

Authority: Item 10, Planning Committee
Report 12-016 (PED10063(e))
CM: October 30, 2012

Bill No. 249

CITY OF HAMILTON

BY-LAW NO. 12-

To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses

WHEREAS Council enacted a by-law to license and regulate various businesses being City of Hamilton By-law No. 07-170;

AND WHEREAS this By-law provides for amendments to Schedule 25 – Taxicabs of By-law No. 07-170 to have accessible taxicab owner licences issued in 2013 and 2014;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Paragraph 1(1)(a) and subparagraphs 62(1)(E)(ii) and 64(1)(y)(iv) of Schedule 25 of By-law No. 07-170 are amended by deleting the words “Ontario Regulation 167/81, as amended and Canadian Standards Association’s Standard D409-M84” and replacing them with “Regulation 629 of the Revised Regulations of Ontario, 1990 (Vehicles for the Transportation of Physically Disabled Persons) made under the *Highway Traffic Act*”.
2. Schedule 25 of By-law No. 07-170 is amended by adding the following new section 21a:
 - 21a.(1) In 2013, sixteen new accessible taxicab owner licences shall be issued:
 - (a) first to individuals on the Priority List, in accordance with sections 29 and 30, modified as necessary; and
 - (b) secondly, if any accessible taxicab owner licences remain, to members of the public, with the Issuer of Licences carrying out the selection process for a licence as follows:

- (i) the available licences shall be advertised in the Hamilton Spectator newspaper and on the City's website inviting the submission of applications within a specified period of time;
 - (ii) a draw shall be conducted from all of the submitted, complete applications which otherwise comply with this By-law; and
 - (iii) the winner(s) of the draw may be issued a licence.
 - (2) In 2014, any of the 16 accessible taxicab owner licences not issued in 2013 and the number of accessible taxicab owner licences, if any, required to meet the taxicab to population ratio in paragraph 25(1)(b) shall be issued in accordance with paragraphs 21a.(1)(a) and (b).
 - (3) The issuance of accessible taxicab owner licences under this section shall be subject to all of the provisions of this By-law, modified as necessary, applicable to the issuance of taxicab owner licences except that an individual on the Priority List shall be struck from the Priority List only if he or she is issued an accessible taxicab owner licence under subsections 21a.(1) or (2).
 - (4) In addition to complying with the provisions of this By-law applicable to accessible taxicab owners, accessible taxicab owners shall comply with all of the provisions, modified as necessary, applicable to taxicab owners.
 - (5) In addition to complying with the provisions of this By-law applicable to accessible taxicab drivers, accessible taxicab drivers shall comply with all of the provisions, modified as necessary, applicable to taxicab drivers.
 - (6) No accessible taxicab owner shall operate or permit the operation under authority of his or her licence of a vehicle other than an accessible taxicab approved in advance by the Issuer of Licences.
4. Subsection 30(1) of Schedule 25 of By-law No. 07-170 is amended by adding the words "or as a result of a draw under section 21a" after "the Priority List" and before "the applicant".
5. Subparagraph 64(1)(y)(i) of Schedule 25 of By-law No. 07-170 is amended by adding the words "and submit the records for each month to the Issuer of Licences no more

than 10 business days after the last day of each month” after “non-disabled passengers”.

6. Paragraph 65(1)(t) of Schedule 25 of By-law No. 07-170 is amended by deleting the words “Ontario Regulation 629/02, as amended, and Canadian Standards Association’s Standard D409-M84” and replacing them with “Regulation 629 of the Revised Regulations of Ontario, 1990 (Vehicles for the Transportation of Physically Disabled Persons) made under the *Highway Traffic Act*”.
7. This By-law comes into force on the day it is passed.

PASSED this 14th day of November, 2012.

R. Bratina
Mayor

R. Caterini
City Clerk