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TO:	CHAIR AND MEMBERS PUBLIC SAFETY COMMITTEE
FROM:	GEORGE KOTSIFAS DIRECTOR OF BUILDING CONTROLS, CHIEF BUILDING OFFICIAL AND LICENCE MANAGER
SUBJECT:	COMPLIANCE WITH ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT – AMENDMENT TO TAXICAB BY-LAW MEETING ON JANUARY 24, 2012

RECOMMENDATION

On the recommendation of the Director of Buildings Controls, Chief Building Official and Licence Manager, the attached proposed by-law amendment, attached as Appendix A, **BE INTRODUCED** at the Council meeting of January 31, 2012 it being noted that the proposed amendment complies with the intent of the Accessibility for Ontarians with Disabilities Act and mirrors the regulations proposed in the Vehicle for Hire By-law.

BACKGROUND

The Province recently introduced regulations under the Accessibility for Ontarians with Disabilities Act (AODA). These regulations were reviewed as part of the taxi – limousine by-law review and are included in the proposed Vehicle for Hire By-law proposed to be in full force and effect on July 1, 2012. The purpose of this report is to replicate the amendments in the proposed Vehicle for Hire By-law in the current Taxicab By-law to comply with the timelines of the Provincial Legislation (AODA) until such time as the Vehicle for Hire By-law comes into effect.

The following are the applicable sections of the AODA:

80 (1) Any municipality that licenses taxicabs shall ensure that owners and operators of taxicabs are prohibited

- (a) From charging a higher fare or an additional fee for persons with disabilities than for persons without disabilities for the same trip ; and*
- (b) From charging a fee for the storage of mobility aids or mobility assistive devices. O. Reg. 191/11, s.80 (1).*

(2) Any municipality that licenses taxicabs shall ensure that owners and operators of taxicabs place vehicle registration and identification information on the rear bumper of the taxicab. O. Reg. 191/11, s.80 (2).

(3) Any municipality that licenses taxicabs shall ensure that owners and operators of taxicabs make available vehicle registration and identification information in an accessible format to persons with disabilities who are passengers. O. Reg. 191/11, s.80 (3).

Municipalities must meet the requirements of subsection 1 by July 1, 2011 and subsections 2 and 3 by January 1, 2012.

The requirements of 80(1)(a) are met by the regulations in the current by-law. The requirements of 80(1)(b) are met by the proposed amendment prohibiting charging a fee for the storage of mobility aids. The requirements of 80(2) are met by the proposed amendment requirement that vehicle registration and identification information be placed on rear bumpers. The requirements of 80(3) is met by the proposed amendment requiring owners and operators to




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make available vehicle registration and identification information in an accessible format to persons with disabilities who are passengers. This may require drivers to have available registration and identification information in a format containing large print that is highly contrasted with its background or in braille format.

CONCLUSION

The attached amendments comply with the intent of AODA and specifically address the availability of information to persons with disabilities. The amendments mirror the regulations of the proposed Vehicle for Hire By-law.

PREPARED BY:	
	
O. KATOLYK, MLEO (C) MANAGER OF LICENCING AND MUNICIPAL LAW ENFORCEMENT SERVICES	
PREPARED AND RECOMMENDED BY:	REVIEWED & CONCURRED BY:
	 <i>For</i>
G. KOTSIFAS, P. ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL	PAT. MCNALLY, P. ENG. EXECUTIVE DIRECTOR – PLANNING, ENVIRONMENTAL & ENGINEERING SERVICES

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OK:mh

Attach

Bill No.
2012

By-law No.

A by-law to amend By-law L.-126-256 being "a by-law to provide for the Licensing, Regulating and Governing of Taxicabs, namely Cab, Accessible Cab, Limousine and Group Transportation Drivers, Owners and Brokers"

WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law L.-126-256 being a by-law to provide for the Licensing, Regulating and Governing of Taxicabs, namely Cab, Accessible Cab, Limousine and Group Transportation Vehicle Drivers, Owners and Brokers to bring the current by-law into compliance with *Accessibility for Ontarians with Disabilities Act, 2005*, Ontario Regulation 191/11 Integrated Accessibility Standards;

AND WHEREAS section 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the period at the end of the sentence in section 9.3(k)(xviii) and replacing it with "; and".
2. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding to section 9.3 a new paragraph (l) as follows:

“(l) make available the number of the Owner Plate and the name of the Fleet that the vehicle belongs to in an accessible format to Passengers who are Persons with Disabilities.”
3. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the word "or" from the end of the sentence in section 9.7 (r).
4. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the period at the end of the sentence in section 9.7(s) and replacing it with "; and".
5. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding to section 9.7 a new paragraph (t) as follows:

“(t) Operate a Cab or Accessible Cab without the number of the Owner Plate and the name of the Fleet it belongs to displayed on the rear bumper of the Cab or Accessible Cab in accordance with section 10.4.3(n) of this By-law.”
6. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the word "or" from the end of the sentence in section 9.8.1 (i).
7. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the period at the end of the sentence in section 9.8.1(j) and replacing it with "; and".
8. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding to section 9.8.1 a new paragraph (k) as follows:

“(k) Operate a Limousine without the number of the Owner Plate and the name of the Fleet it belongs to displayed on the rear bumper of the Limousine in accordance with section 10.7.3.1(j) of this By-law.”

9. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by delete the word "or" from the end of the sentence in section 9.8.2(h).
10. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the period at the end of the sentence in section 9.8.2(i) and replacing it with "; and".
11. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding to section 9.8.2 a new paragraph (j) as follows:
- “(j) Operate a Group Transportation Vehicle without the number of the Owner Plate and the name of the Fleet it belongs to displayed on the rear bumper of the Group Transportation Vehicle in accordance with section 10.7.3.2(i) of this By-law.”
12. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the word "and" from the end of the sentence in section 10.4.2(a).
13. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the period at the end of the sentence in section 10.4.2(b) and replacing it with "; and".
14. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding to section 10.4.2 a new paragraph (c) as follows:
- “(c) ensure that all Cab or Accessible Cab Drivers in his or her Cab or Accessible Cab make available the number of the Owner Plate and the name of the Fleet that the Cab or Accessible Cab belongs to in an accessible format to Passengers who are Persons with Disabilities.”
15. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the word "and" from the end of the sentence in section 10.4.3(l).
16. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the period at the end of the sentence in section 10.4.3(m) and replacing it with "; and".
17. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding to section 10.4.3 a new paragraph (n) as follows:
- “(n) display on the rear bumper of the Cab or Accessible Cab the number of the Owner Plate issued for the Cab or Accessible Cab and the name of the Fleet it belongs to in text that is high colour-contrasted with its background in order to assist with visual recognition, has the appearance of solid characters and is consistently shaped, coloured and positioned with other vehicles in the Fleet.”
18. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding to section 10.7.2.1 a new paragraph (d) as follows:
- “(d) Every Limousine Owner shall ensure that all Limousine Drivers in his or her Limousine make available the number of the Owner Plate and the name of the Fleet that the Limousine belongs to in an accessible format to Passengers who are Persons with Disabilities.”
19. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding to section 10.7.2.2 a new paragraph (c) as follows:
- “(c) Every Group Transportation Vehicle Owner shall ensure that all Group Transportation Vehicle Drivers in his or her Group Transportation Vehicle make available the number of the Owner Plate and the name of the Fleet that the Group Transportation Vehicle belongs to in an accessible format to Passengers who are Persons with Disabilities.”
20. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the word "and" from the end of the sentence in section 10.7.3.1(h)(iii).

21. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the period at the end of the sentence in section 10.7.3.1(i)(ii) and replacing it with “; and”.

22. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding to section 10.7.3.1 a new paragraph (j) as follows:

“(j) display on the rear bumper of the Limousine the number of the Owner Plate issued for the Limousine and the name of the Fleet it belongs to in text that is high colour-contrasted with its background in order to assist with visual recognition, has the appearance of solid characters and is consistently shaped, coloured and positioned with other vehicles in the Fleet.”

23. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the word “and” from the end of the sentence in section 10.7.3.2 (g).

24. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by deleting the period at the end of the sentence in section 10.7.3.2(h)(iii) and replacing it with “: and”.

25. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding to section 10.7.3.2 a new paragraph (i) as follows:

“(i) display on the rear bumper of the Group Transportation Vehicle the number of the Owner Plate issued for the Group Transportation Vehicle and the name of the Fleet it belongs to in text that is high colour-contrasted with its background in order to assist with visual recognition, has the appearance of solid characters and is consistently shaped, coloured and positioned with other vehicles in the Fleet.”

26. The Taxicab & Limousine Licensing By-law No. L.-126-256 is hereby amended by adding a new section 17.6 as follows:

“17.6

No Driver or Owner shall charge a fee for the storage or handling of mobility aids or mobility assistive devices accompanying a Passenger on a Trip.”

27. This by-law comes into force on the date it is passed.

PASSED in Open Council on _____, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading -
Second Reading -
Third Reading -