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Windsor, Ontario July 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, 3rd floor, City Hall, there being present the following members:

Councillor Ron Jones, Chair
Councillor Drew Dilkens
Jack Fathers
Councillor Percy Hatfield
Councillor Ed Sleiman

Also present are the following resource personnel:

Michael Chantler, Supervisor of Licensing & Deputy Licence Commissioner
Gary Cian, Manager of Policy, Gaming & Licensing/Deputy Licence Commissioner
Mario Bonas, By-law Enforcement Officer
Ann Kalinowski, Manager of By-law Enforcement
Dana Paladino, Supervisor Risk Management
Werner Plackmann, Zoning Coordinator
Karen Kadour (A) Committee Coordinator

1. CALL TO ORDER

The Chair calls the meeting to order at 9:34 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 J. Fathers, seconded by Councillor Dilkens,
That the minutes of the Windsor Licensing Commission at its meeting held June 20, 2012 **BE ADOPTED** as presented.
Carried.

3. DISCLOSURE OF INTEREST

None disclosed.

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

N/A

5. **COMMUNICATIONS**

N/A

6. **LICENCE TRANSFERS**

N/A

9. **IN CAMERA AGENDA**

Verbal Motion is presented by Councillor Hatfield, seconded by J. Fathers, to move In Camera at 9:35 o'clock a.m. for discussion of the following item:

Item No.	Subject	Section – Pursuant to Municipal Act, 2001, as amended
9(a)	Personal matter about an identifiable individual	s. 239(b)

Motion Carried.

The applicant is present.

Discussion on the item of business.

Verbal Motion is presented by J. Fathers, seconded by Councillor Dilkens, to move back into public session at 9:40 o'clock a.m.

Moved by Councillor Dilkens, seconded by J. Fathers,

That the Licence Commissioner **BE DIRECTED** to transmit the recommendation(s) contained in the report discussed at the In Camera Windsor Licensing Commission meeting held July 18, 2012 directly to the Windsor Licensing Commission for consideration at the next Regular Meeting.

Moved by J. Fathers, seconded by Councillor Sleiman,

WLC27/12 That the In Camera report of the Licence Commissioner respecting a personal matter about an identifiable individual **BE RECEIVED** and further, that Administration **BE REQUESTED** to proceed with the verbal direction of the Windsor Licensing Commission.

Motion Carried.

7. **APPLICATIONS/HEARINGS**

7(a) **Taxi Plateholder #300 - Wheelchair Accessible Licence**

Mr. Abdul Haleem Jassim Bedawi, applicant is not present.

Moved by Councillor Sleiman, seconded by Councillor Dilkens,
WLC28/12 That the taxi plate holder licence #11 137115 issued to Mr. Abdul Haleem Jassim Bedawi of 4505 Osaka Circle, Windsor **BE REVOKED.**
Carried.

7(b) **Tricia Hopkins/Steven Ford – Dangerous Dog “Ivan”**

Steven Ford, guardian of “Ivan” is present and available to answer questions.

A letter from Mr. Thomas Quenneville, mail carrier and victim of the dog bite is distributed and **attached** as Appendix “A”.

Moved by Councillor Sleiman, seconded by Councillor Dilkens
WLC29/12 That the **DANGEROUS DOG** designation **REMAIN IN PLACE** for nine year old Bouvier known as “Ivan” which currently resides with guardian, Tricia Hopkins at 1036 Glidden Ave. 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 or 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.

8. REPORTS AND ADMINISTRATIVE MATTERS

8(a) Expired Business Licence

Moved by Councillor Dilkens, seconded by J. Fathers,
That the report of the Supervisor of Licensing & Deputy Licence Commissioner dated June 4, 2012 entitled "Expired Application(s) for Business Licence" **BE RECEIVED** for information.

Carried.

8(b) Taxi Vehicle – Safety Certificates, Age Limit, Insurance

Walter Bezzina, General Manager, Veteran Cab Company and Mike Dunning, Local 195, CAW and Haidar Aouli, Chairperson, CAW 195 are present and available to answer questions.

Walter Bezzina, General Manager, Veteran Cab Company provides the following comments relating to insurance for taxi vehicles:

- All owners of Veteran Cab vehicles have between \$6,000,000-\$15,000,000 of liability insurance for their vehicles
- Veteran Cab Company has 196 plates issued by the city
- Requesting deferral of the insurance issue until the industry meeting is held in September 2012
- To purchase additional insurance over and above the \$2,000,000, the cost is 96 cents a day. If there are two drivers of the vehicle, the cost is 48 cents a day.
- Mr. Bezzina's insurance company offers \$8,000,000 in insurance for an additional \$350.
- Request to keep the minimum insurance requirement at \$3,000,000 as mandated in the By-law.

Mike Dunning, Local 195, CAW and Haidar Aouli, Chairperson, CAW 195 provides the following comments relating to insurance for taxi vehicles:

- M. Dunning reports he represents 250 members who are in favour of the recommendations outlined in the report of the Supervisor of Licensing/Deputy Licence Commissioner.
- City of Windsor has the highest requirement for insurance - \$3,000,000. Very few brokers will provide the additional \$1,000,000. Requesting insurance requirement to be reduced from \$3,000,000 to \$2,000,000.
- Cost for the additional \$1,000,000 in insurance is approximately \$750 to \$800.
- Opposed to a deferral of this issue as some insurance policies will expire in July/August and the member will have to pay for the additional \$1,000,000 in insurance.

- H. Aouli reports the cost for additional insurance is not merely 96 cents a day; the deductible for an accident is \$2,500.
- This debate should be undertaken in December when negotiating the new collective agreement and not at the Windsor Licensing Commission.

Dana Paladino, Supervisor, Risk Management advises the recommendation to reduce the insurance requirement from \$3,000,000 to \$2,000,000 resulted from an investigation of the city's claims experience. She notes from the claims history (one lawsuit since 2007), the reduction in the insurance is not a significant risk. A catastrophic accident would result in claims much higher than \$2-\$3,000,000.

Moved by Councillor Sleiman, seconded by Councillor Dilkens,
I. THAT Public Vehicle Licensing By-Law 137-2007, Schedule 5 **BE AMENDED**
by:

- deleting Section 4.1 (e)
- deleting Section 14.2
- deleting Section 14.1 (a) and REPLACING it with the following: “(a) at Vehicle Standards Inspection Lane. The safety standards certificate shall be dated no more than 36 days prior to the date of an inspection.”
- adding the following definition to Part I: “Vehicle Standards Inspection Lane” means an inspection period, the dates and times as established by the Licence Commissioner, during which inspectors or compliance officers examine vehicles to ensure compliance with this By-Law.”; and further

II. THAT Public Vehicle Licensing By-Law 137-2007, Schedule 5 **BE AMENDED**
by deleting:

“14.9 No vehicle more than seven (7) years old shall be used as a taxicab in the City. By example, August 31, 2009 means the model year is 2009. By further example, a current taxicab vehicle that is more than seven (7) years old on August 31, 2009 i.e. 2002 or older taxicabs would have to be taken out of service. (Added By-law 152-2010 dated September 27, 2010)”

And replacing it with:

“14.9 No vehicle more than 8 years old shall be used as a taxicab in the City. By example, August 31, 2012 means the model year is 2012. By further example, a current taxicab vehicle that is more than 8 years old on August 31, 2012 i.e. 2004 or older taxicabs would have to be taken out of service.”;and further

THAT plate holders who have replaced 2005 vehicles based on current by-law requirements, specific to Section 14.9 of 137-2007, from January 1, 2012 to June 22, 2012 **BE ALLOWED** 1 extra year on those particular vehicles. By example, if the replacement vehicle was a 2010, that vehicle would not have to come off the road by August 31, 2018 as it would be granted an extension to August 31, 2019 (as long as it meets the vehicle standards of the by-law).

III. THAT, Public Vehicle Licensing By-Law 137-2007, Schedule 5 BE AMENDED by deleting:

“17.1 (b) for each taxicab or taxicab wheelchair accessible vehicle, liability coverage in the amount of not less than THREE MILLION DOLLARS (\$3,000,000.00) for personal injury or property damage arising out of any one accident or occurrence;”

And replacing it with:

“17.1 (b) for each taxicab or taxicab wheelchair accessible vehicle, automobile liability coverage in the amount of not less than TWO MILLION DOLLARS for personal injury or property damage arising out of any one accident or occurrence;”; and further

IV. THAT By-law _____-2012 *attached* as Appendix B BE ADOPTED by Council at the time of consideration.

Carried.

10. NEW BUSINESS

N/A

11. DATE OF NEXT MEETING

The next meeting will be held on Friday, August 10, 2012 at 1:00 o'clock p.m. in the Council Chambers, 3rd floor, City Hall.

12. ADJOURNMENT

There being no further business, the meeting is adjourned at 10:30 o'clock a.m.

CHAIR

SECRETARY