



Hamilton

**REPORT 12-002
HAMILTON LICENSING TRIBUNAL**

9:30 a.m.

**Thursday, February 23, 2012
Rooms 192/193, 1st Floor
Hamilton City Hall
71 Main Street West, Hamilton**

Present: Councillors T. Whitehead (Chair), C. Collins (Vice Chair)
B. Clark, S. Duvall and R. Pasuta

Also Present: Vince Ormond, Manager, Licensing & Permits, Municipal Law Enforcement
Justyna Hidalgo, Solicitor, Legal Services
Lisa Pasternak, Senior Solicitor, Legal Services
Stephanie Paparella, Legislative Coordinator, Office of the City Clerk

Other Attendees: David Twitchett, Appellant (Item 4.2)
James Buffett, Municipal Law Enforcement Officer, Witness (Item 4.2)
Kenneth Davidge, Witness (Item 4.2)
Police Constable April Bilton, Hamilton Police Service, Witness (Item 4.2)
Tara Costie, Witness (Item 4.2)
Kahlil Raghunan, Appellant (Item 4.3)
Tristan Raghunan (Item 4.3)
Colin MacDonald, Appellant (Item 4.4)

**THE HAMILTON LICENSING TRIBUNAL PRESENTS REPORT 12-002 AND
RESPECTFULLY RECOMMENDS:**

- 1. SHOW CAUSE HEARING - David Twitchett, respecting a City of Hamilton Mobile Licence – Taxi Cab Driver (Item 4.2)**
 - (a) That the Taxi Cab Driver Licence (No. 11 279734 2M) issued to David Twitchett be suspended effective immediately and until such time as it expires on March 22, 2012.
 - (b) That the City of Hamilton not accept a renewal application for a Taxi Cab Driver Licence from David Twitchett until such time as the Courts have rendered their final decision respecting the current charges against Mr. Twitchett.

Council – March 7, 2012

- (c) That, upon the Courts final decision, respecting the current charges against David Twitchett, the appellant be permitted to submit a renewal application for a Taxi Cab Driver Licence.

The above recommendations are based upon the following reasons:

It is the opinion of the Hamilton Licensing Tribunal that public safety could be at risk; and,

It is the opinion of the Hamilton Licensing Tribunal that the conduct of the person affords reasonable grounds for belief that the person will not carry on or engage in this business in accordance with the law.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Tribunal Clerk advised of the following changes to the agenda:

- (i) Added as Item 4.3 – Motion to Request an Extension of the Appeal Period, submitted by Kahlil Raghunan, 1837392 Ontario Inc. operating as Rok Bar Hamilton, located at 15 Hess Street South, Hamilton, Ontario
- (ii) Added as Item 4.4 – Motion to Request an Extension of the Appeal Period, submitted by Colin MacDonald, Taxi Cab Driver Licence

The February 23, 2012 agenda for the Hamilton Licensing Tribunal was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) January 10, 2012 (Item 3.1)

The Minutes of the January 10, 2012 meeting of the Hamilton Licensing Tribunal were approved, as presented.

- (d) **ADJOURNMENT REQUEST - APPEAL HEARING: Nicholas T. Macos, Black, Sutherland LLP, on behalf of Peter Gassner, respecting the Refusal of an Application for a City of Hamilton Adult Film Theatre Establishment Licence, for 501857 New Brunswick Limited operating as Show World, located at 61 King Street East, Hamilton, Ontario (Item 4.1)**

That the adjournment request to the April 12, 2012 hearing date, submitted by Nicholas T. Macos, Black, Sutherland LLP, on behalf of Peter Gassner, respecting the Refusal of an Application for a City of Hamilton Adult Film Theatre Establishment Licence, for 501857 New Brunswick Limited operating as Show World, located at 61 King Street East, Hamilton, Ontario, be approved.

- (e) **SHOW CAUSE HEARING - David Twitchett, respecting a City of Hamilton Mobile Licence – Taxi Cab Driver (Item 4.2)**

On February 3, 2012, the Director of Municipal Law Enforcement sent correspondence, to the Legislative Coordinator for the Hamilton Licensing Tribunal, requesting that pursuant to Section 14(1) of the General Provisions of the City of Hamilton Licensing By-Law 07-170, as amended, a Show Cause hearing be scheduled and brought before the Hamilton Licensing Tribunal to consider whether the above referenced licence should be revoked or suspended or conditions imposed.

Pursuant to Section 8 of the Statutory Powers Procedure Act, R.S.O. 1990, c. S22, the grounds for revocation or suspension or the imposition of conditions at this hearing are:

- City of Hamilton Licensing By-law 07-170, Section 14(1)(f), as amended: In the opinion of the Issuer of Licenses, the business would put public safety at risk; and,
- City of Hamilton Licensing By-law 07-170, Section 14(1)(g), as amended: In the opinion of the Issuer of Licenses, the business is not or will not be carried on in compliance with the law, or the conduct of the person affords reasonable grounds for belief that the person will not carry on or engage in this business in accordance with the law.

Namely,

On October 7, 2011, Mr. David Twitchett allegedly assaulted an individual, and was charged with Assault Level One by Hamilton Police Service.

Mr. Ormond provided his Opening Statement. Mr. Ormond's comments included, but were not limited to, the following:

- Mr. Ormond advised the Tribunal that he had a brief discussion with David Twitchett just prior to today's hearing and noted strong odour of alcohol emanating from Mr. Twitchett.

Mr. Twitchett was then asked by the Tribunal if he had been drinking and did he believe he was capable of representing himself at today's proceedings.

Mr. Twitchett responded that the odour was from his drinking the night before and that he must not have cleaned his teeth very well. He was comfortable speaking on his own behalf.

Mr. Ormond's Opening Statement continued:

- Mr. Twitchett has been licensed as a Taxi Cab Driver with the City of Hamilton since 2006.
- On October 7, 2011, David Twitchett was allegedly involved in an assault at the Tim Horton's at the corner of John Street South and Jackson Street East.
- The Court appearance for this matter is not until May (2012); however, the City has concern for public and consumer safety in allowing Mr. Twitchett to continue to operate as a Taxi Cab Driver in the City of Hamilton, at this time.

Mr. David Twitchett was sworn under Oath, prior to providing his testimony.

Mr. Twitchett provided his Opening Statement. Mr. Twitchett's comments included, but were not limited to, the following:

- It was just stupid on my part. I lost my temper and haven't done that in years.
- My mother passed away on December 15, 2011 and wasn't in good health before that. The situation was very hard on my nerves - this is possibly why it happened.
- I should have had sense to move away from the guy – can guarantee it won't happen again.

Mr. Ormond entered the following exhibits and provided an overview of same:

Exhibits:

1. Copy City of Hamilton Mobile Licence – Taxi Cab Driver, Licence No. 11 279734 2M, issued to Mr. David Twitchett.

2. Copy Hamilton Police Service General Occurrence Report 11739081 Assault, dated October 7, 2011.
3. Request for Hearing Letter, dated February 3, 2012
4. Correspondence to 1739044 Ontario Inc., dated February 3, 2012.
5. Correspondence to Blue Line Transportation Ltd., dated February 3, 2012.
6. Notice of Show-Cause Hearing.
7. Exhibit 7 – Will Say Statement from Police Constable April Bilton, dated October 7, 2011

First Witness:

The City called upon its first Witness, Police Constable April Bilton, Hamilton Police Service. Officer Bilton was sworn under Oath, prior to providing her testimony.

Officer Bilton's comments included, but were not limited to, the following:

- I am a sworn Police Officer with Hamilton Police Service and have been so employed since August 2010.
- Currently assigned to uniformed patrol at Central Station.
- When asked if she was familiar with the events that occurred on October 7, 2012, Officer Bilton confirmed that she was familiar with those events.
- Officer Bilton confirmed that she recognized David Twitchett who was sitting at the table next to Mr. Ormond.
- Officer Bilton requested to refer to her notes during her testimony. Those notes were written by her at the time of the event or shortly thereafter and there have been no alterations or deletions to those notes.
- Neither the Appellant nor staff had any objection to Officer Bilton's use of her notes.
- On Friday, October 7, 2011 Officer Bilton was dispatched to the intersection of Jackson and John for a street disturbance.
- Upon arrival, Officer Bilton spoke to the complainant, Kenneth Davidge, who stated that he had been assaulted by a cab driver, later identified as David Twitchett.

- During her conversation with Mr. Davidge, the cab driver in cab #292 drove by travelling Northbound on John Street. Officer Bilton's partner, Officer Clarke remained at the scene with the complainant and Officer Bilton followed the cab in her vehicle.
- A traffic stop was initiated at Summers Lane and King Street.
- Officer Bilton had a conversation with the accused and waited for her partner to contact her, as he was interviewing witnesses at the scene.
- Shortly thereafter, Officer Bilton received a call from Officer Clarke who informed her that there were reasonable grounds to arrest Mr. Twitchett for assault.

When asked if he had any questions of Officer Bilton, Mr. Twitchett replied that he did not.

Officer Bilton was then excused.

Second Witness:

The City called upon its second Witness, Kenneth Davidge. Mr. Davidge was sworn under Oath, prior to providing his testimony.

Mr. Davidge comments included, but were not limited to, the following:

- Mr. Davidge was involved in the incident at Tim Horton's at John and Jackson Streets on October 7, 2011.
- Mr. Davidge advised that he had brought his notes from that day and requested to refer to those notes during his testimony.
- Neither the Appellant nor staff had any objections to Mr. Davidge's use of his notes. Mr. Twitchett had been provided a copy of those notes as part of the disclosure.
- On the date of the incident, Mr. Davidge and his wife had pulled into Tim Horton's at John and Jackson Streets at approximately 5:30 p.m. to 6:00 p.m. Mr. Davidge waited in his car while his wife went into Tim Horton's to pick something up for his mother.
- While he was sitting in his car, a Blue Line Taxi Cab (#292) had also pulled into the Tim Horton's parking lot. Mr. Davidge's driver side door was adjacent to the side of cab.

- While the Taxi Cab Driver (Mr. Twitchett) was in the Tim Horton's, Mr. Davidge noticed a physically handicapped person waiting in a wheel chair at the back of the taxi. Mr. Davidge was familiar with this person as he had seen him before; noting that this person was physically and mentally handicapped with very little verbal skills, if any at all.
- Mr. Davidge observed the taxi cab driver walking slowly back to the cab and noticed that he became agitated when he noticed the person in the wheel chair waiting for a ride.
- Mr. Twitchett was carrying out food, possibly his lunch, and seemed agitated by a fare that came up suddenly.
- Mr. Davidge stated that he had observed Mr. Twitchett having a conversation with the person in the wheel chair, but was not sure what was said at that time.
- He then observed Mr. Twitchett slam his lunch on the trunk of the cab and he sort of pushed the person from the wheel chair into the back seat, slammed back door and then open the trunk. While opening the trunk, the wheel chair started to roll away, as the parking lot was slightly sloped. Mr. Davidge stated that Mr. Twitchett literally threw the wheel chair into the trunk – not being careful at all.
- Mr. Davidge then proceeded to ask Mr. Twitchett if he always treated his passengers this way.
- Mr. Davidge then stated that Mr. Twitchett asked him what his f [REDACTED] problem was, told him to mind his own business and made threat toward Mr. Davidge.
- The Tribunal was advised that Mr. Twitchett then yelled "Do you want me to pull out a gun and shoot you?" The conversation somewhat escalated with both parties swearing at each other.
- Mr. Davidge stated that frankly, it is a bit of his business, that he was appalled and felt that he should stand up for someone who couldn't speak for himself.
- The Tribunal was advised that Mr. Twitchett had made a threat to kill Mr. Davidge (with the gun) and had also threatened to punch him through the car window.
- Mr. Davidge stated that, at this point, he just told him to go on with his day.

- Mr. Twitchett had then punched Mr. Davidge in side of head (through the car window). Mr. Davidge did not get out of the car, but he had put his arms up to prevent Mr. Twitchett from punching him any further.
- At that time, Mr. Davidge's wife came out of the Tim Horton's.
- There was also a lady in the parking lot who was watching the incident.
- The lady in parking lot had come over to say she had called police and Blue Line.
- The Cab Driver got in his car and drove off. When he went to leave, he (Mr. Twitchett) drove forward into the curb a little instead of putting car into reverse.
- Mr. Davidge advised that he had also called 911 to report that he had been assaulted by the Taxi Cab Driver.

Mr. Ormond asked if Mr. Davidge if he was able to identify the person in the room who assaulted him. Mr. Davidge identified Mr. Twitchett as being that person.

Mr. Twitchett asked Mr. Davidge if there was any contact with respect to the assault. Mr. Davidge responded "Yes, you punched me in the head."

Mr. Twitchett had no further questions of Mr. Davidge.

The Tribunal asked Mr. Davidge if Mr. Twitchett had threatened to shoot him. Mr. Davidge confirmed that Mr. Twitchett had threatened to punch him in the head, and also clearly stated "Do you want me to pull out a f [REDACTED] gun and shoot you?"

Mr. Davidge clarified for the Tribunal that the punch was a few seconds later, after Mr. Twitchett had closed his trunk and picked up whatever food was thrown down.

At this time, the Witness was excused.

Third Witness:

The City called upon its third Witness, Tara Costie. Mrs. Costie was sworn under Oath, prior to providing her testimony.

Mrs. Costie's comments included, but were not limited to, the following:

- At the time of the incident, Mrs. Costie was in her car with her two children waiting for her husband who was inside the Tim Horton's.
- She had heard some yelling and obscenities behind her and she saw Mr. Twitchett standing at the driver side of Mr. Davidge's car yelling and swearing.
- Mrs. Costie got out of her car and yelled for him (Mr. Twitchett) to stop yelling and swearing, as she had her children in the car.
- She then saw Mr. Twitchett reach in through the driver side window of Mr. Davidge's car and punch Mr. Davidge in the face.
- Mrs. Costie advised that she then called police and Blue Line to advise them of what was happening.
- After Mrs. Costie advised Mr. Twitchett that she called the police and Blue Line, he got into his cab and drove off. Mrs. Costie noted the cab number at that time. She believes it was cab number 292.
- When asked by Mr. Ormond if the individual was in the room, Mrs. Costie identified Mr. Twitchett.

Mr. Twitchett asked Mrs. Costie how many times she saw him hit Mr. Davidge? Mrs. Costie stated "anywhere from 3 to 5 times."

Neither staff nor Mr. Twitchett had any further questions of Mrs. Costie.

The Tribunal asked Mrs. Costie if she heard any threats from Mr. Twitchett to Mr. Davidge. Mrs. Costie advised that she did not hear any threats – she was on the other side of the parking lot and could not hear everything that was being said – only what was being yelled, but she did hear Mr. Davidge reply to Mr. Twitchett "Are you threatening me?"

There were no further questions of the Witness; therefore, the witness was excused.

Mr. Ormond entered the following Exhibits and provided an overview of same:

8. Copy of the City of Hamilton Mobile Licence – Taxi Cab Driver, Licence No. 11 279734 2M, issued to Mr. David Twitchett, and provided a brief overview.

Mr. Twitchett addressed the Tribunal. Mr. Twitchett's comments included, but were not limited to, the following:

- Mr. Twitchett stated that he knew the gentlemen (person in wheel chair) that he was taking home – that he had taken him before.
- He had driven down Jackson Street, not John Street, as he was taking the fare home. He then stated that he then went back to the cab stand at the Sheraton (on King Street).
- Mr. Twitchett advised that he had only thrown one punch at Mr. Davidge and that it didn't really connect, as Mr. Davidge had moved to the side, so Mr. Twitchett's punch just grazed Mr. Davidge's face.
- Mr. Twitchett advised that he then got into his car, as he had enough of Mr. Davidge's abuse - otherwise it wouldn't have happened.
- Mr. Twitchett apologized for the altercation and stated that it wouldn't happen again.
- Mr. Twitchett confirmed that he had no further evidence or comments at that time.

Mr. Ormond addressed the Tribunal. Mr. Ormond's comments included, but were not limited to, the following:

- Mr. Ormond asked Mr. Twitchett if he had approached another driver's vehicle and reached through the window to hit him. Mr. Twitchett responded "I did, once."
- Mr. Ormond entered Exhibit 10 for the record – the Business Skills College, City of Hamilton – Driving to Succeed; Serving Customers with Special Needs, Safety and Security.
- Mr. Ormond asked Mr. Twitchett if he had taken the Taxi Services and Skills Training Program. Mr. Twitchett responded "I have."
- When asked by Mr. Ormond if he was familiar with Special Needs portion of the Program, Mr. Twitchett responded "I believe so, yes".
- Mr. Ormond asked when Mr. Twitchett had taken the Training Program, Mr. Twitchett responded that they had taken the complete course in February 2010.

- Mr. Ormond asked Mr. Twitchett if the program covered Customer Service and how to deal with difficult people or situations. Mr. Twitchett responded “I believe I do, yes.”
- Does it address how to assist people with special needs? Mr. Twitchett: “As far as I know, I don’t believe you can refuse a passenger like that.”
- Are you aware that there is a provincial mandate that we have to provide these services (the AODA)? Mr. Twitchett: “No, I wasn’t aware of that.”
- Mr. Ormond entered Exhibit 10 – the Duties of Municipalities and Taxi Cabs (portion of the Accessibility for Ontarians with Disabilities Act).

The Tribunal asked the following questions of Mr. Twitchett. Mr. Twitchett’s responses included, but were not limited to, the following:

- Did you hit Mr. Davidge? Response: The guy was swearing like a sailor and calling me names – I never saw him before in my life. He had no right to do that.
- Mr. Davidge stated that you threatened him with a gun – did you? Response: I don’t have a gun, and never owned a gun – why would I do that.
- Did you threaten to shoot him with a gun? Response: No.
- You stated that you were primarily a truck driver and drive a taxi once in a while, have you had any other documented incidents. Response: No, not documented – I just ignore them.
- Did you have the fare in the cab at the time of the incident? Response: Yes.
- Why did you leave the scene even though you were aware there was an incident in a public place and the police had been called? Response: I left because I thought it was over with – the man (person in wheel chair/fare) was in awful shape and can hardly even talk. I wanted to take him home.
- Were you contacted by Blue Line to return to either the Tim Horton’s or Blue Line to speak with the police? Response: “No, not that I recall.”
- When you went to punch Mr. Davidge – did you make contact? Response: I just grazed his face – it didn’t “connect”. Possibly grazed his face that’s all.

- When is the Court date for your assault charge? Response: May 14, 2012.

There were no further questions.

In closing, Mr. Twitchett's comments included, but were not limited to, the following:

- As I already said, this was a one time thing – a mistake, I've learned a valuable lesson that you can't do these sorts of things and get away with it.
- I need my licence to make a living.
- I would like to continue on driving, helping people and making a living.

The Tribunal asked Mr. Twitchett if he was out of truck driving out all together. Mr. Twitchett responded: No, there are just no jobs now.

In closing, Mr. Ormond's comments included, but were not limited to, the following:

- Mr. Twitchett holds a City of Hamilton Taxi Cab Driver licence and there is an allegation that, on October 7, 2011, a person was assaulted by Mr. Twitchett and there was a witness to that incident.
- Mr. Twitchett alleges that he only "grazed" the face of the party; however, his intent was to punch that person in the face.
- Part of the Service Training is to deal with persons with disabilities, and the Province is currently mandating those portions of the AODA through municipalities. We need to have a work force and drivers that are able to demonstrate confidence, sensitivity and the ability follow that mandate.

Staff's Recommendation:

That the Taxi Cab Driver Licence issued to Mr. David Twitchett be suspended for a 45 day period, and that Mr. Twitchett be required to take the Skills and Service Training again, in order to ensure he knows the obligations he must maintain to retain his City of Hamilton Taxi Cab Driver Licence.

Mr. Twitchett responded to staff's recommendation with the following:

It seems harsh, and I don't think I need training again. This has never come close to happening before and won't happen again.

The Hamilton Licensing Tribunal moved into Closed Session, at 11:32 a.m., to deliberate upon the submissions of the parties, respecting the Taxi Cab Driver Licence for David Twitchett.

Members of the Public were invited to return to hear any further deliberations upon the Tribunal reconvening in Open Session.

The Tribunal reconvened in Open Session at 11:45 a.m.

Having heard the submissions of the parties, the Tribunal provided their recommendations, which are shown as Item 1 of the Hamilton Licensing Tribunal Report 12-002.

(f) Motion to Request an Extension of the Appeal Period, submitted by Kahlil Raghunan, 1837392 Ontario Inc. operating as Rok Bar Hamilton, located at 15 Hess Street South, Hamilton, Ontario (Item 4.3)

Both Kahlil Raghunan and Tristan Raghunan were sworn under Oath before providing their testimony.

Kahlil Raghunan and Tristan Raghunan provided their Opening Statements. Their comments included, but were not limited to, the following:

- The Manager (of the Rok Bar), Scott Gardner picked up the letter, but the Raghunan's advised that they did not receive it until the middle of January (2012). Scott Gardner was the Manager that was inherited from the previous business.
- Mr. Ormond advised the Tribunal that the refusal letter that was sent to the Appellant on December 22, 2011 clearly stated that outlined the appeal process and the timelines for submission of the appeal.
- Kahlil stated that he had spoken to someone at City Hall who had told him that he still had time to appeal, but was unable to provide the date he spoke to that person, the floor that person was located on or their name.
- Later Kahlil stated that it was probably on the 3rd or 4th floor – he was at City Hall for a few different reasons that day.
- It was an accident that the appeal period lapsed - it is in their character to speak with health, fire, etc.

Mr. Ormond provided his Opening Statement. Mr. Ormond's comments included, but were not limited to, the following:

- The refusal letter was issued on December 22, 2011, the appeal period has lapsed and enforcement commenced on the weekend at the establishment, as the applicant failed to file on time.
- It is the City's position that the request for an extension of time to appeal be denied.
- Mr. Ormond asked the Raghunan's if it was part of the Manager's duties to receive correspondence at the establishment. The response was yes, but their mailing address is in Wasaga Beach and they sometimes have difficulty receiving their mail as the establishment is not open during the day and the mail sometimes falls on the ground and in the snow.
- Mr. Ormond had pointed out that attached to their request for an extension of time was a copy of the Canada Post tracking information, which showed a delivery date of December 30, 2011 and that the letter had been picked up at the Post Office, as the delivery attempt at the establishment was unsuccessful. It also showed that the document had been signed for by a party with the last name of Raghunan and showed the signature.
- At that time, Kahlil Raghunan viewed the signature and stated that it was not his, but that it was the signature of Scott Gardener, the Rok Bar Manager.

The Tribunal asked what date Kahlil Raghunan took over the establishment. Kahlil advised that date was October 17, 2011.

The Hamilton Licensing Tribunal moved into Closed Session, at 9:56 a.m., to deliberate upon the submissions of the parties, respecting Kahlil Raghunan's Motion to Request an Extension of the Appeal Period.

Members of the Public were invited to return to hear any further deliberations upon the Tribunal reconvening in Open Session.

The Tribunal reconvened in Open Session at 10:12 a.m., and provided its decision as shown below:

The Tribunal recognized that City of Hamilton had met all obligations with respect to the notification process; and, advised both Kahlil and Tristan Raghunan that, as potential business owners, it is their responsibility to do their due diligence with respect to what is required to operate a business within the City of Hamilton.

The Tribunal advised the Appellant, that as he currently did not hold a City of Hamilton business licence, the business should not be operating at this time. The Tribunal asked the Appellant if he understood. Kahlil nodded and said yes.

The motion to Request an Extension of the Appeal Period, submitted by Kahlil Raghunan, 1837392 Ontario Inc. operating as Rok Bar Hamilton, located at 15 Hess Street South, Hamilton, Ontario, was approved.

(g) Motion to Request an Extension of the Appeal Period, submitted by Colin MacDonald, Taxi Cab Driver Licence (Item 4.4)

Prior to the consideration of this matter, Mr. Ormond requested that the Tribunal consider the possibility of moving into Closed Session, as Mr. MacDonald's testimony would contain personal information regarding himself and a family member.

The Hamilton Licensing Tribunal moved into Closed Session, at 10:20 a.m., to hear the matter respecting the Motion to Request an Extension of the Appeal Period, submitted by Colin MacDonald, Taxi Cab Driver Licence, pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 03-301, and Section 239, Sub-section (b) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees.

Members of the Public were invited to return to hear any further deliberations upon the Tribunal reconvening in Open Session.

The Tribunal reconvened in Open Session at 10:40 a.m. and provided its recommendation as shown below:

The motion to Request an Extension of the Appeal Period, submitted by Colin MacDonald (Taxi Cab Driver Licence), was approved.

(h) Closed Session Minutes – January 10, 2012 (Item 5.1)

The Closed Session Minutes of the January 10, 2012 meeting of the Hamilton Licensing Tribunal were approved, as presented.

(i) ADJOURNMENT (Item 6)

There being no further business, the Hamilton Licensing Tribunal adjourned at 11:55 a.m.

Respectfully submitted,

Councillor T. Whitehead, Chair
Hamilton Licensing Tribunal

Stephanie Paparella
Legislative Coordinator
Hamilton Licensing Tribunal
February 23, 2012