



CITY OF HAMILTON MINUTES

21-001

HAMILTON LICENSING TRIBUNAL

Friday, December 3, 2021

10:00 a.m.

**Council Chambers, Stoney Creek Municipal Centre
777 Hamilton Regional Rd 8,
Stoney Creek**

Present: Councillor B. Clark (Chair)
Councillors N. Nann, R. Powers and B. Johnson

**Absent with
Regrets:** Councillor T. Whitehead – Personal

The meeting was called to order.

FOR INFORMATION:

(a) APPOINTMENT OF CHAIR AND VICE CHAIR (Item 1)

(Johnson/Powers)

- (a) That Councillor B. Clark be appointed Chair to the Hamilton Licensing Tribunal for the remainder of the 2018-2022 term; and

(Johnson/Clark)

- (b) That Councillor R. Powers be appointed Vice-Chair to the Hamilton Licensing Tribunal for the remainder of the 2018-2022 term.

CARRIED

(b) CHANGES TO THE AGENDA (Item 2)

The Secretary advised the Tribunal of the following change to the agenda:

(Johnson/Powers)

That the order of items under Hearings be switched so that Item 5.2, APPEAL HEARING FOR NOTICE OF REFUSAL (dated September 27, 2021) to: Fadi El-Assaad can be heard first.

CARRIED

(Johnson/Powers)

That the agenda for the December 3, 2021 meeting of the Hamilton Licensing Tribunal be approved, as amended.

CARRIED

(c) DECLARATIONS OF INTEREST (Item 3)

There were none declared.

(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) February 28, 2020 (Item 3.1)

(Johnson/Clark)

That the Minutes of the February 28, 2020 meeting of the Hamilton Licensing Tribunal, be approved, as presented.

CARRIED

(e) HEARINGS (Item 5)

(i) APPEAL HEARING FOR NOTICE OF REFUSAL (dated October 1, 2021) to: Jaspal Gill, City of Hamilton Taxicab Driver Licence File No. 21 299590 000 00 2M (Item 5.1)

City Prosecutor J. Rutherford addressed the Tribunal respecting an Appeal Hearing for Notice of Refusal (dated October 1, 2021) to: Jaspal Gill, City of Hamilton Taxicab Driver Licence File No. 21 299590 000 00 2M and presented the Minutes of Settlement.

The Minutes of Settlement will allow for Mr Gill to reapply for a Taxicab Driver Licence, under set conditions.

(Johnson/Nann)

That the Minutes of Settlement respecting the Notice of Refusal (dated October 1, 2021) to: Jaspal Gill, City of Hamilton Taxicab Driver Licence File No. 21 299590 000 00 2M, be approved.

CARRIED

(ii) **APPEAL HEARING FOR NOTICE OF REFUSAL (dated September 27, 2021) to: Fadi El-Assaad, City of Hamilton Taxicab Driver File No. 21 299590 000 00 2M (Item 5.2)**

City Prosecutor J. Rutherford addressed the Tribunal respecting an APPEAL HEARING FOR NOTICE OF REFUSAL (dated September 27, 2021) to: Fadi El-Assaad, City of Hamilton Taxicab Driver File No. 21 299590 000 00 2M.

Ed Alexander, Representation for Mr. El-Assaad, addressed the Tribunal with a request for an adjournment to allow for more time to prepare.

(Nann/Powers)

- (a) That the Hamilton Licensing Tribunal approve the Adjournment of the Notice of Refusal (dated September 27, 2021) to: Fadi El-Assaad, City of Hamilton Taxicab Driver File No. 21 299590 000 00 2M to a date sine die;
- (b) That the matter of the Notice of Refusal (dated September 27, 2021) to: Fadi El-Assaad, City of Hamilton Taxicab Driver File No. 21 299590 000 00 2M, remain under the jurisdiction of the Hamilton Licensing Tribunal; and
- (c) That the matter of the Notice of Refusal (dated September 27, 2021) to: Fadi El-Assaad, City of Hamilton Taxicab Driver File No. 21 299590 000 00 2M sit in abeyance until the Hamilton Licensing Tribunal is contacted by the appellants requesting a new hearing date.

CARRIED

(f) **ADJOURNMENT (Item 6)**

(Nann/Johnson)

That the meeting of the Hamilton Licensing Tribunal be adjourned at 10:13 a.m.

CARRIED

Loren Kolar
Secretary
Hamilton Licensing Tribunal
City Clerk's Office