

TO: FINANCE AND CORPORATE SERVICES COMMITTEE

FROM: T. BANTING, MLEO (C), MANAGER OF BY-LAW SERVICES

THROUGH: G. ALLISON, P. Eng., CBCO, DIRECTOR OF BUILDING AND BY-LAW SERVICES

NOTED: R. FORWARD, MBA, M.Sc., P.Eng.,
GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES
C. LADD, CHIEF ADMINISTRATIVE OFFICER

RE: TAXI INDUSTRY WORKING GROUP / OVERNIGHT TAXI ENFORCEMENT 2012-2013

DATE: April 23 , 2014

This memorandum has been prepared to provide the members of the Finance and Corporate Services Committee with an update and supplementary information relating to the taxicab industry working group and increased after-hours enforcement of the taxicab sections of the Transportation By-law 2006-265.

Barrie's By-law 2006-265 establishes standards applicable to the taxi industry including criminal record checks for drivers, safety checks of vehicles and the integrity of the fares being charged. The by-law also requires taxi companies and taxi drivers to be licensed on an annual basis and to submit to periodic inspections. The purpose of these by-law standards is to reduce the risk of harm and/or excessive fares being charged to taxi customers.

The current by-law was updated in 2012. The taxi industry was not well organized at that time to provide unified comments regarding the by-law standards being discussed: It was recommended at that time that a Working Group be established with representatives from taxi cab companies, from taxi cab vehicle owners and from taxi cab drivers.

In November of 2012 Elections were held to elect representatives from the Taxicab Industry to the following positions:

- Taxi Cab Companies – 3 members
- Taxi Cab Owners – 3 members
- Taxi Cab Drivers – 3 members

In addition to the above industry elected positions the Working Group also consists of two (2) members of Council (Councillor Silveria and Councillor Nuttall) and two (2) members of the By-Law Services Branch (Supervisor and Senior Officer). Meetings of the working group were held on March 13, 2013, June 5, 2013, November 6, 2013. During the course of our discussions the members of the working group were advised of the process which applies to a fulsome review of the Transportation By-law in 2014. Please find attached the minutes from each meeting in Appendix "A".

As we moved closer to 2014 the working group members were asked to survey other municipalities and conduct informal meetings with all licensees to ensure that any recommendations brought forward to staff were agreed upon submissions. In November of 2013 those directions were outlined once again for the members of the working group and licensees that were present at the meeting.

It is staff's hope that a report outlining the proposed by-law changes and draft by-law be prepared for submission in early fall 2014. The proposed changes will be those researched by the industry in

consultation with staff and should satisfy the industry's needs in Barrie. The Working Group members were also reminded that staff and the members of Council need to keep in mind the needs of the community as well when putting forward changes to the Transportation By-law. We need to ensure that the community will not be adversely affected by any changes while keeping in mind the need to ensure the protection of the public when using such transportation options. This may include such items as vehicle safeties, criminal record checks for drivers and overall the accountability to those operating within Barrie to Council and the Citizens.

In addition to the development and implementation of the Taxi Industry Working Group staff were tasked with conducting Overnight Taxi Enforcement to address concerns raised by the Industry regarding illegal activity taking place in the evenings and overnights while staff are not generally available for enforcement.

Beginning in the summer of 2012, and throughout the year of 2013, staff conducted a multitude of overnight enforcement inspections. Below you will find a summary of those inspections.

During the course of the enforcement various inspections were conducted, officers would verify the Taxi Cab Driver's licence to ensure it is current as well as ensuring the driver's daily record of calls for service and trips were kept in accordance with the requirements set out in the By-law. During inspections of the taxicab vehicle, officers ensured the vehicle had a working two way radio, that all notices and tariff cards were present, visible to the customer and that the taxicab meter was sealed and working and the fares were correct. Officers also inspected the vehicle's aesthetics such as the cleanliness inside and out, ensured there were no notable body damage such dents or scrapes, that all lights, doors and windows were operational and that there was an operational roof light with the Taxi Company information noted. Finally inspections were conducted of the Taxi Cab Company offices, officers investigated to ensure the offices were open, staffed and accessible to the general public 24 hours a day 7 days a week, that there was proper radio dispatching equipment, a working phone line and that the company is keeping a record of all calls for service.

In 2012, Council approved \$12,000 for overtime to conduct semi-regular but random enforcement of the Taxi Cab sections of the Transportation By-law outside of regular business hours at the request of the taxicab industry. In 2012 enforcement was conducted over a period of 6 months and enforcement shifts were primarily Friday or Saturday nights between the hours of 11:00 pm and 4:00 am.

2012 Summary of the Overnight Taxicab Enforcement inspections:

Number of Enforcement Shifts:	11
Taxicab Vehicle & Taxicab Driver Inspections:	363
Charges stemming from vehicle & driver Inspections:	11
Taxi Company Inspections:	44
Taxi Company Charges:	13
Total Inspections for 2012:	407
Total Charges for 2012:	24 (fines levied approx. \$18,000)

You will note above a total of 24 charges were filed in 2012 resulting in convictions against many members of our Taxi Cab Industry. Various violations were noted such as; failure to maintain vehicles in good condition, failure to keep trip records; failure to keep offices open and accessible 24 hrs a day etc. Several of these violations were noted continually by the same companies and individuals throughout the various inspections.

In 2013, Council approved \$24,500 in overtime expenses to conduct semi-regular but random enforcement of Taxi Cab Industry outside of regular business hours. Enforcement was conducted over a period of 11 months and enforcement shifts were primarily Friday or Saturday Nights.

2013 Summary of the Overnight Taxicab Enforcement:

Number of Enforcement Shifts:	19
Taxicab Vehicle & Taxicab Driver Inspections:	1236
Charges stemming from vehicle & driver Inspections:	17
Taxi Company inspections:	36
Taxi Company Charges:	13
Total Inspections 2013:	1272
Total Charges for 2013:	30 (fines levied approx. \$22,000)


You will note above a total of 30 charges were filed also resulting in convictions against both companies and individuals within the Industry. While some improvements were noted within the industry it should be noted that many of the above noted violations were similar to those noted in 2012. Even those previously convicted in 2012 were found in violation once again for the same offences in 2013. Members of the taxicab industry have expressed many thanks and appreciation to staff for the increased afterhours enforcement. They believe that having the ability to conduct random nightly inspections helps to further fairness and compliance within the industry as a whole.

Those persons and companies continually found to be in violation and for which convictions have been entered by the courts will have their licensing privileges reviewed in 2014 as each comes up for renewal. The ability to deny such licence renewals is held within the current Transportation By-law, however in light of the fulsome review of the By-law being conducted in 2014, staff are hesitant to deny such licence renewals should there be a potential change to the current requirements in the future.

Staff will continue to monitor those found in violation and deal with each licence application independently as may be necessary.

In closing, the development of the Taxi Industry Working Group has provided some means for communication within the industry but it should be noted that staff have observed over the past year conflicts between the members of the working group and those licensees within the industry. Licensees have noted that not all have been provided the opportunity to voice concerns to members of the Working Group nor do they believe that the industry as a whole is fairly represented. Staff have provided guidance to those licensees by means of alternatives to having their voices heard such as approaching the Council representatives directly, providing their concerns in writing to all members of the working group including staff representatives to ensure it is brought forward at the meetings. To date nothing has been submitted to staff directly.

It is staff's hope that with the review of the Transportation By-law in 2014, the industry shall be provided with regulations that will not only assist the industry as a whole but also the community by ensuring provisions are in place that allow for the industry to prosper while ensuring that it is fairly regulated to provide for a safe alternative transportation to members of the community.



Gordon Allison,
Director of Building and By-Law Services

APPENDIX "A"

MARCH 13, 2013

THE MEETING COMMENCED AT 3:00 PM IN HURONIA ROOMS A & B AND THE FOLLOWING WERE RECORDED AS PRESENT:

STAFF: Tammy Banting, Supervisor, Municipal Law Enforcement
Jason Forgrave, Senior Officer, Municipal Law Enforcement
Catherine Bishop, Secretary, Municipal Law Enforcement

COUNCIL MEMBERS: Councillor Nuttall

TAXI COMPANY REPRESENTATIVES: Surinder Purewal, All Way Taxi
Avtar Sandhu, Barrie City Taxi Inc.
Syed Haider, Apple Taxi Inc.

TAXICAB OWNERS REPRESENTATIVES: Iqbal Rauf, Barrie City Taxi
Taimour Iftikhar, Alliance Taxi Barrie

TAXICAB DRIVERS REPRESENTATIVES: Ghulam Abbas, A1 Georgian Taxi Ltd.
Ajmal Noushahi, Alpha Taxi
Balal Mohammad, Viau Taxi Inc.

OTHERS: There was one member of the public in attendance.

The agenda, copy of Council Motion 12-G-2012 and the draft Terms of Reference were provided to those in attendance.

T. Banting, Supervisor, Municipal Law Enforcement introduced those staff members and member of Council in attendance and advised working group representatives that staffs' role is strictly advisory and they are not voting members.

Each of the Working Group representatives introduced themselves, identified which sector they were representing as well as which Taxicab Company they are affiliated with.

T. Banting explained that the purpose of this meeting is to elect the Chair set the Terms of Reference for the Taxi Industry Working Group, no other business will be discussed at this time.

T. Banting reviewed Council Motion 12-G-2012

T. Banting asked that the Taxi Industry Working Group consider the following as a potential objective for the period ending December 31, 2014.

"To engage in regular communications with the taxi industry as a whole, and at a minimum conduct an industry wide survey, as part of the by-law review process to gather comments and concerns regarding the current regulatory provisions of the by-law, required or proposed changes, and challenges within the industry."

J. Forgrave, Municipal Law Enforcement Senior Officer distributed paper ballots to those representatives in attendance for a recorded vote for the position of Chair.

Councillor Nuttall inquired if there was anyone present who did not wish to be considered for the position of Chair.

It was voiced by the representatives that the decision to have Taimour Iftikhar sit as Chair was previously decided amongst the Taxi Industry Working Group.

Councillor Nuttall advised that for legal and credibility reasons a recorded vote would still be necessary.

J. Forgrave collected and counted the ballots. Taimour Iftikhar was elected as Chair of the Taxi Industry Working Group, unanimously.

With the permission of the Chair, T. Banting reviewed the draft Terms of Reference as distributed.

Representatives were reminded that they act on behalf of the industry as a whole and not as an independent representative of the taxicab company they are affiliated with.

T. Banting advised that from this point forward the specific Terms of Reference of the Taxi Industry Working Group would be available to all members of the taxi industry.

As per Council Motion 12-G-2012 the Taxi Industry Working Group shall meet twice yearly. Additional meetings may take place as may be deemed by the Chair. Sector representatives may meet to research other municipalities' by-laws and bring proposed changes and recommendations back to the Working Group.

The Taxi Industry Working Group shall not discuss enforcement or investigations; personal matters, labour relations as the by-law does not regulate employment matters; litigation or proposed litigation; and/or advice that is subject to solicitor-client privilege.

Councillor Nuttall reiterated that licensing issues cannot be discussed as he sits on the Finance and Corporate Services Committee and would have to reclude himself during such discussions; also it is not within the parameters of the Working Group.

A member may ask a question during a meeting only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding thereof. It must be a true question and not the opinion of the representative.

If a quorum is not present within thirty (30) minutes of the schedule meeting time, the Chair shall record the names of those present and the meeting shall adjourn and be deemed not to have taken place.

A motion shall be deemed carried when a majority are in agreement by show of hands. On a tie vote, the motion is considered to be a lost item.

T. Banting, through the Chair, asked if there were any questions or comments regarding the draft Terms of Reference.

There being no questions or comments, the Chair called a vote and by show of hands, the Draft Terms of Reference adopted.

T. Banting advised that the Terms of Reference would be finalized and distributed via e-mail to all members of the Taxi Industry Working Group.

T. Banting advised that there are no other items on the agenda.

The Chair shall provide T. Banting with 3 to 4 proposed dates for a future meeting and she will coordinate the availability of staff and members of council as well as book the city facility and advise the Chair. Meetings will be scheduled during business hours, after 8:30am and before 5:00pm. The Chair shall advise the other sector representatives of the date, time and location of all future meetings. It will be the responsibility of the representatives to notify those members in the taxicab industry sector they represent.

T. Banting shall provide the Chair with all 3 listings (taxicab companies, taxicab owners and taxicab drivers) of those in the taxi industry holding valid City of Barrie Business Licences.

Chair to T. Banting, could you suggest the best way to communicate information to all members of the taxi industry?

T. Banting, the City normally posts information within City facilities. The Taxi Industry Working Group could develop a notice to be distributed to all companies to be posted in a central location.

Councillor Nuttall suggested that the Taxi Industry Working Group could develop an e-mail listing of those in the taxi industry and all information regarding future meetings could be distributed in that manner. This listing would have to be developed by the sector representatives and not by City staff.

S. Purewall advised that not all members of the taxi industry have an e-mail address, however, in Toronto a notice is given to the taxicab companies and they are asked to post the notice for all owners and drivers to view.

Councillor Nuttall advised that in the case of the Finance & Corporate Service Committee, prior to any meeting support staff are advised of the items to be discussed and they put it in the agenda and advise all members.

Councillor Nuttall offered to post meeting information on his facebook and twitter accounts.

A. Sandhu asked if it is the Chair who sets the agenda for the next meeting.

T. Banting advised that once a date is set an agenda is to be developed by the Taxi Industry Working Group and provided to City of Barrie staff prior to the meeting. The agenda must be adhered to in order to appear transparent and open to everyone. Copies of the agenda must be available at the meeting and only those items listed may be discussed.

Chair - Motion to adjourn

Motion Carried

Meeting adjourned at 3:55 pm.

JUNE 6, 2013

THE MEETING COMMENCED AT 3:05 PM IN HURONIA ROOMS A & B AND THE FOLLOWING WERE RECORDED AS PRESENT:

STAFF: Tammy Banting, Supervisor, Municipal Law Enforcement
Jason Forgrave, Senior Officer, Municipal Law Enforcement
Nicole Walsh, Secretary, Municipal Law Enforcement

COUNCIL MEMBERS: Councillor Nuttall
Councillor Silveira

TAXI COMPANY REPRESENTATIVES: Surinder Purewal, All Way Taxi
Avtar Sandhu, Barrie City Taxi Inc.
Syed Haider, Apple Taxi Inc.

TAXICAB OWNERS REPRESENTATIVES: Iqbal Rauf, Barrie City Taxi
Taimour Iftikhar, Alliance Taxi Barrie (Chair)

TAXICAB DRIVERS REPRESENTATIVES: Ghulam Abbas, A1 Georgian Taxi Ltd.
Ajmal Noushahi, Alpha Taxi

OTHERS: There were nine members of the public in attendance.

The agenda was provided to those in attendance.

T. Iftikhar, Chair, called the meeting to order, and immediately began with the first item on the agenda, asking what specifically would constitute a taxicab vehicle losing its licence.

T. Banting explained that the onus is on the registered owner of the vehicle to maintain the taxicab in working order, both exterior and interior at all times. The vehicle then needs to pass an initial inspection when first licensed and then an annual inspection every year. If a vehicle fails any of these inspections the licence will be revoked.

T. Iftikhar then stated that the problem they are concerned with is that everything could be in working order when they leave to go to the inspection, but when they arrive at the inspection something is broken.

T. Banting explained that if a vehicle failed the annual inspection they would be given the opportunity to fix the problem and given notice to return to the inspection. If upon returning to the inspection the vehicle fails again then the licence would be revoked permanently.

T. Iftikhar voiced a concern about matching paint on the vehicles when a repair needs to be done, stating there was an issue at last year's inspection with paint being mismatched and a vehicle not passing.

I. Rauf added to explanation that the drivers are worried they will not be able to perfectly match their original paint and will therefore lose their licences.

T. Banting confirmed that the vehicle needs to be completely painted in order to pass the inspection, but that slight differences in paint were fine as long as there were no obvious patches of mismatched paint.

Councillor Silveira then asked if the annual inspections were run by the City of Barrie.

T. Banting confirmed that the City of Barrie holds two types of inspections for the taxicabs. One inspection takes place the first time a vehicle is licensed and the other is held annually for all vehicles. There are other services present to aid in the inspections such as Barrie Police and the Ministry of Transportation.

Councillor Silveira asked if these inspections cost anything, and was informed by T. Banting that there was no cost.

Councillor Silveira continued to ask questions about the annual inspections, asking specifically what issues would prevent a taxicab from passing.

T. Banting explained the procedures for the annual inspection and what would constitute a vehicle failing.

Councillor Silveira provided the example of a vehicle failing the initial annual inspection based on 10 specific features, getting them fixed and then re-attending the inspection, upon which time the officers find a different two features that need repair. He then asked if in this situation the vehicle would have the licence revoked.

T. Banting stated that if during the second time the vehicle was inspected a separate two features were found that needed repair the owner would still receive time to have them repaired. The licence would only be revoked if the original issues found were not repaired for a second inspection.

A. Sandhu asked if a vehicle fails the inspection the first time how much time is the owner given to repair it?

T. Banting advised that the time allotted for repairs would depend on the repair that needs to be done.

T. Iftikhar moved on to the next item on the agenda: the question of taxicab licence stickers vs. taxicab licence plates. He stated that in talking with a majority of the industry, owners would like metal plates as opposed to the current stickers provided.

T. Banting stated that the City of Barrie has not opted into plates as the City has rights to the licences provided now, and with metal plates in many municipalities these rights/controls are lost and plates are purchased and sold privately.

T. Iftikhar asked if the working group could then request the plate system be put in place in the City of Barrie.

T. Banting replied that the working group could research the system, possibly looking at other municipalities with the system currently in place. Also would need to talk to the industry to find out what everyone wants from a plate system. This information could then be provided for the review of the Licensing Bylaw which is set to take place in 2014.

A member of the public (M. Woods) stated that around 21 years ago plates were in use in the City of Barrie and they helped with the issue of fraudulent stickers being privately created and used to operate unlicensed taxicabs illegally.

T. Banting explained that when the police were handling the taxicab industry, plates were used and the issue that was noticed was the private sales of plates.

Councillor Nuttall asked what the issue was with the plates, is it an issue of not being able to produce them?

T. Banting explained that the issue is not with producing the plates, but with the loss of control the municipality has over the licence, with owners switching companies numerous times and completing private sales.

Councillor Nuttall then directed a question to the chair to clarify what they were asking for in regards to these licence plates, asking if they simply wanted metal plates or the ability to have private sales.

T. Iftikhar explained that they wanted metal plates and the ability to just notify the City that a vehicle has switched companies. The metal plates would also help if a vehicle fails the inspection as they would have a licence plate still and would not have to wait for a licence sticker before they could operate again once the vehicle passed.

T. Banting stated that during the annual inspection if a vehicle fails and then passes once repairs have been made, the licence is made right away and made available to the owner directly.

Another member of the public (E. Giles) then stated that the agenda is confusing as the last thing the industry would want is to do is have private sales and transfers of plates with so many vehicles licensed already.

Councillor Silveira clarified that the issue the group is talking about is the physical use of metal plates instead of the current stickers, not the private selling and transferring of licences. If the industry wants to have those amendments made they would have to provide their requests during the 2014 review of the Bylaw.

T. Iftikhar stated that the main issue they are facing is to be able to switch companies without having to pay for a new licence.

S. Haider added to T. Iftikhar's statement by stating that plates would also help with vehicle repairs such as painting, giving the owner the ability to simply take off the plate for paint and then put back on after the painting has been completed. The procedure now would include the owner applying for a new sticker which takes the vehicle off the road for a certain amount of time.

T. Iftikhar added that owners should have the ability to rent their plates to drivers.

T. Banting informed the chair that this simply was not an option at the time, as the industry had already asked for the number of taxicabs on the road to reflect the population, requiring the number to reduce drastically. Until the number of taxicabs on the road reaches an appropriate number, this type of issue cannot be addressed.

T. Iftikhar then stated so the industry can have plates with the rights to switch companies?

T. Banting further explained that the rights to the plates were not the issue being discussed but simply switching from stickers to plates, with the licensing requirements and procedures not changing.

A. Noushahi began to discuss the real reason he felt the working group needed to deal with, which is the service they are providing to the public. He stated that there were many groups involved in the taxi industry such as, the drivers, brokers, company owners, Barrie Police, and the City of Barrie and we need to all get together to ensure the service provided meets the public's expectations.

Councillor Nuttall asked T. Banting about the aforementioned fraudulent stickers being made and if there were any charges as a result of the them.

T. Banting confirmed that all fraudulent sticker occurrences were passed off to Barrie Police for further investigation and potential charges.

Councillor Nuttall directed a question to T. Banting asking if there were any positives or negatives to the stickers or plates for the Bylaw Department.

T. Banting stated that there are merits to both plates and stickers. Plates would be much easier for the long term vehicles who continue to work for the same company, while those who replace vehicles and switch companies regularly would pose an issue. Metal plates would also pose an issue of safety for our officers who confiscate licences for various reasons.

Councillor Nuttall suggested that the working group carry a motion to research and investigate the merits to using metal plates vs. the current sticker system.

T. Iftikhar asked if another meeting needed to be carried in order to carry the motion.

Councillor Nuttall then explained the process of a working group meeting and the motions that they can carry out, stating that another meeting would not be necessary. The motion could be carried right now.

E. Giles brought forward the concept that was used in the past in conjunction with the plate system, which was having each car state their plate number on the sides of their vehicles as well. Having the numbers decaled on the sides would help officers know which vehicles had the appropriate plates on them, deterring the use of unlicensed vehicles.

Another member of the public (G. Stone) added that a lot of the taxicabs licensed on the road today are hard to determine which company they are working for, as their company names are stated very small and their cars have no common colour scheme.

T. Banting reminded members that these issues could all be looked at for the review of the Bylaw set to take place in 2014.

Councillor Silveira suggested that the motion be carried so that the meeting could move forward to the next item on the agenda.

T. Iftikhar noted his uncertainty in regards to the wording needed for the motion and asked for some suggestions.

Councillor Nuttall suggested:

The Taxicab Working Group investigate the use of licence stickers vs. metal plates or in conjunction with metal plates.

S. Haider carried the motion forward and I. Rauf seconded.

T. Iftikhar then moved the meeting along to the next item on the agenda, which concerned the traffic Bylaw. Specifically the industry is concerned with the taxicab spots that are located in front of the Queen's Hotel, which are signed for taxicabs to park from 12am to 4am. The issue is that private vehicle owners are parking in these spots and blocking them from the taxicabs, signage was suggested to help with the problem. The signage should say something along the lines of unauthorized vehicles will be ticketed and towed.

T. Banting replied that the issue downtown in the taxicab stands is not a priority for Barrie Police enforcement, as there are more emergency type situations taking place.

I. Rauf added that he doesn't often drive his taxicab on weekends during the night, but when he does there are no spots to park in the downtown core and taxicabs have no options.

Councillor Nuttall explained that the reasons for the taxicab stand area are to create an easy way for people to catch a cab and to deter drinking and driving. He then suggested moving the taxicab stand area away from the area of the patios that are now set up downtown.

T. Banting explained that a motion could be carried out to the engineering department to amend the traffic Bylaw.

G. Stone then asked for confirmation on hearing that the City was going to be closing the downtown area to vehicles for the summer months.

Councillor Nuttall explained that it was just Fred Grant Square that was scheduled to be closed to traffic. M. Woods brought forward an issue he believes he plaguing the taxicab drivers in the City, which is being ticketed for parking in fire routes when they are waiting for their fares. He stated that he had two drivers that were ticketed just that day in the No Frills parking lot. Often times taxicab drivers are helping their elderly customers into locations and then get ticketed for being in the fire route. He then asked for special considerations to be made to taxicabs parking in fire routes.

T. Banting explained that the way the Traffic Bylaw is designed does not allow for special provisions to be made for specific groups of drivers. There is an exception for all persons in the process of unloading or loading to park in the fire route.

T. Iftikhar continued on to the next item on the agenda, which was submitted by Erwin Giles of Barrie Taxi Ltd.

E. Giles read prepared statement. (Please see Appendix 1)

Councillor Silveira requested information from the other municipalities that have the Bylaws already in effect that E. Giles recommended.

T. Banting stated that the City of Barrie does look at other municipalities that are similar in order to review our Bylaws with others. This process is not carried out daily or monthly, but it does in fact take place.

T. Iftikhar told E. Giles that he would look into the Alliance Taxi advertising issue that was mentioned in his statement.

S. Haider stated that the working group was created to resolve issues faced by the industry fairly and without hurting anyone individually.

Councillor Nuttall agreed that it is good to deal with issues individually and peacefully, but a long term solution from the working group needs to be found so that these issues are not faced in the future.

G. Stone asked when the next meeting would be held as there should be more held to get issues solved.

T. Banting stated that the working group is only required to meet twice a year, and that before we schedule meetings the working group needs to meet with the industry to figure out what the issues are. Organizing what issues the industry is facing so that they can be brought forward and dealt with in an effective manner needs to be the priority.

Chair - Motion to adjourn

Motion Carried

Meeting adjourned at 4:26 pm.

NOVEMBER 6, 2013

THE MEETING COMMENCED AT 3:02 PM IN HURONIA ROOMS A & B AND THE FOLLOWING WERE RECORDED AS PRESENT:

STAFF: Tammy Banting, Supervisor, Municipal Law Enforcement
Jason Forgrave, Senior Officer, Municipal Law Enforcement
Nicole Walsh, Secretary, Municipal Law Enforcement

COUNCIL MEMBERS: Councillor Nuttall
Councillor Silveira

TAXI COMPANY REPRESENTATIVES: Surinder Purewal, All Way Taxi
Avtar Sandhu, Barrie City Taxi Inc.

TAXICAB OWNERS REPRESENTATIVES: Ghulam Abbas, A1 Georgian Taxi Ltd.
Zubair Butt, Barrie Taxi Inc.

TAXICAB DRIVERS REPRESENTATIVES: Taimour Iftikhar, Alliance Taxi Barrie (Chair)
Aamer Waqas, Barrie Taxi Inc.

OTHERS: There were nine members of the public in attendance.

The agenda was provided to those in attendance.

T. Iftikhar, Chair, called the meeting to order, and introduced newly elected member Zubair Butt representing the Taxicab Owners. He then reminded all those in attendance to please follow all rules and regulations of the meeting.

T. Iftikhar then immediately began with the third item on the agenda, asking for a solution from the city in regards to the violations at taxicab stands by taxicab drivers around the bus terminal.

T. Banting asked for more clarification on the issue, are they picking up at the terminal? Have they been called there for a pick up?

S. Purewal explained that there are drivers who stand and wait in front of the terminal for over 10 minutes and the bylaw officers cannot remain at the terminal all day dealing with these violations. He then stated that he had spoken to Mr. Sharp of the traffic department in regards to this issue and he explained that he was going to take the issue to council.

T. Banting explained that there is a legal process behind these types of issues leading to no real "quick fix", but if Mr. Sharp has become involved that is a good first step in the process. We need to remind the industry that these spots are "self-governing" and that everyone needs to adhere to the rules for the system to work properly.

S. Purewal stated that other cities have bylaws not allowing taxicabs within 100 yards, as an example, of specific areas.

T. Banting explained that the issue has already been brought forth to the traffic department and a follow up will be conducted.

T. Iftikhar stated that the majority of the taxi industry knows who the drivers are that continually break the rules of the taxicab stands and they would be willing to inform the city of these individuals.

T. Banting explained that the city does not have any legal right to tell them not to park there.

S. Purewal explained to the committee that they need to inform this minority of their violations.

T. Iftikhar then moved the meeting along to another item on the agenda asking if the designated drivers program is allowed to operate within the city.

T. Banting explained that the city has had contact with a few of the companies operating within the city limits and has found one of them to be licensed with the province like an airport service and the others are simply using the people's personal vehicles to drive them home.

E. Giles stated that if they are running a business they should have some sort of licence or registration with the province for matters such as HST.

A. Nuttall explained the issue is they are not in the public they are technically in a private domain.

C. Watson asked about the vehicle that follows close behind the driver using the member of the public's private vehicle, should it not be licensed?

M. Woods added that these companies do not simply drive you home in your own car, but they also pick up for repairs and grocery shopping to name a few. They need to be licensed.

T. Banting explained that we were only discussing getting driven home in your own car by these designated drivers if they are providing other services than the city is unaware.

T. Iftikhar then asked if one had a provincial licence does that mean they do not need a city licence as well.

T. Banting explained that when it comes to different industries there are different requirements.

G. Stone then voiced that Stratford had such companies removed from their city by amending their bylaws.

T. Banting stated that yes, the bylaws can be amended but it is a lengthy and involved process. In fact the business licensing bylaw is up for review in 2014.

T. Iftikhar then moved the discussion to another item on the agenda calling upon S. Purewal

S. Purewal asked why switching your vehicle to a different company has to involve getting a new licence. There is such a high cost to the licence itself and to waiting the 10 days or so for the new licence.

T. Banting explained that the licence fee is based on the service being done. The bylaw indicates that specific features of the vehicle need to be inspected upon switching companies such as the roof light and radio.

S. Purewal explained that the industry understands the need for getting a certificate of inspection and a letter from the company, but why do they need to wait the 10 days for the licence. He also added that vehicle owners should be able to have several companies licensed on one sticker; they would just have to change their roof light.

T. Banting explained that all of these issues and ideas could be brought up at the bylaw review.

M. Woods asked if the process could be done for vehicles as it is for drivers switching companies.

P. Silveira then asked if a letter from the company stating that everything is okay with a vehicle would suffice.

A. Nuttall explained that the city would still be liable in such a situation as it is still licensing the vehicle for public use.

Z. Butt asked why it is \$400 to switch companies, but it was only \$50 to switch his vehicle.

T Banting explained that is was because he did not switch locations.

S. Purewal stated that the City of Toronto has a onetime fee and if they can do this why can the City of Barrie not do the same.

G. Stone then added to the question by asking why the licence fees continue to get larger every year.

T. Banting explained that the fees are based on the fees bylaw and the section for licensing is set to increase every year by the CPI (Canadian Price Index)

S. Purewal asked why a company name was required for licensing a vehicle

T. Banting explained that it was needed according to the current bylaw for liability purposes.

S. Purewal stated that the City of Toronto has "independent drivers" that choose to drive under no company, why does the City of Barrie not do the same?

A. Nuttall explained that you always have the choice to open your own taxicab company.

S. Purewal explained that the process for opening a taxicab company was too expensive as opposed to simply putting an "independent driver" sign up on his vehicle.

M. Woods explained that there is no tracking system for these "independent drivers" for public safety as the companies have to be responsible.

A. Nuttall also added that the tracking system is for the safety of the taxicab drivers themselves as well, something that was called for by the industry themselves.

T. Iftikhar moved the meeting along to the last item on the agenda by referring to T. Banting to explain how the bylaw review process works and what role the taxi working group would play.

T. Banting:

The process is (generally) as follows:

- the working group must review the current by-law with each section of the industry
- obtain ideas, comments, concerns from each sector of the industry
- research other municipalities of similar size to ours who license Taxis etc to obtain examples of regulations
- draft proposed changes and submit them to staff in By-Law Services for review.
- following that submission, staff can review the documents, perhaps schedule open meetings

(if time permits) or welcome responses to the draft changes
- once that is completed staff will prepare the staff report to council, outlining the changes and our recommendations along with the draft by-law for consideration.

All of that takes some time to complete. I would suggest that you begin by contacting your members for each section to begin your discussions on proposed changes. At the same time your group can look at other municipalities to see what they do best etc that might work here.

The biggest challenge I believe the working group might have is for all members to come to a general consensus on what changes would be best for Barrie. It needs to be a unified approach where all or almost all persons are in favor of the changes. If only a select few are in favor of the changes it will make the decision of Council that much harder.

Noted comparator Municipalities:

Burlington, Hamilton, Guelph, Niagara Falls (Regional office); Kitchener and London

Chair - Motion to adjourn

Motion Carried

Meeting adjourned at 4:23 pm.