

Appendix 'A'

Bill No.
2021

By-law No. L.-131(____)-____

A by-law to amend By-law No. L.-131-16 entitled "A by-law to provide for the Licensing and Regulation of Various Businesses".

AND WHEREAS section 5(3) of the Municipal Act, 2001 S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 23.2 of the Municipal Act, 2001 permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS the City deems it to be in the public interest, having regard to both public health and safety and consumer protection, to protect persons involved in motor vehicle accidents on highways and to ensure that highways are kept free of obstructions and impediments at accident scenes for emergency vehicles and emergency personnel.

AND WHEREAS it is deemed expedient to amend By-law No. L.-131-16, entitled "A by-law to provide for the Licensing and Regulation of Various Businesses", passed on December 12, 2017;

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

1. The Business Licensing By-law L.-131-16 is hereby amended by adding the attached new Schedule "20" "**Tow Truck Business & Impound Yard Storage Business**".
2. The Business Licensing By-law L.-131-16, Schedule 1 – Business Licence Fees is hereby amended by adding:
 - Tow Truck Business Licence fee of \$321.00
 - Impound Yard Storage Business Licence fee of \$321.00

This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on _____, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading –
Second reading –
Third reading –

Schedule '20'
TOW TRUCK BUSINESS & IMPOUND YARD STORAGE BUSINESS

1.0 DEFINITIONS

1.1 In this Schedule:

“Accident Scene”: means the general location or place where an incident or accident occurred involving a Motor Vehicle(s).

“Highway”: means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

“Highway Traffic Act”: means the Highway Traffic Act, R.S.O. 1990, as amended.

“Impound”: means to restrain or immobilize a motor vehicle.

“Impound Yard Storage Business”: means the business of storing vehicles once they are towed from an Accident Scene.

“Local Road”: means roads contained within the boundaries of the Municipality of the City of London.

“Motor Vehicle”: means a motor vehicle as defined in the Highway Traffic Act.

“Tow Truck Business”: means the business of providing Towing Services at an Accident Scene.

“Tow Truck Operator”: means a person who operates a Tow Truck offering Towing Services.

“Towing Services”: mean the provision or use of a tow truck including the assistance of the owner, operator, driver, or any passenger of a vehicle through the use of the equipment on or used in conjunction with the tow truck for the pulling, towing, carrying, or lifting of a motor vehicle at a place located within the City of London.

“Tow Truck”: means a Motor Vehicle that is designed, modified or used for pulling, towing, carrying or lifting of other Motor Vehicles with or without the assistance of lifts, winches, dollies, trailers or any like equipment.

“Vehicle”: means vehicle as defined in the Highway Traffic Act.

2.0 LICENCE CATEGORIES:

2.1 The following categories of licenses are established:

- (a) Tow Truck Business; and
- (b) Impound Yard Storage Business

3.0 PROHIBITIONS:

3.1 No person shall operate a Tow Truck Business without a current valid licence issued under this By-law.

3.2 No person shall operate an Impound Yard Storage Business without a current valid licence issued under this By-law.

3.3 No holder of a Tow Truck Business Licence shall permit a Tow Truck to safely park, stop, stand, make or convey an offer of Towing Services, within two hundred (200) metres of an Accident Scene unless directed by a police officer, a firefighter, or person involved in the accident, or if there is not a sufficient number

of tow trucks already at the Accident Scene to deal with all vehicles that apparently require the services of a Tow Truck.

- 3.4 No Tow Truck Operator parked, stopped or standing within two hundred (200) metres of an Accident Scene shall fail to immediately follow the direction of any police officer, firefighter or emergency medical services (EMS) including, but not limited to moving the Tow Truck two-hundred (200) metres from the Accident Scene.
- 3.5 No holder of a Tow Truck Business Licence shall charge or accept from any person any amount for Towing Services in contravention of the prescribed administrative regulations.
- 3.6 Every holder of a Tow Truck Business Licence shall provide Towing Services associated with a licenced Impound Yard Storage Business within the boundaries of the City of London.
- 3.7 No holder of an Impound Yard Storage Business Licence shall charge or accept from any person any amount for storage services at an Impound Yard in contravention of the prescribed administrative regulations.

4.0 POWERS OF LICENCE MANAGER

4.1 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may make regulations under this Schedule including:

- (a) prescribing signage that must be posted in an Impound Yard Storage Business as a condition for storing a Motor Vehicle including without limitation, the manner, form, size, location and content of such signage;
- (b) prescribing Towing fees;
- (c) prescribing Impound Yard Storage fees;
- (d) prescribing hours of operation of Impound Yards Storage Business;
- (e) prescribing the content of a registry for Tow Truck Business.

Appendix 'B'

Bill No. _____
2021

By-law No. A-54-_____

A by-law to amend By-law No. A-54, as amended, being "A by-law to implement an Administrative Monetary Penalty System in London" to provide for an amended Penalty Schedule "A-5" for the Business Licensing By-law for the categories of Tow Truck Business and Impound Yard Storage Business.

WHEREAS section 434.1 of the Municipal Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

AND WHEREAS the Municipal Council on June 25, 2019 passed By-law No. A-54, being "A by-law to implement an Administrative Monetary Penalty System in London;"

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to Schedule "A-5" for the categories of Tow Truck Business and Impound Yard Storage Business in the Business Licensing By-law,

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

1. That Schedule "A-5" of By-law No. A-54, being the Penalty Schedule for Business Licensing By-law be amended to include the following rows:

Column 1 Item #	Column 2 Short Form Wording	Column 3 Designated Provision	Column 4 Administrative Penalty Amount
1	Operate Tow Truck Business without current valid licence.	3.1	\$500.00
2	Operate Impound Yard Storage Business without current valid licence.	3.2	\$500.00
3	Permit tow truck to park, stop, stand, make or convey offer of services within 200 meters of accident scene.	3.3	\$500.00
4	Fail to follow direction of first responder at accident scene.	3.4	\$500.00
5	Charge or accept fees for towing services in contravention of prescribed administrative regulations.	3.5	\$500.00
6	Fail to provide towing services associated with licensed impound yard storage business within the boundaries of the City.	3.6	\$500.00
7	Charge or accept fees for storage services in contravention of prescribed administrative regulations.	3.7	\$500.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Designated Provision	Column 4 Administrative Penalty Amount
8	Fail to comply with prescribed signage at impound yard storage business.	5.1 (a)	\$200.00
9	Fail to comply with prescribed hours of operation at impound yard storage business.	5.1 (d)	\$200.00
10	Fail to comply with prescribed content of registry for tow truck business.	5.1 (e)	\$200.00

2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on , 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –