

New licensing bylaw impacts tow trucks, kennels

By **Zachary Roman**

The Town of Caledon has officially updated its business licensing bylaw.

Changes to the bylaw include online application options, staggered expiry dates and an updated renewal process. The decision to update the bylaw was made at Caledon Council's June 28 meeting and for existing business licenses in Caledon. The updated bylaw came into effect that day. For new business licenses, the updated bylaw will come into effect on January 1, 2023.

A staff report about the bylaw updates was submitted to council at its June 21 General Committee meeting by Dain Watson, municipal law enforcement analyst. New fees will be implemented as a result of the bylaw updates. There will be a two-year licensing fee for tow truck drivers in the amount of \$300; a licensing fee for impound businesses in the amount of \$250; a licensing fee for operators of tow truck businesses and refreshment vehicle businesses in the amount of \$150; and a licensing fee for special event refreshment vehicles in the amount of \$150.

There will also be a licensing fee for kennel businesses and pet shop businesses in the amount of \$250; a licensing fee for private transportation companies in the amount of \$2,500 annually and \$0.20 per trip; and a licensing fee for temporary patios in the amount of \$300 (which will be waived for 2022).

Before the new bylaw was passed, the Town did not have a licensing regime for kennels, pet shops, vehicle impound facilities, private transportation companies and temporary patios.

In the process of creating the bylaw updates, the Town said it assessed bylaws from surrounding municipalities, conducted an open house, and met with industry stakeholders. The staff report notes that most existing business licensing fees in the Town will be remaining the same, but that adding an operator license fee for tow truck companies and the licensing per trip fee for private transportation companies will generate revenue for the Town while having little impact on its operating costs.

Changes to the licensing of food and refreshment vehicles are meant to encourage these businesses to operate in Caledon, reads the staff report. The updated bylaw now differentiates a mobile food/refreshment vehicle from a stationary food/refreshment vehicle. For example, the operator of a stationary hot dog cart would not be required to provide a mechanical safety certificate or a driver's abstract as opposed to the operator of a mobile ice cream truck who would be required to provide these, the report states.

The bylaw also now does not require the person who owns a food/refreshment vehicle business and has already paid for an operator license to also pay the fees for an attendant license if they intend on working in the vehicle. Town staff said this has been requested by those in the industry over the years. Another new addition in the bylaw for food/refreshment vehicles is a special event license that can be used for up to three events per year. If an event lasts for a whole weekend, that will only count as one event.

The Town's bylaw is also implementing changes for taxi cab and limousine businesses, as they have faced a tough market due to the rise of services like Uber and Lyft.

The industry will no longer be required to have vehicles that are five years old or less, but the vehicles will still have to be made safe for consumers. The industry will also be able to set its own rates. The Town said other neighbouring municipalities have made these changes and have not received any negative feedback from residents. The changes will help the taxi and limousine industry compete with services like Uber and Lyft, which are able to set their own rates.

Changes for the tow truck business have also been made. Instead of a mandatory inspection before a tow truck operator gets their license, the Town said now tow truck operators will be subject to random inspections throughout the year. This is because the Town said operators could prepare for their inspections before they happen, but then not necessarily follow the rules while they operate.

The Town said any tow truck that fails an inspection can be charged and then required to attend Caledon's Town Hall for a re-inspection. The new bylaw also removes the requirement for tow truck operators to get a level one inspection from the OPP, as the Town said this is redundant because the level one inspection is the same as a mechanical safety that tow truck operators are already required to get.

The following maximum rates are being implemented for tow truck businesses in the Town of Caledon under the new bylaw: Collision \$400, non-collision \$150, mileage \$3.25 per kilometre, re-tow \$110, winching \$120, and storage \$60 for 24 hours.

Richard Croft, a tow truck operator in the Town of Caledon, delegated at the Town's June 21 General Committee meeting and said he had a few issues with rules the Town has now since implemented. He said the maximum fees presented by the Town do not reflect increases in fuel prices, operating costs and salaries, and said the fees will make doing business sustainably much harder.

A suggestion Croft had was that the rate for a tow that is required because of a non-collision incident with police ? such as impaired driving or stunt driving ? be the same as the Town's collision rate, \$400. He said currently, it feels like those caught doing those activities get a break as they currently get the \$150 rate, even though they did something illegal, whereas someone who didn't do anything wrong, got rear-ended and needed a tow, for example, would have to pay the full collision rate. However, Town staff said they didn't think it would be right to implement that suggestion as while the police may have caught a person doing something, that person has still not been proven guilty in a court of law.

As such, charging them the rate as though they committed a crime would be an overreach of power by the Town.

The Town's new business licensing bylaw can be read in its entirety on the Town of Caledon's website at caledon.ca/en/government/by-laws-and-policies.aspx.