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Windsor, Ontario April 18, 2012

A meeting of the **Windsor Licensing Commission** is held this day commencing at 9:30 o'clock a.m. in the Council Chambers, 3<sup>rd</sup> floor, City Hall, there being present the following members:

Councillor Ron Jones, Chair  
Councillor Al Maghnieh  
Councillor Ed Sleiman  
Jack Fathers

**Regrets received from:**

Councillor Drew Dilkens

**Also present are the following resource personnel:**

Michael Chantler, Deputy Licence Commissioner & Supervisor of Licensing  
Gary Cian, Manager of Policy, Gaming & Licensing/Deputy Licence Commissioner  
Ann Kalinowski, Manager By-law Enforcement  
Mario Bonas, By-law Enforcement Officer  
Dan Jenner, By-law Enforcement Officer  
Bill Tetler, By-law Enforcement Officer  
Denise Cassan, Senior Licence Issuer  
Kelly Stuart, Order of Business Coordinator  
Karen Kadour (A) Committee Coordinator

**1. CALL TO ORDER**

The Chair calls the meeting to order at 9:31 o'clock a.m. and the Commission considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

**2. MINUTES**

Moved by Councillor Maghnieh, seconded by J. Fathers,  
That the minutes of the meeting of the Windsor Licensing Commission held February 15, 2012 **BE ADOPTED** as presented.  
Carried.

**3. DISCLOSURE OF INTEREST**

None disclosed.

**4. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS**

Moved by Councillor Sleiman, seconded by Councillor Maghnieh,  
**WLC13/12** That Item 7(f) Kathy Lenahan (Guardian of “Diva”) prohibited dog **BE DEFERRED** to the next scheduled meeting of the Windsor Licensing Commission meeting to allow the applicant to be in attendance.

Carried.

**5. COMMUNICATION**

M. Chantler advises a communication dated March 14, 2012 from the Clearwater Animal Hospital regarding Mr. Lee Grandmaison will be distributed when Item 7 (c) is discussed.

**6. LICENCE TRANSFERS**

None.

**7. APPLICATIONS/HEARINGS**

**7(a) Kristin Lees – Dangerous Dog “Misha”**

Kristin Lees, guardian of “Misha” and Gerard Piche (stepfather) are present and available to answer questions.

The following represents the chain of events leading to the dog bite as described by Kristin Lees and Gerard Piche:

- Kristin Lees advises she was sleeping when the dog escaped and was running at large
- Gerard Piche was sitting on the porch with a neighbour and a friend and witnessed one of the girls kicking the dog.
- Gerard Piche asked the girls to stand still to allow him to pick up the dog
- The girls walked faster and one girl was “nipped” by the dog

Mr. Piche states there are two additional witnesses to the incident, but are unable to attend the meeting. In response to a question asked by the Chair regarding if Mr. Piche

wants the opportunity for the two witnesses to provide testimony, he responds he wishes to proceed with the hearing.

Moved by Councillor Sleiman, seconded by Councillor Maghnieh,  
**WLC8/12** That the **DANGEROUS DOG** designation **REMAIN IN PLACE** for 3 year old Chihuahua known as “Misha” which currently resides with guardian, Kristin Lees at 1649 Hall Avenue in Windsor, Ontario and further, that the following actions **BE REQUIRED** as a result of this designation:

1. To keep such dog, when in or on the property of another person with the person’s consent, on a leash and under the control of that person who is sixteen years of age or more.
2. Conspicuously display on his or her property a sign provided by the city warning that there is a dangerous dog on the property.
3. To securely attach a muzzle to such dog at all times when it is not confined in accordance with section 17(a).
4. Obtain and maintain a policy liability insurance coverage in an amount of not less than \$1,000,000 for any damage of injury caused by such dangerous dog and to provide to the Animal Control Officer, a Certificate of such policy and each subsequent renewal of it.
5. Insert a microchip implantation in such dog, at the Guardian’s expense, for the purpose of identifying such dog as a dangerous dog.
6. To restrain the dangerous dog in accordance with any written directives which may be given by an Animal Control Officer.

Carried.

**7(b) Shelley Beattie – Potentially Dangerous Dog “Gemma”**

Shelley Beattie, guardian of “Gemma” is present and available to answer questions. The salient points of Ms. Beattie’s testimony relating to the potentially dangerous dog designation are as follows:

- Alleges dog thought the mail carrier was her neighbour who resides at 2558 Chandler
- Dog had a ball in its mouth and jumped on the mail carrier. She did not witness a dog bite or the ripping of the jacket.
- Mail carrier used derogatory and offensive language
- Alleges the dog’s long nails may have bruised the mail carrier.
- Received a “Notice of Dog Attack” letter from Canada Post notifying the cessation of mail delivery until the dog is “locked up”.
- Refers to a letter from the Central Animal Hospital which states “Gemma is a pleasant and happy good dog”.
- Ms. Beattie claims as Gemma was a rescue dog, there is a contract between the guardian and the Windsor-Essex County Humane Society. If the dog is deemed

dangerous or potentially dangerous, the dog must be returned to the Humane Society where it most likely will be euthanized. No documentation relating to the “contract” is provided.

In response to a question asked by the Chair as to whether Ms. Beattie would like the mail carrier to be present, Ms. Beattie responds that she wishes to continue with the hearing.

Moved by Councillor Sleiman, seconded by Councillor Maghnieh,  
**WLC9/12** That the potentially dangerous dog designation on the Spaniel mix dog known as “Gemma”, who currently resides with Shelley Beattie, guardian at 2558 Chandler Road, Windsor, Ontario **BE REMOVED**.  
Carried.

**7(c) Lee Grandmaison, Guardian of dog “Gewa” - Licensing and Control of Dogs**

M. Chantler distributes a document from the Clearwater Animal Hospital dated March 14, 2012 which identifies “Gewa” as a “Boxer X” and does not fall under the dangerous dog breed category, attached as Appendix “A”.

Moved by Councillor Maghnieh, seconded by J. Fathers,  
**WLC10/12** That the Restricted Dog designation on “Gewa” owned by Mr. Lee Grandmaison, **BE REMOVED** based on the veterinary documentation recently received by the Windsor Licensing Commission.  
Carried.

**7(d) Pazner Scrap Metals Corp. – Salvage Yard Licence**

No one is present to speak to the matter. Registered mail records from Canada Post indicate that the notification package had been received.

Moved by J. Fathers, seconded by Councillor Maghnieh,  
**WLC11/12** That the Salvage Yard licence #11 144110 issued to Pazner Scrap Metals Corp. at 1276 Drouillard Road **BE REVOKED** as they are not operating a salvage yard at this location.  
Carried.

**7(e) Excess Metals – Wrecking of Motor Vehicles Licence**

Lia Bernachi, owner is present and available to answer questions.

M. Chantler advises in response to a noise complaint, a Bylaw Enforcement Officer attended Excess Metals at 1276 Drouillard Road. Through discussions with Lia Bernachi, owner, it was determined that the wrecking of motor vehicles occurs on the property as a major part of their operations. The licence was never endorsed for this activity as required under Bylaw 395-2004.

Moved by Councillor Sleiman, seconded by Councillor Maghnieh,  
**WLC12/12** That the following condition **BE PLACED** on Salvage Yard licence #11-143520 issued to Excess Metals operating at 1276 Drouillard Road:

- Wrecking of motor vehicles permitted on the licensed premises.

Carried.

**7(g) Mr. Ahmad Shakib – Accessible Taxi Plateholder #302**

Ahmad Shakib, accessible taxi plateholder #302 is present and available to answer questions.

M. Chantler reports that Mr. Jay Abdoulrahman, owner of Canadian Checker Cab advised the Licence Commissioner on March 21, 2012 that accessible taxi plate #302 was no longer operating in his fleet.

M. Chantler states that on April 5, 2012, Mr. Ahmad Shakib, accessible taxicab plate holder notified the Licence Commissioner that plate #302 is currently off the road.

Moved by Councillor Sleiman, seconded by Councillor Maghnieh,  
**WLC14/12** That Mr. Ahmad Shakib, plateholder licence #11 128516 associated with plate #302, **BE ALLOWED** to remain out of service until August 15, 2012 and;

That plateholder licence #11 128516 associated with plate #302 **BE REVOKED** immediately if the plateholder does not place the plate and accessible vehicle into service by August 15, 2012.

Carried.

**8. REPORTS AND ADMINISTRATIVE MATTERS**

**(a) Expired Business Licence**

Moved by J. Fathers, seconded by Councillor Sleiman,  
That the report of the Deputy Licence Commissioner and Supervisor of Licensing dated March 7, 2012 entitled “Expired Applications for Business Licences” **BE RECEIVED** for information.

Carried.

**(b) Taxi Vehicle Colour Scheme**

Walter Bezzina, General Manager, Veteran Cab Company and Mike Dunning, Local 195, CAW (representing the drivers) are present to speak as delegations and are available to answer questions.

M. Chantler refers to the recommendation in the February 6, 2012 report entitled “Taxi Vehicle Colour Scheme” as follows:

“That Public Vehicle Licensing Bylaw 137-2007 BE AMENDED by adding the following wording to Schedule 5, Section 23.5:

- “(c) *The colour of the vehicle’s bumps, trim, mirrors, roof racks and tires shall be acceptable if they are as originally supplied as black or chrome, by the manufacturer of the vehicle or painted in one of the two body colours of the broker’s colour scheme.*
  
- (d) *Door jams and paintable surfaces of the interior of the trunk shall be painted one of the two colours of the broker’s colour scheme”*

Walter Bezzina agrees with clause (c) but does not support clause (d). He notes the cost to paint the door jams and the trunk interior is approximately \$800. He indicates that seven Ontario municipalities were contacted to determine if the door jams and trunk interiors must be painted, to which all responded in the negative.

Mike Dunning states the painting of door jams and trunk interiors causes more hurdles for drivers and this requirement does not enhance the service the customer receives. In an informal survey conducted with the drivers, it was determined that 95% of all drivers do not open the trunk of the vehicle.

Walter Bezzina states that Classic Body Shop provided the following quotes:

Painting of the exterior of the car	\$2,783.76
Painting of the door jams and interior trunk	812.00

He notes that the owner of the vehicle is responsible for these costs.

The Chair expresses concern that the requirement to paint the door jams and trunk interior poses a difficult hardship on the industry and the taxicab owners at this time.

Moved by Councillor Maghnieh, seconded by Councillor Sleiman,

That the discussion regarding the “Taxi Vehicle Colour Scheme” **BE DEFERRED** to the next scheduled meeting of the Windsor Licensing Commission to allow Walter Bezzina, Mike Dunning and Michael Chantler to meet and bring back wording relating to “the colour of the vehicle’s bumps, trim, mirrors, roof racks and tires shall be acceptable *if they are as originally supplied as black or chrome*” as noted in clause (c) of the report of the Supervisor of Licensing dated February 6, 2012.

Carried.

**9. IN CAMERA AGENDA**

N/A

**11. DATE OF NEXT MEETING**

As the Chair is unable to attend the May 16, 2012 meeting, it is generally agreed the next meeting of the Windsor Licensing Commission will be held on May 23, 2012 at 9:30 o'clock a.m. in the Council Chambers, 3<sup>rd</sup> floor, City Hall.

**12. ADJOURNMENT**

There being no further business, the meeting is adjourned at 11:05 o'clock a.m.

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CHAIR

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SECRETARY