

# **BUSINESS LICENSING**

**PROPOSED BY-LAW UPDATES**

**PUBLIC INFORMATION CENTRE**

The Niagara Region Business Licensing office is in the process of reviewing and modernizing its by-laws related to taxi cabs, Transportation Network Companies (TNC), shuttles, sightseeing vehicles, specialized transport, medical transport, tow trucks, second hand shops, and salvage and auto wrecking yards.

We value input from the public as they are the consumers of services offered by these various industries.

We value input from the industries as these by-laws govern how they operate within the Niagara Region.

In order to support public safety and ensure high quality customer service while balancing support for industry operations we need input from both stakeholder groups.

This booklet contains an overview of suggested changes to modernize our existing by-law. We are now seeking your input in order to ensure these revisions support our municipality, our consumers, and the industries involved.

# Second-Hand Goods Stores



## Operational Changes

1. Second-hand goods that are deemed high value will be defined in a schedule to the by-law and require a register to be completed for every transaction.
2. The registry will include the name etc of the seller, the date and time, a detailed description of the goods, the value or consideration paid for the good, the serial number of the good if available and a photo taken of each item and whether the item was taken in as a 'PAWN' loan or not, the items will be held for 21 days before resale unless the item was brought in as a 'PAWN' item.
3. If the good is not contained in the Schedule of Goods then the registry does not have to be completed.
4. Second hand goods will now include antiques and other items purchased from a person for any dollar value or other consideration.
5. Second-hand goods will no longer include scrap metal or other recyclable items but will continue to include used tires purchased for resale.
6. If an item was purchased or received for any other consideration and turns out to be stolen property, the property shall be turned over to the legal owner without any fees, charges or any other form of financial burden to that legal owner.
7. If the business feels the item may be stolen property, the property should not be purchased and the transaction refused and the police contacted.
8. No person under the age of 18 may sell any item listed in the Schedule of Goods and no Second-Hand Shop or Dealer may purchase it.
9. The register shall be delivered to the Niagara Region daily by 10:00 am.

## Eligibility/Compliance Requirements

1. Businesses are required to maintain a \$5 million general liability insurance.
2. All owners, persons associated with the business or employees of the business will supply the Region a Criminal Record and Judicial Matters check annually.



# Taxi/ Transportation Network Company (TNC)



## Process Improvements

1. The Taxi Plate waiting list will be eliminated, as the list will be eliminated taxi-plates may be placed on 'non-use' for any amount of time as long as fees are paid annually for the plate.
2. All persons on the current waiting list will be issued their respective plate(s).
3. Those persons on the current waiting list that do not wish to accept their plate shall receive a refund for their initial plate fee and forfeit their \$75.00 fee for each year they were on the waiting list.
4. Taxi-Cabs and TNC's may accept all forms of payment.
5. The number of Taxi Plates will be reviewed annually with stakeholders to determine if more plates need to be issue.

## Operational Changes

1. A Taxi Cab Broker must have a minimum of 5 regular or accessible taxi-cab vehicles operating under the Brokerage banner.
2. A maximum of 5 TNC Brokers will be allowed to operate within Niagara Region.
3. There will be no borders for Taxi plates, a taxi plate issued by Niagara Region is valid for operation anywhere within the Niagara Region.
4. Only Taxi-Cabs may accept Flag, Hail or Taxi Stand ride requests.
5. TNC's ride requests must be pre-booked either through an application based system or by telephone through a dispatch service that records the trip request on the application for the driver and the value of the trip shall be communicated to the customer and agreed to prior to commencement of the trip.
6. The number of accessible Taxi-Cabs will be based on a percentage of Regular taxi-cabs operating under a Brokerage banner. The initial percentage will be 10% with a minimum of 1 vehicle for Brokers with only 5 regular taxi-cabs. TNC's shall pay a fee of \$0.05 per trip for not supplying accessible services.
7. Only Taxi-Cabs may use 'top signs' and use marked 'taxi stands', TNC's are not permitted to use "top signs" and may not use 'taxi stands'.

8. Taxi and TNC Brokers will solely be responsible for the training of their drivers, all training subjects and criteria will be supplied to the Niagara Region annually. Accessible drivers will receive an accessible endorsement on their Taxi-Cab Driver licence upon proof of passing an accessible vehicle training course.
9. Spare vehicles may be used to assist with peak period service during certain holidays such as Christmas and New Years.
10. TNC's must display a decal on the passenger side of the front and rear window for each TNC service they are operating under.

## Eligibility/Compliance Requirements

1. The Niagara Region will establish a set of criteria for Taxi and TNC drivers that all initial applicants and renewal request will be reviewed against. This will include, demerit points, driver convictions, suspensions, criminal convictions or other types of court or other agency restrictions that would prohibit a driver from operating a Taxi and TNC vehicle.

2. Vehicles between 0 and 3 years of age with less than 40,000 km will not require a safety inspection certificate to be licensed, vehicles between 3 and 7 years of age require an annual safety inspection certificate, vehicles greater than 7 years require a safety inspection certificate every 6 months.
3. All Taxi-Cab and TNC Drivers will now only need to supply a Criminal Record and Judicial Matters check annually for licensing, a Vulnerable Sector Police Screen may be requested by the Niagara Region for any Driver before a licence may be issued or maintained.
4. All Driver applicants will require an unrestricted Class 'G' Ontario Driver Licence in order to be considered for a Taxi-Cab or TNC Niagara Region issued driver licence.
5. Brokers are required to maintain a \$5 million general liability insurance policy, vehicles must have a \$2 million per incident insurance policy, TNC drivers must also prove their insurance company knows they are using their vehicle for TNC service and either provide a confirmation from their insurance Broker or provide proof of a 6A/6U/6G endorsement.
6. Leased vehicles may be licensed.

# Specialty Vehicles for Hire

Shuttle, Sight-Seeing, Private Ambulance/Medical Transport, Specialty/Limousine, Caleche or other services)



## Process Improvements

1. Services may accept all form of payment.

## Operational Changes

1. The minimum rate charged for all services shall be \$10.00 and the full fare shall be communicated to the passenger and agreed to prior to commencement of the trip.
2. ‘Top signs’ cannot be used.
3. Business Licence holders will supply a monthly ridership count by the 15th day of each month.
4. The Niagara Region may impose a limit on the number of Specialty Services operating within the Niagara Region.
5. Businesses will solely be responsible for the training of their drivers, all training subjects and criteria will be supplied to the Niagara Region annually.

## Eligibility/Compliance Requirements

1. An unrestricted ‘F’ class Ontario Driver Licence is required for all vehicles that are an Ambulance Transport, or a vehicle designed to hold between 10 to 24 passengers in conjunction with a Niagara Region issued driver licence.
2. An unrestricted ‘C’ class Ontario Driver Licence is required for all vehicles designed to hold 25 or more passengers, in conjunction with a Niagara Region issued driver licence.
3. An unrestricted ‘G’ class Ontario Driver Licence is required for all vehicles designed to hold 9 or less passengers, in conjunction with a Niagara Region issued driver licence.
4. No rental vehicles may be used.
5. Leased vehicles may be licensed.
6. The Niagara Region will establish a set of criteria for vehicle drivers that all initial applicants and renewal request will be reviewed against. This will include, demerit points, driver convictions, suspensions, criminal convictions or other types of court or other agency restrictions that would prohibit a driver from operating a vehicle.
7. Businesses are required to maintain a \$5 million general liability insurance policy, vehicles that hold 9 passengers or less must have a \$2 million per incident insurance policy, vehicles that hold 10 to 24 passengers must have a \$5 million per incident insurance policy, vehicles that hold 25 or more passengers must have an \$8 million per incident insurance policy.
8. Private or Medical Transport Ambulances and vehicles holding 10 passengers or more must supply a Ministry heavy vehicle inspection certificate every 6 months.
9. Horses must be inspected annually by a veterinarian.
10. All Drivers will need to supply a Criminal Record and Judicial Matters check annually for licensing, a Vulnerable Sector Police Screen may be requested by the Niagara Region for any Driver before a licence may be issued or maintained.
11. Vehicles that hold 9 passengers or less between 0 and 3 years of age with lest than 40,000 km will not require a safety inspection certificate to be licensed, vehicles between 3 and 7 years of age require an annual safety inspection certificate, vehicles greater than 7 years require a safety inspection certificate every 6 months .



# Tow Trucks and Towing Yards



## Operational Changes

1. All fees for all services must be approved by the Licensing Officer and must be posted within the vehicle and provided to the customer and the tow must be authorized by the customer prior to the service.
2. Fees are for the entire municipality of the Niagara Region shall be based on kilometers traveled, services provided and storage fees calculated by day and itemized on a receipt for the customer.
3. Fees must outline charges for entering into another municipality adjacent to the Niagara Region.
4. The Niagara Region may impose a limit on the number of Towing Services operating within the Niagara Region.
5. A registry of every tow completed is to be supplied to the Niagara Region every morning by 10:00 am.
6. No Police/EMS/Fire scanners may be used.
7. If the tow company has been called as part of an agreement signed by a third party to provide “roadside assistance” those fees may be charged in place of the established fees. All tow companies shall provide a list of third party ‘roadside assistance programs’ that they are contracted for.
8. Storage yards and compounds require a permanent metal fence with a minimum height of 3 meters and have a locking gate and a security system which includes Closed Circuit Television Cameras (CCTV) and must be licensed as a yard or compound with the Niagara Region.
9. Before a vehicle may be transferred into the Tow companies name, a letter of authorization must be received from the Licensing Officer authorizing the transfer and outline the make, model, year, VIN and provide an insurance release letter.
10. Towing Businesses may elect to be a member of the Niagara Region administered Towing Rotation, this will not form part of this by-law but will be contained in a separate Schedule of the by-law.
11. A customer may elect to call another towing service from outside of the Niagara Region and may freely do so, likewise, other garages and car dealerships may be called to tow a vehicle at the discretion of the customer. Niagara Region staff or police, fire or EMS will not provide any assistance in contacting a towing service but provide the number for the tow rotation list as administered by the Niagara Region.
12. Only towing companies that have their own licensed storage yard may tow vehicles to that yard.
13. All yards will be inspected and licensed by the Niagara Region, and where the yard is deemed as a police impound yard, co-inspected by police and the Niagara Region.

## Eligibility/Compliance Requirements

1. An unrestricted ‘G’ class Ontario Driver Licence is required in conjunction with a Niagara Region issued driver licence.
2. Upgraded Ontario Driver Licences are required for drivers depending on the type and class of vehicle being operated.
3. The Towing Company must supply a copy of the current and valid CVOR for the business.
4. No rental vehicles may be used.
5. Leased vehicles may be used.
6. The Niagara Region will establish a set of criteria for drivers that all initial applicants and renewal request will be reviewed against. This will include, demerit points, driver convictions, suspensions, criminal convictions or other types of court or other agency restrictions that would prohibit a driver from operating a vehicle.
7. The Towing company must supply a Ministry heavy vehicle inspection certificate every 6 months for every towing vehicle.
8. Businesses are required to maintain a \$5 million general liability insurance, a \$2 million per incident vehicle insurance policy, a \$2 million per incident on-hook/in tow vehicle insurance policy, \$2 million per incident garage/storage/damage liability insurance policy.
9. Vehicle types will be defined as light, medium and heavy duty and further classified as ‘flatbed’ or ‘hook/chain/boom and wheel lift’ truck and must be built as and registered as a tow truck with the Ministry of transportation.
10. All tow trucks must have a winch, 360’ amber safety lights mounted in a roof bar and other equipment as required by the Licensing Officer.
11. All Drivers will need to supply a Criminal Record and Judicial Matters check annually for licensing, a Vulnerable Sector Police Screen may be requested by the Niagara Region for any Driver before a licence may be issued or maintained.

# Salvage and Auto Wrecking Yard



## Operational Changes

1. The register is to be completed for every transaction.
2. The registry will include the name etc of the seller, the date and time, a detailed description of the goods, the value or consideration paid for the good, the serial number or VIN of the good if available and a photo taken of each item and shall also include the make model and plate number of the vehicle delivering the items.
3. Hours of operation will now be outlined and include weekends and holidays and be impacted by the distance from residential areas by distance.
4. If an item was purchased or received for any other consideration and turns out to be stolen property, the property shall be turned over to the legal owner without any fees, charges or any other form of financial burden to that legal owner.
5. If the business feels the item may be stolen property, the property should not be purchased and the transaction refused and the police contacted.
6. The register shall be delivered to the Niagara Region daily by 10:00 am.

## Eligibility/Compliance Requirements

1. There will be two categories, Shops and Yards, Shops cannot have an outdoor storage yard.
2. Fencing shall be uniform and permanent and shall not be made of 'see through' materials and shall be a minimum of 3 meters in height, no materials may be stacked higher than the fence and all materials must be 1 meter from the fence and the yard must have a locking gate and any high mast lighting must only point into the yard area.
3. A Salvage Yard may collect all salvage materials including motor vehicles and their parts, an Auto Wrecker may only collect motor vehicles and their parts.
4. Businesses are required to maintain a \$5 million general liability insurance.
5. All owners, persons associated with the business or employees of the business will supply the Niagara Region a Criminal Record and Judicial Matters check annually and the business shall supply the number of employees working at the property.
6. The Business must now have an annual fire inspection and provide the document to the Niagara Region as part of the annual renewal.
7. The business must include all Ministry licences as part of the application process.
8. The business shall provide a property description outlining all buildings and storage areas, their purpose and what is contained in each area and indicate areas that contain HAZMAT materials such as batteries, fuel oil, acids etc.
9. Any business that is zoned as 'legal non-conforming' may continue to operate and if sold may continue to operate if the local municipality approves the continuation of the business operation under the 'legal non-conforming' zoning restriction.
10. Legal non-conforming and regular operations may not expand their business footprint unless approval is granted by the local municipality and the Niagara Region.
11. Scrap metal bins for public use may only be placed outside of the fenced compound if the local municipality grants approval and the business applies for a separate licence from the Niagara Region for each bin.
12. Businesses that have an OMVIC licence to re-sell motor vehicles must clearly mark these vehicles for sale and may store these vehicles outside of the compound provided they are in compliance with all zoning requirements.



# BUSINESS LICENSING BY-LAW REVIEW

We need your help to improve  
our business licensing by-laws.

## TAKE OUR ONLINE SURVEY

[niagararegion.ca/business/licensing](https://niagararegion.ca/business/licensing)



[niagararegion.ca/business/licensing](https://niagararegion.ca/business/licensing)

For more information: [licensing@niagararegion.ca](mailto:licensing@niagararegion.ca)