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**Subject:** Amendments to Vehicle for Hire and Businesses and Adult Entertainment Parlour By-laws

**Report to:** Corporate Services Committee

**Report date:** Wednesday, January 15, 2020

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## Recommendations

1. That the recommendations contained in Appendix 1 and 2 to Report CSD 5-2020 **BE APPROVED** outlining amendments to Niagara Region By-law 2018-75 (Vehicles for Hire and Businesses) and 2018-76 (Adult Entertainment)
2. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration.

## Key Facts

- The purpose of this report is to seek Council's approval to make amendments to the Vehicle for Hire and Businesses and Adult Entertainment By-laws.
- Council of the Regional Municipality of Niagara is authorized under Part II section 11 and Part IV of the Municipal Act, 2001, S.O. 2001 c.25, as amended to pass by-laws licensing, regulating and governing businesses.
- On June 01, 2019 the Region took over licensing responsibilities from Niagara Regional Police "as-is" including the by-law structure.
- The Region has an existing Fees and Charges by-law that was updated on December 12, 2019 to include Licensing Fees and Charges.

## Financial Considerations

Revenue received from the issuance of business licences offsets the direct costs of the Business Licensing Division.

## Analysis

On June 01, 2019 business licensing responsibility was transferred from Niagara Regional Police to Niagara Region and the operation, including by-law structure, was on-boarded "as-is".

The structure for both the Vehicle for Hire and Businesses and Adult Entertainment by-laws included a licence fees schedule. The Region maintains a separate Fees and Charges by-law. This by-law contains all fees charged by the Region including Business

Licensing fees. It is staff's intention to complete a thorough review of all applicable licensing fees associated with these services once a full year of operations has been completed.

Staff are recommending to remove the fees schedule from both licensing by-laws, and amend applicable sections within the by-laws to reference the Fees and Charges by-law and not the schedules. This will eliminate any confusion for licence holders in determining what fees need to be paid and place licensing fees in the correct by-law.

### **Alternatives Reviewed**

No Applicable

### **Relationship to Council Strategic Priorities**

The Region's Fees and Charges By-law is the only location where this type of information should be contained. By removing the fees schedule from the Region's business licensing by-laws it supports the following Niagara Region Council Strategic Priorities:

- Sustainable and Engaging Government

### **Other Pertinent Reports**

No Applicable

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Corporate Services

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#### **Recommended by:**

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Commissioner/Treasurer  
Corporate Services

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#### **Submitted by:**

Ron Tripp, P.Eng.  
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*This report was prepared in consultation with Adam Niece, Program Financial Specialist and Helen Chamberlain, Director Financial Management & Planning/Deputy Treasurer.*

## **Appendices**

Appendix 1            Recommended By-law Amendments By-law 2018-75

Appendix 2            Recommended By-law Amendments By-law 2018-76

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Recommended By-law Amendments By-law 2018-75

Section/Schedule Number	Current Wording	Amended Wordings/Deletions
5.1(a)(iv)	the fee prescribed in Schedule 2 by way of cash, certified cheque, credit card or debit;	the fee prescribed <b>in the Fees and Charges By-law, as amended</b> , by way of cash, certified cheque, credit card or debit;
5.1(d)	In the event that the licensee delivers the documents and fees referred to in subsection 6(a) to the Licencing Division after the expiry date of the drivers licence, but within thirty (30) days of the expiry date, the licensee shall be required to pay a late filing fee as prescribed in Schedule 2.	In the event that the licensee delivers the documents and fees referred to in subsection 6(a) to the Licensing Division after the expiry date of the drivers licence, but within thirty (30) days of the expiry date, the licensee shall be required to pay a late filing fee as prescribed <b>in the Fees and Charges By-law, as amended</b> .
15.1(a)(ii)	an application fee prescribed in Schedule 2.	an application fee prescribed <b>in the Fees and Charges By-law, as amended</b> .
18(f)(vi)	the fee prescribed in Schedule 2, less any application fee already paid;	the fee prescribed <b>in the Fees and Charges By-law, as amended</b> , less any application fee already paid;
20(a)(vii)	the renewal fee prescribed in Schedule 2;	the renewal fee prescribed <b>in the Fees and Charges By-law, as amended</b> ;
20(d)	In the event that the licensee delivers the documents and fees referred to in subsection 20(a) to the Licencing Officer after the expiry date of the licence, but within thirty (30) days of the expiry date, the licensee shall be required to pay a late filing fee as prescribed in Schedule 2.	In the event that the licensee delivers the documents and fees referred to in subsection 20(a) to the Licensing Officer after the expiry date of the licence, but within thirty (30) days of the expiry date, the licensee shall be required to pay a late filing fee as prescribed <b>in the Fees and Charges By-law, as amended</b> .
22(a)(iii)	an application fee prescribed in Schedule 2.	an application fee prescribed <b>in the Fees and Charges By-law, as amended</b> .
26(c)(e)	the spare vehicle fee prescribed in Schedule 2.	the spare vehicle fee prescribed <b>in the Fees and Charges By-law, as amended</b> .
27.1(d)	The applicable licencing fee as shown on Schedule 2 to this by-law.	The applicable licensing fee as <b>prescribed in the Fees and Charges By-law, as amended</b> .

29(o)	A TNC shall remit to the Licencing Officer the per trip charges referenced in Schedule 2 on a monthly basis, such remittance to be made to the Licencing Officer by the 15th of the month following the month to which the remittance relates, and upon request, shall provide the records establishing the basis of the calculation of the said per trip charges;	A TNC shall remit to the Licensing Officer the per trip charges <b>prescribed in the Fees and Charges By-law, as amended</b> , on a monthly basis, such remittance to be made to the Licensing Officer by the 15th of the month following the month to which the remittance relates, and upon request, shall provide the records establishing the basis of the calculation of the said per trip charges;
69(b)	The fees listed in Schedule 2 to this By-law shall be paid by the respective classes of applicants or licencees referred to in section 3 in respect of applications for annual or temporary licences by means of cash, certified cheque, credit card or debit.	The fees <b>prescribed in the Fees and Charges By-law, as amended</b> , shall be paid by the respective classes of applicants or licencees referred to in section 3 in respect of applications for annual or temporary licences by means of cash, certified cheque, credit card or debit.
Schedule 2		<b>Deleted</b>

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Recommended By-law Amendments By-law 2018-76

Part/Section/Schedule Number	Current Wording	Amended Wordings/Deletions
PART XIII	SCHEDULES	<b>FEES AND CHARGES</b>
73	The following schedules form part of this By-law: Schedule 1 - Fees	<b>Fees shall be as prescribed in the Fees and Charges By-law, as amended</b>
Schedule 1		<b>Deleted</b>