

Authority: Item 7, Planning Committee
Report 18-003 (PED16232(b))
CM: February 28, 2018
Ward: City Wide
Bill No. 040

CITY OF HAMILTON
BY-LAW NO. 18-040

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

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

WHEREAS this By-law amends Schedule 25 (Taxicabs);

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

1. Section 1(1) is amended by adding the following definitions in alphabetical order:

- a) **“accessible priority list”** means the list of applications for an accessible taxicab owner licence maintained by the Director of Licensing and made available to the public with names set out thereon in chronological order as to the date and time of receipt;
- b) **“new accessible taxicab owner’s licence”** means an accessible taxicab owner’s licence issued, transferred or purchased after September 2017, except renewals existing at the date of the enactment of this schedule;

2. Section 13 is amended by adding a new subsection (m) as follows:

- (m) to impose conditions on any accessible taxicab owner’s licence issued by the City, transferred or purchased after September 2017 requiring the accessible taxicab to be in service and available for dispatched calls on:
 - a) specified days of the week; and,
 - b) specified times of the 24-hour period of any day.

3. Section 16 is amended by deleting subsection (v).

4. Section 17 is amended by deleting and replacing subsection (2) with a new subsection (2):

- (2) New accessible taxicab owner licence plates shall be issued:
 - a) first to individuals on the priority list; and,
 - b) second to individuals on the accessible priority list.
5. Section 18 is amended by adding a new subsection (m) as follows:
 - (m) where the licensed broker fails to dispatch an accessible taxicab on a priority basis to a person with a disability who requests such service.
6. Section 20 is amended by adding a new subsection (5) as follows:
 - (5) Notwithstanding any other provision of this schedule, the Director of Licensing may authorize the issuance of additional accessible taxicab plates at his/her discretion.
7. Section 21 is amended by adding subsection (1) behind section 21 so that it reads 21(1) and adding a new subsection (2) as follows:
 - (2) Names of licensed taxicab drivers shall be placed on the accessible priority list in chronological order from date of application.
8. Section 22 is amended by adding a new subsection (3) as follows:
 - (3) Notwithstanding the closure of the priority list, the accessible priority list shall remain open allowing licensed drivers to be added to the list in order of application date.
9. Section 23 is amended by adding a new subsection (9) as follows:
 - (9) Persons whose names are on the accessible priority list must comply with all sub-sections of this Section 23.
10. Section 24 is amended by adding a new subsection (9) as follows:
 - (9) Persons whose names are on the accessible priority list must comply with all subsections of this Section 24.
11. Section 25 is amended by adding a new subsection (3) as follows:

- (3) Persons whose names are on the accessible priority list must comply with all subsections of this Section 25.

12. Section 26 is amended by adding a new subsection (3) as follows:

- (3) Subsections (1) and (2) of this Section 26 also applies to individuals on the accessible priority list.

13. Section 38(1) is amended by deleting and replacing subsection (a) with:

- (a) submitted by such person to the Director of Licensing for testing and inspection at any time as directed;

14. Section 38(1) is amended by deleting subsection (e).

15. Section 41(4) is amended by adding a new subsection (c) as follows:

- (c) proof of insurance in the amount of \$2,000,000.

16. Section 42(2) is amended by deleting and replacing subsection (b) with the following:

- (b) a taxicab that is accessible, as determined by the Director of Licensing from time to time, and is no more than five (5) years old when first approved as a taxicab under section 56(5), shall be no more than ten (10) years old.

17. Section 47 is amended by deleting and replacing subsection (1)(Z) to (1)(z), lower case (z)

18. Section 50(1) is amended by adding a closed bracket after (o so that it reads (o).

19. Section 54(1) is deleted and replaced it with the following:

- (1) This schedule shall be administered by the Director of Licensing with delegation of the enforcement to any Municipal Officer.

20. Section 54(2) is amended by adding a new subsection (e) as follows:

- (e) issue an administrative penalty notice for any contraventions of this Schedule.

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21. The amendments in this By-law include any necessary grammatical, numbering and lettering changes as necessary.

PASSED this 28th day of February, 2018.

F. Eisenberger
Mayor

R. Caterini
City Clerk