

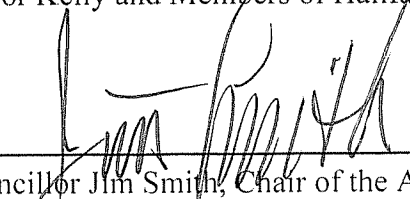


PO Box 1749
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Item No. 10.2.1
Halifax Regional Council
February 23, 2010

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Councillor Jim Smith, Chair of the Appeals Committee

DATE: January 19, 2010

SUBJECT: Expiration Notice for Taxi and Limousine Licences

ORIGIN

December 21, 2010 Appeals Committee meeting.

RECOMMENDATION

The Appeals Committee recommends that Halifax Regional Council give consideration to requesting that the HRM Taxi and Limousine Licencing Office provide notice to those drivers who have not renewed their licence by the expiry date advising them that they have 30 days to do so prior to the licence being terminated and that a letter also be sent out advising when a licence has been terminated.

BACKGROUND/DISCUSSION

At the December 21, 2009 meeting of the Appeals Committee the following motion was passed:

MOVED BY Councillor Walker, seconded by Deputy Mayor Johns, that the Appeals Committee submit a letter to Regional Council requesting that the Taxi and Limousine Licencing Office provide notice to those drivers who have not renewed their licence by the expiry date advising them that they have 30 days to do so prior to the licence being terminated and that a letter also be sent out when a licence has been terminated. MOTION PUT AND PASSED.

The Appeals Committee receives many appeals regarding licences that have expired due to taxi and limousine drivers and owners neglecting to renew them by their annual date. The Committee believes that by providing taxi and limousine drivers with an expiration notice, such appeals could be avoided and stress on industry members and staff resources could also be alleviated. The Taxi and Limousine Office does not currently alert taxi and limousine owners and drivers of the upcoming expiration of their licences which require renewal each year.

BUDGET IMPLICATIONS

None associated with this report.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

Regional Council could choose not to consider the recommendation from the Appeals Committee.

ATTACHMENTS

Attachment A: Sections 43 and 47-51 of By-Law T-108

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Shawnee Gregory, Legislative Assistant, 490-6521

Attachment A

43. (1) A driver's licence may be renewed upon payment of the annual licence fee prescribed by Council by Administrative Order #15, provided that the licence holder continues to meet all of the requirements of this By-law.
- (2) Notwithstanding subsection (1), commencing the first day of January, 2004, in any year other than the year in which the applicant's motor vehicle driver's license is renewed or due for renewal by the Registrar of Motor Vehicles for the Province of Nova Scotia, the applicant for the renewal of a driver's license, in lieu of a criminal records report from the appropriate police agency as required by clause (f) of Section 35, may file with the Inspector a Statutory Declaration by the applicant stating that an order as described in clause (a) of Section 40 of this Bylaw is not in effect as of the date of the application for renewal and that the applicant has not been convicted of an offense described in clause (b), (c) or (e) of Section 40 of this Bylaw since the date that a criminal report was last filed with the Inspector.
- (3) If an applicant makes a false statement in a Statutory Declaration filed with the Inspector pursuant to subsection (2), the Inspector, in addition to any penalty prescribed by Section 74 of this Bylaw, shall refuse to issue a driver's license to the applicant or shall revoke the driver's license issued to the applicant immediately upon the Inspector becoming aware of the false statement and the applicant shall thereafter not be eligible to make application for or to be granted a driver's or an owner's license pursuant to this Bylaw for a period of five (5) years from the refusal or revocation of the license.

LICENCE TERM

47. (1) Licences issued pursuant to this by-law shall expire on the next anniversary date of the licence holders birthday,
- (2) Removed
- (3) Removed
- (4) Removed
- (5) Notwithstanding the applicable provisions of Administrative Order 15, the licence fees for a partial terms shall be the annual licence fee prorated on a monthly basis,
- (6) A license issued pursuant to this section shall bare the expiry date of the license,
- (7) Where a taxi or limousine is owned by more than one individual, the owners shall designate one individual as the owner for purposes of determining the expiry date of the license.
- (8) Where a taxi or limousine is owned by a corporation, the owner, on the first renewal of an owner's license for that corporation shall select a renewal date for owner's licenses for the corporation and thereafter all owner's license held by the corporation shall expire on the date selected.

(9) Removed

48. Licences may be renewed at any time during a grace period of thirty days following the expiry date. If the applicant's vehicle has been involved in an accident and damaged such that the vehicle cannot be operated as a taxi or limousine, as the case may be, such damage to be certified by an adjuster's for the applicant's insurer, the grace period will be extended during the period that the vehicle may not be so used to a maximum of six months.
49. No licence fee is refundable upon suspension, revocation or termination for any reason of any licence granted under this By-law.
50. Licences which have been destroyed, lost or stolen may be replaced upon sufficient proof of destruction or loss being presented to the Inspector and upon payment of a replacement fee in the amount prescribed by Administrative Order.
51. (1) Notwithstanding any limitation on the numbers of licences which may be issued in any zone, an owner's licence or a driver's licence which has expired and has not been renewed due to illness or injury suffered by the licensee may be renewed at any time, upon presentation to the Inspector of satisfactory evidence that the applicant for renewal was prevented by illness or injury during the entire period in question, in the case of a driver's licence, from being able to operate a taxi, accessible taxi or limousine, as the case may be, and in the case of an owner's licence, from being able to renew the licence. Satisfactory evidence may be in the form of a certificate by a physician licensed to practice in Nova Scotia.

(2) Removed