

MEMORANDUM

TO: Mayor Kelly and Members of Council

CC: Wayne Anstey, Municipal Solicitor

FROM: Jan Gibson, Municipal Clerk

DATE: July 18, 2005

SUBJECT: Public Hearing re By-Law T-134 Amendment to By-Law T-108 re the Regulation of Taxis and Limousines

The public hearing regarding By-Law T-134 is to consider repeal of By-Law T-100, the Taxi and Limousine Committee By-law, the repeal and replacement of the definition of 'committee' in Section 3 of By-law T-108, and the repeal of Section 4, 83 and 83A of By-Law T-108.

Attached is the proposed By-Law T-134. The explanatory notes provide detail to the sections which are proposed for repeal. Also attached are copies of minute extracts from the May 24 and June 14, 2005 meetings of Regional Council, By-Law T-100 and the May 15, 2005 staff report.

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER T-134**

RESPECTING THE REGULATION OF TAXIS

BE IT ENACTED by the Council of the Halifax Regional Municipality, under the authority of Section 305 of the Motor Vehicle Act, Chapter 293, R.S.N.S. 1989 as follows:

1. By-Law T-100, the Taxi and Limousine Committee By-Law is hereby repealed.
2. The definition of "committee" in Section 3 of By-Law T-108, the Halifax Regional Municipality Taxi and Limousine By-Law is hereby repealed and the following substituted therefor:

"Committee" means the Appeals Committee established pursuant to Halifax Regional Municipality By-Law A-100, the Appeals Committee By-Law;
3. Section 4 of said By-Law T-108 is hereby repealed.
4. (1) Subsection (1) of Section 73 of said By-Law T-108 is amended by deleting the words "Appeals Subcommittee of the Committee which shall be selected by the chair of the committee from time to time and shall be comprised of not fewer than three committee members who shall not be members of the taxi industry, or involved in the taxi industry" from the fourth line thereof and by substituting therefor the word "Committee".

(2) Subsection (3) of said Section 73 is amended by deleting the words "Appeals Subcommittee" from the first line thereof and by substituting therefor the word "Committee".

(3) Subsection (4) of said Section 73 is amended by deleting the words "Appeals Subcommittee" from the first line thereof and by substituting therefor the word "Committee".
5. Sections 83 and 83A of said By-Law T-108 is repealed.

EXPLANATORY NOTES

1. This clause repeals By-Law T-100 which created and defined the mandate of the Taxi and Limousine Committee.
2. This clause replaces the definition of "Committee" from the Taxi and Limousine Committee to the Appeals Committee created by By-law A-100. This is a drafting change only since all taxi appeals have in fact been heard by the Appeals Committee since it was created in March 2000.
3. Section 4 of By-Law T-108 provides:

4. The Taxi and Limousine Committee shall be as established by By-law T-100 of the Regional Municipality of Halifax, and amendments of that By-law from time to time, and the Taxi and Limousine Committee shall have the powers and responsibilities conferred upon it by this By Law, in addition to any powers and responsibilities set out in By-law T-100.

This clause repeals that Section.

4. This clause replaces references to the Appeals Subcommittee of the Taxi and Limousine Committee with the Appeals Committee created by By-law A-100. This is a drafting change only since all taxi appeals have been heard by the Appeals Committee since it was created in March 2000.
5. This clause repeals the following Sections:

83. The Council hereby establishes the Hotel Standards Committee consisting of nine members appointed as follows:

- (a) one member appointed by Tourism Halifax;
- (b) one member appointed by the Tourism Industry Association of Nova Scotia;
- (c) two members appointed by the Hotel Association of Halifax
 - (i) one to act as chair; and
 - (ii) the other to represent the hotel industry at the Concierge or Public Service Manager level, this appointment to be on a rotational basis among the Hotels;
- (d) five members appointed by Council on the recommendation of the Mayor with
 - (i) one member being a Hotel Standards licensed taxi driver;
 - (ii) one member being a licensed Hotel Standards taxi owner;
 - (iii) one member being an owner or manager of a 24 hour dispatch taxi brokerage;
 - (iv) one member being a member of Council; and
 - (v) one member being a concierge from a residential facility

83A. The mandate of the Hotel Standards Committee is to improve the level of service for visitors to the Halifax Regional Municipality and to enhance the working relationship between taxi drivers and the entire tourism industry.

which created and defined the mandate of the Hotel Standards Committee.

Extract - May 24, 2005 Regional Council Minutes

10.1.4 Structure - Taxi & Limousine Advisory Committee

- A staff report dated May 16, 2005, on the above noted, was before Council.

MOVED by Councillor Mosher, seconded by Councillor Wile, that:

1. **The current Taxi and Limousine Committee as well as the Hotel Standards Committee be disbanded;**
2. **A new Taxi and Limousine Advisory Committee to be appointed pursuant to the Terms of Reference set forth in Appendix "H" attached to the staff report dated May 16, 2005;**
3. **Staff be directed to arrange for the introduction of the necessary legislation amendments to accomplish these ends.**

Following discussion, the following motion was placed.

MOVED by Councillor Smith, seconded by Councillor Sloane, that the new Committee be made up of five residents. MOTION DEFEATED.

Following further discussion, the following motion was placed.

MOVED by Councillor Johns, seconded by Councillor Hendsbee, that membership be increased to include a representative of Halifax Regional Council who would assume the role of Chair. MOTION DEFEATED.

At the request of Councillor Streach, Council agreed to split the main motion.

MOVED by Councillor Mosher, seconded by Councillor Wile, that:

1. **The current Taxi and Limousine Committee as well as the Hotel Standards Committee be disbanded. MOTION PUT AND PASSED.**

Those voting **in favour** of the motion were: Mayor Kelly, Deputy Mayor Goucher and Councillors Streach, Snow, Hendsbee, McInroy, Younger, Karsten, Kent, Smith, Sloane, Uteck, Hum, Mosher, Johns, Harvey, Rankin and Meade.

Those voting **against** the motion were: Councillors McCluskey, Wile, Murphy, Walker, and Adams.

Councillor Fougere was absent for the vote.

MOVED by Councillor Mosher, seconded by Councillor Wile, that:

2. **A new Taxi and Limousine Advisory Committee to be appointed pursuant to the Terms of Reference set forth in Appendix "H" attached to the staff report dated May 16, 2005. MOTION DEFEATED.**

Those voting **in favour** of the motion were: Mayor Kelly, Deputy Mayor Goucher and Councillors Hendsbee, Younger, Wile, Uteck, Hum, Adams, Rankin and Meade.

Those voting **against** the motion were: Councillors Streach, Snow, McInroy, McCluskey, Karsten, Kent, Smith, Murphy, Sloane, Walker, Mosher, Johns and Harvey.

Councillors Fougere was absent for the vote.

MOVED by Councillor Mosher, seconded by Councillor Wile, that:

3. **Staff be directed to arrange for the introduction of the necessary legislation amendments to accomplish these ends. MOTION PUT AND PASSED.**

Those voting **in favour** of the motion were: Mayor Kelly, Deputy Mayor Goucher and Councillors Streach, Snow, Hendsbee, McInroy, Younger, Karsten, Kent, Smith, Wile, Sloane, Uteck, Hum, Mosher, Johns, Harvey, Rankin and Meade.

Those voting **against** the motion were: Councillors McCluskey, Murphy, Walker and Adams.

Councillor Fougere was absent for the vote.

Extract - June 14, 2005 Regional Council Minutes

10.1.11 By-law T-134, Respecting the Taxi and Limousine Committee

- A copy of the proposed By-law T-134 was before Council.

MOVED by Councillor Streach, seconded by Deputy Mayor Goucher, that Halifax Regional Council move First Reading of By-law Number T-134, Respecting the Regulation of Taxis.

Councillor Walker requested a copy of the sections being repealed be provided to Council at the time of the public hearing.

MOTION PUT AND PASSED (13 in favour, 10 against)

Those voting **in favour** were: Deputy Mayor Goucher and Councillors Streach, Snow, Hendsbee, Younger, Karsten, Kent, Smith, Sloane, Uteck, Fougere, Mosher and Harvey.

Those voting **against** were: Mayor Kelly and Councillors McCluskey, Wile, Murphy, Walker, Hum, Adams, Johns, Rankin and Meade.

Councillor McInroy was not present for the vote.

HALIFAX REGIONAL MUNICIPALITY

BY-LAW NUMBER T-100

RESPECTING

A REGIONAL TAXI AND LIMOUSINE COMMITTEE

BE IT ENACTED by the Council of the Halifax Regional Municipality, under the authority of Section 305 of the Motor Vehicle Act, Chapter 293, R.S. N.S., 1989 as follows:

Short Title

1. This By-law shall be known as By-law No. T-100 and may be cited as the “Taxi and Limousine Committee By-law”.

Committee

2. (1) The Council hereby establishes the Taxi and Limousine Committee which shall promote and encourage service to the public, professionalism, and the interests of the taxi and limousine industries as an integral part of the regional transportation system.

(2) The Committee shall consist of eleven (11) members who shall be appointed by Council on the recommendation of the Mayor and shall consist of:

- (a) two (2) Councillors;
- (b) two (2) citizens of the Region which are not and have not been involved within the last five years prior to their appointment in taxi or limousine industries;
- (c) three (3) taxi brokers (owners or managers) one from each zone);
- (d) three (3) taxi drivers/owners (one from each zone);
- (e) one (1) limousine representative.

(3) The members of the Committee shall be appointed for such term as Council may direct and shall hold office at the pleasure of Council.

(4) A member of the Committee shall be eligible for re-appointment.

(5) A member who is absent from three consecutive meetings of the Committee without cause shall be deemed to have resigned

(6) If any of the Councillor members of the Committee ceases to be a Councillor during the member's term on the Committee, the member's appointment shall be vacated.

(7) Should a vacancy occur on the Committee, for any reasons other than the expiration of the term of a member, the Council shall within 30 days of notification thereof, appoint a person to fill the vacancy, and the person so appointed shall hold office for the remainder of the term of the member to whose place he or she was appointed.

(8) The Committee may receive recommendations and submissions, conduct investigations and ultimately make recommendations to Council on the following topics:

- (a) rates and fees;
- (b) limitation of the number of taxi or limousine drivers in the the various zones of the Municipality;
- (c) the role of the taxi and limousine industries in regional transportation objectives;
- (d) problems generally in the taxi and limousine industries; and
- (e) changes to by-laws or other legislation relevant to the taxi and limousine industries;

however, the Committee shall have no power to resolve or mediate in individual disputes within the taxi or limousine industries.

(9) The Committee shall meet within thirty (30) days of its appointment each year and thereafter at the call of the Chair, or at the request of any six members of the Commission.

(10) A quorum of the Committee for each meeting shall be one half of the actual number of members on the Committee from time to time.

(11) The Committee shall, at its first meeting each year, elect from its members a Chairman and a Vice-Chairman who shall act in the absence of the Chair for the coming year.

(12) Repealed by T-110

(13) The procedure of the Committee shall be governed, where not inconsistent with this By-law, by the Rules of Order Administrative Order of the Region.

Incidental Amendments

3. Clause (b) of Section 2 and Section 3 of former City of Halifax Ordinance 116, the Taxi and Limousine Ordinance, clause (d) of Section 1 and Section 2 of former City of Dartmouth By-law T-500, respecting the Licensing of Taxis, Clause (b) of Section 1 of former Halifax County Municipality By-law 10, the Taxi By-law and Clause (b) of Section 1 of former Town of Bedford By-law 15901, the Taxi By-law are hereby repealed.

Done and passed in Council this ninth day of July, 1996.

Walter R. Fitzgerald
MAYOR

Vi Carmichael
MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of Halifax Regional Council held on July 9, 1996.

Vi Carmichael
Vi Carmichael
Municipal Clerk

BY-LAW T-100

Notice of Motion:	May 28, 1996
First Reading:	June 11, 1996
Second Reading:	June 25, 1996
Third Reading:	July 9, 1996
Approval of Minister of Municipal Affairs:	N/A
Effective Date:	July 13, 1996

Amendment No. 1

Section 2, Subsection 2 Clause (d) Amended by T-105

Notice of Motion:	March 31, 1998
First Reading:	April 14, 1998
Second Reading:	October 6, 1998
Third Reading:	October 6, 1998
Approval of Minister of Municipal Affairs:	N/A
Effective Date:	October 10, 1998

Amendment No. 2

Subsection (10) of Section 2 amended by T-106

Notice of Motion	March 23, 1999
First Reading	April 6, 1999
Notice of Intent Publication	April 10, 1999
Second Reading	April 27, 1999
Approval of Minister of Municipal Affairs	N/A
Effective Date	May 1, 1999

Amendment No. 3


Subsection (2) of Section 2 amended; Subsection (12) of Section 2 repealed by
T-110

Notice of Motion	January 4, 2000
First Reading	January 11, 2000
Notice of Intent Publication	January 15, 2000
Second Reading	February 1, 2000
Approval of Minister of Municipal Affairs	N/A
Effective Date	February 5, 2000

Halifax Regional Council
May 24, 2005
6:00 p.m.

TO: Mayor Kelly and Members of Regional Council

SUBMITTED BY:


George McLellan, Chief Administrative Officer


Wayne Anstey, Q.C., Municipal Solicitor

DATE: May 16, 2005

SUBJECT: Structure - Taxi and Limousine Committee

ORIGIN

A staff report dated January 6, 2005 was before Regional Council on January 11, 2005 for its consideration (Copy of Report attached as Appendix "A"). The report recommended that

the Taxi and Limousine Committee as well as the Hotel Standards Committee be disbanded and that staff be directed to arrange for the introduction of the necessary legislation amendments to accomplish that end.

The following resolution was adopted by Regional Council:

MOVED by Councillor Walker, seconded by Councillor Hum, that this matter be referred back to staff for a report following consultation with both the Taxi and Limousine Committee and the Hotel Standards Committee, regarding the feasibility of combining both Committees.

RECOMMENDATION:

It is recommended that

- (1) The Current Taxi and Limousine Committee as well as the Hotel Standards Committee be disbanded;
- (2) A new Taxi and Limousine Advisory Committee to appointed pursuant to the Terms of Reference set forth in Appendix "H" attached to this report;
- (3) Staff be directed to arrange for the introduction of the necessary legislation amendments to accomplish these ends.

BACKGROUND:

Following the Regional Council meeting of January 11, 2005, the issue was discussed with the Taxi and Limousine Committee at its meeting of January 31, 2005. An extract of the minutes of that meeting outlining the discussions that took place are attached as Appendix "B". At that time the Committee adopted the following resolution:

MOVED by Councillor McCluskey, seconded by Don Shannon that the Regional Taxi and Limousine Committee be retained with the addition of one representative from the Hotel Association and one from the Tourism industry and that the Hotel Standards Committee be disbanded. MOTION PUT AND PASSED UNANIMOUSLY.

The Hotel Standards Committee met on March 10, 2005 to discuss the issue. The Committee strongly expressed their desire to continue as an advisory committee to Regional Council in regards to taxi/limousine service standards. The Committee commented that they have forwarded recommendations to Council/Taxi Committee in regards to their mandate to improve the level of service for visitors to the HRM and to enhance the working relationship between taxi drivers and the entire tourism industry.

The Municipal Solicitor agreed to prepare a draft Terms of Reference - including mandate and possible composition options - for a possible new taxi standards advisory committee for consideration by the Hotel Standards Committee with emphasis on public service, quality of car and driver. The new Committee would have more public involvement and be less industry (taxi/limo) driven. For example: composition could have representation from the following: Hotel Association of Nova Scotia, Tourism Industry Association Of Nova Scotia, Halifax Regional Chamber of Commerce, area businesses, members of the public and perhaps one or two Taxi Industry representatives.

The Municipal Solicitor prepared a draft of the Terms of Reference/Mandate to the Hotel Standards Committee as requested and these were reviewed by the Committee on April 07, 2005. A copy of the minutes of that meeting of the Hotel Standards Committee is attached as Appendix "D" and a copy of the Terms of Reference as approved by the Hotel Standards Committee is attached as Appendix "E".

The draft Terms of Reference approved by the Hotel Standards Committee were referred to the Taxi and Limousine Committee for their comments at their meeting held on April 18, 2005. The extract of the minutes (draft) of that meeting respecting this issue are attached as Appendix "F".

DISCUSSION:

While staff are still of the opinion that the Taxi and Limousine industry has no more need for an advisory committee reporting directly to Council than any other industry operating in HRM, staff has taking into consideration the input of the present Taxi and Limousine Committee and the Hotel Standards Committee and is prepared to recommend the continuation of one advisory body to replace

the two present committees.

In staff's opinion, the primary purpose in the municipality regulating the taxi and limousine industry is to ensure that the public receives a safe and effective taxi and limousine service within the municipality as an integral part of the overall transportation system. In achieving this goal, it is necessary for the municipality to regulate the quality and safety of vehicles, the qualification and training of drivers and to create a regulatory environment in which the industry can operate effectively in the public interest.

In staff's opinion a Committee should consist of representatives of stakeholder groups such as the chamber of commerce, the tourism industry, the hotel and hospitality industry and the general public, including representatives from the disabled community. In staff's opinion, Council representation is not necessary since Council members will have an opportunity to input on industry issues when they come before Council. This Committee could receive input from all interested parties including owners, brokers and drivers.

Staff are not convinced that either model suggested by the two existing committees is appropriate.

As noted above, in staff's opinion,

- (1) Council representation on the committee is not necessary;
- (2) Both Committees are too large;
- (3) The Committee suggested by the present Taxi and Limousine Advisory Committee has too many industry representatives.
- (4) The mandate as suggested by the present Taxi and Limousine Advisory Committee does not focus sufficiently on public service.

Accordingly, staff are suggesting a compromise between the two structures suggested by the two existing Committees. The staff recommendation is set out in Appendix "H" attached.

BUDGET IMPLICATIONS

This recommendation has no significant budget implications.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

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

ALTERNATIVES

Council could adopt the terms of reference and mandate suggested by either of the existing Committees. Staff's preference would be those recommended by the Hotel Standards Committee in Schedule "E".

ATTACHMENTS:

Appendix "A" - Staff Report dated January 6, 2005.

Appendix "B" - Extract of Minutes - Taxi And Limousine Advisory Committee - January 31, 2005

Appendix "C" - Minutes - Hotel Standards Committee - March 10, 2005

Appendix "D" - Minutes - Hotel Standards Committee - April 07, 2005

Appendix "E" - Terms of Reference - Taxi And Limousine Advisory Committee - As Suggested by Hotel Standards Committee

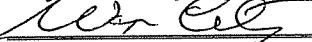
Appendix "F" - Extract of Minutes - Taxi And Limousine Advisory Committee - April 18, 2005.

Appendix "G" - Terms of Reference - Taxi And Limousine Advisory Committee - As Suggested by Current Taxi And Limousine Advisory Committee

Appendix "H" - Terms of Reference - Taxi And Limousine Advisory Committee - Staff Recommendation

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report prepared by: Wayne Anstey, Q.C., Municipal Solicitor.

Report approved by:  _____,
Wayne Anstey, Director of Legal Services 490-4229

Appendix "A"

Halifax Regional Council
January 11, 2005
6:00 p.m.

TO: Mayor Kelly and Members of Regional Council

SUBMITTED BY: _____
George McLellan, Chief Administrative Officer

Wayne Anstey, Q.C., Municipal Solicitor

DATE: January 06, 2005

SUBJECT: **Taxi and Limousine Committee**

ORIGIN

Direction from Regional Council that staff bring forward a recommendation on the future structure of the Taxi and Limousine Committee.

RECOMMENDATION:

It is recommended that the Taxi and Limousine Committee as well as the Hotel Standards Committee be disbanded and that staff be directed to arrange for the introduction of the necessary legislation amendments to accomplish that end.

BACKGROUND:

The Taxi and Limousine Committee is established by By-Law T-100 (copy attached as Appendix "A"). The Committee is presently composed of eleven members made up as follows:

- (e) two Councillors;
- (f) two citizens of the Region which are not and have not been involved within the last five years prior to their appointment in taxi or limousine industries;
- (g) three taxi brokers (owners or managers) one from each zone;
- (h) three taxi drivers/owners (one from each zone);
- (i) one limousine representative.

The mandate of the Committee is to promote and encourage service to the public, professionalism, and the interests of the taxi and limousine industries as an integral part of the regional transportation system.

Pursuant to the By-law, the Committee may receive recommendations and submissions, conduct investigations and ultimately make recommendations to Council on the following topics:

- (a) rates and fees;
- (b) limitation of the number of taxi or limousine drivers in the various zones of the Municipality;
- (c) the role of the taxi and limousine industries in regional transportation objectives;
- (d) problems generally in the taxi and limousine industries; and
- (e) changes to by-laws or other legislation relevant to the taxi and limousine industries

however, the Committee has no power to resolve or mediate in individual disputes within the taxi or limousine industries.

In addition, under the Taxi and Limousine By-law 108, a Hotel Standards Committee is established. That Committee is made up of nine members appointed as follows:

- (a) one member appointed by Tourism Halifax;
- (b) one member appointed by the Tourism Industry Association of Nova Scotia;
- (c) two members appointed by the Hotel Association of Halifax
 - (i) one to act as chair; and
 - (ii) the other to represent the hotel industry at the Concierge or Public Service Manager level, this appointment to be on a rotational basis among the Hotels;
- (d) five members appointed by Council on the recommendation of the Mayor with
 - (i) one member being a Hotel Standards licensed taxi driver;
 - (ii) one member being a licensed Hotel Standards taxi owner;
 - (iii) one member being an owner or manager of a 24 hour dispatch taxi brokerage;
 - (iv) one member being a member of Council; and
 - (v) one member being a concierge from a residential facility.

The mandate of the Hotel Standards Committee is to improve the level of service for visitors to the Halifax Regional Municipality and to enhance the working relationship between taxi drivers and the entire tourism industry.

Prior to amalgamation, there were taxi and limousine committees in both the former cities of Halifax and Dartmouth. The Town of Bedford and the Halifax County Municipality has no such industry committees.

The make-up of the former City of Halifax committee was similar to the current Committee while the committee in the former City of Dartmouth was made up of 5 Councillors and 1 citizen at large.

Staff has done a survey of a number of the more prominent cities across Canada (15 in total) to determine the governance structure in place in each of those communities. In addition information was obtained from Manitoba and British Columbia where the taxi industry is regulated provincially.

The results of that survey are attached as Appendix "B".

Of the 15 cities surveyed, 8 of the municipalities do not have any taxi committee of any kind in place. In the local region, there are no taxi committees in place in Prince Edward Island and New Brunswick. Saint. John, New Brunswick did have a committee until May, 2004, when the members of the Committee walked out. Toronto has not had an active committee since 2003. It is currently under review by the Council. The mandate and structure of the committees in Ottawa and Mississauga are currently under review. There appears to be a trend in that committees that exist in eastern Canada appear to have industry members as a majority or at least a substantial portion of its committee. On the other hand, committees in western Canada appear to have no industry representation.

DISCUSSION:

In staff's opinion, the primary purpose in the municipality regulating the taxi and limousine industry is to ensure that the public receives a safe and effective taxi and limousine service within the municipality as an integral part of the overall transportation system. In achieving this goal, it is necessary for the municipality to regulate the quality and safety of vehicles, the qualification and training of drivers and to create a regulatory environment in which the industry can operate effectively in the public interest.

Unfortunately, it is staff's observation that, for the most part, in recent years, the Committee has not focussed on the interests of the public, but rather on the financial self-interests of the owners and operators. The Committee has resisted efforts to raise the standards for both vehicles and drivers. The Committee has not been prepared to attempt to address major problems facing the industry such as the "leasing" of roof lights. Much of the discussion time of the Committee has been spent on issues like taxi limitations and transferability which many members of the industry see as a potentially substantial financial windfall to current members of the industry. Recent discussions have shifted from limitations on taxi vehicles to limitations on drivers. Historically, this has resulted in citizen members of the Committee losing interest in the Committee and eventually ceasing to attend. In recent months, even industry members have begun to become frustrated with the Committee proceedings with the result that it has been difficult to achieve and maintain quorums. Non-committee members of the industry have expressed frustration with the ineffectiveness of the Committee.

The Hotel Standards Committee was first established in the former City of Halifax with a goal of upgrading the quality of taxis and the drivers servicing hotels. A standard was set for both vehicles and drivers who would be permitted to access private stands on hotel properties. Since that time, the standard for all taxis has been upgraded to the hotel standard so that there is now no higher standard for taxis which can be licensed to operate anywhere and those that access hotels. In addition, all new drivers are now required to take the same training as was originally established for hotel standard drivers. Therefore, in staff's opinion, the purpose of the Committee has become redundant.

There are many industries operating in the municipality which are regulated to some extent either by the Municipality or the Province. HRM has not created an advisory committee for these industries. Most facets of the transportation in the Province of Nova Scotia are regulated either by

the Province or by municipalities. HRM has not created advisory committees for other sectors of the transportation industry other than for taxis and limousines. As our research has pointed out, the majority of communities do not have advisory committees in place with respect to the taxi and limousine industry and there is no indication that those communities that do not have committees are any less effective in regulating the industry. Even in the absence of an HRM sponsored Committee, there is nothing to prevent the HRM taxi and limousine industry from organizing itself to input to Council on issues that it considers important to the industry. Likewise if the hotel industry wishes to organize itself with respect to standards for taxis and limousines accessing their private stands they can do so on their own without HRM assistance.

If Council does perceive a need to continue to have an oversight body with respect to this industry, then it is staff's opinion that one advisory body should replace the two present committees and be made up of representatives of stakeholder groups such as the chamber of commerce, the tourism industry, the hotel and hospitality industry and the general public, including representatives from the disabled community. Council representation is not necessary since Council members will have an opportunity to input on industry issues when they come before Council. This Committee could receive input from all interested parties including owners, brokers and drivers.

BUDGET IMPLICATIONS

This recommendation has no significant budget implications. There would be some small savings as a result of staff no longer being required to provide support services to the Committees.

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 Operating reserves, as well as any relevant legislation and business plans.

ALTERNATIVES

If Council does perceive a need to continue to have an oversight body with respect to this industry, then it is staff's opinion that one advisory body should replace the two present committees and be made up of representatives of stakeholder groups such as the chamber of commerce, the tourism industry, the hotel and hospitality industry and the general public, including representatives from the disabled community.

ATTACHMENTS:

Appendix "A" - By-Law T-100 Respecting Taxi and Limousine Committee

Appendix "B" - Survey Of Information Respecting Taxi Industry Governance From Select Cities Across Canada.

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report prepared by: Wayne Anstey, Q.C., Municipal Solicitor.

Report approved by: _____,
Wayne Anstey, Director of Legal Services 490-4229

Appendix “B”

Extract of Minutes
Regional Taxi And Limousine Advisory Committee
January 31, 2005

6.2 Future Structure Taxi and Limousine

The following motion from Regional Council was before the Committee for consideration:

This matter be referred back to staff for a report following consultation with both the Taxi and Limousine Committee and the Hotel Standards Committee regarding the feasibility of combining both Committees.

The Committee agreed that members of the industry/public would be permitted to speak. Members of the Committee and members of the industry seated in the gallery commented regarding the above motion and the future structure of the Committee as follows:

- Hotel Standards Committee membership duplicates that of the Regional Taxi and Limousine Committee in terms of driver representative, broker representative, and a member of Council.
- The standard for new drivers is to complete national certification, there is only one standard for vehicles (those cars that have hotel standard designation are inspected twice annually while those that aren't are required to have one inspection). What is the purpose of the Hotel Standards Committee.
- As they are not governed by By-Law T-108, brokers should not have a vote on the Committee, they could sit on the Committee and have input but not be a voting member.
- There are 2000 members of the taxi industry in HRM and, in order to be just, the Taxi Committee must represent that group of people.
- Brokers are an integral part of the taxi industry and are serious stakeholders at this Committee. Brokers deserve a place at this Committee and a vote. Brokers should be asked if they would want to be regulated by T-108.
- Comment on original report: The Committee's numbers were reduced by resignations and the three meeting missed rule was not enforced. Both these things had an impact on the Committee's ability to maintain a quorum.
- Halifax zone has 610 vehicles with one driver representative. The Dartmouth and County zones have many fewer vehicles with the same representation. Believe that the Regional Taxi And Limousine Advisory Committee Minutes 6 January 31, 2005 Halifax zone should have one additional driver representative.

MOVED by Councillor McCluskey, seconded by Don Shannon that the Regional Taxi and Limousine Committee be retained with the addition of one representative from the Hotel Association and one from the Tourism industry and that the Hotel Standards Committee be disbanded. MOTION PUT AND PASSED UNANIMOUSLY.

Appendix “C”

HOTEL STANDARDS COMMITTEE

SPECIAL MEETING

MINUTES

March 10, 2005

PRESENT: Bill Harrison, Chair
Ivan Boyd (1:09 pm)
Darlene Grant Fiander
Robert Richards
Councillor Mary Wile

ABSENT: Suzanne Leblanc
Derek Mathers
Peter McIlveen (regrets)

STAFF: Mr. Wayne Anstey, Municipal Solicitor
Ms. Chris Newson, Legislative Assistant

TABLE OF CONTENTS

6. CALL TO ORDER 3

2. MANDATE OF THE HOTEL STANDARDS COMMITTEE 3

 2.1 Terms of Reference for the Hotel Standards Committee as per By-Law T-108 including the mandate for the Committee 3

 2.2 Report dated January 6, 2005 to Regional Council entitled “Taxi and Limousine Committee” 3

 2.3 Letter dated January 11, 2005 from Ms. Darlene Grant Fiander, Executive Director TIANS, to Councillor Linda Mosher, Chair of the Regional Taxi and Limousine Advisory Committee 3

(3) ADJOURNMENT 8

1. **CALL TO ORDER**

Mr. Bill Harrison, Chair, called the meeting to order at 1:06 pm in the Trophy Room, 2nd Floor, City Hall, 1841 Argyle Street.

2. **MANDATE OF THE HOTEL STANDARDS COMMITTEE**

- 2.1 Terms of Reference for the Hotel Standards Committee as per By-Law T-108 including the mandate for the Committee.
- 2.2 Report dated January 6, 2005 to Regional Council entitled "Taxi and Limousine Committee".
- 2.3 Letter dated January 11, 2005 from Ms. Darlene Grant Fiander, Executive Director TIANS, to Councillor Linda Mosher, Chair of the Regional Taxi and Limousine Advisory Committee.

Items 2.1 - 2.3 were discussed together at this time.

Mr. Bill Harrison, Chair of the Hotel Standards Committee (HSC) explained one accomplishment achieved by the HSC was the establishment of the concept of a *hotel standard* vehicle by Regional Council. Now, that standard of vehicle is mandatory and is part of By-Law T-108.

The HSC is currently considering an amendment to existing legislation to approve a name change to *Halifax Regional Taxi Standards Committee* as "*hotel standards*" is no longer the sole function of the HSC. The term "*hotel standards*" leaves a bad feeling with those drivers who have not become "*hotel standard*" (nationally) certified. Ms. Darlene Grant-Fiander, Director, Tourism Human Resource Council (THRC), added that over 350 drivers have been Nationally Certified and that number is growing closer to 500. Mr. Harrison advised that Nova Scotia has the highest level of national certification in the country. Seasoned drivers are also encouraged to participate in the national certification program.

The mandate of HSC is also to fulfill value of tourism to the area. A visitor's impression, especially from the airport, is very important and therefore quality of car and driver are important. Mr. Harrison explained the HSC was formed due to dis-satisfaction of local hotels with the quality of car. Since HSC's formation there have been huge improvements in the quality of car/driver/service.

There is a quarterly publication now being sent to drivers from the THRC in an effort to inform drivers of what is going on in HRM such as conferences coming to town, large events planned at the Metro Centre/WTCC and Cruise Ship information for example. This information will assist in ensuring there will be sufficient taxi coverage for those events.

Mr. Harrison added that the overall impact of taxis/tourism has similar benefits to residents of Halifax as local residents will benefit from the quality of vehicle/service as well.

Ms. Darlene Grant Fiander advised that HSC wrote a letter to Councillor Linda Mosher, Acting Chair of the Regional Taxi and Limousine Advisory Committee, regarding concerns with the proposal to disband this Committee. *A copy of the letter was distributed in the agenda package*

for today's meeting.

Ms. Grant Fiander outlined the following points:

1. There is misinformation that HSC has arrived to where it needs to be. (The car standard is part of the By-law but it is not enforced).
 2. A large portion of the taxi industry is not required to make any investment in themselves. There is still a lot of work to do in this regard (ie; all drivers being nationally certified).
 3. HSC is *not* part of the Regional Taxi and Limousine Advisory Committee.
 4. HSC is perhaps not communicating what they are doing. Perhaps HSC could meet with/report to Regional Council more often. HSC has presented to Regional Council and are willing to do so more frequently.
- (ii) HSC/TIANS/HANS produce a quarterly newsletter for the benefit of the taxi/limo drivers.
- (ii) TIANS offers a \$50 rebate for the National Certification Program.
- (ii) Why is HSC being considered for disbandment?

The Committee then responded to questions from Mr. Wayne Anstey, Municipal Solicitor and author of the report before the Committee.

Mr. Anstey raised the following points:

1. The report recommending disbandment was written in the context that HRM has limited resources, particularly in the Municipal Clerk's Office, Legal Services and the Taxi Inspector's office. The Committees meet monthly, although HSC has recently amended their meeting schedule to meet every second month.
- (ii) The genesis of the report stems more from frustrations with the Regional Taxi and Limousine Advisory Committee than the Hotel Standards Committee. Members of the taxi industry as well as Regional Council have expressed frustration with the Regional Taxi and Limousine Advisory Committee. Research of municipalities across the country shows regulation of the taxi industry is done by the various municipalities yet, in eastern Canada, the Committees were primarily made up of industry representatives while western communities had less industry representation. The Committees seem to become dysfunctional when industry is heavily involved.
- (ii) The staff recommendation is that the taxi industry itself could form a committee and meet whenever they want and provide their own support. When an issue has to be brought forward to Regional Council, in regards to a By-law amendment, the Committee could then forward their recommendations to Regional Council.
- (ii) Recently some issues have come forward to Regional Council from the Hotel Standards Committee but prior to that, since HSC's formation, there were very few recommendations coming forward. The only recommendation was for mandatory National Certification for all taxi and limousine drivers. Hotel standards became mandatory for all cars when the new by-law was adopted. Currently, the only difference between hotel standard vehicles and non-hotel standard vehicles is the number of vehicle

inspections required per year. (One inspection per year for non-hotel standard certified cars and two inspections per year for hotel standard certified cars). Also, some drivers have been “grand-fathered” and there has been no real change in attitude of existing drivers toward certification. Drivers constantly ask the question: “*What is the value for me to be nationally certified?*” Mr. Anstey explained that due to the lack of recommendations coming forward from the Hotel Standards Committee, staff’s reaction was to ask “*Is there a role for the committee anyway?*”

Mr. Anstey advised alternatives to disbandment would be:

- The taxi industry could form their own Committee as mentioned previously.
- Regional Council could have one committee. Two committees does seem to create conflict and the question is asked: “*Why are there two Committees?*”
- Have more of a mix in membership on one Committee. Currently, the Regional Taxi and Limousine Advisory Committee has two members of the public, two Councillors, with the remaining members being taxi industry members. There could be a possible blend of the two Committees with continuing representation from the general public, tourism industry, council, broader business community (Chamber of Commerce) and be more directed to customer service. The current Regional Taxi and Limousine Advisory Committee seems to be more oriented toward self-serving matters and service to the public was secondary (staff’s observation). Preference would be for a new group that is more representative of the community.

Mr. Harrison thanked Mr. Anstey for his comments but stressed again that the focus of the HSC is on *service*. Mr. Anstey added that some committees in the western provinces had no taxi industry members on them. He clarified that staff is not recommending that extreme as there should be some representation from the industry. He also clarified that the Taxi Inspector would still exist whether there is a Committee or not.

Ms. Darlene Grant-Fiander further commented:

- (iv) Part of HSC’s concern with the original review of the two Committees outlined in the report before us today was that HSC was not involved in that review. HSC was not asked to comment. There is a council member on the HSC and staff persons (a Legislative Assistant and a Taxi Inspector). She added HSC assumed information was being communicated to Regional Council through the Councillor and the two staff persons.
- (iv) Staff should be aware of industry investment (by HANS and TIANS), such as the \$30,000 that was leveraged to cover the first 100 drivers who took the national certification program. HANS and TIANS is investing on behalf of the taxi industry. There has been a lot of work done and an opportunity to bring that information forward before this report appeared would have been appreciated. HANS and TIANS are continuing to provide subsidies for the national certification course as well.
- (iv) The mandate for the Taxi Committee is broader than HSC. If staff are proposing a restructure, it will take a while as they are different mandates. If you are changing the mandate of the HSC, we want to know.

Ms. Fiander reminded Mr. Anstey that there is “good action happening” as HRM has been able to leverage tremendous amounts of “funding” for the taxi industry through HANS and TIANS. There are drivers who say the certification program is good.

Mr. Anstey inquired if a new Committee was formed whose focus was service to the public and quality of service, to the tourists, visitors, business, residents of the areas, would that be something that HANS and TIANS would be interested in participating in? Mr. Harrison responded if that were the key mandate of the Committee and the composition were clearly defined, that would be good. He further commented that it has to be an HRM initiative and not a hotel one. The biggest outstanding issue is ENFORCEMENT of the existing By-Laws.

Mr. Harrison explained that to date, the focus (of Hotel Standards) has been on a small community in Halifax but that has to be expanded so that service is the same whether the visitor/resident is coming off a ferry in Dartmouth or arriving at the airport. The same quality of service and product should be available throughout HRM. Recently, due to a taxi driver's injuries, HSC has been discussing how to make things better for the drivers as well (such as lower insurance rates or the opportunity for health insurance). He added TIANS will inquire into the matter of insurance and provide an update at the next HSC meeting.

Mr. Robert Richards, member of HSC, added the Hotel Standards Committee perked up the taxi drivers and now Nova Scotia is the most certified province in the country. This committee should be left alone, it serves a good purpose.

Mr. Ivan Boyd, Community Residential Facility Concierge Representative, commented that if HSC is disbanded, it would take away powers of hotel staff, especially to enforce issues that happen at taxi stands. Concierge's diffuse situations that the Taxi Inspector cannot get to. He further commented that he has noted that drivers who serve the residential properties are much better behaved than at hotel properties. Without the HSC as it is, you would miss a lot and to further Halifax's reputation as a tourism destination, things would be lost.

Mr. Anstey clarified that with or without the HSC or the Regional Taxi and Limousine Advisory Committee, legislation would continue. The By-Laws would still be in effect, the pineapple sticker would still be there and the standards to inspect the cars twice per year would remain, drivers would still be required to be nationally certified and only those drivers could locate on hotel stands. If a violation of those By-Laws occur, hotel staff could call police or taxi licensing and have them act either concurrently with the incident or subsequent to them. He added that the role for the Municipality is focussing on the quality of service for the resident and visitor. The role of the municipality should not be in the business interest of the taxi drivers (transferability and licensing). HRM does not, for example, get involved in the business of Acadia Lines.

Mr. Anstey further clarified that there would not be a hiatus in the meetings of the Committee if Regional Council decided to create one Committee instead of two. There would be a seamless transition one from the other.

Mr. Ed Flewwelling, a member of the public in attendance, was given permission to address the Committee. He raised the following points:

- Advised he is a member of the taxi industry and that you cannot get the public interested in serving on the Taxi Committee as they do not have the staying power or the interest in the Committee. The Regional Taxi and Limousine Advisory Committee tried to have two members of the public on their committee but there are restrictions such as the person has to have been removed from the taxi industry for no less than five (5) years. The public members serve for one year and then they are gone just when they start to understand.

- The long term desire of the industry is to have the zones open and have the owners own the license. Staff resources could be opened up if the zones were open.
- We **all** want more enforcement.
- 70% of new drivers are immigrants here and the English exam has been questioned as drivers cannot communicate.
- It is the customer who pays the driver/owner so it is in the driver's/owner's best interest to provide good service.
- I believe the two Committees should continue on as they are but there should be a better marriage.
- Disappointed that there is not more support from the hotel industry.

Mr. Anstey advised he would draft a Terms of Reference for the proposed "new" Regional Taxi Committee for review by HSC before sending a report to Regional Council.

(iii) ADJOURNMENT

The meeting was adjourned at 2:27 pm.

Chris Newson
Legislative Assistant

Appendix “D”

HOTEL STANDARDS COMMITTEE

SPECIAL MEETING

MINUTES

April 7, 2005

PRESENT:

Bill Harrison, Chair
Darlene Grant Fiander, Vice-Chair
Derek Mathers
Councillor Mary Wile

**ABSENT WITH
REGRETS:**

Ivan Boyd
Suzanne Leblanc
Peter McIlveen
Robert Richards

STAFF:

Mr. Wayne Anstey, Municipal Solicitor
Mr. Kevin Hindle, Operations Coordinator, Taxi and Limousine
Services
Ms. Shelley Acker, Manager of Visitor and Customer Service,
Recreation Tourism and Culture
Ms. Chris Newson, Legislative Assistant

TABLE OF CONTENTS

1) CALL TO ORDER 3

2) APPROVAL OF AGENDA, ADDITIONS AND DELETIONS 3

3) APPROVAL OF MINUTES - Regular meeting of February 2, 2005 and special meeting of March 10, 2005. 3

4) PROPOSED NEW TAXI AND LIMOUSINE ADVISORY COMMITTEE 3

 4.1 Draft Terms of Reference for the proposed new Taxi and Limousine Advisory Committee 3

5) Added Items 5

6) Date of Next Meeting 5

7) Adjournment 5

1. **CALL TO ORDER**

Mr. Bill Harrison, Chair, called the meeting to order at 9:06 am in Suite 414, Radisson Suite Hotel, Hollis Street, Halifax without quorum present.

2. **APPROVAL OF AGENDA, ADDITIONS AND DELETIONS**

The agenda was **approved as presented**.

3. **APPROVAL OF THE MINUTES** - Regular meeting of February 2, 2005 and Special meeting of March 10, 2005.

Deferred.

(iv) **PROPOSED NEW TAXI AND LIMOUSINE ADVISORY COMMITTEE**

4.1 Draft Terms of Reference: Taxi and Limousine Advisory Committee

- A copy of the draft Terms of Reference, dated xxx, for the proposed new Taxi and Limousine Advisory Committee was before the Committee.

Upon review of the above document, the Hotel Standards Committee suggested the following amendments:

Mandate:

Under bullet 2, remove the following: “..riders, including seniors and those with disabilities” and also “..and, to enhance the working relationship between taxi drivers and the entire travelling public;”. The wording for bullet 2 is to be:

Work with all stakeholders to encourage the industry to improve the level of service for all citizens, businesses and visitors to the Halifax Regional Municipality.

Under bullet 3, remove the following: “...better communication between the industry and its customers,...” and also “...environmentally friendly cabs that are fuel efficient;”. The wording is to be:

Work to encourage a standard of quality service and professionally trained driver.

Bullet 4 is to be added and worded as follows:

Enhance communication with stakeholders and promote best practices within the industry.

The Mandate section will now read as follows:

The mandate of the Taxi and Limousine Advisory Committee is to:

1. **Promote and encourage a safe, accessible, friendly and professional service to the public as an integral part of the regional transportation system.**

2. **Work with all stakeholders to encourage the industry to improve the level of service for all citizens, businesses and visitors to the Halifax Regional Municipality.**
3. **Work to promote and encourage a standard of quality service and professionally trained driver throughout the industry.**
4. **Enhance communication with stakeholders and promote best practices within the industry.**
5. **Make recommendations to Regional Council respecting improvements to the Taxi and Limousine By-Law and its enforcement.**

Membership:

- TANS reference - should be changed to the **Nova Scotia Tourism Human Resource Council (THRC)**
- Four members of the taxi industry would be represented including 1 licensed limousine owner or driver. **The Committee agreed to the following: If one person appointed is a licensed owner from Halifax, then the two other positions are to be filled with a person from the County or Dartmouth zone respectively. There would remain three industry representatives with those three appointments also representing the three zones.**
- Suggest an appointment from the Transportation Committee of the Metropolitan Chamber of Commerce be included as part of the composition.
- Bullet 10: wording to be changed to eliminate the word “*pecuniary industry*” and replaced with “*financial interest*”.
- Last paragraph, delete last two (2) lines “*unless a representative... applicable appointment*”. The paragraph should now read:

****Members of the Committee appointed pursuant to numbers 1-3 and 10 shall be appointed by Halifax Regional Council.***

- Place an asterix before the number 1, 2, 3 and 10 of the membership composition list.

TERMS OF OFFICE:

- Stagger appointments so you will not have three new industry members coming in at the same time.

MEETINGS:

- Change reference to Chairman to Chair and Vice-Chairman to Vice-Chair.

Follow-up:

5. The “amended” terms of reference will be presented to the Taxi and Limousine Committee for their comments at the April 18th meeting.

6. Mr. Anstey is to revise the draft terms of reference and forward to the Hotel Standards Committee Chair. Additional comments/changes coming from the Taxi and Limousine Advisory Committee are to be forwarded on to the Hotel Standards Committee Chair/members for review/comment before the report goes forward to Regional Council. The HSC will meet in May to review the final draft Terms of Reference before the report goes forward to Regional Council.

5. **ADDED ITEMS - None**

6. **NEXT MEETING** - possible special meeting for May 5, 2005. Next regular meeting will be on Thursday, June 2, 2005.

7. **ADJOURNMENT**

The meeting was adjourned at 10:30 am.

Chris Newson
Legislative Assistant

Appendix “E”

Terms Of Reference

Taxi and Limousine Advisory Committee (As Suggested by Hotel Standards Committee)

Mandate:

The mandate of the Taxi and Limousine Advisory Committee is to

- 1 Promote and encourage a safe, accessible, friendly and professional service to the public as an integral part of the regional transportation system;
- 2 Work with all stakeholders to encourage the industry to improve the level of service for all citizens, businesses, and visitors to the Halifax Regional Municipality;
- 3 Work to promote and encourage a standard of quality service and professionally trained drivers throughout the industry;
- 4 Enhance communication with stakeholders and promote best practices within the industry;
- 5 Make recommendations to Regional Council respecting improvements to the Taxi and Limousine By-law and its enforcement.

Membership:

1. * 3 members of the Taxi Industry (1 being a licensed taxi owner, 1 being a licensed taxi driver who is not a taxi owner and 1 being a broker; with each member being from a different taxi zone);
2. * 1 licensed Limousine Owner or Driver;
3. 1 member of HRM Regional Council;
4. 1 member appointed by the Nova Scotia Tourism Human Resource Council (THRC);
5. 1 member appointed by the Hotel Association of Nova Scotia;
6. 1 member appointed by the Halifax International Airport Authority Board;
7. 1 member appointed by the Halifax Port Authority;
8. 1 member appointed by and from the Transportation Committee of the Metropolitan Halifax Chamber of Commerce;
9. 1 member appointed by the HRM Advisory Committee For Persons With Disabilities; and
10. * 2 members of the public not having a financial interest in the taxi industry.

* Members of the Committee appointed pursuant to numbers 1-3 and 10 shall be appointed by Halifax Regional Council.

Term of Office:

The members of the Committee shall be appointed for such term as deemed appropriate by the appointing authority and shall hold office at the pleasure of that authority. The appointing authorities shall use their best efforts in cooperation with HRM to stagger the terms of their appointments to promote a sufficient number of experienced members on the Committee at any one time.

A member who is absent from three consecutive meetings of the Committee without cause shall be deemed to have resigned. If the Councillor member of the Committee ceases to be a Councillor, during the member’s term on the Committee, the member’s appointment shall be vacated.

Meetings:

The Committee shall meet within thirty (30) days of its appointment each year and thereafter at the call of the Chair, or at the request of any seven members of the Committee. The Committee shall, at its first meeting each year, elect from its members a Chair and a Vice-Chair who shall act in the absence of the Chair for the coming year.

Quorum:

A quorum of the Committee for each meeting shall be one half of the actual number of members on the Committee from time to time.

Procedures:

The procedure of the Committee shall be governed, by the Rules of Order Administrative Order of the Regional Council.

Appendix "F"

Extract of Draft Minutes
Taxi and Limousine Committee
April 18, 2005

4.3 Draft Terms of Reference - Taxi and Limousine Committee

- Draft Terms of Reference dated April 8, 2005 were before the Committee for consideration.

Mr. Anstey briefly reviewed the Terms of Reference and the process to date noting that the document before the Committee included input received from the Hotel Standards Committee. Mr. Anstey advised that following this meeting, he would prepare a report for Council which would include the input received from both the Hotel Standards Committee and the Taxi and Limousine Committee.

During discussion of the Terms of Reference Committee members made the following points:

- Proposed mandate appears to be limiting in terms of dealing with issues/problems such as rates, limitation, and transferability
- Question raised as to why such groups as the Chamber of Commerce and the Halifax Port Authority are proposed and the Restaurant Association is not
- In current system, all drivers from all zones are represented. Driver in one zone would not necessarily know the market of a driver in another zone
- Why is the Chamber of Commerce suggested as a member. The Chamber has not brought forward any concerns over the last number of year
- One member of Council allows for only one point of view to be taken to Council
- There is a risk with appointing a driver who is not an owner that the driver will be in a lease arrangement
- Concern regarding the frequency of meetings proposed - meetings should be held monthly

MOVED by Mr. Withrow, seconded by Mr. Richards the Committee reiterate its recommendation of January 21, 2005 that the Regional Taxi and Limousine Committee be retained with the addition of one representative from the Hotel Association and one from the Tourism industry and that the Hotel Standards Committee be disbanded, with an amendment that a representative member from the Persons with Disabilities Committee also serve on the Committee and further that the mandate remain as it presently exists in By-Law T-100, Respecting a Regional Taxi and Limousine Committee.

Mr. Withrow noted that one of the problems with the existing Committee is that the membership of the Committee has not been maintained. When members resigned/did not attend they were not replaced (i.e. member of public, owner and driver representatives for the County). Thus the Committee was not effective.

Following a brief discussion, the Chair clarified that this matter was referred from Council to the Taxi and Limousine and the Hotel Standards Committees. The input from these Committees will now be reported back to Council in a staff report.

The Committee requested that the Taxi Committee recommendation for membership appear within

the staff report as follows:

2. The Committee shall consist of fourteen (14) members who shall be appointed by Council on the recommendation of the Mayor and shall consist of:
 - (a) two (2) Councillors;
 - (b) two (2) citizens of the Region which are not and have not been involved within the last five years prior to their appointment in taxi or limousine industries;
 - (c) three (3) taxi brokers (owners or managers) one from each zone);
 - (d) three (3) taxi drivers/owners (one from each zone);
 - (e) one (1) limousine representative;
 - (f) one (1) representative of the Hotel Association;
 - (g) one (1) representative of the Tourism industry;
 - (h) one (1) representative of the Persons with Disabilities Committee.

Appendix “G”

Terms Of Reference Taxi and Limousine Committee (As suggested by Present Taxi and Limousine Committee)

Mandate:

The mandate of the Taxi and Limousine Advisory Committee is to receive recommendations and submissions, conduct investigations and ultimately make recommendations to Council on the following topics:

- (a) rates and fees;
- (b) limitation of the number of taxi or limousine drivers in the various zones of the Municipality;
- (c) the role of the taxi and limousine industries in regional transportation objectives;
- (d) problems generally in the taxi and limousine industries; and
- (e) changes to by-laws or other legislation relevant to the taxi and limousine industries;

Membership:

1. 2 Councillors;
2. 2 citizens of the Region which are not and have not been involved within the last five years prior to their appointment in taxi or limousine industries;
3. 3 taxi brokers (owners or managers) one from each zone);
4. 3 taxi drivers/owners (one from each zone);
5. 1 limousine representative;
6. 1 member appointed by the Hotel Association of Nova Scotia;
7. 1 member appointed by the Nova Scotia Tourism Human Resource Council (THRC); and
8. 1 member appointed by the HRM Advisory Committee For Persons With Disabilities.

* Members of the Committee appointed pursuant to numbers 1-5 shall be appointed by Halifax Regional Council.

Term of Office:

The members of the Committee shall be appointed for such term as deemed appropriate by the appointing authority and shall hold office at the pleasure of that authority. The appointing authorities shall use their best efforts in cooperation with HRM to stagger the terms of their appointments to promote a sufficient number of experienced members on the Committee at any one time.

A member who is absent from three consecutive meetings of the Committee without cause shall be deemed to have resigned. If the Councillor member of the Committee ceases to be a Councillor, during the member’s term on the Committee, the member’s appointment shall be vacated.

Meetings:

The Committee shall meet within thirty (30) days of its appointment each year and thereafter at the call of the Chair, or at the request of any seven members of the Committee. The Committee shall, at its first meeting each year, elect from its members a Chair and a Vice-Chair who shall act in the absence of the Chair for the coming year.

Quorum:

A quorum of the Committee for each meeting shall be one half of the actual number of members on the Committee from time to time.

Procedures:

The procedure of the Committee shall be governed, by the Rules of Order Administrative Order of the Regional Council.

Appendix “H”

Terms Of Reference Taxi and Limousine Advisory Committee (As Recommended by HRM Staff)

Mandate:

The mandate of the Taxi and Limousine Advisory Committee is to

- 1 Promote and encourage a safe, accessible, friendly and professional service to the public as an integral part of the regional transportation system;
- 2 Work with all stakeholders to encourage the industry to improve the level of service for all citizens, businesses, and visitors to the Halifax Regional Municipality;
- 3 Work to promote and encourage a standard of quality service and professionally trained drivers throughout the industry;
- 4 Enhance communication with stakeholders and promote best practices within the industry;
- 5 Make recommendations to Regional Council respecting improvements to the Taxi and Limousine By-law and its enforcement.

Membership:

1. 3 members of the Taxi Industry (1 being a licensed taxi owner, 1 being a licensed taxi driver who is not a taxi owner and 1 being a broker; with each member being from a different taxi zone);
2. 1 licensed Limousine Owner or Driver;
3. 2 members of the public not having a financial interest in the taxi industry.
4. 1 member appointed by the Nova Scotia Tourism Human Resource Council (THRC);
5. 1 member appointed by the Hotel Association of Nova Scotia;
6. 1 member appointed by the Halifax International Airport Authority Board;
7. 1 member appointed by and from the Transportation Committee of the Metropolitan Halifax Chamber of Commerce;
8. 1 member appointed by the HRM Advisory Committee For Persons With Disabilities.

* Members of the Committee appointed pursuant to numbers 1-3 shall be appointed by Halifax Regional Council.

Term of Office:

The members of the Committee shall be appointed for such term as deemed appropriate by the appointing authority and shall hold office at the pleasure of that authority. The appointing authorities shall use their best efforts in cooperation with HRM to stagger the terms of their appointments to promote a sufficient number of experienced members on the Committee at any one time.

A member who is absent from three consecutive meetings of the Committee without cause shall be deemed to have resigned. If the Councillor member of the Committee ceases to be a Councillor, during the member’s term on the Committee, the member’s appointment shall be vacated.

Meetings:

The Committee shall meet within thirty (30) days of its appointment each year and thereafter at the call of the Chair, or at the request of any seven members of the Committee. The Committee shall, at

its first meeting each year, elect from its members a Chair and a Vice-Chair who shall act in the absence of the Chair for the coming year.

Quorum:

A quorum of the Committee for each meeting shall be one half of the actual number of members on the Committee from time to time.

Procedures:

The procedure of the Committee shall be governed, by the Rules of Order Administrative Order of the Regional Council.