

Windsor, Ontario October 17, 2012

A meeting of the **Windsor Licensing Commission** is held this day commencing at 9:30 o'clock a.m. in the Council Chambers, 3rd floor, City Hall, there being present the following members:

Councillor Ron Jones, Chair
Councillor Drew Dilkens (arrives at 9:46 a.m.)
Jack Fathers
Councillor Percy Hatfield
Councillor Ed Sleiman

Also present are the following resource personnel:

Michael Chantler, Supervisor of Licensing & Deputy Licence Commissioner
Gary Cian, Manager of Policy, Gaming & Licensing/Deputy Licence Commissioner
Mario Bonas, By-law Enforcement Officer
Gayle Jones, Diversity/Accessibility Officer
Ann Kalinowski, Manager of By-law Enforcement
Denise Cassan, Senior Licence Issuer
Karen Kadour, Committee Coordinator

1. CALL TO ORDER

The Chair calls the meeting to order at 9:30 o'clock a.m. and the Commission considers the Agenda being Schedule "A" **attached** hereto, matters which are dealt with as follows:

2. MINUTES

Moved by Councillor Hatfield, seconded by J. Fathers,
That the minutes of the Windsor Licensing Commission at its meeting held September 19, 2012 **BE ADOPTED** as presented.
Carried.

3. DISCLOSURE OF INTEREST

Councillor Hatfield discloses an interest on Item 7(a) Transfer of Taxi Plate #22 as Mr. Raymond Dugal is his landlord.

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

Moved by Councillor Sleiman, seconded by J. Fathers,
WLC37/12 That Item 8(a) 680067 Ont. Ltd. o/a John Drake Service **BE DEFERRED** to the November 21, 2012 Windsor Licensing Commission meeting to allow the legal counsel for the applicant to be in attendance.

Carried.

5. **COMMUNICATIONS**

None.

6. **PRESENTATION & DELEGATIONS**

Gayle Jones, Diversity/Accessibility Officer is present to provide information regarding the *Accessibility for Ontarians with Disabilities Act (AODA)* legislation relating to accessible taxicabs. She refers to Section 79 - Duties of Municipalities, Accessible Taxicabs in the Integrated Accessibility Standards as follows:

79 (1) "Every municipality shall consult with its municipal accessibility advisory committee, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities to determine the proportion of on-demand accessible taxicabs required in the community.

(2) Every municipality shall identify progress made toward meeting the need for on-demand accessible taxicabs, including any steps that will be taken to meet the need, in its accessibility plan required under Part 1.

(3) Municipalities shall meet the requirements of this section by January 1, 2013.

*(4) In this section,
"accessible taxicab" means an accessible taxicab as defined in section 1 of Regulation 629 of the Revised Regulations of Ontario, 1990 (Vehicles for the Transportation of Physically Disabled Persons) made under the Highway Traffic Act."*

G. Jones advises a meeting of the Windsor Accessibility Advisory Committee (WAAC) was held on September 20, 2012 and she was directed to attend the Windsor Licensing Commission meeting to convey WAAC's perspective on accessible taxicabs.

G. Jones notes there are currently 7 on-demand accessible cabs. The consensus by WAAC is to keep the 7 on-demand accessible cabs on the road and to allow additional plates to return to the road in the future. She notes on-demand accessible cabs are preferable as buses do not provide door to door service and Handi Transit must be booked in advance.

M. Chantler concurs there are currently 7 on-demand accessible cabs. He indicates two plates were returned due to the lack of demand.

Councillor Hatfield suggests a marketing campaign be undertaken by the University of Windsor and St. Clair College to promote the on-demand accessible taxicab service.

Moved by Councillor Sleiman, seconded by Councillor Hatfield,
That the verbal presentation by Gayle Jones, Diversity/Accessibility Officer relating to the Accessibility for Ontarians Disability Act (AODA) legislation regarding on-demand accessible taxicabs **BE RECEIVED** for information.
Carried.

7. LICENCE TRANSFERS

7(a) Transfer of Plate # 22

Mr. Raymond Dugal, transferor and Mr. Rajvinder Singh Dhatt, transferee are present and available to answer questions.

Moved by J. Fathers, seconded by Councillor Sleiman,
WLC34/12 That the transfer of Taxicab Plate # 22 from Mr. Raymond Dugal, to Mr. Rajvinder Singh Dhatt **BE APPROVED** with the following conditions:

- the transferee, Mr. Rajvinder Singh Dhatt be given thirty (30) days from the date of this decision in which to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- submit a Plate Holder Application and pay the applicable fee.
- that the transferee, cannot lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

Carried.

Councillor Hatfield discloses an interest and abstains from voting on the matter.

7(b) Transfer of Plate # 207

Mr. Zahid Syed, transferor and Mr. Mohammad Usman Ashraf, transferee are present and available to answer questions.

Moved by Councillor Sleiman, seconded by Councillor Dilkens,
WLC35/12 That the transfer of Taxicab Plate #207 from Mr. Zahid Syed to Mr. Mohammed Usman Ashraf **BE APPROVED** with the following conditions:

- the transferee, Mr. Mohammad Usman Ashraf be given thirty (30) days from the date of this decision in which to submit a vehicle for inspection that complies with Schedule 5 to By-law 137-2007.
- submit a Plate Holder Application and pay the applicable fee.
- that the transferee, cannot lease the plate for a one year period as stated in Schedule 5, Section 21.3 of Licensing By-law 137-2007.

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Carried.

8. APPLICATIONS/HEARINGS

8(a) 680067 Ont. Ltd. o/a John Drake Service

This item is deferred to the November 21, 2012 Windsor Licensing Commission meeting.

8(b) Mitzie Scott – Owner of Dangerous Dog “Molly”

Mr. Jason Scott (spouse of Mitzie Scott) is present and available to answer questions.

A. Kalinowski reports the dangerous dog designation is a result of the dog bite complaint noted in the police report. She indicates there is no previous history with “Molly”.

Mr. Jason Scott provides the following remarks relating to the alleged dog bite:

- No one witnessed the dog bite.
- Took the mail carrier at her word when she stated the dog bit her
- “Molly” is a tea cup Chihuahua weighing 3 lbs and the size of an adult shoe
- Did not witness visible marks or blood when he provided first aid to the mail carrier. (He provided rubbing alcohol and a band aid).
- The dog may have bitten or scratched the mail carrier, however, the injury was not serious as the mail carrier continued on her route.
- “Molly” has never bitten anyone and plays with the children.

Councillor Dilkens notes in the mail carrier’s statement to Police, she told the female owner of the dog that “it wasn’t a nip, the dog bit me”.

Councillor Hatfield advises the mail carrier indicated in her statement that the bite did indeed “draw blood”.

Moved by Councillor Sleiman, seconded by J. Fathers,
WLC36/12 That the **DANGEROUS DOG** designation **REMAIN IN PLACE** for the Chihuahua dog known as “Molly” which currently resides with guardian, Mitzie Scott at 1222 Matthew Brady in Windsor, Ontario and further, that the following actions **BE REQUIRED** as a result of this designation:

1. To keep such dog, when in or on the property of another person with the person’s consent, on a leash and under the control of that person who is sixteen years of age or more.
2. Conspicuously display on his or her property, a sign provided by the city warning that there is a dangerous dog on the property.
3. To securely attach a muzzle to such dog at all times when it is not confined in accordance with section 17 (a).
4. Obtain and maintain a policy liability insurance coverage in the amount of not less than \$1,000,000 for any damage or injury caused by such dangerous dog and to provide to the Animal Control Officer a Certificate of such policy and each subsequent renewal of it.
5. Insert a microchip implantation in such dog, at the Guardian’s expense, for the purpose of identifying such dog as a dangerous dog.
6. To restrain the dangerous dog in accordance with any written directives which may be given by an Animal Control Officer.

Carried.

9. REPORTS AND ADMINISTRATIVE MATTERS

9(a) Expired Business Licence

Moved by Councillor Dilkens, seconded by Councillor Sleiman,
That the report of the Supervisor of Licensing & Deputy Licence Commissioner dated September 24, 2012 entitled “Expired Application(s) for Business Licence”

BE RECEIVED for information.

Carried.

10. IN-CAMERA AGENDA

N/A

11. NEW BUSINESS

N/A

12. **DATE OF NEXT MEETING**

The next meeting will be held on November 21, 2012 at 9:30 o'clock a.m. in the Council Chambers, 3rd floor, City Hall.

13. **ADJOURNMENT**

There being no further business, the meeting is adjourned at 9:58 o'clock a.m.

CHAIR

SECRETARY