed:
    - i) On private property in a common area, grouped together and approved by and to the satisfaction of the City;
    - ii) Set back 1m from all property lines, so as not to restrict sight lines from nearby driveways or pathways.
- (7) Only the following information and identification of the registered Charity shall be permitted on any clothing donation drop box:
- a) the name of the Charity in a conspicuous place on the clothing donation drop box, in lettering no smaller than 100 millimetres x 75 millimetres, and of a contrasting colour;
  - b) a notice on the clothing drop box to indicate that all donated articles must fit into donation box, with a prohibition on items such as paint, garbage, soiled rags, propane tanks or any like items that may create a safety hazard;
  - c) a pick-up schedule of donations between 9 a.m. and 9 p.m. so as to ensure there is not an overflow and accumulation of goods left outside the drop box which is unsightly, and to minimize pilferage of goods.
- (8) In the event that boxes are not maintained in accordance with this By-law, the City may issue a notice to the owner of property on which a clothing donation drop box is used or located and/or the licensee to rectify same, failure of which may lead to suspension and/or revocation of the license.
- (9) The licensee shall provide to the Chief Licensing Officer, an up-to-date list of all clothing donation drop box locations in the City.
- (10) In the event the license is revoked or not renewed, the licensee shall remove any clothing donation drop box and all of its installations within seven (7) days of written notice from the Chief Licensing Officer. If the licensee neglects, refuses or fails to do so within the seven days (7) specified in the written notice, the City may remove, without notice, any such clothing donation drop boxes and all of its installations.
- (11) When the City removes a clothing donation drop box pursuant to subsection (10), a charge of three hundred (\$300.00) dollars shall be imposed against the licensee. The clothing donation drop box will be stored at a City facility for a maximum period of thirty (30) days at a cost of five (\$5.00) dollars per day, payable by the licensee to the City upon retrieval of the clothing donation drop box. Failure by the licensee to retrieve the clothing donation drop box within the thirty (30) day period may result in the City disposing, without notice, the clothing donation drop box as it sees fit.

*(Amended by By-Law 262-2008 – October 27, 2008)*

## **27.0 TAXICABS**

*(Amended by By-law 138-2018 – June 19, 2018)*

*(Replaced by By-Law 123-2017 – September 26, 2017)*

*Previously amended by:*

*(Deleted by By-Law 038-2017 – April 19, 2017)*

*(Amended by By-Law 262-2008 – October 27, 2008)*

*(Amended by By-Law 70-2006 – February 27, 2006)*

### **APPLICABILITY AND SCOPE**

- (1) The provisions of this section shall apply to *Taxicab Owners* and *Taxicab Drivers*, as indicated, who are engaged in the conveyance of passengers within the *City* or to any other conveyance that originates within the *City*.
- (2) Notwithstanding any other provisions in this section, a *Taxicab Driver* licensed by another municipality, and driving a *Motor Vehicle* also licensed by that same

municipality, may transport children to and from school or may transport *Persons* with disabilities without first obtaining a licence under this section.

#### LICENSING REQUIREMENTS AND RESTRICTIONS

- (3) Every *Taxicab Owner* and *Taxicab Driver* must be licensed by the *City*.
- (4) No *Person* may operate a *Taxicab* unless such *Person* holds either:
  - (a) a valid City of Vaughan *Taxicab Driver* licence;
  - (b) or a *Taxicab Owner* licence with an *Endorsement* to drive such *Taxicab*.
- (5) No *Taxicab Owner* may permit, allow or cause any other *Person* to operate a *Taxicab* unless such *Person* holds a valid City of Vaughan *Taxicab Driver* licence.
- (6) No *Taxicab Driver* or *Taxicab Owner* may operate a *Taxicab* that has not been licensed by the *City*.
- (7) (*Deleted by By-Law 138-2018 – June 19, 2018*)
- (7) No *Taxicab Owner* or *Taxicab Driver* may apply for a licence or renew his or her licence for a period that exceeds one year, unless provided for under this By-law.
- (8) For purposes of this section, an *Applicant* for a *Taxicab Driver* or *Taxicab Owner* licence who in the opinion of the *Chief Licensing Officer* is satisfactorily licensed by another municipality shall be considered licensed by the City of Vaughan and may operate within the *City's* boundaries, subject to the following:
  - (a) the *Applicant* is not in breach of the *City's* threshold policy for licences, as per Schedule "I" of this B-law;
  - (b) the *Applicant* owes no amounts to the *City* as a result of outstanding fees or fines;
  - (c) the *Applicant* has paid the required initial licensing fee, which equals the renewal fee for the licence; and
  - (d) once licensed, the *Licensee* continues to either:
    - (i) be licensed with the other municipality and meet the requirements of this subsection; or
    - (ii) meet the renewal requirements for the licence, as per subsections 27.0(9) and 27.0(10) for *Taxicab Drivers* or subsections 27.0(11), 27.0(12) and 27.0(13) for *Taxicab Owners*. (*Amended by By-Law 123-2017 – September 26, 2017*)

#### TAXICAB DRIVER APPLICATIONS AND RENEWALS

- (9) In addition to the requirements set out in section 4.3, every application for a *Taxicab Driver's* licence or renewal thereof shall be accompanied by the following:
  - (a) a valid Class "G" driver's license issued by the Province of Ontario;
  - (b) a 3-Year Statement of Driving Record furnished by the Ministry of Transportation of the Province of Ontario, dated not more than 90 days from

- the date of application, for all new applicants, or upon demand from the *Licensing Officer* at any time thereafter;
- (c) proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification.
  - (d) proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced by the production of one piece of Canadian federally or provincially issued document that confirms such eligibility.
  - (e) a complete Police Criminal Record Check issued by an *Ontario Police Service*, not more than 90 days old, from the date of application;
  - (f) any other documentation or information requested by the *Licensing Officer*.
- (10) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 27.0(9), a *Taxicab Brokerage* or a *Taxicab Owner* holding a valid City of Vaughan licence may, on behalf of a *Taxicab Driver*, submit and maintain the required documents and, under such circumstances, the *Taxicab Driver* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.

*(Amended by By-Law 123-2017 – September 26, 2017)*

#### TAXICAB OWNER APPLICATIONS AND RENEWALS

- (11) In addition to the requirements set out in section 4.3, every application for a *Taxicab Owner's* licence or for the renewal of such licence shall be accompanied by the following:
- (a) the provincial *Motor Vehicle* permit issued with respect to every *Taxicab* licensed or *Motor Vehicle* to be licensed;
  - (b) a Safety Standards Certificate dated not more than 90 days prior to the date of application or renewal for every *Taxicab* licensed or *Motor Vehicle* to be licensed;
  - (c) a certificate of policy of insurance that provides coverage in the amount of two million (\$2,000,000.00) dollars, comprehensive against loss or damage resulting from any one accident, for each *Taxicab* licensed or *Motor Vehicle* to be licensed and such policy shall provide for passenger hazard and be endorsed to the effect that the *City* will be given at least ten (10) days notice in writing of any cancellations, expiry or variation in the amount of the policy;
  - (d) approval from the *Licensing Officer*, after a *Motor Vehicle* inspection, for all new applications;



- (e) in the case of a natural individual, a complete Police Criminal Records Check issued by an *Ontario Police Service*, dated no less than 90 days prior to the date of application or renewal for a licence is being made;
  - (f) in the event the *Taxicab Owner* wishes to be licensed to drive his or her *Taxicab*, a valid Class “G” Ontario Driver’s Licence issued by the Province of Ontario;
  - (g) in the event the *Taxicab Owner* wishes to be licensed to drive his or her *Taxicab*, a 3-Year Statement of Driving Record furnished by the Ministry of Transportation of the Province of Ontario, dated not more than 90 days from the date of application, for all new applicants, or upon demand from the *Licensing Officer* at any time thereafter;
  - (h) in the case of a natural individual, proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification;
  - (i) in the case of a natural individual, proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced by the production of one piece of a Canadian federally or provincially issued document that confirms such eligibility;
  - (j) if such *Taxicab* is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle’s mechanical fitness;
  - (k) any other documentation or information requested by the *Licensing Officer*.
- (12) If, pursuant to subsection 27.0(11), the *Motor Vehicle* to be licensed or renewed as a *Taxicab*, in the opinion of the *Licensing Officer*, does not meet the criteria of this By-law, then the issuance or renewal of such licence shall not be granted until such time as the *Licensing Officer* is satisfied that the *Motor Vehicle* is in conformity.
- (Amended by By-Law 123-2017 – September 26, 2017)*
- (13) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 27.0(11), a *Taxicab Brokerage* holding a valid City of Vaughan licence may, on behalf of a *Taxicab Owner*, submit and maintain the required documents and, under such circumstances, the *Taxicab Owner* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.
- (Amended by By-Law 123-2017 – September 26, 2017)*
- (14) Any *Person* may purchase an existing *Taxicab* and its equipment, but such *Taxicab* shall not be operated until the purchaser has obtained a *Taxicab Owner’s* licence and the *Motor Vehicle* has met all of the requirements under this By-law.

- (15) In the event of the death of the holder of a *Taxicab Owner's* licence or a *Taxicab Brokerage's* licence, the heirs, executors, administrators, successors or assigns or other legal representatives shall have a period of six (6) months from the date of the occurrence within which to arrange for the continuance or sale of the business without the licence being revoked, provided that the death of the licensee is reported to the *Licensing Officer* within fourteen (14) days of its occurrence.
- (16) Notwithstanding subsection 27.0(15), if the licence expires within the aforementioned period of six (6) months, the heirs, executors, administrators, successors, or assigns or other legal representatives may renew the licence on the condition that it will expire on the termination of the aforementioned period of six (6) months or upon conclusion or arrangement of a transfer or sale of the business, if earlier. (Amended by By-Law 123-2017 – September 26, 2017)
- (17) A *Taxicab Owner* who also meets the requirements of a *Taxicab Driver*, and is so endorsed by the *Licensing Officer*, may operate any *Taxicab* that he or she owns, but may not operate any other *Taxicab* unless he or she also obtains a *Taxicab Driver's* licence and complies with all the provisions of this By-law that apply *Taxicab Drivers*.

#### SUSPENSIONS AND REVOCATIONS

- (18) Upon suspension or revocation of a *Taxicab Owner* or *Taxicab Driver* licence issued under this By-law, or upon such a licence issued under this By-law being expired more than 90 days, the *Licensee* shall return to any *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 of said plates.

#### TAXICAB VEHICLE REQUIREMENTS

- (19) Every *Taxicab*, even if owned by the same *Person*, shall require a separate licence under this By-law.
- (20) Every *Taxicab Owner* shall ensure that every *Taxicab* licensed under this By-law, has a *Trip Meter*, as approved by the *Chief Licensing Officer*, that is in proper working order and either provides total fares, prior to the engagement, or computes them in accordance with the rates filed for that *Taxicab*.
- (21) Every *Taxicab Owner* and every *Taxicab Driver*, when operating a *Taxicab*, shall, ensure the *Taxicab* is equipped with the following:

- (a) a securely affixed plate supplied by the *City* and bearing an identifying number;

*(Amended by By-Law 133-2021 – October 20, 2021)*

- (b) the number referred to in subsection 27.0(21)(a) in easily legible lettering that is not fewer than fifteen (15) centimetres in height, of a colour contrasting to the immediate background, and that is otherwise approved by the *Licensing Officer*;

*(Amended by By-Law 123-2017 – September 26, 2017)*

- (c) a tariff card approved by the *Licensing Officer* that explains how fares are calculated and that is placed in such a manner that the card can be easily read by passengers in the back seat;

- (d) an electric sign securely affixed to the roof of the *Taxicab* that indicates that the vehicle is a *Taxicab*, and that has been approved by the *Licensing Officer*.

- (22) No *Taxicab Owner* shall apply, permit or allow the application of any external markings on his or her *Taxicab* that obscure, confuse or camouflage any equipment or markings required under this By-law.

- (23) No *Motor Vehicle* shall be used as a *Taxicab* if the model year for such *Motor Vehicle* is more than ten (10) years old.

- (24) Despite subsection 27.0(23), a *Taxicab Owner* may apply to continue to operate his or her *Taxicab* for an additional year by making an application to the *City*. Such an application may not be made if the model year of the *Taxicab* is more than eleven (11) years old or for an initial licensing application.

*(Amended by By-Law 123-2017 – September 26, 2017)*

- (25) An application under subsection 27.0(24) must be made at the time of renewal and shall require an inspection by the *Licensing Officer*.

*(Amended by By-Law 123-2017 – September 26, 2017)*

#### LOST OR STOLEN PLATES

- (26) Every *Taxicab Owner* shall:

- (a) report the loss of a *City* issued plate to the *City* no later than the following business day;

- (b) in the event such plate is considered to have been stolen, report such theft at the nearest police station and provide such report to the *City* no later than the following day;

- (c) return to the *Licensing Officer*, no later than the following business day, a *City* issued plate that has been defaced or damaged;

- (d) pay the prescribed fee for the issuance of a replacement plate.

#### ROUTES, FARES AND CHARGES

- (27) Every *Taxicab Owner* whose *Taxicab* does not operate under a *Taxicab Brokerage* shall file with the *City* all fares and other charges for services provided from his or her *Taxicabs*.
- (28) Every *Taxicab Driver* or *Taxicab Owner* who operates a *Taxicab* shall, when engaged by a passenger, operate the *Trip Meter* in the manner intended, and in accordance with the fares and charges filed with the *City*.
- (29) No *Taxicab Owner* or *Taxicab Driver* shall charge a passenger an amount that is different than that provided to such passenger in writing prior to the commencement of the trip. Where a discrepancy exists and there is no written confirmation of the fare or its rate, the total charge for the trip shall be based on the rate filed with the *City* for such *Taxicab* that produces the minimum charge.
- (30) All tariff rates shall be computed from the time or place when or at which the passenger or passengers first enter the *Taxicab* to the time or place when or at which the destination is reached.
- (31) A *Taxicab Driver* or a *Taxicab Owner* driving his or her *Taxicab* shall take the shortest possible route to the destination desired, unless the passenger designates another route.
- (32) Every *Taxicab Owner* and every *Taxicab Driver* shall ensure that no passenger is charged for time lost through defects, or inefficiency of the *Taxicab*, or the incompetency of the driver thereof, or for the time consumed by the arrival of the *Taxicab* in response to a call in advance of the time such *Taxicab* has been requested by the *Person* calling same.
- (33) Additional charges for the loading and unloading of luggage or for any other services provided are only permitted if previously filed with the *City* and if such charges have been provided to the passenger in writing prior to the commencement of the trip.
- (34) Every passenger shall be issued a receipt indicating the *Taxicab Driver* or *Taxicab Owner's* name and licence number, the name of the *Taxicab Brokerage*, if applicable, the time and date of the trip, the starting and ending point of the trip, the amount indicated and the amount charged.

#### REQUIREMENTS WHEN OPERATING A TAXICAB

- (35) Every *Taxicab Owner* and every *Taxicab Driver* shall, upon request by any *Person* authorized to administer or enforce the provisions of this By-law, surrender for inspection his or her *Taxicab Owner* or *Taxicab Driver* licence, as the circumstances require.
- (36) *(Deleted by By-Law 138-2018 – June 19, 2018)*
- (36) No *Taxicab Driver* shall, while having the care and control of a *Taxicab*, permit any *Person* other than the *Taxicab Owner*, or a *Taxicab Driver* engaged by such *Taxicab Owner*, to operate the *Taxicab*.

- (37) No *Taxicab Owner* or *Taxicab Driver* shall operate, or permit or allow to be operated, a *Taxicab* unless it is in good mechanical condition and in good repair as to both its exterior and interior.
- (38) No *Person* shall provide *Taxicab* services or allow or permit *Taxicab* services to be provided using a *Taxicab* that has been damaged in a collision, without such damage being fully repaired.
- (39) Despite 27.0(38), no *Taxicab Owner* or *Taxicab Driver* shall wash, clean or make repairs to his or her *Taxicab* while upon any *Taxicab Stand* unless such tasks are immediately required to render the *Taxicab* operable.

*(Amended by By-Law 123-2017 – September 26, 2017)*

- (40) When operating a *Taxicab*, a *Taxicab Owner* or a *Taxicab Driver* shall not:
- (a) carry a greater number of *Persons*, inclusive of the driver, than that indicated by the manufacturer's rating of seating capacity for the *Motor Vehicle*.
  - (b) operate a *Taxicab* with luggage or other material piled or placed in a manner that obstructs the driver's view;
  - (c) dismiss or discharge any passenger at a point other than the destination without adequate cause;
  - (d) stop upon a highway unless it is safe to do so and solely for the immediate purpose of:
    - (i) taking on a passenger;
    - (ii) discharging a passenger;
    - (iii) waiting, by request of a passenger, provided such request is in the continuance of the trip.
- (41) Every *Taxicab Owner* or *Taxicab Driver* shall at all times when operating a *Taxicab*:
- (a) be civil and well behaved;
  - (b) not smoke any cigar, cigarette, tobacco, or other substance while the *Taxicab* is in operation;
  - (c) while on any *Taxicab Stand*, shall
    - (i) be sufficiently close to his or her *Taxicab* so as to have it under constant observation;
    - (ii) not make any loud noises or create any disturbances;
    - (iii) not obstruct the use of the sidewalk in any manner.
- (42) No *Person* licensed under this section shall, on any public highway, lane, street, common, park or square, solicit or employ or allow any runner or other *Person* to assist or act in concert with him in soliciting any *Person* to take or use his or her services.

- (43) A *Taxicab Driver* or *Taxicab Owner* that is operating a *Taxicab* shall not refuse to serve the first *Person* requesting his or her service unless:
- (a) such *Taxicab Driver* or *Taxicab Owner* is already engaged;
  - (b) the *Person* requesting the service owes such *Taxicab Driver* or *Taxicab Owner* for a previous fare or service;
  - (c) the *Person* requesting the service refuses to disclose his or her final destination;
  - (d) the *Person* requesting the service is unduly obnoxious and abusive;
  - (e) such *Taxicab Driver* or *Taxicab Owner* has grounds to believe that by agreeing to the engagement his or her safety is in peril.
- (44) No *Taxicab Owner* or *Taxicab Driver*, while operating a *Taxicab* other than a *Taxicab* being used for the transportation of children to or from school, shall take on any additional passenger after the *Taxicab* has departed from its starting point, except at the request of the passengers already in the *Taxicab*, or with the approval of the *Licensing Officer* due to special emergency conditions.
- (45) A *Taxicab Owner* or *Taxicab Driver* who is operating a *Taxicab*, shall not take on any passengers within 30 meters of a public *Taxicab* stand when there is a *Taxicab* upon the stand, except where an arrangement has been previously made with such passenger.
- (46) An *Taxicab Owner* or *Taxicab Driver* who wishes to enter a public taxi stand with his or her *Taxicab*, shall do so by taking the position at the end of any line formed by *Taxicabs* already on the stand, and when such *Taxicab Owner* or *Taxicab Driver* is either first or second in line, he or she shall remain in the driver's seat of the vehicle ready to be hired.
- (47) No *Person* shall overcrowd or allow or permit a public taxi stand to be overcrowded, nor push or allow or permit any *Taxicab* already on the stand to be pushed.
- (48) A *Taxicab Driver* or a *Taxicab Owner* operating his or her own *Taxicab* shall keep and maintain trip information for a period of no fewer than six (6) months.

#### **27.1 ACCESSIBLE TAXICABS**

*(Replaced by By-Law 123-2017 – September 26, 2017)*

*Previously Amended by:*

*(Deleted by By-Law 038-2017 – April 19, 2017)*

*(Amended by By-Law 262-2008 – October 27, 2008)*

#### LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) Every *Accessible Taxicab Owner* and *Accessible Taxicab Driver* must be licensed by the *City*.
- (2) No *Person* may operate an *Accessible Taxicab* unless such *Person* holds either:
  - (a) a valid *City of Vaughan Accessible Taxicab Driver* licence;
  - (b) or an *Accessible Taxicab Owner* licence with an *Endorsement* to drive such *Accessible Taxicab*.

- (3) No *Accessible Taxicab Owner* may permit, allow or cause any other *Person* to operate an *Accessible Taxicab* unless such *Person* holds a valid City of Vaughan *Accessible Taxicab Driver* licence.
- (4) No *Accessible Taxicab Driver* or *Accessible Taxicab Owner* may operate an *Accessible Taxicab* that has not been licensed by the City.
- (5) No *Accessible Taxicab Owner* or *Accessible Taxicab Driver* may apply for a licence or renew his or her licence for a period that exceeds one year, unless provided for under this By-law.
- (6) Every *Taxicab Driver* or *Accessible Taxicab Driver* who has been licensed as such by the *City* for at least the five immediately preceding years may apply for a licence as an *Accessible Taxicab Owner*.
- (7) Every *Accessible Taxicab Owner* shall maintain an *Accessible Taxicab* and shall operate such *Taxicab* in accordance with this section for at least four (4) years, at which time such *Accessible Taxicab Owner* may renew his or her licence as a *Taxicab Owner* under section 27.0 and be subject to the provisions in that section.
- (8) Despite subsection 27.1(7), an *Accessible Taxicab Owner* may, at any time, sell or transfer his business to any *Person* licensed under sections 27.0, 27.1 or 27.2.

#### ACCESSIBLE TAXICAB DRIVER APPLICATIONS AND RENEWALS

- (9) In addition to the requirements set out in section 4.3, every application for an *Accessible Taxicab Driver's* licence or renewal thereof shall be accompanied by the following:
  - (a) a valid Class "G" driver's license issued by the Province of Ontario;
  - (b) a 3-Year Statement of Driving Record furnished by the Ministry of Transportation of the Province of Ontario, dated not more than 90 days from the date of application, for all new applicants, or upon demand from the *Licensing Officer* at any time thereafter;
  - (c) proof, satisfactory to the *Licensing Officer*, that the applicant is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification;
  - (d) proof satisfactory to the *Licensing Officer* that the applicant is eligible to seek employment in Canada, which may be evidenced by the production of one piece of Canadian federally or provincially issued document that confirms such eligibility;
  - (e) a complete Police Criminal Records Check issued by an *Ontario Police Service*, not more than 90 days old, from the date of application;
  - (f) a certificate of completion of an Accredited Securement Training course, as approved by the *Chief Licensing Officer*;
  - (g) any other documentation or information requested by the *Licensing Officer*.

- (10) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 27.1(9), a *Taxicab Brokerage* or an *Accessible Taxicab Owner* holding a valid City of Vaughan licence may, on behalf of an *Accessible Taxicab Driver*, submit and maintain the required documents and, under such circumstances, the *Accessible Taxicab Driver* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.

#### ACCESSIBLE TAXICAB OWNER APPLICATIONS AND RENEWALS

- (11) A *Person* who buys or receives an *Accessible Taxicab* business under subsection 27.1(8), before operating such business, shall:
- (a) apply and receive an *Accessible Taxicab Owner* licence, as per this section;
  - (b) agree, as part of the application in subsection 27.1(11)(a), to operate the *Accessible Taxicab* for the remainder of the four-year period provided for under subsection 27.1(7) as undertaken by the previous *Accessible Taxicab Owner*.
- (12) In addition to the requirements set out in section 4.3, every application for an *Accessible Taxicab Owner's* licence or for the renewal of such licence shall be accompanied by the following:
- (a) the provincial *Motor Vehicle* permit issued with respect to every *Accessible Taxicab* licensed or *Motor Vehicle* to be licensed;
  - (b) a Safety Standards Certificate dated not more than 90 days prior to the date of application or renewal for every *Accessible Taxicab* licensed or *Motor Vehicle* to be licensed;
  - (c) a certificate of policy of insurance that provides coverage in the amount of two million (2,000,000.00) dollars, comprehensive against loss or damage resulting from any one accident, for each *Accessible Taxicab* licensed or *Motor Vehicle* to be licensed and such policy shall provide for passenger hazard and be endorsed to the effect that the *City* will be given at least ten (10) days notice in writing of any cancellations, expiry or variation in the amount of the policy;
  - (d) approval from the *Licensing Officer*, after a vehicle inspection, for all new applications;
  - (e) in the event the *Accessible Taxicab Owner* wishes to be licensed to drive his or her *Accessible Taxicab*, a valid Class "G" Ontario Driver's Licence issued by the Province of Ontario;
  - (f) in the event the *Accessible Taxicab Owner* wishes to be licensed to drive his or her *Accessible Taxicab*, a 3-Year Statement of Driving Record furnished by the Ministry of Transportation of the Province of Ontario, dated not more



- than 90 days from the date of application, for all new applicants, or upon demand from the *Licensing Officer* at any time thereafter;
- (g) in the case of a natural individual, proof, satisfactory to the *Licensing Officer*, that the *Applicant* is at least eighteen (18) years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification;
  - (h) in the case of a natural individual, proof satisfactory to the *Licensing Officer* that the *Applicant* is eligible to seek employment in Canada, which may be evidenced by the production of one piece of a Canadian federally or provincially issued document that confirms such eligibility;
  - (i) a complete Police Criminal Records Check issued by an *Ontario Police Service*, not more than 90 days old, from the date of application;
  - (j) if such *Accessible Taxicab Owner* is operating his or her own *Accessible Taxicab*, a certificate of completion of an Accredited Securement Training course, as approved by the *Chief Licensing Officer*;
  - (k) if such *Taxicab* is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle's mechanical fitness;
  - (l) any other documentation or information requested by the *Licensing Officer*.
- (13) If, pursuant to subsection 27.1(12), the *Motor Vehicle* to be licensed or renewed as a *Taxicab*, in the opinion of the *Licensing Officer*, does not meet the criteria of this By-law, then the issuance or renewal of such licence shall not be granted until such time as the *Licensing Officer* is satisfied that the *Motor Vehicle* is in conformity.
- (14) For purposes of complying with application and renewal provisions of section 4.3 and the requirements under subsection 27.0(12), a *Taxicab Brokerage* holding a valid City of Vaughan licence may, on behalf of an *Accessible Taxicab Owner*, submit and maintain the required documents and, under such circumstances, the *Accessible Taxicab Owner* shall be required to consent to access to those documents by the *City* for purposes of the administration and enforcement of this By-law.

#### SUSPENSIONS AND REVOCATIONS

- (15) Upon suspension or revocation of an *Accessible Taxicab Owner* or *Accessible Taxicab Driver* licence issued under this By-law, or upon such a licence issued under this By-law being expired more than 90 days, the *Licensee* shall return to any *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.

#### ACCESSIBLE TAXICAB VEHICLE REQUIREMENTS

- (16) A holder of an *Accessible Taxicab Owner's* licence shall be permitted to operate a *Motor Vehicle* that, in addition to satisfying the vehicle requirements set out in section 27.0, has received approval from the Ministry of Transportation as an accessible vehicle.

#### LOST OR STOLEN PLATES

- (17) Every *Accessible Taxicab Owner* shall:
- (a) report the loss of a *City* issued plate to the *City* no later than the following business day;
  - (b) in the event such plate is considered to have been stolen, report such theft at the nearest police station and provide such report to the *City* no later than the following day;
  - (c) return to the *Licensing Officer*, no later than the following business day, a *City* issued plate that has been defaced or damaged;
  - (d) pay the prescribed fee for the issuance of a replacement plate.

#### ROUTES, FARES AND CHARGES

- (18) Every *Accessible Taxicab Owner* whose *Accessible Taxicab* does not operate under a *Taxicab Brokerage* shall file with the *City* all fares and other charges for services provided from his or her *Accessible Taxicabs*.
- (19) Every *Accessible Taxicab Owner* or *Accessible Taxicab Driver* who operates an *Accessible Taxicab* shall, when engaged by a passenger, operate the *Trip Meter* in the manner intended, and in accordance with the fares and charges filed with the *City*.
- (20) No *Accessible Taxicab Owner* or *Accessible Taxicab Driver* shall charge a passenger an amount that is different than that provided to such passenger in writing prior to the commencement of the trip. Where a discrepancy exists and there is no written confirmation of the fare or its rate, the total charge for the trip shall be based on the rate filed with the *City* for such *Accessible Taxicab* that produces the minimum charge.
- (21) All tariff rates shall be computed from the time or place when or at which the passenger or passengers first enter the *Accessible Taxicab* to the time or place when or at which the destination is reached.
- (22) An *Accessible Taxicab Driver* or an *Accessible Taxicab Owner* driving his or her *Accessible Taxicab* shall take the shortest possible route to the destination desired, unless the passenger designates another route.

- (23) Every *Accessible Taxicab Owner* and every *Accessible Taxicab Driver* shall ensure that no passenger is charged for time lost through defects, or inefficiency of the *Accessible Taxicab*, or the incompetency of the driver thereof, or for the time consumed by the arrival of the *Accessible Taxicab* in response to a call in advance of the time such *Accessible Taxicab* has been requested by the *Person* calling same.
- (24) Additional charges for the loading and unloading of luggage or for any other services provided are only permitted if previously filed with the *City* and if such charges have been provided to the passenger in writing prior to the commencement of the trip.
- (25) Every passenger shall be issued a receipt indicating the *Accessible Taxicab Driver* or *Accessible Taxicab Owner's* name and licence number, the name of the *Taxicab Brokerage*, if applicable, the time and date of the trip, the starting and ending point of the trip, the amount indicated and the amount charged.

#### REQUIREMENTS WHEN OPERATING AN ACCESSIBLE TAXICAB

- (26) Every *Accessible Taxicab Owner* and every *Accessible Taxicab Driver* shall, upon request by any *Person* authorized to administer or enforce the provisions of this By-law, surrender for inspection his or her *Accessible Taxicab Owner* or *Accessible Taxicab Driver* licence, as the circumstances require.
- (27) Every *Accessible Taxicab Owner* that drives his or her *Accessible Taxicab* and every *Accessible Taxicab Driver* shall, within the intended context, comply with the provisions of 27.0(35) to 27.0(48).
- (28) Every *Accessible Taxicab Owner* that drives his or her *Taxicab* or every *Accessible Taxicab Driver* shall serve the first *Person* unable to board a regular *Taxicab* due to a disability, as defined in the *Accessibility for Ontarians with Disabilities Act*, who has requested the service of the *Accessible Taxicab* at any place within the city and at any time of day or night, except where the provisions of subsection 27.0(43) apply.
- (29) Every *Person* operating an *Accessible Taxicab* shall:
- a) offer such assistance as required to facilitate the entry or exit of a physically disabled *Person* into or out of an *Accessible Taxicab*;
  - b) where a wheelchair is being used by a passenger, ensure that the wheelchair and occupant restraint system is properly secured in the area so provided;
  - c) ensure that the passenger's seatbelt is properly secured.

#### **27.2 TAXI BROKERAGES**

*(Replaced by By-Law 123-2017 – September 26, 2017)*

*Previously Amended by:*

*(Amended by By-Law 262-2008 – October 27, 2008)*

#### LICENSING REQUIREMENTS AND RESTRICTIONS

- (1) No *Person* shall operate a *Taxicab Brokerage* without first obtaining a licence from the *City* to do so.
- (2) No *Taxicab Brokerage* shall engage or otherwise enter into any agreement to provide services with a *Person* who does not hold a valid licence but is required to do so for the provisions of such services.
- (3) As a condition of holding a *Taxicab Brokerage* licence, every *Taxicab Brokerage* shall operate at least one *Accessible Taxicab* plus the equivalent of 5% of its fleet (rounded down to the nearest whole number), as follows:

Fleet Size	<i>Accessible Taxicabs</i> Required
1-19	1
20-39	2
40-59	3
60-79	4
80-99	5
100-119	6
120-139	7
140-159	8
160-179	9
180-199	10
200 or more	1 + (total number of licensed <i>Taxicab</i> and <i>Accessible Taxicabs</i> in brokerage, multiplied by 5%)

- (4) No *Taxicab Brokerage* may obtain or renew a licence without providing proof, satisfactory to the *Chief Licensing Officer*, that the requirements under subsection 27.2(3) have been met.

#### TAXICAB BROKERAGE APPLICATIONS AND RENEWALS

- (5) In addition to the requirements set out in section 4.3, every application for a *Taxicab Brokerage* licence or renewal of such licence shall be accompanied by the following:
  - (a) a complete listing of all *Taxicabs* and *Accessible Taxicabs* being operated from the *Taxicab Brokerage*;
  - (b) a description of any *Platform* and/or *Trip Meter* used in the provision of services, including as applicable:
    - (i) means by which customers interact with the *Platform*;
    - (ii) all types of data collected from customers;
    - (iii) all types of data provided to customers;
    - (iv) means by which the customer is provided with the fare amount;
    - (v) how payment is made through the *Platform* and/or what forms of payment are accepted;
    - (vi) the basis upon which the *Trip Meter* calculates fares;

- (vii) any other information the *Licensing Officer* may request.
- (c) proof, satisfactory to the Chief Licensing Officer, that the Taxicab Brokerage has appropriate general liability insurance in the amount of \$5,000,000 or more;
- (d) a complete listing of all fares and fees that may be charged to customers for the services provided.

#### ROUTES, FARES AND CHARGES

- (6) A *Taxicab Brokerage* may only offer or charge customers fares and fees that have been filed with the City.
- (7) Prior to undertaking any engagement, a *Taxicab Brokerage* shall provide the customer the full fare to be charged for the service.
- (8) Every *Taxicab Brokerage* shall notify the *City* in writing, at least 72 hours before the effective date, of any changes to its tariff rates or other fees.

#### GENERAL REQUIREMENTS

- (9) No *Taxicab Brokerage* shall:
  - a) accept orders for or in any way dispatch or direct orders to a *Taxicab* 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 *Taxicab* not licensed under this section to a pick-up location within the boundaries of the city.
- (10) Every *Taxi Brokerage* shall:
  - (a) provide the *Licensing Officer*, upon request, with a listing of *Taxicabs* operating from its *Taxicab Brokerage*, showing in numerical order, by plate number, the name of each *Taxicab Owner* and each *Accessible Taxicab Owner* with whom an agreement has been entered into;
  - (b) keep a record of every *Motor Vehicle* dispatched on a trip, the date and time of dispatch, the place of pick-up and destination of such trip;
  - (c) the records referred to in subsection 27.2(10)(b) shall be retained for a minimum of six (6) months, and shall be immediately available upon request of any *Person* authorized to enforce the provisions of this By-law, and such *Person* shall be permitted to remove such records and retain same for a reasonable period of time;
  - (d) upon request, inform any customer of the anticipated length of time required for a *Taxicab* to arrive at the requested pick-up location;
  - (e) dispatch a *Taxicab* 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 *Taxicab* where privileges have been suspended under this By-law, upon being notified by the *Licensing Officer* of such suspension.

- (11) Despite subsection 27.2(7), if a customer requests a change to his or her final destination or route, the *Taxicab Brokerage* may authorize additional fees, provided that:
- (a) such additional fees are provided in writing to the customer at the conclusion of the engagement; and
  - (b) the customer agrees to the additional fees.

## **28.0 TOBACCO SHOPS**

- (1) Every Tobacco Shop Keeper shall ensure compliance with all provincial and federal statutes.  
*(Amended by By-Law 262-2008 – October 27, 2008)*
- (2) *(Deleted by By-Law 262-2008 – October 27, 2008)*
- (3) No person licensed under this section shall sell or allow the sale of tobacco, cigarette and cigar products to persons under the age of nineteen (19) years.
- (4) Every License Holder to whom this section applies shall at all times post in a conspicuous place in the Tobacco Shop in a manner satisfactory to the Licensing Officer appropriate signage stating:

“NO TOBACCO, CIGARETTE OR CIGAR PRODUCT SHALL BE  
SOLD TO A PERSON UNDER NINETEEN (19) YEARS OF AGE”.

## **29.0 TOW TRUCKS**

- (1) In addition to the requirements set out in section 4.3, every application for a Tow Truck Brokerage license or for the renewal of such license shall be accompanied by the following:
- a) 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, for each of the officers of the Tow Truck Brokerage;
  - b) If such Brokerage is located in the City of Vaughan, approval from the Chief Building Official and the Chief Fire Official;
  - c) If such Brokerage is operated from a Public Garage as defined in this By-law, the name, address, telephone number and a copy of the Public Garage license issued to such Public Garage by the Licensing Officer;
  - d) If such Brokerage is operated from a Public Garage that is located outside the boundaries of the City of Vaughan, the name, address and telephone number of the Public Garage and a copy of the agreement entered into by both parties;
  - e) A list of all Tow Truck Owners that operate out of such Brokerage.
- (2) In addition to the requirements set out in section 4.3, every application for a Tow Truck Owner's license or for the renewal of such license shall be accompanied by the following:
- a) The agreement or contract between the Owner and Brokerage, if applicable;
  - b) The Provincial Motor Vehicle Permit;
  - c) A Safety Standards Certificate dated not more than ninety (90) days prior to the date application for license is being made;
  - d) A certificate of insurance including:
    - i) Commercial/comprehensive general liability of two million (2,000,000.00) dollars;
    - ii) Cargo liability insurance of not less than one hundred thousand (100,000.00) dollars to indemnify the licensee against loss by reason of its legal liability for direct physical loss or damage to vehicles and

goods accepted by the licensee for towing or conveyance.

- e) 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;
  - f) A "Statement of Driver Record", furnished by the Ministry of Transportation, dated not more than ninety (90) days prior to the date application for license is being made;
  - g) Proof, satisfactory to the Licensing Officer, that the applicant is at least eighteen (18) years of age, which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) A Birth Certificate, accompanied by a photo;
    - ii) A valid Canadian Driver's License;
    - iii) A valid Canadian Passport;
    - iv) Any other such information as may be required by the Licensing Officer.
  - h) A valid Ontario Class "G" Driver's License issued by the Province of Ontario;
  - i) Proof satisfactory to the Licensing Officer of being eligible to seek employment in Canada which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Canadian Birth Certificate;
    - ii) a valid Canadian Passport;
    - iii) a Canadian Citizenship card;
    - iv) Record of Landing papers;
    - v) a Certificate of Indian Status.
  - j) Proof, satisfactory to the Licensing Officer, of a valid Commercial Vehicle Driver's Registration issued by the Ontario Ministry of Transportation.  
*(Amended by By-Law 038-2017 – April 19, 2017)*  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (3) 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.  
*(Amended by By-Law 262-2008 – October 27, 2008)*  
*(Amended by By-Law 038-2017 – April 19, 2017)*
- (4) In addition to the requirements set out in section 4.3, every application for a Tow Truck Driver's license or for the renewal of such license shall be accompanied by the following:  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- a) A valid Ontario Class "G" Driver's License issued by the Province of Ontario;
  - b) A "Statement of Driver Record", furnished by the Ministry of Transportation, dated not more than ninety (90) days prior to the date application for license is being made;
  - c) A complete Police Clearance Letter issued by the Chief of Police, dated not more than ninety (90) days prior to the date application is being made;
  - d) Proof satisfactory to the Licensing Officer of being eligible to seek employment in Canada which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:

- i) a Canadian Birth Certificate;
    - ii) a valid Canadian Passport;
    - iii) a Canadian Citizenship card;
    - iv) Record of Landing papers;
    - v) a Certificate of Indian Status.
  - e) Proof, satisfactory to the Licensing Officer, that the applicant is at least eighteen (18) years of age, which may be evidenced by the production of such of the following original documents as the Licensing Officer may require, without limitation:
    - i) a Birth Certificate, accompanied by a photo;
    - ii) a valid Canadian Driver's License;
    - iii) a valid Canadian Passport;
    - iv) any other documentation or information as may be required by the Licensing Officer.
- (5) Where a Tow Truck Brokerage or Tow Truck Owner operates from a Public Garage as defined in this By-law, and the Public Garage does not hold a valid Public Garage license, the Licensing Officer shall not issue a license to the Tow Truck Brokerage or Tow Truck Owner until such garage has received its Public Garage License.  
*(Amended by By-Law 262-2008 – October 27, 2008)*
  - (6) No Tow Truck Brokerage License shall be issued where each and every Tow Truck being operated from such Brokerage is not validly licensed as a Tow Truck in the City of Vaughan.
  - (7) Every Driver and every Owner operating his own Tow Truck shall have and maintain in good standing at all times a license issued by the Province of Ontario of a class authorizing him to drive a Tow Truck.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
  - (8) An Owner who is an individual person and who has complied with the provisions of this By-law, and whose license has been so endorsed by the Licensing Officer, may act as an Driver of any Tow Truck of which he is the owner.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
  - (9) No Driver shall operate any Tow Truck for the towing or otherwise conveying of a vehicle unless the Owner of such Tow Truck is licensed under this By-law as an Owner in respect of such Tow Truck.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
  - (10) No Owner shall permit any person other than an Driver licensed under this By-law to use such Owner's Tow Truck for the towing or otherwise conveying of a vehicle.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
  - (11) No Driver, while having the care and control of a Tow Truck, shall permit any person other than an Driver licensed under this By-law to use it for the towing or otherwise conveying of a vehicle.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
  - (12) Every Driver and every Owner who operates a Tow Truck shall carry his license issued under this By-law with him at all times while he is operating a Tow Truck and shall produce same for inspection when requested to do so by any person authorized to enforce the provisions of this By-law.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
  - (13) No Owner shall, by arrangement or agreement or otherwise, permit the use of the Tow Truck Owner's license in respect of any Tow Truck not owned by such Owner.
  - (14) A Tow Truck Owner selling or otherwise disposing of his Tow Truck, or replacing his Tow Truck, shall give written notice thereof to the Licensing Officer within thirty (30) days of such transaction.
  - (15) A Tow Truck Owner selling or otherwise disposing of his Tow Truck shall return the license as referred to in subsection 29.0 (32) (b) of this By-law to the Licensing Officer within thirty (30) days of such transaction.
  - (16) No Tow Truck Owner shall use or permit to be used a Tow Truck found unsafe or



defective upon examination and inspection as hereinafter provided.

- (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 the original or legible copy of the Vaughan-issued identification card relating to the Vaughan license issued by the Licensing Officer for both the Owner and Driver.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (18) Where a corporation is the holder of a Tow Truck license or licenses, the corporation shall notify the Licensing Officer of all transfers of existing shares and of the issue of all new shares of the capital stock of the corporation, and the Licensing Officer shall recommend to the Chief Licensing Officer that such license or licenses be revoked forthwith, and the Licensing Officer may issue a new license or new licenses upon payment of the prescribed fee.  
*(Amended by By-Law 262-2008 – October 27, 2008)*
- (19) No Owner's license shall be transferred, but subject to the provisions of this By-law, an Owner may sell his Tow Truck and its equipment to any person and upon such sale the Owner's license issued in respect of such Tow Truck shall be terminated, and the Licensing Officer may, at his discretion, issue a new license to the purchaser.
- (20) Every Owner shall keep a daily record of all services provided by each Tow Truck owned by such Owner, as follows:
- a) such records shall show the name of every hirer, a description of the vehicle towed or conveyed including the provincial motor vehicle permit number or vehicle identification number of any such vehicle and the rate charged;
  - b) such daily records shall be kept for a period of not less than two (2) years from the date of service; and
  - c) the Licensing Officer or any person authorized to enforce the provisions of this By-law shall at all times have access to such records to review and verify the records and such Licensing Officer or other authorized person shall be permitted to remove any such records and retain the records for a reasonable period of time to complete his or her review.
- (20.1) Prior to any towing service being provided, an Owner or Driver shall complete a Towing Authorization Form issued by the Chief Licensing Officer and provide a copy to the hirer. Subsections 29.0 (20)(b) and 29.0 (20)(c) of this By-law apply to this subsection, with necessary modifications.  
*(Amended by By-Law 116-2012 – June 26, 2012)*  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (21) Every Tow Truck Owner shall upon demand, provide proof satisfactory to the Licensing Officer that the Tow Truck in which a license was issued was actively and consistently engaged in the business as a Tow Truck.
- (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. *(Amended by By-Law 038-2017 – April 19, 2017)*
- (23) Every Owner of a Tow Truck shall provide a run sheet to the Driver in charge of the vehicle or, if the Owner acts as the Driver, shall himself or herself carry a run sheet, upon which such Driver or Owner operating a Tow Truck shall record the name and address of such Driver and Owner, the name of the hirer, the date, origin and destination of each trip or service to be performed, the rate or charge assessable under the schedule of rates applicable, and the provincial motor vehicle permit number, with respect to every vehicle towed or conveyed, provided further that:  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- a) run sheets shall be made in duplicate, in a form approved by the Licensing Officer, and shall be dated and numbered consecutively;
  - b) every Owner shall keep the original copy of all run sheets referred to in this subsection for a minimum of three (3) months after the services recorded in them have been provided.
- (24) Every license furnished by the Licensing Office shall be returned to the Licensing Officer forthwith upon demand by the Licensing Officer.

- (25) Every Owner who, pursuant to any agreement or arrangement gives up to some other person the right to possession and control of the Tow Truck by such Owner for a period of more than one (1) normal Driver's shift or permits the use of the said Tow Truck by any other person for a period longer than one (1) day in any seven (7) day period, shall forthwith notify the Licensing Officer in writing of the particulars of such agreement or arrangement and, where such agreement or arrangement is in writing, shall file the said Agreement with the Licensing Officer.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (26) Every person who, as the Owner of a Tow Truck, applies for a license under this By-law, shall, before receiving such license, procure a policy of insurance endorsed to the effect that the Licensing Officer shall be given at least ten (10) days notice in writing of the cancellation or expiration of the policy or policies.
- (27) Every Owner and every Driver who owns, or has any interest either directly or indirectly, in a motor vehicle pound, a yard, or building used for the storage or impounding of motor vehicles, a motor vehicle body shop, or other kind of public garage, or any other yard, shop, building or place used for the storage, repair or servicing of motor vehicles, shall, before receiving a license as an Owner or Driver, provide and file with the Licensing Officer full information as to the location and size of such yard, shop, building or place, and the facilities provided therein, and as to the kind and extent of any interest therein, and shall provide to the Licensing Officer full particulars of any contract, arrangement, agreement or understanding giving such Owner or Driver such interest.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (28) Where the Owner of a Tow Truck resides, or has its head office or any other business office outside the boundaries of the City of Vaughan, or owns or has an interest in any public garage, yard, shop or other place referred to in this Section outside the boundaries of the City of Vaughan, such owner shall, in addition to the other information required by this By-law to be furnished, notify the Licensing Officer of the number and type of any license issued by any other municipality or licensing authority.
- (29) No Owner or Driver shall demand, request, accept or receive, directly or indirectly, any charge, gift, payment, drop fee, thing or other consideration from any person who owns or has interest, direct or indirect, in any motor vehicle compound, motor vehicle body shop, public garage or any other yard, shop, building or place used for the storage, repair or servicing of motor vehicles, in respect of or in consideration for the towing or conveying of a vehicle to such pound, body shop, public garage, yard, shop, building or place, and no Owner or Driver shall be a party to any transaction by which any such charge, gift, payment, drop-fee, thing or other consideration is paid or given or is required to be paid or given.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (30) The maximum Drop Fee that may be requested from a Hirer by a Tow Truck Driver or Tow Truck Owner for his Services shall be no more than one hundred (100.00) dollars.  
*(Amended by By-Law 187-2020 – December 15, 2020)*
- (31) This section does not prohibit:
- a) Any payment for the towing or otherwise conveying of a vehicle owned by the person making such payment, provided that such payment is authorized by this By-law to be charged to such person as hirer;
  - b) Where the person making the payment is the Owner of a Tow Truck or is a Tow Truck Broker, the payment by such Owner to the Driver of a Tow Truck owned or provided by such person, provided that:  
*(Amended by By-Law 123-2017 – September 26, 2017)*
    - i) full disclosure in writing of such payment and of the services in respect of which it is made, is made to the hirer before any charge is made to such hirer in respect of such services;
    - ii) no charge is made to the hirer in respect of such services other than as authorized by section 29.0 of this By-law for the services referred to therein.
  - c) Any payment to an Owner or Driver for towing or other services, provided that such payment is authorized by this By-law to be charged to the hirer of the Tow Truck in respect of such services, and is paid on behalf of and at the request of such hirer.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (32) Every Owner who has been issued a license under this By-law in respect of a Tow Truck shall:

- a) Have permanently affixed on both sides of the body of the vehicle in a clearly visible position:
    - i) a sign permanently affixed showing his name in letters and figures of not less than ten (10) centimetres in height;
    - ii) the number of the plate referred to in subsection 29.0 (32) (b) preceded by the letter "V" permanently affixed in numbers at least fifteen (15) centimetres high and of a contrasting colour to the immediate background.
  - 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.  
*(Amended by By-Law 038-2017 – April 19, 2017)*
- (33) Every Owner licensed under this By-law shall keep every Tow Truck owned by him or her and all of its equipment are in a clean and fit condition, in good repair and free from mechanical defect, provided further that:
- a) should the Licensing Officer forward a notice to an Owner that a Tow Truck or its equipment is not in a clean and fit condition, in good repair or free of mechanical defects, and a brief outline of the items complained of, the Owner shall within the time stated in such notice put the same in a fit and proper condition; and
  - b) the Chief Licensing Officer may summarily suspend the Tow Truck Owner's license in accordance with section 6.3 of this By-law, or suspend the Tow Truck Owner's license until such a time as the Tow Truck Owner complies with the notice under subsection 29(33)(a) to the satisfaction of the Chief Licensing Officer.  
*(Amended by By-Law 262-2008 – October 27, 2008)*
- (34) Every Owner and Driver shall provide and maintain on or in every Tow Truck the following equipment:  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- a) 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, provided that tow cradles, tow bars and/or tow slings are not required on flatbed-type Tow Trucks.
  - b) one (1) device for securing the steering wheel of a vehicle;
  - c) one (1) 1.25 kilogram dry chemical fire extinguisher of a type capable of functioning at -40 degrees Celsius;
  - d) at least two (2) safety chains having a minimum length of 2.7432 meters (nine (9) feet), each comprised of links of at least 7.9375 millimetres (three-eighths (3/8) inch) steel;
  - e) one (1) broom and one (1) shovel;
  - f) one (1) general-purpose first aid kit;
  - g) at least four (4) safety flares or reflector kits or safety pylons, or any combination of each totalling four (4);
  - h) wheel wrenches;
  - i) at least two (2) wheel blocks;
  - j) dollies, except that dollies are not required on flatbed-type Tow Trucks.
  - k) an intermittent warning light system consisting of at least one light which when activated is clearly visible from three hundred sixty (360) degrees for a distance of at least one hundred (100) meters;
  - l) any other equipment or provisions as may be required under the *Highway Traffic Act*, as amended;
  - m) absorbent material capable of absorbing or removing any vehicle fluid product from the road surface;
  - n) a garbage container of a minimum capacity of ten (10) litres.
  - o) a pry bar at least 1.5 meters in length;

- p) wheel straps; and
- q) safety vest.”
- (Amended by By-Law 116-2012 – June 26, 2012)*
- (35) No person shall operate and no Owner shall permit the use for hire of a Tow Truck owned by such Owner unless the said Tow Truck is fully equipped with the equipment required by subsection 29.0 (34).
- (36) No Owner or Driver shall operate or permit to be operated a Tow Truck with a gross vehicle weight rating of less than four thousand five hundred thirty-six (4536) kilograms.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (37) No Owner or Driver shall operate or permit to be operated a Tow Truck without a Wrecker Body approved by the Licensing Officer.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (38) No Owner and no Driver shall operate or permit to be operated any Tow Truck unless the Tow Truck and its equipment are:  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- a) in a clean and fit condition, as to its exterior; and
- b) in good repair and free from mechanical defects.
- (39) An Owner or Driver who fails to submit a Tow Truck and its equipment for examination by a mechanic licensed by the Province of Ontario to perform safety inspections as required by this section is guilty of an offence.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (40) When a Tow Truck and its equipment is examined by a mechanic licensed by the Province of Ontario to perform safety inspections and such mechanic reports in writing that the Tow Truck or its equipment is mechanically defective, the Owner shall not operate or permit to be operated, such Tow Truck until such mechanic certifies in writing that the physical or mechanical defects so reported are corrected.
- (41) Every Owner and Driver shall, before commencing each work shift, examine for defects any Tow Truck owned by such Owner which is to be operated by such Owner or Driver during the shift, and shall similarly examine the same at the end of each shift, and every Driver shall report forthwith to the Owner of such Tow Truck any defects therein of which he is or becomes aware.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (42) Every Owner of a Tow Truck shall file with the Licensing Officer a schedule of rates to be charged to hirers for all services excluding rates prescribed by this By-law, which schedule of rates shall only be applicable once submitted by the Licensing Officer, and further:  
*(Amended by By-Law 116-2012 – June 26, 2012)*
- a) a copy of the schedule of rates filed with the Licensing Officer in accordance with this subsection shall be posted in a conspicuous place in the licensed vehicle at all times and made available upon request of every Hirer or Person authorized to enforce the provisions of this By-law;  
*(Amended by By-Law 187-2020 – December 15, 2020)*
- b) the schedule of rates filed with the Licensing Officer in accordance with this subsection may not be altered or amended without the prior written consent of the Licensing Officer.
- (42.1) Every Tow Truck Owner shall file with the Licensing Officer a schedule of rates to be charged to Hirers for towing and all other additional Services provided to the vehicles with Gross Vehicle Weight Rate over 11,794 kg and all corresponding additional fees may not be charged to Hirers for towing until they have been approved by the Chief Licensing Officer  
*(Amended by By-Law 187-2020 – December 15, 2020)*
- (43) *(Deleted by By-Law 116-2012 – June 26, 2012)*
- (44) *(Deleted by By-Law 116-2012 – June 26, 2012)*
- (45) *(Deleted by By-Law 116-2012 – June 26, 2012)*
- (46) *(Deleted by By-Law 116-2012 – June 26, 2012)*
- (47) Every Tow Truck Owner and every Tow Truck Driver who tows or otherwise conveys a vehicle with a Gross Vehicle Weight Rate not exceeding two thousand two hundred and seventy-one (2,271) kilograms from a Collision Scene in the City to any point within the City or any point outside the City, shall only charge or cause to be charged:

- (a) an all-inclusive, flat-rate fee of two hundred and eighty (280.00) dollars, with no additional charges other than applicable federal and provincial taxes;
- (b) a maximum additional fee of one hundred (100.00) dollars for an Off-Road Recovery, the mileage rate in subsection 29.0 (47.2) of this By-law, or the Collision Reporting Centre wait time rate in subsection 29.0 (48) of this By-law;
- (c) a maximum additional fee of no more than forty-five (45.00) dollars , if a vehicle requires the use of dollies;
- (d) a maximum additional fee of no more than one hundred and fifty (150.00) dollars, if a vehicle requires the use of a second truck;
- (e) a maximum additional winch fee of no more than forty-five (45.00) dollars per 1/4 hour;
- (f) a maximum fee of no more than twenty (20.00) dollars, if a vehicle requires tarping;
- (g) a maximum fee of no more than ten (10.00) dollars for a bag of absorbant material (oil dry);
- (h) any other additional fees shall be approved by the Chief Licensing Officer.

*(Amended by By-Law 116-2012 – June 26, 2012)*

*(Amended by By-Law 123-2017 – September 26, 2017)*

*(Amended by By-Law 187-2020 – December 15, 2020)*

- (47.1) No Tow Truck Owner or Tow Truck Driver shall, where an estimate is required to be given to a Hirer of the cost of towing or related Services, charge the Hirer an amount more than 10% above the estimated amount. No Tow Truck Owner, Tow Truck Driver or storage provider shall charge a Hirer for any tow and other Services unless the Hirer or a Person acting on behalf of the Hirer, if the Hirer is unable to give authorization in circumstances provided for in 0 . Reg. 17/05 of the Consumer Protection Act, 2002, authorizes the Services.

*(Amended by By-Law 116-2012 – June 26, 2012)*

*(Amended by By-Law 123-2017 – September 26, 2017)*

*(Amended by By-Law 187-2020 – December 15, 2020)*

- (47.2) An Owner or Driver who tows or otherwise conveys a vehicle beyond the limits of the City may charge no more than three dollars and fifty-eight cents (3.58) per kilometer for the distance travelled beyond the limits of the City.

*(Amended by By-Law 116-2012 – June 26, 2012)*

*(Amended by By-Law 123-2017 – September 26, 2017)*

- (47.3) Every Tow Truck Owner and every Tow Truck Driver who tows or otherwise conveys a vehicle with a Gross Vehicle Weight Rate exceeding two thousand two hundred and seventy-one (2,271) kilograms but less than eleven thousand seven hundred and ninety- four (11,794) kilograms from a Collision Scene in the City to any point within the City or any point outside the City, shall only charge or cause to be charged:

- (a) an all-inclusive, flat-rate fee of three hundred and seventy- three (373.00) dollars, with no additional charges other than applicable federal and provincial taxes;
- (b) a maximum additional fee of one hundred (100.00) dollars for an Off-Road Recovery, the mileage rate in subsection 29.0 (47.2) of this By-law, or the Collision Reporting Centre wait time rate in subsection 29.0 (48) of this By-law;
- (c) a maximum additional fee of no more than seventy-five (75.00) dollars, if a vehicle requires driveshaft pulled;
- (d) a maximum additional fee of no more than two hundred and fifty (250.00) dollars, if a vehicle requires the use of a second truck;
- (e) a maximum additional winch fee of no more than seventy-five (75.00) dollars per 1/4 hour;
- (f) a maximum fee of no more than twenty (20.00) dollars, if a vehicle requires tarping;
- (g) a maximum fee of no more than ten (10.00) dollars for a bag of absorbant material (oil dry);
- (h) any other additional fees shall be approved by the Chief Licensing Officer.

*(Amended by By-Law 187-2020 – December 15, 2020)*

- (48) Where an Tow Truck Owner or Tow Truck Driver is ordered to tow or otherwise convey a vehicle from a Collision Scene in the City to a Collision Reporting Centre, the Tow Truck Owner or Tow Truck Driver may charge no more than sixty-eight (68.00) dollars for the first hour or part thereof, and every fifteen (15) minutes after the first hour of wait time calculated at the Collision Reporting Centre shall cost no more than seventeen (17.00) dollars.

*(Amended by By-Law 116-2012 – June 26, 2012)*

*(Amended by By-Law 123-2017 – September 26, 2017)*

*(Amended by By-Law 187-2020 – December 15, 2020)*

- (49) This By-law does not prohibit the entering into of a written contract or agreement between the Owner of a Tow Truck or a Tow Truck Broker, and an auto mobile association, motor league, any government or local board thereof, or any limited

corporation, containing a schedule providing for the provision of towing services at rates lower than those shown in the schedule of rates referred to in subsections 29.0 (42) as filed by the Tow Truck Owner under this By-law, provided that:

- a) a copy of such written schedule of rates and the contract or agreement relating thereto is filed with the Licensing Officer at least thirty (30) days before any services to which such contract or agreement applies are to be provided;
  - b) any hirer to which such schedule of rates or such contract or agreement applies is a party to such contract or agreement or is a member or employee of such party at the time at which the services are performed;
  - c) No Owner or Driver of a licensed Tow Truck to whom such contract or agreement applies shall demand or request payment for his services other than in accordance with the applicable schedule of rates filed with the Licensing Officer pursuant to subsection 29.0 (42) of this By-law except to the extent to which such rates are modified by the schedule of rates set out in such contract or agreement, in which case the rates contained therein shall be charged;  
*(Amended by By-Law 123-2017 – September 26, 2017)*
  - d) The rates set out in the schedule in any such contract or agreement shall be calculated in the same manner and on the same basis and factors as are authorized to be charged to a hirer under subsections 29.0 (42) and (43) of this By-law;
  - e) The provision of this By-law relating to the calculations of rates and to the filing and amending of schedules of rates, shall apply to the rates and schedules of rates set out in any contract or agreement referred to in this Section.
- (49.1) Every Tow Truck Owner of a Tow Truck or a Tow Truck Broker, that had entered into a written contract or agreement with a government agency, is exempt from the schedule of rates referred to in sections 29.0(47) and 29.0(47.3), provided that a copy of such written schedule of rates and the contract or agreement relating thereto is filed with the Licensing Officer at least thirty (30) days before any Services to which such contract or agreement applies are to be provided.  
*(Amended by By-Law 187-2020 – December 15, 2020)*
- (50) Notwithstanding the provisions of any other section of this By-law, where an estimate is given to the hirer of the cost of services or equipment to be provided by an Owner or Driver, the charge to the hirer shall not exceed the lesser of the total charge authorized according to the Owner's schedule of rates filed with the Licensing Officer pursuant to the provisions of this By-law or the amount of the estimate plus fifteen (15) percent of the amount of such estimate.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (51) Every Owner or Driver hired to perform or provide services shall, before demanding payment for such services, present to the hirer an itemized bill for such services setting out the cost of all services and equipment provided or to be provided on the basis of the rate set out in the schedule of rates filed by the Owner with the Licensing Officer.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (51.1) Every Brokerage, Owner and Driver is required to accept payment by credit and debit card from a Hirer. *(Added by By-Law 038-2017 – April 19, 2017)*  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (52) No Owner or Driver shall, except as otherwise provided in this By-law, be entitled to recover or receive any fee or charge or amount from any person or persons from whom he demanded other than those set out in the applicable schedule of rates filed with the Licensing Officer pursuant to this By-law, or to whom such Owner has refused to show the Schedule of Rates as provided in this By-law.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (53) No Owner or Driver shall make any charge under this By-law for time lost through defects or inefficiency of the Tow Truck, or the incompetence of the Owner or Driver thereof.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (54) When a dispute arises between an Owner or Driver and a hirer as to the amount or rates to be paid for towing, other services or otherwise conveying of a vehicle other than at a collision scene, the Owner or Driver may, if such hirer agrees, refer the dispute to the officer in charge of the nearest York Region Police Station or to such police officer as the parties may agree upon, and if the Owner or Driver was correct in the demand for payment made by such Owner or Driver, may add thereto an amount equal to the proper charge under the schedule of rates filed with the Licensing Officer for the distance traveled from the place where the dispute arose to the police station, and any reasonable waiting time while the dispute was being investigated.

*(Amended by By-Law 123-2017 – September 26, 2017)*

- (55) Every Owner or Driver shall, upon the request of a hirer or of a person who may become a hirer, provide such person with a copy of the applicable schedule of rates for services or towing or otherwise conveying of a vehicle filed with the Licensing Officer.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (56) Every Owner and Driver shall take due care of all vehicles and property delivered or entrusted to such Owner or Driver for towing, conveying or safekeeping.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (57) Every Driver or Owner operating his own Tow Truck shall tow or otherwise convey a hired vehicle by the most direct route reasonably possible in the circumstances, and in the most expeditious manner, unless otherwise directed by the hirer.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (58) No Driver or Owner operating his own Tow Truck shall commence to tow or otherwise convey any vehicle, or to hook, lift or connect the vehicle to the Tow Truck, or to perform any other services, unless first requested so to do by one of the following:  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- a) a hirer;
  - b) any peace officer, as defined in the Criminal Code of Canada;
  - c) any member of a municipal fire department; or
  - d) any person authorized by Council to direct the removal of the vehicle from private or municipal property.
- (59) Every Owner or Driver, upon being hired to tow or convey any vehicle or to perform any services in respect of such vehicle, by the request of one of the persons referred to in subsection 29.0 (58), shall comply with all reasonable instructions from said person, and, without limiting the generality of the foregoing, shall tow or convey the vehicle in respect of which such Owner or Driver is hired to the place designated by the said person.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (60) Notwithstanding subsection 29.0 (59), if the place designated by the hirer is closed for business, the Tow Truck Driver shall tow or convey the vehicle to the Driver's storage facility, and the Driver shall cause the vehicle to be towed or conveyed to the place designated by the hirer on the next day that the place designated is open for business.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (60.1) No Owner or Driver shall charge or permit to be charged by or on behalf of any other person a fee for the storage of a vehicle exceeding fifty-five (55.00) dollars per day for outside storage or sixty (60.00) dollars per day for indoor storage at any building or place where the vehicle is stored, including a Public Garage, storage facility, pound facility, or salvage yard.  
*(Amended by By-Law 116-2012 – June 26, 2012)*  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (61) No Owner or Driver shall suggest or recommend to any hirer or other person requesting its services that any vehicle in respect of which services are given or requested, be towed, conveyed, driven or delivered to any particular body shop, storage yard, or any other public garage, building or place not properly licensed as such by the City, unless requested to do so by such hirer.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (62) No Owner or Driver shall, within thirty (30) meters of the scene of an accident or of any vehicle involved in such accident or apparent accident, solicit or permit any other person to solicit any person to hire or otherwise use the services of such Owner or Driver or the services of any Tow Truck.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (63) Subject to subsection 29.0 (64), no Owner or Driver or Tow Truck shall be within thirty (30) meters of the scene of an accident or apparent accident or of a vehicle involved or apparently involved in such accident or apparent accident, for the purpose of receiving a request referred to in subsection 29.0 (58).  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (64) Every Owner and Driver shall, unless summonsed by one of the persons referred to in subsection 29.0 (58), not be within thirty (30) meters of any accident or apparent accident.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (65) Notwithstanding any other section of this By-law, there shall be no more Tow Trucks within one hundred (100) meters of any accident or apparent accident than the number

of vehicles that require the services of a Tow Truck.

- (66) Every Tow Truck Owner shall ensure that all the stationary, forms, bills, invoices, statements and any other printed or written advertising material including any published advertisement in a newspaper, periodical, directory or other publication used by such Owner in the course of such business, bears in clearly legible figures and letters the name, address, telephone number and City of Vaughan license number of such Owner, and the name of any Tow Truck Broker offering the services of the said Tow Truck.
- (67) Every Tow Truck Owner shall retain, for a period of sixty (60) days, copies of all advertising matter used by such Owner and shall produce the same to the Licensing Officer prior to the publication or distribution.
- (68) Every Owner and Driver shall, in carrying on his trade, calling, business or occupation be properly dressed in a uniform shirt displaying the company business name and shall be civil and well behaved.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (69) Where any person has hired or indicated an intention to hire any Tow Truck or the services of any Owner or Driver in respect thereof, no other Owner or Driver shall knowingly interfere in any way with any such contract or hiring or the implementation of such intention, except under the direction of a police officer directing the removal of a vehicle by another Owner or Driver in order to assist in an investigation.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (70) Every Owner and Driver carrying on the trade, calling, business or occupation to which this By-law relates, shall, upon a request made by any police officer or anyone authorized to enforce the provisions of this By-law provide such Owner or Driver's name, residential address, business address and license to such officer.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (71) No Owner or Driver shall induce any person to employ or hire a Tow Truck by knowingly misleading or deceiving such person as to the location or distance of any place or as to any other thing, or by making false representation to such person.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (72) No Owner or Driver shall remove any vehicle from the scene or immediate vicinity of an accident in respect of which a report is required by law to be made to a police officer, until such has been made and the investigating officer has completed his investigation in respect of such vehicle, or has stated that the presence of such vehicle is no longer required for the investigation.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (73) Nothing contained in subsection 29.0 (72) of this By-law shall prevent the removal or moving of a vehicle for the purpose of preventing injury or damage to any person or property, or for the purpose of avoiding undue interference with traffic on a highway.
- (74) 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.  
*(Amended by By-Law 123-2017 – September 26, 2017)*
- (75) Every Tow Truck Driver shall clean up and remove any and all debris, fragments of glass, vehicle parts or other materials from any highway, excluding trailer or dump-truck loads spilled, dispersed or dumped on or adjacent to the highway during a collision, prior to the towing or conveying of any vehicle from the scene, except where there is an ongoing police investigation at the scene and in such cases the Driver shall ensure the clean up and removal of debris, fragments of glass, vehicle parts or other materials from the highway is carried out within eight (8) hours immediately following the time of the accident.  
*(Amended by By-Law 123-2017 – September 26, 2017)*

### **30.0 VIDEO STORES**

#### **30.1 VIDEO STORES - LIMITATION ON NUMBER OF ADULT VIDEO STORE LICENSES AND DEFINED AREAS**

- (1) Subject to subsections 30.1 (2) and (3), a maximum of three (3) Adult Video or Adult Videotape Store licenses may be issued by the City.
- (2) An Owner or Operator of an Adult Video Store shall comply with the City's Zoning By-law, By-law Number 1-88, as amended, or any successor thereto, related to the restrictions of video store uses to specified areas of the City, which prohibits Adult Video Stores from locating or operating in any areas of the City except as identified in By-law 1-88 and Schedules thereto, as reprinted in Schedules "F-1" and "F-2" attached to this



By-law.

- (3) Any description of an area or areas contained in or attached to the City's Zoning By-law, By-law Number 1-88, as amended, or any successor thereto, shall be deemed to define an area for the purposes of this By-law.
- (4) Subject to the provisions of the City's Zoning By-law, By-law Number 1-88, as amended, or any successor thereto, every Owner of an Adult Videotape Store shall provide a minimum of five and one-half (5.5) vehicle parking spaces per one hundred (100) square metres Gross Floor Area for the use of persons making use of the store.

### **30.2 VIDEO STORES - REGULATIONS APPLICABLE TO ADULT VIDEO STORES**

- (1) In addition to the requirements set out in section 4.3, every application for an Adult Video Store License or for the renewal of such license shall be accompanied by the following:
  - a) 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 for:
    - i) the Applicant, if the applicant is an individual;
    - ii) each partner, if the applicant is a partnership;
    - iii) each director, officer and shareholder, if the applicant is a corporation;
  - b) The measurements including the vertical and horizontal dimensions of the area in the premises in which videotapes are or are to be provided, and of the area, if such is smaller, used or to be used for the provision of adult videotapes.
- (2) Every licensee shall:
  - a) Keep the premises in a clean and sanitary condition;
  - b) Maintain on the premises available for inspection by the Licensing Officer or any person authorized to enforce the provisions of this By-law, during all business hours, a current list of all adult videotapes available on the premises;
  - c) Carry on business only in the name in which the license is issued, or such other business or trade name provided to the Licensing Officer and shown on such license;
  - d) Advertise, promote and carry on such business only under the name in which the license is issued, or such other business or trade name provided to the Licensing Officer and shown on such license.
- (3) No Owner, Operator or any person employed in an Adult Video Store shall permit any person under the age of eighteen (18) years to enter or remain in an adult videotape store.
- (4) No Owner, Operator or any other person shall be employed in an Adult Video Store unless such person is of the age of eighteen (18) years or older.
- (5) Every Owner and Operator and any person employed in an Adult Video Store shall post and keep posted at every entrance to any Adult Video Store operated by such Owner or Operator or any person employed in an Adult Video Store, in a prominent location inside such store, signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen (18) years is permitted to enter or remain in such store or any part thereof.
- (6) Notwithstanding any other By-law of the City regulating the erection of signs, every Owner and Operator of an Adult Video Store shall ensure that exterior signs and advertisements relating to Adult Video Stores or to the provision of adult videotapes, shall be restricted to the words "adult videos", "adult videotapes", or "adult videotape sales or rentals" and shall not include pictorial representations of specified body areas or specified sexual activities.

### **30.3 VIDEO STORES - REGULATIONS APPLICABLE TO GENERAL VIDEO STORES**

- (1) In addition to the requirements set out in Section 4.3, every application for a General Video Store License or for the renewal of such license shall be accompanied by the measurements including the vertical and horizontal dimensions of the area in the premises in which videotapes are or will be provided, and of the area, if such is smaller, used or to be used for the provision of adult videotapes.

- (2) No Owner or Operator of a General Video Store shall permit any person under the age of eighteen (18) years to enter or remain in any part of such store where adult videotapes are provided, unless such adult videotapes are located in an adult videotape area.
- (3) Every Owner and Operator of a General Video Store in which any adult videotape is provided, shall affix, in a prominent location inside such store and at every entrance to any adult videotape area, a sign or signs sufficient to indicate clearly to persons in the store, that no person under the age of eighteen (18) years is permitted to enter or remain in any adult videotape area in accordance with this By-law.
- (4) Every Operator of a General Video Store, and every person employed in such store, shall ensure that no person under the age of eighteen (18) years is permitted to enter or remain in any adult videotape area.
- (5) Every Operator of a General Video Store and every person employed in such store shall ensure that no adult videotape, or container for an adult videotape shall be displayed in such a manner so as to be visible from outside the store.
- (6) Every Operator of a General Video Store and every person working in such store shall ensure that no adult videotape, or container for an adult videotape, shall be displayed in a location where it can be seen by persons in the store, unless such adult videotape or container is in an adult videotape area, and such adult videotape or container is displayed in a location where it cannot be seen from outside such area.

### **31.0 COMMERCIAL DOG WALKERS**

- (1) In addition to the requirements set out in Part 4.3, every application for a Commercial Dog Walker Licence and every renewal of such Licence(s) shall be accompanied by the following:
  - (a) proof, satisfactory to the Director, that the Applicant is at least 19 years of age, which shall be evidenced by the production of one piece of Canadian federally or provincially issued photo identification;
  - (b) a complete Police Criminal Records Check issued by an Ontario Police Service, dated not more than ninety (90) days prior to the date application for the Applicant, and each employee of the Applicant;
  - (c) proof of insurance by way of certificate of insurance showing a minimum limit of two million dollars (\$2,000,000) in commercial general liability insurance coverage;
  - (d) information on Commercial Dog Walker's vehicle(s) used for transport of Dogs.
- (2) Every Commercial Dog Walker shall ensure that every Dog in his or her custody wears a valid municipal licence tag, as required, or other visible identification with its owner's contact information.
- (3) Every Commercial Dog Walker shall ensure that every Dog in his or her custody has a valid vaccination status for rabies, canine distemper, canine adenovirus type 2, canine parvovirus and canine parainfluenza.
- (4) Every Commercial Dog Walker shall display his or her Licence on his or her person in a visible manner at all times while conducting business.

*(Amended by By-Law 064-2020 – May 27, 2020)*

## **PART III: MISCELLANEOUS**

### **32.0 OFFENCES AND PENALTIES**

- (1) Every person who contravenes any of the provisions of this By-law is guilty of an offence and liable to a fine not exceeding one-hundred thousand (\$100,000.00) dollars.
- (2) Every corporation who contravenes any of the provisions of this By-law, and every director or officer of a corporation who knowingly contravenes any of the provisions of this By-law, is guilty of an offence and liable to a fine not exceeding one-hundred thousand (\$100,000.00) dollars.
- (3) In addition to the penalties in subsections (1) and (2), a court may impose a special fine exceeding one-hundred thousand (\$100,000.00) designed to eliminate any economic advantage or gain from contravening this By-law.
- (4) Where a person or corporation has been convicted of an offence under this By-law, a

court of competent jurisdiction may, in addition to any other penalty imposed, make an order prohibiting the continuation or repetition of the offence.

*(Amended by By-Law 262-2008 – October 27, 2008)*

**33.0 EFFECTIVE DATE AND EXPIRY DATE**

- (1) This By-law shall come into+ force and effect on the 1<sup>st</sup> day of January, 2006.
- (2) *(Deleted by By-law 156-2010 – June 29, 2010)*

**34.0 REPEALS**

- (1) By-law Number 2-2001, as amended, By-law Number 378-2002, as amended, By-law Number 322-2003, as amended, By-law Number 368-2004, as amended, By-law Number 369-2004, as amended, and By-law Number 245-2005 are hereby repealed on the date this By-law comes into force and effect.

**READ** a first, second and third time and finally passed this 12<sup>th</sup> day of December, 2005.

\_\_\_\_\_  
M. Di Biase, Mayor

\_\_\_\_\_  
J.D. Leach, City Clerk

**SCHEDULE "A"**

*(Deleted by By-Law 165-2019 – November 19, 2019)*

**SCHEDULE "B"**  
**Classes of Business Licences and Fees**

**“Refer to the City’s current Fees and Charges By-law”**

*Note: All Fees are before HST. E = HST Exempt, Y = HST Applicable. The City reserves the right to review HST applicability for any regulatory or legislative changes.*

*Amended by By-law 177-2011 – September 27, 2011  
 Amended by By-Law 183-2012 – December 10, 2012  
 Amended by By-Law 174-2013 – December 10, 2013  
 Amended by By-Law 019-2015 – January 20, 2015 (in force Feb. 2, 2015)  
 Amended by By-Law 204-2015 – December 15, 2015 (in force Jan. 1, 2016)  
 Amended by By-Law 194-2016 – December 13, 2016 (in force Jan. 1, 2017)  
 (Amended by By-Law 016-2017 – January 24, 2017)  
 Amended by By-Law 024-2017 – February 22, 2017  
 Amended by By-Law 035-2017 – April 19, 2017  
 Amended by By-Law 053-2017 – June 5, 2017  
 Amended by By-law 123-2017 – September 26, 2017  
 Replaced by By-law 019-2018 – January 30, 2018)  
 Replaced by By-Law 025-2019 – February 20, 2019)  
 (Replaced by By-law 045-2019 – March 19, 2019)  
 (Replaced by By-law 194-2019 – December 17, 2019)  
 (Replaced by By-law 196-2020 – December 15, 2020)  
 (Replaced by By-law 158-2021 – December 9, 2021)*

**Taxi Tariff Rates, Baggage and Wheelchairs**

*(Deleted by By-law 123-2017, September 26, 2017)  
(Amended by By-law 177-2011 – September 27, 2011)*

## SCHEDULE "C"

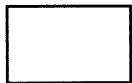
### SUBJECT LANDS -- PLACE OF AMUSEMENT

<u>HIGHWAY</u>	<u>FROM</u>	<u>TO</u>
Glen Shields	Dufferin Street (North Branch)	Dufferin Street (South Branch)
Clark Avenue West	Bathurst Street	Yonge Street
Chabad Gate	Bathurst Street	York Hill Boulevard
Bathurst Street	Steeles Avenue W	Chabad Gate
Centre Street	Bathurst Street	Yonge Street
Tall Grass Trail	Birch Meadow Outlook	Pine Valley Drive

**SCHEDULE "D-1"**



**THIS IS SCHEDULE D-1  
TO BY-LAW \_\_\_\_\_**



**SUBJECT  
LANDS**

**SIGNING OFFICERS**

\_\_\_\_\_  
M. Di Biase, Mayor

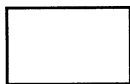
\_\_\_\_\_  
J.D. Leach, City Clerk



**SCHEDULE "D-2"**



**THIS IS SCHEDULE D-2  
TO BY-LAW \_\_\_\_\_**



**SUBJECT  
LANDS**

**SIGNING OFFICERS**

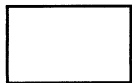
\_\_\_\_\_  
M. Di Biase, Mayor

\_\_\_\_\_  
J.D. Leach, City Clerk

**SCHEDULE "E-1"**



**THIS IS SCHEDULE E-1  
TO BY-LAW \_\_\_\_\_**



**SUBJECT  
LANDS**


**SIGNING OFFICERS**


\_\_\_\_\_  
M. Di Biase, Mayor

\_\_\_\_\_  
J.D. Leach, City Clerk

**SCHEDULE "E-2"**



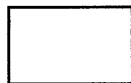

**THIS IS SCHEDULE E-2**  
**TO BY-LAW \_\_\_\_\_**  
 NORTH

 <p><b>SUBJECT LANDS</b></p>	<p><b>SIGNING OFFICERS</b></p> <p>_____</p> <p>M. Di Biase, Mayor</p> <p>_____</p> <p>J.D. Leach, City Clerk</p>
-----------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------

**SCHEDULE "F-1"**



**THIS IS SCHEDULE F-1  
TO BY-LAW \_\_\_\_\_**



**SUBJECT  
LANDS**

**SIGNING OFFICERS**

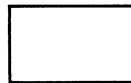
\_\_\_\_\_  
M. Di Biase, Mayor

\_\_\_\_\_  
J.D. Leach, City Clerk

**SCHEDULE "F-2"**



**THIS IS SCHEDULE F-2  
TO BY-LAW \_\_\_\_\_**



**SUBJECT  
LANDS**

**SIGNING OFFICERS**

\_\_\_\_\_  
M. Di Biase, Mayor

\_\_\_\_\_  
J.D. Leach, City Clerk

**SCHEDULE "G"**

*(Deleted by By-Law 123-2017 – September 26, 2017)*

**SCHEDULE "H"**

*(Deleted by By-Law 016-2017 – January 24, 2017)*

Amended by By-law 177-2011 – September 27, 2011

## SCHEDULE “I”

### THRESHOLD POLICY FOR LICENSES

#### **SYNOPSIS:**

The *Municipal Act 2001*, S.O. 2001, c.25, as amended provides that a municipality may license, regulate and govern any business, activity or undertaking wholly or partly carried on within the municipality.

The Thresholds are intended to identify those applicants and licensees who have been convicted of offences which behaviours are incompatible with the type of business, based on health and safety and consumer protection. The thresholds will also provide an objective and transparent way of identifying such individuals and an appropriate way to deal with the license.

#### **PROCESS:**

Using the chart located in this Threshold Policy, match the conviction with the appropriate rating code.

#### **Driving Schools, Refreshment Vehicles, Limousines, Taxicabs.**

1.A. If an applicant has:

- 1) Any code 01 convictions;
- 2) Any code 02 convictions within the last ten (10) years;
- 3) Any code 03 convictions in the last seven (7) years;
- 4) Two or more code 03 convictions in the last ten (10) years;
- 5) Any code 04 convictions within the last three (3) years;
- 6) Two or more code 04 convictions within the last five (5) years;
- 7) Any code 05 or 07 convictions within the last year;
- 8) Any code 06 convictions within the last three (3) years;
- 9) Nine (9) or more demerit points, as defined in the *Highway Traffic Act*, on the driver's abstract provided to the Licensing Department;
- 10) Six (6) or more by-law related\* convictions within the last year concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's proper businesses that were licensed or were required to be licensed; four or more by-law and related\* convictions within the twelve (12) months immediately preceding the date of issuance; or
- 11) Overdue by-law fines, unless the applicant or licensee provides proof that such fines have been subsequently paid;

despite the applicant being complete and all fees paid, the Licensing Officer shall refuse to issue or renew the license. In the case of an existing license, the Licensing Officer shall suspend the license.

1.B. The Licensing Officer shall issue, renew or reinstate a license, if at the time of the application for a license or renewal, the conviction or event has reached the age set out below.

- 1) The code 02 conviction is more than ten (10) years old;
- 2) If the license was not issued because of a single code 03 conviction, when that conviction becomes more than seven (7) years old;
- 3) If the license was not issued because of two (2) or more code 03 convictions, when at least two (2) of those convictions become more than ten (10) years old;
- 4) If the license was not issued because of a single code 04 conviction, when that conviction is more than three (3) years old;
- 5) If the license was not issued because of two (2) or more code 04 convictions, when at least two of those convictions are more than five (5) years old;
- 6) If the license was not issued because of a single code 05 or 07 conviction, when that conviction is more than a year old;
- 7) If the license was not issued because of a single code 06 conviction, when that conviction is more than three (3) years old;
- 8) If the license was not issued because of two (2) or more code 06 convictions, when at least two (2) of those convictions are more than five (5) years old;



- 9) If the license was not issued because of a single code 07 conviction, when that conviction is more than one (1) year old;
- 10) If the license was not issued because of nine (9) or more demerit points, as defined in the *Highway Traffic Act*, on the driver's abstract provided to the Licensing Department; when the driver's abstract falls below nine (9) demerit points;
- 11) If the license was not issued because of three (3) or more code 08 convictions, when three of those convictions are more than one (1) year old;
- 12) If the license was not issued because of a code 09 event, when that code 09 event is more than one (1) year old; and
- 13) If the license was not issued because overdue by-law fines, when those fines have been paid.

These thresholds shall be applied threshold for threshold. For example if the applicant's license was not granted by reason of a recent code 02 conviction, the license shall be reinstated or issued when the code 02 conviction is more than ten (10) years old, providing there are no other applicable thresholds.

- 1.C. The Licensing Officer may place conditions and issue a warning letter on a license if an investigation of a licensee reveals circumstances that may in the future case the licensee to be in contravention of any of the business licensing thresholds listed.
- 1.D. The Licensing Officer may issue a warning letter to be placed in an applicant's file if, at the time of an application for a license or renewal, the applicant has:
  - 1) four (4) or more by-law and related\* convictions concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or required to be licensed, within the twelve months immediately preceding the date of issuance ore renewal.

The warning letter must advise the applicant about the specific applicable threshold.

\*Related legislation may include, but is not limited to, City of Vaughan Licensing By-law

### **Adult Entertainment Parlours, Actioneers, Body-Rub Parlours, Second Hand Goods**

- 2.A. If an applicant has:
  - 1) Any code 01 conviction;
  - 2) Any code 02 conviction within the last ten (10) years;
  - 3) Any code 03 conviction within the last seven (7) years;
  - 4) Two or more code 03 convictions within the last then (10) years;
  - 5) Any code 04 conviction within the last three (3) years;
  - 6) Two or more code 04 convictions within the last five (5) years;
  - 7) Any code 05 conviction within the last year;
  - 8) Six (6) or more by-law related\* convictions within the last year concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or were required to be licensed;
  - 9) Four (4) or more by-law related\* convictions within the twelve (12) months immediately preceding the date of issuance; or
  - 10) Overdue by-law fines, unless the applicant of licensee provides proof that such fines have been subsequently paid

despite the application being complete and all fees paid, the Licensing Officer shall refuse to issue or new a license. In the case of an existing license, the Licensing Officer shall suspend the license.

- 2.B. The Licensing Officer shall issue, renew or reinstate a license, if at the time of the application for a license or renewal, the conviction or event has reached the age set out below:
  - 1) The code 01 conviction is more than ten (10) years old;
  - 2) If the license was not issued because of a single code 02 conviction, when that conviction becomes more than ten (10) years old;
  - 3) If the license was not issued because of a single code 03 conviction, when that conviction becomes more than seven (7) years old;
  - 4) If the license was not issued because of two (2) or more code 03 convictions, when two of those convictions become more than ten (10) years old;

- 5) If the license was not issued because of a single code 04 conviction, when that conviction is more than three (3) years old;
  - 6) If the license was not issued because of two (2) or more code 04 convictions, when at least two (2) of those convictions are more than five (5) years old;
  - 7) If the license was not issued because of a single code 05 conviction, when that conviction is more than a year old;
  - 8) If the license was not issued because of six (6) or more by-law related\* convictions under Sentence 2.A., when six (6) of those convictions are more than a year old;
  - 9) If the license was not issued because of four (4) or more by-law related\* convictions under Sentence 2.A., when four (4) of those convictions are more than a year old; and
  - 10) If the license was not issued because overdue by-law fines, when those fines have been paid.
- 2.C. The Licensing Officer may place conditions and issue a warning letter on a license if an investigation of a licensee reveals circumstances that may in the future cause the licensee to be in contravention of any of the business licensing thresholds listed;
- 2.D. The Licensing Officer may issue a warning letter to be placed in an applicant's file if, at the time of an application for a license or renewal, the applicant has:
- 1) Four (4) or more by-law and related\* convictions concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or required to be licensed, within the twelve (12) months immediately preceding the date of issuance or renewal.

The warning letter must advise the applicant about the specific applicable threshold.

\*Related legislation may include, but is not limited to, City of Vaughan Licensing By-law

### **Commercial Dog Walkers**

- 3.A. If an Applicant has:
- 1) Any code 01 conviction;
  - 2) Any code 02 conviction within the last ten (10) years;
  - 3) Any code 03 conviction within the last seven (7) years;
  - 4) Two or more code 03 convictions within the last ten (10) years;
  - 5) Any code 04 conviction within the last three (3) years;
  - 6) Two or more code 04 convictions within the last five (5) years;
  - 7) Any code 05 conviction within the last year;
  - 8) Any code 08 convictions;
  - 9) Six (6) or more by-law related\* convictions within the last year concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or were required to be licensed;
  - 10) Four (4) or more by-law related\* convictions within the twelve (12) months immediately preceding the date of issuance; or
  - 11) Overdue by-law fines, unless the Applicant or Licensee provides proof that such fines have been subsequently paid
- despite the application being complete and all fees paid, the Chief Licensing Officer shall refuse to issue or renew a Licence. In the case of an existing Licence, the Chief Licensing Officer shall suspend the Licence.
- 3.B. The Chief Licensing Officer shall issue, renew or reinstate a Licence, if at the time of the application for a Licence or renewal, the conviction or event has reached the age set out below:
- 1) The code 01 conviction is more than ten (10) years old;
  - 2) If the Licence was not issued because of a single code 02 conviction, when that conviction becomes more than ten (10) years old;
  - 3) If the Licence was not issued because of a single code 03 conviction, when that conviction becomes more than seven (7) years old;
  - 4) If the Licence was not issued because of two (2) or more code 03 convictions, when two of those convictions become more than ten (10) years old;
  - 5) If the Licence was not issued because of a single code 04 conviction, when that

- conviction is more than three (3) years old;
- 6) If the Licence was not issued because of two (2) or more code 04 convictions, when at least two (2) of those convictions are more than five (5) years old;
  - 7) If the Licence was not issued because of a single code 05 conviction, when that conviction is more than a year old;
  - 8) If the Licence was not issued because of six (6) or more by-law related\* convictions under Sentence 2.A., when six (6) of those convictions are more than a year old;
  - 9) If the Licence was not issued because of four (4) or more by-law related\* convictions under Sentence 2.A., when four (4) of those convictions are more than a year old; and
  - 10) If the Licence was not issued because overdue by- law fines, when those fines have been paid.
- 3.C. The Chief Licensing Officer may place conditions and issue a warning letter on a license if an investigation of a licensee reveals circumstances that may in the future cause the licensee to be in contravention of any of the business licensing thresholds listed in Schedule I of the Licensing By-law;
- 3.D. The Chief Licensing Officer may issue a warning letter to be placed in an Applicant's file if, at the time of an application for a Licence or renewal, the Applicant has:
- 1) Four (4) or more by-law and related\* convictions concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or required to be licensed, within the twelve (12) months immediately preceding the date of issuance or renewal.

The warning letter must advise the Applicant about the specific applicable threshold.

\*The Director, in his or her sole discretion, may determine whether a conviction is a related conviction.

*(Amended by By-Law 064-2020 – May 27, 2020)*

### **Pet Shops, Kennels and Pet Grooming Establishments**

4.A. If an Applicant has:

- 1) Any code 08 conviction;

despite the application being complete and all fees paid, the Chief Licensing Officer shall refuse to issue or renew a Licence. In the case of an existing Licence, the Licensing Officer shall suspend the license.

4.B. The Chief Licensing Officer may place conditions and issue a warning letter on a Licence if an investigation of a licensee reveals circumstances that may in the future cause the licensee to be in contravention of any of the business licensing thresholds listed;

4.C. The Chief Licensing Officer may issue a warning letter to be placed in an Applicant's file if, at the time of an application for a Licence or renewal, the Applicant has:

- 1) Four (4) or more by-law and related\* convictions concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or required to be licensed, within the twelve (12) months immediately preceding the date of issuance or renewal.

The warning letter must advise the Applicant about the specific applicable threshold.

\* The Director, in his or her sole discretion, may determine whether a conviction is a related conviction.

*(Amended by By-Law 064-2020 – May 27, 2020)*

### **Tow Trucks**

5.A. If an applicant has:

- 1) Any code 01 convictions;
- 2) Any code 02 convictions within the last ten (10) years;
- 3) Any code 03 convictions in the last seven (7) years;
- 4) Two or more code 03 convictions in the last ten (10) years;
- 5) Any code 04 convictions within the last three (3) years;
- 6) Two or more code 04 convictions within the last five (5) years;
- 7) Any code 05 or 07 convictions within the last year;
- 8) Any code 06 convictions within the last three (3) years;
- 9) Nine (9) or more demerit points, as defined in the *Highway Traffic Act*, on the driver's abstract provided to the City of Vaughan Licensing Department;
- 10) Three (3) or more by-law related\* convictions, including any offences carried out under the *Provincial Offences Act* or any monetary penalties administered through the Administrative Monetary Penalties By-law, as amended or its successor by-law, within the last year concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's proper businesses that were licensed or were required to be licensed; four (4) or more by-law and related\* convictions within the twelve (12) months immediately preceding the date of issuance; or
- 11) Overdue by-law fines, unless the Applicant or Licensee provides proof that such fines have been subsequently paid; despite the application being complete and all fees paid, the Licensing Officer shall refuse to issue or renew the Licence. In the case of an existing Licence, the Licensing Officer shall suspend the Licence.

5.B. The Licensing Officer shall issue, renew or reinstate a Licence, if at the time of the application for a Licence or renewal, the conviction or event has reached the age set out below.

- 1) The code 02 conviction is more than ten (10) years old;
- 2) If the Licence was not issued because of a single code 03 conviction, when that conviction becomes more than seven (7) years old;
- 3) If the Licence was not issued because of two (2) or more code 03 convictions, when at least two (2) of those convictions become more than ten (10) years old;
- 4) If the Licence was not issued because of a single code 04 conviction, when that conviction is more than three (3) years old;
- 5) If the Licence was not issued because of two (2) or more code 04 convictions, when at least two (2) of those convictions are more than five (5) years old;
- 6) If the Licence was not issued because of a single code 05 or 07 conviction, when that conviction is more than a year old;
- 7) If the Licence was not issued because of a single code 06 conviction, when that conviction is more than three (3) years old;
- 8) If the Licence was not issued because of two (2) or more code 06 convictions, when at least two (2) of those convictions are more than five (5) years old;
- 9) If the Licence was not issued because of a single code 07 conviction, when that conviction is more than one (1) year old;
- 10) If the Licence was not issued because of nine (9) or more demerit points, as defined in the *Highway Traffic Act*, on the driver's abstract provided to the City of Vaughan Licensing Department; when the driver's abstract falls below nine (9) demerit points;
- 11) If the Licence was not issued because of three (3) or more code 08 convictions, when three (3) of those convictions are more than one (1) year old;
- 12) If the Licence was not issued because of a code 09 event, when that code 09 event is more than one (1) year old; and
- 13) If the Licence was not issued because overdue by-law fines, when those fines have been paid.

These thresholds shall be applied threshold for threshold. For example, if the Applicant's Licence was not granted by reason of a recent code 02 conviction, the Licence shall be reinstated or issued when the code 02 conviction is more than ten (10) years old, providing there are no other applicable thresholds.

5.C. The Licensing Officer may place conditions and issue a warning letter on a Licence if an investigation of a Licensee reveals circumstances that may in the future case the Licensee to be in contravention of any of the business licensing

thresholds listed.

5.D. The Licensing Officer may issue a warning letter to be placed in an Applicant 's file if, at the time of an application for a Licence or renewal, the Applicant has:

- 1) four (4) or more by-law and related\* convictions concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or required to be licensed, within the twelve (12) months immediately proceeding the date of issuance or renewal.

The warning letter must advise the Applicant about the specific applicable threshold.

\*Related legislation may include, but is not limited to, City of Vaughan Licensing By-law, as amended or its successor by-law.

*(Amended by By-Law 187-2020 – December 15, 2020)*

<b>Criminal Code Offences</b>	<b>Description</b>	<b>Code</b>
Sexual Offences (minors)	Interference, invitation, exploitation, procuring sexual activity (parent or guardian), permitting sexual activity (householder) corrupting children, luring a child, exposure, incest (with minor)	01
Terrorism	Providing, collecting property, using, possessing property, providing, making available property	02
Homicide	Homicide, manslaughter, infanticide, murder, attempt to commit, accessory	02
Major Assault and Sexual Assault Offences	Sexual assault with a weapon, causing bodily harm, aggravated assault with weapon, causing bodily harm	02
Sexual Offences (against person other than minor)	Exploitation of persons with a disability, incest, indecent act, sexual assault	03
Confinement	Kidnapping, hostage taking, abduction	03
Hate Propaganda	Advocating genocide, public incitement of hatred	03
Robbery, extortion	All offences	03
Criminal Organization	Participating in activities of	03
Criminal negligence	Criminal negligence, causing death, causing bodily harm	04
Assault	Assault of a peace officer	04
Noxious thing, poison	Administering to harm	04
Harassments, threats	Criminal harassment, uttering threats	04
Explosives	Using, possession	04
Weapons	Possession, carrying trafficking	04
Firearms	Using in commission of offence, careless use, pointing, possession, acquisition without certificate, causing bodily harm with intent, (firearm, air gun or pistol)	04
Theft Offences	All offences	04
Forgery offences	All offences	04
Traps	Setting	05
Break and Enter	Break and enter	04
Crime - possession of property	Possession of property obtained by crime	04
Fraud	Fraud offences, falsifying documents	04

Arson	All offences	04
Counterfeit money	Uttering, advertising, dealing	04
Proceeds of Crime	Laundering	04
Noxious thing, poison	Administering to annoy, to aggrieve	05
Mischief	Mischief	05
Conspiracy	Conspiracy to commit an indictable offence	05
Prostitution	Offences related to	05
Bawdy houses	Keeping, transporting person to, procuring	05
Operation of motor vehicles, vessels or aircraft	Dangerous operation, failing to stop for police, failure to stop at scene of accident, operation while impaired, operation with more than 80 milligrams of alcohol in blood, driving while disqualified	06
Other	All other Criminal Code Convictions (Including Assault-section 266)	07
Animal cruelty	Killing, injuring or endangering animals, causing unnecessary suffering to animals, failure to exercise reasonable care of an animal, participation in fighting or baiting of animals.	08

(Amended by By-Law 064-2020 – May 27, 2020)

<b>Controlled Drugs and Substances Act Offences</b>	<b>Description</b>	<b>Code</b>
Possession	Possession	05
Trafficking	Of Schedule I or II substance Of Schedule III substance Of Schedule IV substance	03 04 05
Importing Exporting	Of Schedule I or II substance Of Schedule III substance Of Schedule IV substance	03 04 05
Production	Of Schedule I or II substance Of Marijuana Of Schedule III substance Of Schedule IV substance	03 04 04 05

<b>Highway Traffic Act</b>	<b>Description</b>	<b>Code</b>
36	Driving while license suspended	07
43(1)	Driving while license suspended	06
Speeding	Exceeding speed by 50 km/hr	06
Careless	Careless driving	06
Fail to remain	Fail to remain at the scene of an accident	06
Fail to stop	Fail to stop when signaled or required by a police officer	06
Racing	Racing	06
Fail to stop	Fail to stop for a school bus	06