



REPEALED BY BY-LAW 1-2002

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 259-2000

LICENSING BY-LAW

A By-law respecting the issue of
licenses in the City of Brampton
and repeal by-law 15-91

THE COUNCIL of the Corporation of the City of Brampton ENACTS as follows:

DEFINITIONS

For the purposes of this by-law:

1. "adult entertainment parlour" means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations which include:
 - (a) goods or services of which a principal feature or characteristic is the nudity or partial nudity of any person;
 - (b) goods or services in respect to which the word "nude", "naked", "topless", "bottomless", "sexy", or an other word or picture symbol or representation having like meaning or implication as used in any advertisement;

"amusement device" shall include but is not limited to arcade, pinball or video machines or other like apparatus;

"applicant" means a person applying for a licence under this by-law;

"application" means an application in the form provided by the Licensing Section and accompanied by the appropriate fee;

"baked goods" means a building, premise, work shop, room or place in which bread, pastries or other baked goods are made for sale or sold;

"body-rub" includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the province of Ontario.

"body-rub parlour" includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.

"body-rubber" includes any person who performs, offers, or solicits a body-rub.

"building renovator" means a person engaged in the business of altering, repairing or renovating buildings or structures or constructing radiation fallout shelters, and includes any person who solicits for such work, or who in any way advertises or holds himself out to the public as doing building renovations

or as being a building contractor in renovation work, but does not include a building contractor whose principal business is the construction of buildings or structures;

"chief-of-police" means the Chief of Police of The Regional Municipality of Peel;

"chimney repairman" means a person engaged in the trade or occupation of repairing chimneys;

"city" means the City of Brampton in The Regional Municipality of Peel;

"Commissioner" means the Commissioner of Public Works and Building;

"committee" means the By-law Committee of Council;

"council" means the Council of The Corporation of the City of Brampton;

"day nursery" means a premises that receives more than five children, who are under ten years of age, and who are not of common parentage, for the purpose of providing temporary care, but does not include part of a public school, separate school, private school or a school for trainable retarded children under the *Education Act*.

"dealers in second-hand goods" includes person who go from house to house or along highways for the purpose of collecting, purchasing or obtaining second-hand goods;

"drain contractor" means a person who installs, repairs or maintains drainage systems, public or private, and sewage disposal systems on the exterior of any building;

"drain work" means the non-metallic piping forming parts of a building drain, building sewer, building storm drain, or building storm sewer, are as defined in the Provincial Plumbing Regulations;

"driver" means any person licensed to drive a vehicle pursuant to this by-law;

"driver's license" means the licence issued to a driver pursuant to this by-law;

"drive-self cartage vehicle" means any cartage vehicle rented by the owner thereof and used and driven exclusively by the hirer or his employee for his own personal use and not for any commercial or contractual use;

"drive-self rental car" means a motor vehicle used for hire for the conveyance of persons which is let out by the owner thereof to a customer and used and driven exclusively by the customer or his employee for the use of the customer but does not include a vehicle let out by the owner thereof for a period of one year or more to a person who takes exclusive possession thereof and drives the same either by himself or his employees and who does not let such vehicle out to any other person;

"drive-self rental vehicle" includes a drive-self rental car and a drive-self cartage vehicle;

"driving school" means any business or establishment which employs instructors, to teach person to operate motor vehicles;

"driving school operator" means a person who runs, operates or carries on the business of a driving school is required to be licensed under this by-law; and

"driveway paving contractor" means a person who carries on the business of paving and repairing driveways, lanes, roadways, parking areas and other paved surfaces; and

"dwelling unit" means one or more habitable rooms designed or intended to be used together as a single and separate unit by one person or jointly by two or more persons, containing its own kitchen and sanitary facilities, with a private entrance from outside the unit itself, and does not include a hotel;

"electrical work" includes any procedure or method described in the Electrical Safety Code, being Ontario Regulation 183/84 made pursuant The Power Corporation Act;

"file" means to file with the Licence Issuer;

"heating contractor" means a person engaged in the business of installing warm air, hot water or steam heating equipment of any kind excepting the installation of oil tanks and oil and gas burners and includes any person who solicits for, or in any way advertises or holds himself out to the public as doing work involving the installation of warm air, hot water or steam heating equipment of any kind excepting the installation of oil tanks and oil and gas burners, or as being a heating contractor; and "heating work" has a corresponding meaning;

"inspector" has same meaning as licensing inspector;

"instructor" means a person who for compensation teaches others to drive a motor vehicle as a driving instructor or is required to be licensed as such under this by-law and who is employed or self-employed in the business of teaching persons to operate motor vehicle;

"licence" means the certificate issued pursuant to this by-law as proof of licensing under this by-law;

"licensed" means to have in one's possession a valid and current licence issued under this by-law;

"licence issuer" means the head of the Licensing Section of The Corporation of the City of Brampton and includes his designate;

"licensed" means licensed pursuant to this by-law and "unlicensed" has the contrary meaning;

"licensing inspector" means any person employed by the City of Brampton appointed as a Municipal Law Enforcement Officer;

"licensing section" means the licensing section of the City of Brampton;

"licensed vehicle" means a vehicle licensed pursuant to this by-law;

"limousine" means a top-of-the-line luxury passenger vehicle, with four or more doors, which is not a station wagon, panel truck, bus or van, and which has top quality interior appointments, tinted power windows, a stereo system, climate control, adequate trunk space, and includes any luxury-class classic car such as Rolls Royce, Jaguar, Mercedes, Bentley or Daimler;

"master electrician" means a person who is skilled in the planning, superintending and installing of wires, conduits, apparatus, fixtures or other appliances for the carrying on or using of electricity for light, heat or power purposes, who is familiar with the laws, rules and regulations governing the same, who has a regular place of business in the City of Brampton area and who, himself, or by journeymen electricians in his employ, performs electrical work;

"master plumber" means a person who is skilled in the planning, superintending and installing of plumbing, is familiar with the laws, rules and regulations governing the same, has a regular place of business in the City of Brampton area and who, himself, or by journeymen plumbers in his employ, performs plumbing work;

"master steam and hot water heating installer" means a person who is skilled in the planning and installation of steam, hot water, vapour and vacuum heating systems and equipment used in connection therewith, and in the superintending of such work;

"master warm air heating installer" means a person who is skilled in the planning and installation of all types of warm air heating systems, including air conditioning and ventilating systems in connection therewith, and in the superintending of such work;

"medical officer of health" means a person appointed pursuant to the Public Health Act;

"motor vehicle" includes an automobile or any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways or other motor vehicles running only upon rails, or motorized snow vehicles, traction engines, farm tractors, self propelled implements of husbandry or road building machines within the meaning of the Highway Traffic Act;

"owner" when used in reference to a body-rub parlour means a person who alone or with others has the right to possess or occupy a body-rub parlour or actually does possess or occupy a body-rub parlour, and includes a lessee of a body-rub parlour or premises upon which a body-rub parlour is located.

"operator" when used in reference to a body-rub parlour refers to any person who alone or with others operates, manages, supervises, runs or controls a body-rub parlour and "operate", "operation" and other words or like import or intent shall be given a corresponding meaning.

"passenger" means any person in a vehicle pedicab or taxicab other than the driver;

"pawnbroker" means a person who exercises the trade of receiving or taking, by way of pawn or pledge, any goods for the repayment of money lent thereon;

"pedicab" means a vehicle drawn, propelled or driven by human muscular power and includes a rickshaw, but does not include a bicycle as defined in the *Highway Traffic Act*.

"person" includes a firm or corporation according to the context;

"pet shop" means a shop or place where animals or birds for use as pets are sold or kept for sale;

"place of amusement" shall include any shop, building, or place or part thereof, which is open to the public, in which amusement devices are installed, placed or operated as one of the principal trades;

"plate" means a number plate issued to a person licensed pursuant to this by-law;

"plumbing" includes any procedure, method, matter or thing referred to or described in the Plumbing Code, being Regulation No. 815, as amended of The Revised Regulations of Ontario 1984, and amendments thereto from time to time; and "plumbing work" has a corresponding meaning;

"plumbing contractor" means a person engaged in the business of contracting for the making and repairing of plumbing installations, and includes any person who solicits for plumbing work, or who in any way advertises, or holds himself out to the public, as doing plumbing work or as being a plumbing contractor;

"pool installation contractor" means a person who carries on the business of installing residential swimming pools;

"private sewage disposal system" shall mean a system, not municipally owned or operated, for the disposal of sewage and shall include the use of septic tanks, tile disposal beds, grease traps and other similar devices;

"proprietary club" means all clubs other than those in which the use of any billiard, pool or bagatelle table is only incidental to the main objects of the club;

"public garage" includes a parking station or a parking lot or a building or place where motor vehicles are stored or parked, hired or kept or used for hire or where such vehicles or gasoline or oils are stored or kept for sale, and a building or place used as a motor vehicle repair shop or for washing or cleaning motor vehicles, and an automobile service station;

"public hall" means a building, including a portable building or tent with a seating capacity for over one hundred persons, that is offered for use or used as a place of public assembly, but does not include a theatre within the meaning of The Theatres Act, or a building used solely for religious purposes;

"salvage yard" includes an automobile wrecking yard and a recycling yard or premise;

"second-hand goods" includes household materials, bottles, bicycles, automobile tires, old metal and other scrap material and salvage that is sold for retail, but does not include goods that are recycled or intended to be recycled as part of a recycling program;

"sign distributor" means any person who distributes or installs signage, whether by rental or sale, whether permanent or temporary, to any other individual or business;

"special sale" means any sale or intended sale at retail described by the use of any of the following words or expressions, or any enlargement, contraction or combination thereof:

bankrupt	moving out	fire
insolvent	selling out	smoke
trustee	lease expiring	water damage
receiver	closing out	creditor
liquidation	discontinuing	forced

or any other similar word or words that represent, hold out or advertise that any goods, wares or merchandise are to be disposed of in a manner that is not in the ordinary course of retail business,

but excludes a sale by or under the authority of:

- (1) a receiver or trustee under the Bankruptcy Act (Canada) or a liquidator under the Winding-Up Act (Canada);
- (2) a court or receiver appointed by the court;
- (3) a bailiff, sheriff, executor or administrator; or
- (4) a receiver, liquidator or trustee under any general or special Act;

"tow truck" means a motor vehicle used for hire for towing or otherwise conveying in the City of Brampton area vehicles as defined in the Highway Traffic Act, whether or not any such towed or conveyed vehicle is intact or in operable condition;

"transient trader" includes any person commencing business who has not resided continuously in the City of Brampton for at least three months next preceding the time of his commencing such business there;

"vehicle" includes a motor vehicle, trailer, traction, engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car;

"veterinarian" means a person registered and entitled to practise veterinary science under the Veterinarians Act, as amended.

LICENCES

2. There shall be taken out by:

- (1) every auctioneer selling or putting up for sale goods, wares, merchandise or effects by public auction, provided that nothing in this by-law shall apply to a sheriff or bailiff offering for sale goods or chattels seized under an execution or distrained for rent;
- (2) every person who owns or operates a barber shop and every person who owns or operates a hairdressing establishment;
- (3) every proprietary club and every person who for hire or gain directly or indirectly keeps or has in his possession or on his premises any billiard, pool or bagatelle table, or who keeps or has any such table, whether used or not in a house or place of public entertainment or resort;
- (4) every owner of a drive-self rental vehicle;
- (5) every person who carries on the business of teaching persons to operate motor vehicles and every driving instructor employed in such business;
- (6) every electrical contractor and master electrician;
- (7) every plumbing contractor, plumber, master plumber and drain contractor;
- (8) every heating contractor, master steam and hot water heating installer and master warm air heating installer;
- (9) every person who owns or keeps a restaurant and every person who owns or keeps a place where foodstuffs intended for human consumption are made for sale, offered for sale, stored or sold;
- (10) every person who owns or keeps a roller skating rink or other place of like amusement, a merry-go-round, a switchback railway, a carousel or other like contrivance;
- (11) subject to the provisions of The Theatres Act, every person who owns or keeps for hire or gain an exhibition and exhibits same elsewhere than in a theatre, music hall, public hall or other place licensed under this subsection, or who owns or keeps a theatre, music hall, bowling alley, moving picture show, public hall or any place of amusement and every person who owns or keeps any exhibition of wax works, menagerie, circus-riding or other like show usually exhibited by showmen;
- (12) every transient trader;
- (13) every person who, for hire or gain, purchases or deals in old gold and other precious metals and in old jewellery or other articles for the purpose of smelting the same and recovering the gold therefrom;
- (14) every person who exercises the trade of a pawnbroker;
- (15) every keeper of a shop or place where animals or birds for use as pets are sold or kept for sale;
- (16) every person who owns or operates a public garage;
- (17) every owner or keeper of a salvage shop and every person who goes from house to house or along any street, whether public or private, for the purpose of collecting, purchasing or obtaining second-hand goods and every owner of a shop, store or other place for the purchase, sale or exchange of second-hand goods and every person, except those licensed under clauses (13) or (14) of this section, who engages in the business of purchasing, selling, exchanging or otherwise dealing in second-hand goods in or from a yard, shop, store or other premises;
- (18) every person who operates and every person who drives a vehicle from which refreshments are sold for consumption by the public;
- (19) every person who conducts a special sale;

- (20) every person engaged in the business of altering, repairing or renovating buildings or structures or constructing radiation fallout structures, other than building contractors whose principal business is the construction of buildings or structures;
- (21) every person carrying on the business of making available to the public the use of laundretérias, washing machines or dryers, including coin-operated washing machines and dryers;
- (22) every owner and every driver of a tow truck;
- (23) every person who owns or operates or drives a limousine;
- (24) every person who owns or operates a taxicab or taxicab brokerage and every person who drives a taxicab;
- (25) every owner and every operator of an adult entertainment parlour;
- (26) every keeper of every store or shop, other than a hotel, as defined by the Municipal Act, where tobacco, cigars, or cigarettes are sold by retail;
- (27) every person who acts or carries on business as a salesperson, hawker, pedlar or goes from place to place or to a particular place with goods, wares or merchandise for sale, or, carries and exposes samples, patterns or specimens of any goods, wares or merchandise that are to be delivered in the municipality afterwards;
- (27) (a) every person who maintains and operates a stall in a market;
- (b) every person who sells or offers for sale any recreational low hazard fireworks;
- (28) every person who sells fresh meat in quantities less than by the quarter carcass; and
- (29) (repealed);
- (30) every driveway paving contractor;
- (31) every person who distributes or causes the distribution of newspapers in a newspaper box;
- (32) every pool installation contractor;
- (33) every day nursery operator;
- (34) every sign distributor;
- (35) every owner or driver of a pedicab;
- (36) every person who owns or operates a body-rub parlour and every person who performs, offers, solicits or receives a body-rub in, at or upon a body-rub parlour in the pursuance of a trade, calling, business or occupation.

a licence from the City of Brampton authorizing them respectively to carry on their several trades, callings, businesses, and occupations in the City of Brampton for which sale licence the person obtaining the same shall pay to the Licence Issuer at the time of taking out such licence fee fixed by this by-law.

- 4. The licences for the several trades, callings, businesses and occupations set out in Appendix A to this by-law shall, unless they are expressed to be for a shorter or longer time, be for one year, and unless they are sooner forfeited or revoked, shall in each case, expire in each year on the date set out opposite the same in the Fee Schedule.
- 5. The respective sums of money set out in this by-law opposite the respective descriptions of licences in the Fee Schedule are hereby fixed as the amounts for such licences.

PROCEDURES AND GENERAL PROVISIONS

- 6. (1) Council shall appoint a Licence Issuer and such other officers as may be necessary to carry out the administrative duties associated with the licensing function for the City of Brampton;
- (2) Any licence issued under this by-law may be canceled by Council at any time upon the request in writing by the licensee;
- (3) No person shall alter, erase or modify a licence or allow the alteration, erasure or modification of a licence without the approval of the Licence Issuer;

- (4) Every application for renewal of a licence shall be delivered to the licensing section 14 days prior to the expiry date of the licence as set out in the Fee Schedule, attached hereto as Appendix "A";
- (5) Every corporate applicant shall file a copy of the incorporating documents, along with any amending documents, and the most recent annual filing, if any;
- (6) Every corporate licensee shall file written notice of any change in corporate structure or control within three (3) days of such change;
- (7) Every licence issued under this by-law shall be valid for the period set out in Appendix A, and in no case shall such a period exceed one (1) year;
- (8) Every licence shall expire on the date set out in Appendix A as the expiry date for such licence unless renewed in accordance with the provisions of this by-law;
- (9) Where two or more persons carry on or engage in partnership in any of the trades, callings, businesses or occupations set out in section 2 the licence may be issued in the name of one partner only, but when the application for licence is made, the name and address of each member of the partnership shall be set out therein;
- (10) Every person applying for or holding a licence under this by-law shall, in such application or in carrying on or engaging in the trade, calling, business or occupation in respect of which the licence is issued, observe, comply with and be governed by the regulations set out in the respective Schedules to this by-law which relate to such person, and the Schedules and Appendices shall form part of this By-law;
- (11) Every driver and plate owner shall, on request of the Licence Issuer, produce his licence and any other documentation requested; and
- (12) Any licence issued under this by-law shall be posted in a conspicuous place.

NOTIFICATION OF CHANGE OF INFORMATION

7. (1) A licensee shall carry on business in the City in the name which is set out on the licence and shall not carry on business in the City in any other name unless he has first notified the licensing section and complied with subsection (2) herein;
 - (2) A licensee shall notify the licensing section within seventy-two (72) hours of any change of name, address or any other information related to the licence; and
 - (3) Where the licensee is a corporation, the licensee shall notify the licensing section of any change in the names and addresses of officers and directors, the location of the corporate head office, change of ownership of shares within seven (7) days of the change, and if necessary, the licence shall be returned immediately to the licensing section for amendment.
8. The Licence Issuer shall:
 - (1) receive and process all applications for licences and for renewal of licences;
 - (2) issue all licences, when an application is made in accordance with the provisions of this by-law;
 - (3) maintain complete records showing all applications received and licences issued;
 - (4) submit to Council a monthly report on all licences issued; and
 - (5) generally perform all the administrative functions conferred upon it by this by-law.
 9. (1) On an application for a licence, or the renewal thereof, respecting any of the several trades, callings, businesses and occupations mentioned in section 2 hereof, the applicant shall complete the prescribed forms and shall furnish to the Licence Issuer such information as the Licence Issuer may direct to be furnished, and shall pay the appropriate fees therefor; and
 - (2) Every application for renewal of a licence shall be delivered to the licensing section fourteen (14) days prior to the expiry date of the licence as set out in the Fee Schedule.
10. The Licence Issuer shall, upon receipt of an application referred to in section 7, make or cause to be made all investigations relative to such application.

GROUND FOR REFUSAL TO ISSUE OR RENEW A LICENCE

11. An applicant is entitled to be licensed and a licensee is entitled to have his licence renewed except where:
 - (1) having regard to his financial position, the applicant or licensee cannot reasonably be expected to be financially responsible in the conduct of the business being licensed;
 - (2) the past conduct of the applicant or licensee affords reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which he is to be licensed in accordance with the law, and with integrity and honesty;
 - (3) the issuance of the licence or renewal of the licence would be contrary to the public interest;
 - (4) the applicant or licensee is carrying on activities that are, or will be, if the applicant is licensed, in contravention of this by-law, or any other applicable law; or
 - (5) where the applicant or licensee is a corporation, the past conduct of an officer or director affords reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which he is to be licensed in accordance with the law.

COUNCIL'S POWER TO REFUSE TO ISSUE OR TO RENEW A LICENCE

12. Council may refuse to issue or renew a licence where the applicant or licensee would not be entitled to a licence for the reasons set out in this by-law.

COUNCIL'S POWER TO REVOKE OR SUSPEND A LICENCE

13. Council may revoke or suspend a licence where the licensee would not be entitled to a renewal of a licence, for the reasons set out in this by-law.

ISSUANCE OF A LICENCE ON TERMS AND CONDITIONS

14. Council may issue or renew a licence subject to such terms and conditions as are necessary to give effect to this by-law.
15. (1) When, for any of the grounds set out in section 9 of this by-law, an applicant or licensee is not entitled to be licensed or to have his licence renewed, or a licence may be subject to revocation, the Licence Issuer shall recommend to Council that Council refuse to issue or refuse to renew the licence or that Council suspend or revoke the licence, or, subject to section 12 of this by-law, that Council issue a licence subject to terms and conditions.

(2) Upon receipt of a recommendation by the Licence Issuer referred to in subsection (1) of this section, Council shall either:
 - (a) reject the recommendation of the Licence Issuer; or
 - (b) direct the Licence Issuer to issue a written notice to the applicant or licensee advising the applicant or licensee of the Licence Issuer's recommendation.
(3) The written notice to be given under subsection (2) shall:
 - (a) set out the grounds for the recommendation;
 - (b) give reasonable particulars of the grounds;
 - (c) be signed by the Licence Issuer; and
 - (d) inform the applicant or licensee of his right to a hearing before the By-law Committee if he delivers a written request for such a hearing within seven (7) days following the date of service.
16. On receipt of a written request for a hearing from an applicant or a licensee, the City Clerk shall schedule the hearing on the date and at the time and place of a regularly scheduled meeting of the By-law Committee and shall give the applicant or licensee reasonable written notice of the date, time and place of the hearing, and, shall also notify the Licence Issuer.
17. The written notice required to be given by the City Clerk and Licence Issuer shall be sufficiently served if delivered personally or sent by registered or certified mail addressed to the person to whom notice is to be given at the last address given by that person to the Licence Issuer.
18. (1) The provisions of the Statutory Powers Procedure Act, as amended shall apply to all hearings conducted by the By-law Committee under this by-law;

(2) When an applicant or licensee who has been given written notice of the hearing does not attend at the appointed time and place, the By-law Committee may proceed with the hearing in his absence and the applicant or licensee shall not be entitled to any further notice of the proceedings;

(3) At the conclusion of a hearing the By-law Committee shall, as soon as practicable, submit a written report of the hearing to Council and the report shall:
 - (a) summarize the relevant evidence and arguments presented by the parties to the hearing;
 - (b) set out the findings of fact and the recommendations made by the By-law Committee, and
 - (c) set out the reasons for the recommendations.
19. After giving consideration to the report of the Licence Issuer, Council may make any decision with respect to the license and the applicant or licensee shall not be entitled to any further hearing on the matter and the decision of Council shall be final and binding.

20. Where the Licence Issuer has issued a written notice pursuant to section 13 and no written request for a hearing has been received by the City Clerk within the time required by that section, the City Clerk shall notify Council in writing that no hearing has been requested, and Council may then proceed to consider the Licence Issuer's report and may make any decision with respect to the licence.
21. (1) Where a licence has been revoked or suspended pursuant to this by-law, the Licence Issuer shall send by registered mail, addressed to the person whose licence has been revoked at the last address given by that person to the Licence Issuer, a written notice of revocation or suspension of licence, and upon the mailing of such written notice the licence shall forthwith be revoked or suspended;
- (2) A licensee whose licence has been revoked or suspended shall return the licence and all plates issued by the Licence Issuer with reference to such licence to the Licence Issuer within 24 hours of service of the notice of revocation referred to in clause (1) of this subsection, and the Licence Issuer may enter upon the business premises or vehicles of the licensee for the purpose of receiving, taking or removing the said licence and plates; and
- (3) No person whose licence has been revoked or suspended shall refuse to deliver the licence or plates to the Licence Issuer or a Licence Inspector or in any way obstruct or prevent the Licence Issuer from receiving or taking the same.
22. Notwithstanding any decision of or statement by the Council respecting the granting of a licence or application therefor, no person shall be deemed to be licensed to carry on or engaged in the trade, calling, business or occupation for which such licence is required until he has paid the required fee and has received the physical licence, plate, or other evidence of the granting of such licence provided for in this by-law.
23. The Licence Issuer shall on behalf of the Council sign all licences issued by it pursuant to this by-law and his signature may be printed or mechanically reproduced upon each licence issued, and such licence shall be in such form as Council may from time to time designate.
24. Notwithstanding that a licence has been renewed, the Licence Issuer may require the holder of a licence to file with the Licence Issuer such certificates or other documentary evidence as the Licence Issuer may require as evidence that such applicant satisfies the requirements of this by-law.
25. Every person obtaining a licence under this by-law, where the same applies to premises, shall keep his licence posted up in some conspicuous place on the premises in respect of which the licence is issued, and every person so licensed shall, when requested, produce the licence for inspection.

INSPECTION

26. Every person obtaining a licence under this by-law, where the same applies to the occupation of such person, shall carry his licence with him when engaged in the occupation for which the licence is issued, and every person so licensed shall, when requested by the Licence Issuer or the police produce the licence and any other documents required for inspection.
27. The Licence Issuer may at all reasonable times:
- (1) inspect as much of any house, place or premises as is used for the carrying on of any trade, calling, business or occupation in respect of which any person has or is required to have a licence under this by-law; and
- (2) inspect any goods, articles, books, records and other documents of or relating to any such trade, calling, business or occupation.
28. Where the Licence Issuer finds that any provision of this by-law is being contravened, he may give to the person whom he believes to be the contravenor an order in writing directing compliance with such provision and may require the order to be carried out forthwith or within such time as he specifies.

GENERAL PROHIBITIONS

29. No person shall, within the limits of the City of Brampton, carry on or engage in any of the said trades, callings, businesses or occupations unless he possesses a valid licence, therefor.
30. No person shall hold himself out to be licensed pursuant to this by-law unless he is so licensed.
31. No person who has or is required to have a licence under this by-law shall obstruct or hinder the making of any inspection under this by-law, or cause or permit the same to be obstructed or hindered.
32. No person shall obstruct the Licence Issuer in the execution of his duties.

33. No person licensed pursuant to this by-law shall for reason of race, ancestry, place or origin, colour, ethnic origin, citizenship, creed, sex, age, marital status, family status or handicap, discriminate against any member of the public.

34. No person licensed under this by-law shall, in respect of any blind person being guided or led by a dog:

- (1) refuse to serve such person;
- (2) refuse to permit such person to enter with such dog into or upon any place, premises, vehicle or thing to which the licence relates; or
- (3) refuse to permit such person and such dog to remain in or upon such place, premises, vehicle or thing.

by reason only of the presence of the said dog.

35. No person licensed under this by-law shall in respect of any physically handicapped person::

- (1) refuse to serve such person;
- (2) refuse to permit such person to enter into or upon any place, premises, vehicle or thing to which the licence relates; or
- (3) refuse to permit such person to remain in or upon such place, premises, vehicle or thing;

by reason only of the presence of such physical handicap.

36. No person shall operate or permit to be operated any vehicle which is not licensed pursuant to this by-law if required.

37. No person shall operate or permit to be operated any vehicle which does not have affixed to it in a manner approved by the Licence Issuer a current valid plate if required.

38. No person shall enjoy a vested right in the continuance of a licence and upon the issue, renewal, transfer, cancellation or suspension thereof, the value of a licence shall be the property of the Corporation of the City of Brampton.

39. No person licensed to carry on business under this by-law shall advertise or promote or carry on such business under any name other than the name endorsed upon his licence.

PENALTY

40. Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

INTERPRETATION

41. If what is known as "Daylight Saving Time" has been generally adopted in the Brampton Area for any period of the year under any Statute, Order in Council, By-law, Resolution or Proclamation, whether the same is effective in law or not, such time shall be held to be the time referred to during such period in any reference to time in this by-law.

42. In this by-law, unless the context otherwise requires, words importing the singular number shall include the plural and words importing the masculine gender shall include the feminine.

43. In the event of conflict between any of the general provisions of this by-law and any provisions set out in the Schedules hereto, the provisions of the Schedule shall prevail.

REPEAL AND TRANSITIONAL PROVISIONS

44. (1) By-law 15-91, as amended, is hereby repealed;
- (2) Notwithstanding subsection (1), all licences issued pursuant to the said by-law, shall, during the period for which the same have been issued, remain in full force and effect unless for some other reason the same are terminated, suspended, forfeited or revoked, and subsection (1) shall not affect any offence committed against the said By-law No. 15-91, as amended, nor any penalty incurred in respect thereof, nor any investigation, legal proceeding or remedy thereunder; and
- (3) Any penalty incurred, any investigation, legal proceeding or remedy under By-law 15-91 may be continued or enforced as if the said By-law No. 15-91, as amended, had not been repealed.

SCHEDULE 1 TO BY-LAW

Relating to Auctioneers or Other Persons putting up for Sale Goods or Merchandise by Public Auction

1. Any person selling or putting up for sale goods, wares, merchandise or effects by public auction, shall be deemed an auctioneer within the meaning of this by-law.
2. Every person who exercises the calling or business of an auctioneer shall, at the place of each auction, prominently display his name and business address and shall, in all public advertisements of any nature used by him in the course of his business, include his name and business address in such advertisement.
3. (1) Every auctioneer shall keep proper books of account of the business transacted by him as an auctioneer, which books shall give the names and addresses of the owners of the goods, wares or merchandise to be sold, the description of the same, the price for which the same may be sold, and the names and addresses of the persons purchasing such goods, wares or merchandise, or any portion thereof, and he shall forthwith, after the sale of same, or any portion thereof, account for the proceeds and pay the same to the person or persons entitled to such proceeds, less his proper and legal commissions and charges; and he shall, in case no sale is made of such goods, on payment of his proper costs and charges, return such goods, to the person or persons entitled to receive the same on proper demand being made therefor.

(2) Provided that nothing contained in this section shall in any way affect or invalidate the claim of any auctioneer for goods warehoused with him, and on which he shall have made advances.
4. No auctioneer shall:
 - (1) permit any disorderly conduct at the place of auction;
 - (2) conduct or permit to be conducted any mock auction;
 - (3) knowingly make or permit to be made any misrepresentation as to the nature, content, quantity or value of any goods, wares, merchandise or effects which may be offered for sale by him;
 - (4) give away articles or sell them for nominal amounts for the purpose of stimulating bidding;
 - (5) do any act that is calculated to or which may reasonably have the effect of confusing a purchaser as to the amount he pays for any article or articles;
 - (6) avail himself of the services of, or act in concert with, persons known in the trade as "beaters", "boosters" or "skills" for the purpose of raising or stimulating bids; and
 - (7) sell or put up for sale by auction any goods, wares, merchandise or effects on a reserve-bid basis without first having announced clearly to those in attendance at the auction the fact of such reserve bid.

SCHEDULE 2 TO BY-LAW

Relating to Owners of Barber Shops or Hairdressing Establishments

1. No person licensed as the owner of a barber shop or of a hair dressing establishment shall employ any person as a barber, hairdresser, or hairstylist in such shop or establishment, or permit any person to engage in the trade of a barber, hairdresser or hairstylist therein, unless such person employed or engaged in the trade of barber, hairdresser or hairstylist as aforesaid is:
 - (1) the holder of a current certificate of qualification as a barber, hairdresser or hairstylist issued pursuant to Regulations made under the Apprenticeship and Tradesmen's Qualification Act; or
 - (2) registered with the Director of Apprenticeship as an apprentice barber, hairdresser or hairstylist under the Apprenticeship and Tradesmen's Qualification Act.
2. No person licensed as the owner of a hairdressing establishment shall actively engage in the trade of a hairdresser or hairstylist therein unless such person is the holder of a current certificate of qualification, or is registered with the Director of Apprenticeship as an apprentice hairdresser or hairstylist.
3. No person licensed as the owner of a barber shop shall actively engage in the trade of a barber or hairstylist therein unless he is the holder of a current certificate of qualification, or is registered with the Director of Apprenticeship as an apprentice barber or hairstylist.
4. Every person licensed as the owner of a barber shop or hairdressing establishment shall comply with the following regulations in respect to the operation of such shop or establishment:
 - (1) adequate facilities shall be provided for a continuous supply of hot water;
 - (2) all razors, scissors, combs and other instruments shall be properly cleaned and disinfected by immersion in water heated to the boiling point or in a solution of a suitable and efficacious recognized germicide before being used on a customer and shall not be used on any other customer without being disinfected again;
 - (3) all hair brushes shall be immersed in a strong solution of a recognized disinfectant or water heated to the boiling point, rinsed in clear water and properly dried before being used on any customer, and all shaving brushes shall be cleansed in the same manner as hairbrushes and shall be rinsed in very hot water or disinfected in such a manner as is approved by the appropriate Medical Officer of Health, before each and every use;
 - (4) fresh, separate, individual, clean neck bands or clean towels shall be placed around the neck of each customer immediately under the hair cloth;
 - (5) each towel or steamer used shall be individual, fresh and clean, and after being used, such towel or steamer shall immediately be deposited in a receptacle reserved for that purpose and shall not again be utilized any purpose before being freshly laundered;
 - (6) no caustic or styptic pencils, powder puffs or sponges shall be used;
 - (7) alum or other astringent may be applied but only when in liquid powdered form;
 - (8) no customer shall be shaved whose neck or face is broken out with a rash and no customer shall be served when the surface which is to be treated is inflamed or broken out with a rash;
 - (9) no shop or establishment, in respect of which a licence is issued, shall be used for living, dining or sleeping purposes; and
 - (10) no sink or basin used for domestic purposes shall be used in connection with any barber shop or hairdressing establishment;
5. Every person licensed as aforesaid under this by-law shall, in his licensed premises, conform to the requirements of the Medical Officer of Health.

SCHEDULE 3 TO BY-LAW

Relating to Proprietary Clubs and to Persons Having or Keeping Billiards, Pool or Bagatelle Tables

1. No person who for hire or gain directly or indirectly keeps or has in his possession, or on his premises any billiard, pool or bagatelle table, or keeps or has any such table, whether used or not, in a house or place of public entertainment or resort, shall open his room, house, place or premises in which any billiard, pool or bagatelle table is kept, or permit any person to play on such billiard, pool or bagatelle table, at any time between the hours of 2:00 a.m. and 8:00 a.m. of each Monday to Saturday and between 2:00 a.m. and 12:00 p.m. of each Sunday.
2. No proprietary club that directly or indirectly keeps or has in its possession, or on his premises any billiard, pool or bagatelle table, or keeps or has any such table, whether used or not, in a house or place of public entertainment or resort, shall open his room, house, place or premises in which any billiard, pool or bagatelle table is kept, or permit any person to play on such billiard, pool or bagatelle table, at any time between the hours of 2:00 a.m. and 8:00 a.m. of each Monday to Saturday and between 2:00 a.m. and 12:00 p.m. of each Sunday .
3. No person shall be granted a licence to keep for hire or gain a billiard, pool or bagatelle table until he shall produce and file with his application for such licence a certificate of the Medical Officer of Health showing that the premises in respect to which he desires a licence are in proper sanitary condition and provided with proper conveniences.
4. Every person licensed under this by-law shall be responsible for the orderly conduct of all patrons at all times while on his premises. He shall not permit loitering of any persons on his premises or place of business, or any portion thereof or permit them to cause undue noise or create a disturbance in any way.
5. No person licensed under this by-law shall permit the consumption of alcoholic beverages other than in a licensed premise, betting, or any form of gambling on the premises, or place of business, or any portion thereof.

SCHEDULE 4 TO BY-LAW

Relating to Owners of Drive-Self Rental Motor Vehicles

1. Every owner shall ensure that the customer is made fully aware of rates and charges prior to entering into a contract for rental of a drive-self rental vehicle.
2. Every rental transaction shall be subject to a contract.
3. Every owner of a drive-self rental vehicle shall procure a policy of insurance endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or variation in amount of the policy. Each such vehicle shall be insured in at least the following amounts:

In the case of bodily injury or death, to a limit of at least \$1,000,000.00 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$1,000,000.00. A certified copy of the policy or a certificate satisfactory to the Licence Issuer, issued in regard thereto, shall be deposited with the Licence Issuer.

SCHEDULE 5 TO BY-LAW

Relating to Persons who Carry on the Business of Teaching Persons to Operate Motor Vehicles and Driving Instructors Employed in Such Business

1. For the purpose of this Schedule, "employed" includes any business relationship between an operator and instructor, whether on a salary, hourly wage, commission or independent contract or other basis, and the terms "employee" and "employment" have a corresponding meaning.
2. Council may issue the following types of licenses in connection with driving instruction:
 - (1) an instructor's licence;
 - (2) a driving school operator's licence; and
 - (3) a licence for the vehicle used in instruction.
3. An applicant, if qualified under the provisions of this Schedule, may be issued one or more of the said licences according to his qualifications.
4. The holder of one type of licence issued under section 2 of this Schedule shall not carry on the trade or calling for which another type of licence is required unless he holds such other type of licence under section 2.

PRE-REQUISITES - INSTRUCTOR'S LICENCE

5. Every instructor shall:
 - (1) be of the full age of 18 years or over;
 - (2) be the holder of an instructor's licence issued pursuant to the Highway Traffic Act; and
 - (3) attend and be photographed by the Licence Issuer.

DUTIES

6. Every instructor shall:
 - (1) when giving instruction to any student driver place the licence with the photograph attached in the vehicle, in a frame or other device for holding the same securely, in such a position that it is plainly visible to the student driver;
 - (2) while giving driving instruction, be properly dressed, neat and clean in his person and civil and well behaved;
 - (3) while giving driving instructions ensure that the vehicle is equipped with extra braking equipment in good working condition placed in a position for ready use by the instructor;
 - (4) ensure that every student driver produces a current Ontario motor vehicle's licence or a current Ontario motor vehicle's temporary instruction permit, or, in the case of a student driver who has not resided in Ontario for more than 30 days, a subsisting driver's licence in accordance with the laws of the province;
 - (5) shall ensure that any vehicle being used for instruction bears all signs and plates required by this Schedule; and
 - (6) advise the Licence Issuer forthwith when he ceases to use any licensed vehicles and when he proposes to use any additional vehicles, and return to the said Licence Issuer all plates issued in respect of vehicles which he has ceased to use in the business;

PRE-REQUISITE - DRIVING SCHOOL OPERATOR

7. Every driving school operator shall:

- (1) before taking out a licence, advise the Licence Issuer of all vehicles to be used in the business, identifying the same by the makes and serial numbers thereof;
- (2) within forty-eight hours of changing his address, attend at the office of the Licence Issuer and inform the Licence Issuer of such change of address, and produce his licence for the change to be entered thereon;
- (3) advise the Licence Issuer of all vehicles which he proposes to use to give instruction, identifying such vehicles by the makes and serial numbers thereof;
- (4) at the request of the Licence Issuer submit any such vehicle for inspection at such time and place as may be designated;
- (5) in respect of each driving school vehicle which is used for the purpose of giving instruction, procure a policy of insurance endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or change in the amount of the policy, and insuring in respect of any one accident, to the limit of at least \$1,000,000 exclusive of interest and costs against loss or damage resulting from bodily injury to or death of one or more persons and loss of or damage to property; and the said policy shall make provision for passenger hazard including the carrying of passengers for compensation or hire in the business of or for the use of a driving school in an amount not less than the foregoing. A certified copy or certificate of such policy shall be deposited with the Licence Issuer; and
- (6) upon being ordered by the Licence Issuer cease to publish, display or circulate any poster, handbill, card, novelty, notice, newspaper advertisement or other matter used to advertise his business.

8. No instructor shall give driving instruction:

- (1) to any student driver when any person other than himself, the student driver, operator or an appointee of such owner connected with the school staff is in the vehicle in which the instruction is being given but, where all the students are under the age of twenty-five years, this provision shall not apply to any course of driving instruction meeting the standard set for such driving course by the Ministry of Transportation (Ontario);
- (2) upon such streets or areas in the City of Brampton as Council from time to time may, by by-law, designate;
- (3) to any student driver whose driving ability he knows, or has reason to suspect, is impaired by the use of alcoholic beverages, drugs or narcotics;
- (4) if he has, within the previous six hours, taken or consumed any alcoholic beverages, or if the use of alcoholic beverages by him is apparent in any way;
- (5) in any vehicle until the same has been approved and recorded by the Licence Issuer;
- (6) in any vehicle unless the same has securely affixed to the exterior rear portion of the vehicle a plate issued by the Licence Issuer bearing an identifying number and indicating that such vehicle is used in a licensed business;
- (7) to any student driver who is not registered as a student at the driving school where the driving instructor is employed; and
- (8) if employed by more than one operator at a time and upon ceasing employment with one operator and commencing employment with another operator every such instructor shall attend in person at the office of the Licence Issuer within forty-eight hours (48) of his change of employment and give the name and address of his new employer.

9. Every driving school operator shall:

- (1) keep a permanent record of the name and address of each student, the date of the commencement of instruction, the date, time and name of the instructor for each lesson and the number of the student's motor vehicle operator's temporary instruction permit or a motor vehicle operator's licence, or, in the case of a student driver who has not resided in Ontario for more than 30 days, the number, date and place of issue, and the date of expiry of the student's subsisting driver's licence in accordance with the laws of the province;
- (2) allow the Licence Issuer to have access to all premises, vehicles, equipment, books and records used in the business and submit any such vehicle for inspection whenever required;

- (3) notify the Licence Issuer in writing of the name and address of each driving instructor employed by him and of the date of commencement of such employment, such notification to be given not later than forty-eight (48) hours after the employment has commenced;
- (4) notify the Licence Issuer in writing of the name and address of each driving instructor whose employment by him has terminated, and of the date of the termination of such employment, such notification to be given not later than forty-eight (48) hours after the employment has terminated;
- (5) before instruction is given:
 - (a) furnish each student with a written statement of all rates and charges for services provided by the school, which statement shall be in a form approved by the Licence Issuer, and shall commence with the words, "The following is a complete Schedule of rates and charges for all services provided by (name of driving school) and no other rates or charges shall be demanded or received by the school or by any of its instructors;"
 - (b) furnish the Licence Issuer with a copy of such statement.
- (6) adhere to the rates and charges published in the statement referred to in subsection 5(a) and given fifteen (15) days advance notice to the Licence Issuer of any new statement of rates and charges which he proposes to publish in lieu of an existing statement; and
- (7) in respect of each driving school vehicle which is used for the purpose of giving instruction, procure a policy of insurance endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or change in the amount of the policy, and insuring in respect of any one accident, to the limit of at least \$1,000,000.00 exclusive of interest and costs against loss or damage resulting from property; and the said policy shall make provisions for passenger hazard including the carrying of passengers for compensation or hire in the business of or for the use of a driving school in an amount not less than the foregoing. A certified copy or certificate of such policy shall be deposited with the Licence Issuer.

10. No driving school operator shall:

- (1) cause or permit instruction to be given in any vehicle which has not, in addition to the standard controls and brakes for use by the driver, extra braking equipment in good working condition placed in a position for ready use by the instructor seated beside the driver;
- (2) cause or permit instruction to be given to any student driver who fails to produce a current motor vehicle operator's licence or a current Ontario motor vehicle operator's temporary instruction permit, or, in the case of a student driver who has not resided in Ontario for more than thirty (30) days, a subsisting driver's licence in accordance with the laws of the province;
- (3) cause or permit driving instruction to be given upon such streets or areas in the City as Council from time to time may by by-law designate;
- (4) advertise driving school service or instruction unless he operates from the address so advertised;
- (5) use or permit to be used in his business any vehicle unless the same has securely affixed to the back thereof, in a position approved by Licence Issuer, a plate issued by the Licence Issuer and indicating that such vehicle is used in a business licensed by the Licence Issuer;
- (6) use or permit to be used in his business any vehicle until the same has been licensed by the Licence Issuer;
- (7) employ as an instructor any person not licensed under this by-law;
- (8) use or permit to be used in his business any vehicle unless the same bears the following:
 - (a) the provincial motor vehicle permit number plate of the vehicle; and
 - (b) a sign or signs of such nature, size and location on the vehicle as to be readily legible at a distance of at least 15 metres both from the front of and from the rear of the vehicle, which sign shall bear the business name, address and telephone number of the operator and which sign must not obstruct the clear view of the plate referred to in subsection 5 hereof;
- (9) use or permit to be used in his business any vehicle bearing any number, sign, card or plate other than those mentioned in this Schedule;
- (10) enter into an agreement for driving instruction with any person not the holder of a current Ontario motor vehicle operator's licence or a current Ontario motor vehicle operator's

temporary instruction permit, or, in the case of a person who has not resided in Ontario for more than thirty (30) days, a subsisting driver's licence in accordance with the laws of the province; and

- (11) cause or permit driving instruction to be given during the first hour of practical training on any primary traffic artery, main highway route or heavily traveled thoroughfare.

SCHEDULE 6 TO BY-LAW

Relating to Electrical Contractors and Master Electricians

1. (1) Where an Examining Board has been established, subject to subsection (4), every applicant for a licence as a master electrician shall be examined by the Examining Board as hereinafter constituted, touching his knowledge of the provisions of this By-law and of all relevant codes and standards relating to the planning and installation of electrical systems and equipment used in connection therewith;
 - (2) Before being examined the applicant shall pay to the Licence Issuer the examination fee as provided for in Appendix A to this Schedule;
 - (3) The Examining Board shall report the result of each examination to the Licence Issuer;
 - (4) No applicant for a master electrician's licence shall be required to be examined as provided in subsection (1) or in section 15 if he is the holder of a subsisting master electrician's licence issued by any municipality in Ontario which requires successful completion of an examination as a prerequisite to licensing provided that:
 - (a) he submits a letter to the Licence Issuer:
 - (i) signed by the Licence Issuer for the municipality in which he holds a subsisting master electrician's licence certifying that he has successfully passed the master electrician's examination for that municipality; or
 - (ii) signed by the Licence Issuer for the municipality in which he holds a subsisting master electrician's licence certifying that he has been continuously licensed as a master electrician by that municipality for a period of not less than ten (10) years immediately preceding June 21, 1973;
 - (b) he complies with all other provisions of this by-law; and
 - (c) he satisfies the Licence Issuer that he has obtained and familiarized himself with the regulations of any local public utility commission relating to the area in which he intends to work and to the planning and installation of electrical systems and equipment.
2. (1) Members of the Examining Board shall be appointed by Council and the Board shall be constituted as follows:
 - (a) a chairman who shall be or has been an administrative officer of an area municipality who is conversant with the skills and knowledge required to exercise the several trades, callings, businesses or occupation to which this Schedule relates, and is familiar with the pertinent legislation concerning the same;
 - (b) a licensed master electrician who has had not less than ten (10) years experience as a master tradesman, or a person who teaches such trade or calling in a trade school of the Province of Ontario; and
 - (c) an electrical contractor licensed by the City of Brampton who has had not less than ten (10) years' experience as an electrical contractor, or as a person who teaches the trade or calling of an electrician in a trade school of the Province of Ontario.
- (2) The members of the Examining Board shall be appointed for terms of three (3) years expiring on 31st December in the third year and shall be eligible for re-appointment and shall be paid such salary or other remuneration as provided for in Appendix A to this Schedule; and
- (3) For the purpose of an examination, two members of the Board shall constitute a quorum.
3. No person shall be licensed as a master electrician unless he is of the full age of eighteen (18) years.
4. No corporation shall be licensed as a master electrician.
5. The Licence Issuer may require any person previously licensed as a master electrician who does not renew his licence for two or more consecutive years to be re-examined by the Examining Board before receiving a licence.
6. Subject to section 4 the Licence Issuer may require any person to whom this Schedule relates to submit himself for re-examination by the Examining Board but not more than once in a five year period.

7. Electricians employed by visiting theatrical or performing companies may work without a licence as assistants to and under the supervision of an electrician certified by the Province of Ontario.
8. No person shall perform any electrical work or install any electrical material or appliances or engage in the electrical trade and occupation except under the personal supervision and direction of a licensed master electrician in charge of and directly responsible for the superintendence of the electrical work performed.
9. Any change in the persons composing a firm, or person representing a corporation, or in the location of a business, shall be promptly reported to the Licence Issuer.
10. Every master electrician licensed under this by-law shall post the permit issued to him by the Hydro-Electric Power Commission of Ontario in a conspicuous position outside the front of the building in or upon which such work is being carried on and on the completion of such work shall procure a certificate of inspection from Ontario Hydro.
11. No person licensed hereunder shall allow his name to be used by any other person, licensed or unlicensed, for the purpose of or in connection with obtaining a work permit from Ontario Hydro.
12. Every person to whom this Schedule relates shall, upon changing his address, notify the Licence Issuer of such change within seventy-two (72) hours thereafter, and give his new address.
13. No person shall be licensed as an electrical contractor unless he has a regular place of business and, if other than a corporation, is of the full age of eighteen (18) years.
14. (1) No person shall be licensed as an electrical contractor unless he holds a master electrician's licence or has in his employ a person who is licensed as a master electrician or unless any work that he undertakes is contracted out to and performed by an electrical contractor who holds a master electrician's licence or has in his employ a person who holds a master electrician's licence;
- (2) No licensed contractor shall perform or permit to be performed any electrical work that is not under the direct personal supervision of a master electrician; and
- (3) In addition to furnishing any information required by section 5 of this by-law, every applicant for an electrical contractor's licence shall set out the address of his place of business and shall within seventy-two (72) hours of any change of address notify the Licence Issuer of such change and produce at the office of the Licence Issuer his licence for the change to be endorsed thereon.
15. (1) No master electrician shall act as such for more than one electrical contractor at one time; and
- (2) A master electrician shall notify the Licence Issuer forthwith upon ceasing to act as a master electrician for one electrical contractor and upon commencing to act as a master electrician for another electrical contractor.
16. (1) Where no Examining Board has been established, subject to section 1(4), every applicant for a licence as a master electrician shall be required to successfully pass an examination as set by the municipality; and
- (2) Before being examined the applicant shall pay to the Licence Issuer the examination fee as provided for in Appendix A to this Schedule.

SCHEDULE 7 TO BY-LAW

Relating to Plumbing Contractors, Plumbers, Master Plumbers and Drain Contractors

1. (1) Where an Examining Board has been established, subject to subsection (4), every applicant for a master plumber's licence shall be examined by the Examining Board, as hereinafter constituted, touching his knowledge of the provisions of this by-law and of all relevant codes and standards relating to the planning and installation of plumbing and drainage systems and equipment used in connection therewith;
 - (2) Before being examined, the applicant shall pay to the Licence Issuer the examination fee as provided for in Appendix 'A' to this Schedule;
 - (3) The Examining Board shall report the result of each examination to the Licence Issuer;
 - (4) No applicant for a master plumber's licence shall be required to be examined as provided in subsection (1) or in section 12 if he is the holder of a subsisting master plumber's licence issued by any municipality in Ontario which requires successful completion of an examination as a pre-requisite to licensing provided that:
 - (a) he submits a letter to the Licence Issuer:
 - (i) signed by the Licence Issuer for the municipality in which he holds a subsisting master plumber's licence certifying that he has successfully passed the master plumber's examination for that municipality; or
 - (ii) signed by the Issuer of Licenses for the municipality in which he holds a subsisting master plumber's licence certifying that he has been continuously licensed as a master plumber by that municipality for a period of not less than ten (10) years immediately preceding June 21st, 1973;
 - (b) he complies with all other provisions of this by-law; and
 - (c) he satisfies the Licence Issuer that he has obtained and familiarized himself with the regulations of any local public utility commission relating to the area in which he intends to work and to the planning and installation of electrical systems and equipment;
2. (1) Members of the Examining Board shall be appointed by the Council and the Board shall be constituted as follows:
 - (a) a chairman, who shall be or has been an administrative officer of an area municipality, who is conversant with the skills and has the knowledge required to exercise the several trades, callings, businesses or occupations to which this Schedule relates, and is familiar with the pertinent legislation concerning the same; and
 - (b) two persons who shall be qualified as licensed master plumbers with at least ten (10) years experience as master tradesmen, or as persons who teach such trade or calling in a trade school in the Province of Ontario;
- (2) The members of the Examining Board shall be appointed for a three (3) year term expiring on the 31st December in the third (3rd) year and shall be eligible for re-appointment and may be paid such salary or other remuneration as provided for in Appendix A to this Schedule.
3. No person shall be licensed as a plumbing contractor or as a drain contractor unless he has a regular place of business and is of the full age of 18 years.
4. No corporation shall be licensed as a master plumber.
5. In addition to furnishing any information required of him under this by-law, every applicant for a plumbing contractor's licence or for a drain contractor's licence shall in his application truly and accurately set out the mailing address of his proposed business premises, and every holder of such a licence shall notify the Licence Issuer in writing within seventy-two (72) hours of any change in his business address.
6. Every drain contractor shall, before receiving payment from any person for work done or material supplied, give to such person an itemized account setting out the hours worked and the materials supplied with the respective charges therefor.
7. The Licence Issuer may require any person previously licensed under this by-law, who does not renew his licence for two or more years, to be re-examined by the Examining Board before receiving a licence.

8. The Licence Issuer may require any person to whom this Schedule relates to sit for a re-examination by the Examining Board but not more than once in a five-year period.
9. (1) Notwithstanding subsections (2) and (3) hereof, no plumbing contractor or master plumber shall cause or permit any person not licensed under this by-law as a master plumber or a holder of Certificate of Qualification, Plumbing, Province of Ontario, to do or perform or assist in the doing or performing of any plumbing or plumbing work;
- (2) Notwithstanding subsection (1) a plumbing contractor or master plumber who employs a helper or one or more persons registered with the Apprenticeship Branch of the Ministry of Skills Development and Training of the Province of Ontario as an indentured apprentice in the plumbing trade (and hereafter referred to as apprentices), may permit such helper, provided each such helper or apprentice, while so engaged, is in the constant presence of and under the direct continuous personal supervision of a licensed master plumber or a holder of Certificate of Qualification, Plumbing, Province of Ontario, continuously employed on the same job or contract; and
- (3) No master plumber or holder of Certificate of Qualification, Plumbing, Province of Ontario, shall have under his direct, personal supervision as an assistant under subsection (2) above, more than one helper or apprentice plumber at any one time.
10. (1) No person other than a licensed master plumber or the regular full-time employer of a licensed master plumber may be issued a plumbing contractor's licence or may continue to hold such licence; and
- (2) No licensed contractor shall perform or permit to be performed any plumbing work that is not under the direct, personal supervision of a master plumber.
11. (1) No master plumber shall act as such for more than one plumbing contractor at one time;
- (2) A master plumber, shall notify the Licence Issuer forthwith upon ceasing to act as a master plumber for one plumbing contractor or employer and upon commencing to act as a master plumber for another plumbing contractor or employer and such master plumber shall, within seven (7) days after so changing his employment, personally attend at the head office of the Licence Issuer and produce his licence to have such change of employment noted and endorsed thereon; and
- (3) No plumbing contractor shall employ a master plumber as such unless and until such plumbing contractor's name has been endorsed on such master plumber's licence as his employer in accordance with subsection (2) hereof and no master plumber shall commence work with any plumbing contractor or other employer until his licence has been so endorsed.
12. (1) Where no Examining Board has been established, subject to section I(4), every applicant for a license as a master plumber shall be required to successfully pass an examination as set by the municipality; and
- (2) Before being examined the applicant shall pay to the Licence Issuer the examination fee as provided for in Appendix A to this Schedule.
13. No person shall do, perform, carry out or effect any drain work within the Corporation of the City of Brampton unless such person is:
 - (1) licensed as a drain contractor;
 - (2) the owner personally doing drain work on property upon which is erected a single family dwelling owned and personally occupied by such owner; or
 - (3) licensed by the City of Brampton as a plumbing contractor, master plumber or a drain contractor.

SCHEDULE 8 TO BY-LAW

Relating to Heating Contractors, Master Steam Hot Water Heating Installers, and Master Warm Air Heating Installers

1. (1) Where an Examining Board has been established, subject to subsection (4):
 - (a) every applicant for a master steam and hot water heating installer's licence shall be examined by the Examining Board as hereinafter constituted, touching his knowledge of the provisions of this by-law and of all relevant codes and standards relating to the installation of heating equipment, the planning and installing of steam, hot water, vapour and vacuum heating systems and equipment used in connection therewith, and estimating the cost of the material and labour used in such heating system; and
 - (b) every applicant for a master warm air heating installer's licence shall be examined by the Examining Board as hereinafter constituted, touching his knowledge of the provisions of this by-law and of all relevant codes and standards relating to the installation of heating equipment, the planning and installing of warm air heating systems, including equipment and air conditioning and ventilating systems used in connection therewith, and estimating the cost of the material and labour used in such heating systems.
 - (2) Before being examined the applicant shall pay to the Licence Issuer the examination fee as provided for in Appendix A to this Schedule;
 - (3) The Examining Board shall report the result of each examination to the Licence Issuer;
 - (4) No applicant for a steam and hot water heating installer's licence or a master warm air heating installer's licence shall be required to be examined as provided in subsection (1) if he is the holder of a subsisting steam and hot water heating installer's licence or a master warm air heating installer's licence issued by any municipality in Ontario which requires successful completion of an examination as a pre-requisite to licensing provided that:
 - (a) he submits a letter to the Licence Issuer:
 - (i) signed by the Licence Issuer for the municipality in which he holds a subsisting master steam and hot water heating installer's licence or a master warm air heating installer's licence certifying that he has successfully passed the master steam and hot water heating installer's examination or master warm air heating installer's examination for that municipality; or
 - (ii) signed by the Issuer of Licenses for the municipality in which he holds a subsisting master steam and hot water heating installer's licence or a master warm air heating installer's licence certifying that he has been continuously licensed as a master steam and hot water heating installer or a master warm air heating installer by that municipality for a period of not less than ten (10) years immediately preceding June 21st, 1973.
 - (b) he complies with all other provisions of this By-law; and
 - (c) he satisfies the Licence Issuer that he has obtained and familiarized himself with the regulations of any local public utility commission relating to the area in which he intends to work and to the planning and installation of electrical systems and equipment.
2. (1) The Examining Board shall be appointed by the Council and shall be constituted as follows:
 - (a) a chairman, who shall be an administrative officer of an area municipality who is conversant with the skills and knowledge required to exercise the several trades, callings, businesses or occupations to which this Schedule relates, and is familiar with the pertinent legislation concerning the same;
 - (b) a licensed master steam and hot water heating installer who has had not less than ten (10) years' experience covering all types of steam, hot water, vapour and vacuum heating systems in connection therewith; or, a person who teaches such trade or calling in a trade school of the Province of Ontario; and
 - (c) a licensed master warm air heating installer who has had not less than ten (10) years experience covering all types of warm air heating systems including air conditioning and ventilating systems and controls in connection therewith; or, a person who teaches such trade or calling in a trade school of the Province of Ontario;

- (2) The members of the Examining Board shall be appointed for a three (3) year term expiring on the 31st December in the third (3rd) year and shall be eligible for re-appointment and may be paid such salary or other remuneration as provided for in Appendix A to this Schedule; and
 - (3) For the purpose of an examination, two (2) members of the Board shall constitute a quorum; provided that the members present have, between them, the necessary qualifications relating to the trade in respect of which the licence application is made.
3. The Licence Issuer may require any person to whom this Schedule relates to be examined by the Examining Board.
4. No person shall be licensed as a heating contractor, master steam and hot water heating installer or a master warm air heating installer unless he has a regular place of business and is of the full age of eighteen (18) years.
5. No corporation shall be licensed as a master steam and hot water heating installer or a master warm air heating installer.
6. In addition to furnishing any information required of him under this by-law, every applicant for a heating contractor's licence shall, in his application, set out the mailing address of his proposed business premises, and every licence shall notify the Licence Issuer in writing within seventy-two (72) hours of any change of his business address.
7.
 - (1) Notwithstanding subsections (2) and (3) hereof, no heating contractor or master steam and hot water installers, or master warm air heating installer shall cause or permit any person not licensed under this by-law as a master steam and hot water heating installer, or a holder of Certificate of Qualification, Steam Fitter, Province of Ontario; or warm air heating installer or a holder of Certificate of Qualification, Sheet Metal, Province of Ontario, to do or perform or assist in the doing or performing of any heating work or in the installation of any heating system;
 - (2) A heating contractor or master steam and hot water heating installer or master warm air heating installer who employs a helper or other unlicensed person may permit such helper or other unlicensed person to assist in the doing of heating work or in the installation of any heating system; provided each such helper or unlicensed person while so doing is in the constant presence of and under the direct continuous personal supervision of a licensed master steam and hot water heating installer or a holder of Certificate of Qualification, Steam Fitter, Province of Ontario; or warm air heating installer or a holder of Certificate of Qualification, Sheet Metal, Province of Ontario; and
 - (3) No master steam and hot water heating installer or a holder of Certificate of Qualification, Steam Fitter, Province of Ontario; or warm air heating installer or a holder of Certificate of Qualification, Sheet Metal, Province of Ontario, shall have under his direct personal supervision as an assistant under subsection (2) above more than one helper or unlicensed person at any one time;
8.
 - (1) No person other than a licensed master steam and hot water heating installer or master warm air heating installer or the regular full-time employer of a licensed master steam and hot water heating installer or master warm air heating installer may be issued a heating contractor's licence or may continue to hold such licence; and
 - (2) No heating contractor shall perform or permit to be performed any heating work that is not under the direct, personal supervision of a master steam and hot water heating installer or master warm air heating installer.
9.
 - (1) No master steam and hot water heating installer or master warm air heating installer shall act as such for more than one heating contractor at one time;
 - (2) Any person licensed under this by-law as a master steam and hot water heating installer or as a master warm air heating installer shall notify the Licence Issuer forthwith upon ceasing to act as such for one heating contractor or employer and, upon commencing to act as such for another heating contractor or employer, such licensee shall, within seven (7) days after changing his employment, personally attend at the head office of the Licence Issuer and produce his licence to have such change of employment noted and endorsed thereon; and
 - (3) No heating contractor shall employ a master steam and hot water heating installer or master warm air heating installer as such unless and until such heating contractor's name has been endorsed on such master steam and hot water heating installer's or master warm air heating installer's licence as his employer, in accordance with subsection (2) hereof, and no master steam and hot water heating installer or master warm air heating installer shall commence work with any heating contractor or other employer until his licence has been so endorsed.

10. (1) Where no Examining Board has been established, subject to section 1(4) every applicant for a license as a master steam and hot water heating installer or as a master warm air heating installer shall be required to successfully pass an examination as set by the municipality; and
- (2) Before being examined the applicant shall pay to the Licence Issuer the examination fee as provided for in Appendix A to this Schedule.

SCHEDULE 9 TO BY-LAW

Relating to a place where foodstuffs intended for human consumption are made for sale, offered for sale, stored or sold and relating to operating restaurants or refreshment places for the public

1. For the purpose of this schedule:
 - (1) "grocery store" shall include every store, shop, market, supermarket or outlet where food products are made, stored, or sold;
 - (2) "manufacturer/packager" shall mean every place where food intended for human consumption is manufactured, processed, prepared or packaged;
 - (3) "premises" shall mean any building or part thereof in which foodstuffs are prepared, stored or sold;
 - (4) "sit-down restaurant" shall include every place where seats are provided for the consumption of food on the premises where the food is sold;
 - (5) "take-out restaurant" shall include every place where food is prepared and sold for immediate consumption but seats are not provided for the consumption of the food on the premises where the food is sold;
 - (6) "temporary food handler" shall mean every place where food intended for human consumption is offered for sale or sold on a temporary basis; and
 - (7) "food vending machine" means any self-serve device which dispenses unit servings of food, whether in bulk or package form, automatically upon the insertion of a coin.
2. There shall be different categories of licenses pursuant to this Schedule, as follows:
 - (1) sit-down restaurant;
 - (2) take-out restaurant;
 - (3) grocery store;
 - (4) food vending machine;
 - (5) temporary food handler; and
 - (6) manufacturer/packager.
3. No premises shall be licensed which does not meet the requirements of the Medical Officer of Health.
4. No premises shall be used as a habitable dwelling or as sleeping quarters.
5. There shall be provided at every premises licensed pursuant to this Schedule, litter containers in number sufficient, in the opinion of the Licence Issuer to adequately contain all refuse caused by the sale of food at the premises.

SCHEDULE 10 TO BY-LAW

Relating to Owners or Keepers of Exhibitions, Theatres, Music Halls, Moving Picture Shows, Bowling Alleys, Places of Amusement, Roller Skating Rinks, Merry-go-rounds, Switchback Railways, Carousels and Other Like Contrivances, Exhibitions of Wax-works, Menageries, Circus-riding and Other Like Shows usually Exhibited by Showmen

1. The Licensee of every theatre, music hall or other building or place in which is held any sparring, boxing or wrestling match for which an admission fee is charged, shall give the Licence Issuer full particulars thereof at least seventy-two (72) hours before such proposed match is held.
2. Every licensee of a theatre which is located so as to cause the frequent forming of queues for the purpose of gaining entrances to such theatre shall have an attendant present whenever any such queue is formed, for the purpose of regulating such queue and prohibiting undue obstruction or encumbering of the highway by such queue.
3. Every person to whom this Schedule relates shall upon being ordered so to do by the Licence Issuer cease to publish, display or circulate any poster, handbill, card, novelty, notice, newspaper advertisement or other matter used to advertise his business or any show or other performance, and shall obliterate, withdraw, remove or destroy any such poster, handbill, card, novelty, notice, advertisement or other matter.
4. Every person to whom this Schedule relates shall, for each place, premises or contrivance for which he has applied for a licence, procure a policy or a certificate of insurance against occupier's liability and endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or variation in the amount of the policy, and insuring in at least the following amounts:

In the case of bodily injury or death, to a limit of at least \$1,000,000.00 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$1,000,000.00. A certified copy of the policy or a certificate satisfactory to the Licence Issuer, issued in regard thereto, shall be deposited with the Licence Issuer.
5. When the applicant is not the owner of the property, he shall produce a letter from the owner authorizing the use of the property for this event.
6. Place of amusement shall include any shop, building or place or part thereof, which is open to the public, in which amusement devices are installed, placed or operated as one of the principal trades.
7. Every holder of a license issued pursuant to this Schedule shall:
 - (1) be responsible for supervising, overseeing and maintaining orderly conduct within the building or part thereof which contains the amusement devices;
 - (2) not permit on the licensed premises any more amusement devices than the number for which the licence was issued;
 - (3) not permit any person to loiter, create a disturbance or cause undue noise while on the licensed premises; and
 - (4) keep the licensed premises in a clean, neat and sanitary condition, free from fire or any other hazards.
8. (1) Every applicant for a licence under this Schedule for an event to which this Schedule relates shall make application for such license not less than forty-five (45) days prior to the commencement of such event; and
 - (2) Upon receipt of the application for license, the Licence Issuer shall notify Council prior to issuance and shall impose such conditions as Council may direct.

SCHEDULE 10A TO BY-LAW

Relating to Owners or Keepers of Circuses and Traveling Exhibitions

1. No circus, menagerie, hippodrome or other like traveling exhibition, side show, or other entertainment connected therewith, shall be exhibited in the City of Brampton for a longer period than one (1) day, unless with the permission of the Licence Issuer, and unless a new licence is taken out for each day such exhibition or show is exhibited.
2. Every applicant for a licence in respect of a traveling show, shall, when applying for such licence or licences, file with the Licence Issuer proof, in a form satisfactory to the said Licence Issuer, that those employees and worker of such traveling show who reside in the City of Brampton are protected under the provisions of The Workers' Compensation Act, and that all assessments under the said Act in respect of the said employees and workers have been paid, or that the said employees and workers are protected in some other satisfactory manner similar to the said Act.
3. No person or persons owning or having control or charge of any traveling show shall locate same anywhere in the City of Brampton or commence to assemble or erect in the said area any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus or mechanical device or ride, or any other structure or erection until the requirements of section 2 hereof have been complied with, and no licensee of a public hall in the said area who has leased or rented such public hall or authorized the use of the same by a traveling show, shall permit or allow such traveling show to assemble or erect in such public hall any tent, shelter, cage, pole, stand, platform, seating accommodation, machinery, plant, apparatus or mechanical device or ride, or any other structure or erection until the requirements of section 3 hereof have been complied with.
4. Every person to whom this Schedule relates shall, for each place or premises for which he holds a licence procure a policy of insurance against occupier's liability and endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or variation in the amount of the policy, and insuring in at least the following amounts:

In the case of bodily injury or death, to a limit of at least \$1,000,000.00 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$1,000,000.00. A certified copy of the policy or a certificate satisfactory to the Licence Issuer, issued in regard thereto, shall be deposited with the Licence Issuer.

SCHEDULE 11 TO BY-LAW

Public Halls

INTERPRETATION

1. No owner shall operate or permit to be operated a public hall or allow any building or part thereof to be used as a public hall unless he holds a licence.
2. No licence fee shall be payable under this Schedule by any religious or municipal organization nor by a University, Public School, Separate School or Board of Education in respect of a hall used for entertainment given or held by their organization, but in the event that the public hall is used by an organization other than those set out herein, the licence fee shall apply.
3. Every application for a public hall licence shall be accompanied by:
 - (1) a statement on the form provided by the Licence Issuer giving such particulars as to the location, size and construction of the hall, as may be required;
 - (2) a certificate dated within three (3) months of the application signed by the Fire Chief or Fire Prevention Officer, certifying that he has inspected the building in respect of which the application is made and has found that it is in accordance with this Schedule as to fire safety precautions;
 - (3) a certificate dated within three (3) months of the application signed by the local inspector of the Brampton Hydro Electric Commission, certifying that the electric wiring has been inspected and found satisfactory; and
 - (4) a certificate dated within three (3) months of the application signed by the Chief Building Official for the City of Brampton.
4. Every person to whom this Schedule relates shall, for each place or premises for which he holds a licence procure a policy of insurance against occupier's liability and endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or variation in the amount of the policy, and insuring in at least the following amounts:

In the case of bodily injury or death, to a limit of at least \$1,000,000.00 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$1,000,000.00. A certified copy of the policy or a certificate satisfactory to the Licence Issuer, issued in regard thereto, shall be deposited with the Licence Issuer.

SCHEDULE 12 TO BY-LAW

Relating to Transient Traders

1. The licence fee shall be credit to the licensee the sum paid for a licence shall be credited to the person paying it, or to any bona fide purchaser of the business who carries on the business, on account of taxes payable in respect of the business, and in respect of real property taxes on the land used for the purposes of or in connection with the business if the land is owned by the person carrying on the business, during the year in which the licence was issued and five years thereafter.
2. If a peace officer demands the production of a licence by any persons to whom the by-law applies and the demand is not complied with, it is the duty of the peace officer and he has power to arrest such person without warrant and to take him before the nearest Justice of the Peace, there to be dealt with according to law.
3. Transient traders and other persons whose names are not entered on the assessment roll or are entered on it for the first time, in respect of business assessment, and who so offer goods, wares or merchandise for sale, shall obtain a licence before commencing to trade.
4. This Schedule shall not apply to the sale of the stock of a bankrupt or insolvent, within the meaning of any bankruptcy or insolvency Act in force in Ontario, nor the sale of any stock damaged by or by reason of fire, which is being sold or disposed of within the municipality in which the business was being carried on at the time of the bankruptcy, insolvency or fire, so long as no goods, wares or merchandise are added to such stock.
5. This Schedule shall not apply to the sale of a business to a bona fide purchaser who continues the business.
6. The sum paid for a licence shall be credited to the person paying it, or to any bona fide purchaser of the business who carries on the business, on account of taxes payable in respect of the business, and in respect of real property taxes on the land used for the purposes of or in connection with the business if the land is owned by the person carrying on the business, during the year in which the licence was issued and five years thereafter.
7. Every transient trader who carries on business without a licence is guilty of an offence;
8. Every transient trader shall cause his licence to be prominently and permanently displayed in his place of business during the full term in which he is carrying on business as a transient trader and in default thereof is guilty of an offence;
9. Every applicant for a transient trader's licence shall as part of his application for such licence furnish a statement in writing containing a full description of the goods, wares or merchandise that he proposes to sell or offer for sale under such licence.

SCHEDULE 13 TO BY-LAW

Relating to Persons Who for Hire or Gain Deal in Old Gold or Other Precious Metals and in Old Jewellery or Other Articles for the Purpose of Smelting the Same and Recovering the Gold therefrom

1. No person to whom this Schedule relates shall purchase, take in exchange, or receive any gold or other precious metals or old jewellery or other articles for the purpose of smelting the same and recovering the gold therefrom from any person who appears to be under the age of eighteen (18) years, or from any person under the influence of liquor.
2. No person licensed pursuant to this by-law shall transact any business between the hours of eleven o'clock in the evening and seven o'clock in the morning.
3. No such person shall alter, repair, dispose of or in any way part with any old gold or other precious metals or old jewellery or other similar articles purchased or taken in exchange until after the expiration of fifteen clear days, exclusive of Sundays and holidays, from the date of such purchase or exchange, and during these fifteen days such old gold or other precious metals or old jewellery or other similar articles so obtained shall remain on the premises in respect to which the licence is issued and be kept in a separate location from any old gold or precious metals or old jewellery or other similar articles previously purchased, and shall be subject to inspection at any time during business hours by the Licence Issuer.
4. The licence holder must maintain a register, which shall be provided free of charge by the Licence Issuer, in which shall be entered in ink, in a plain legible hand, a record of all old gold or other precious metals or old jewellery or other similar articles purchased or taken in exchange. The entry must be made at the time of purchase or exchange or immediately thereafter, and shall include, in addition to the date and hour of the purchase or exchange, a full description of the old gold or other precious metals or such article or articles, the price paid therefor, and the name, address and description of the person from whom the purchase or exchange was made.
5. The Register shall remain the property of the Licence Issuer, and it shall be the duty of the person to whom it is issued to see that it is not mutilated or destroyed. It shall be open to inspection by the Licence Issuer at all times during business hours, and may be removed at any time for inspection, or for use in the courts if necessary. The person licensed shall not be held liable for neglecting to enter goods received while the Register is so absent from his premises.

SCHEDULE 14 TO BY-LAW

Relating to Pawnbrokers

1. Every applicant for a licence under this by-law and Schedule shall file with his application cash or a letter of credit in the amount of \$2,000.00 which shall be held by the Treasurer of the City of Brampton as a guarantee of the applicant's compliance with this by-law and this Schedule and the provisions of The Pawnbrokers Act, as amended.
2. Every person licensed under this by-law and Schedule shall carry on his business in accordance with the provisions of The Pawnbrokers Act, as amended.

SCHEDULE 15 TO BY-LAW

Relating to Keepers of Shops or Places where Animals or Birds for use as Pets are Sold or Kept for Sale

1. A separate licence shall be taken out for each pet shop.
2. Every applicant for a licence shall file with his license application a certificate that the premises to which the licence applies meets the requirements of the Medical Officer of Health.
3. Every keeper of a pet shop shall comply with and ensure compliance with, the following requirements in the operation of the pet shop kept by him:
 - (1) the pet shop shall be maintained at all times in a sanitary, well-ventilated, clean condition, and free from offensive odours;
 - (2) every animal and bird shall be kept in sanitary, well-bedded, well-lighted, clean quarters, kept at a temperature appropriate for the health requirements of the type of species of animal or bird housed therein;
 - (3) where the quarters used for the housing of any animal or bird form part of or are physically attached to a building used for human habitation or to which the public have access, such quarters shall have a concrete or other impermeable floor with a drain opening constructed as a plumbing fixture, and such floor shall be thoroughly cleaned and washed with water at least once each day, or more often than once if necessary to keep the said floor clean;
 - (4) every cage or other container used for the keeping or housing of any animal or bird shall:
 - (a) be of adequate size to permit any such animal or bird to stand normally to its full height, to turn around, and to lie down in a fully extended position;
 - (b) in the case of a cage or other container used to keep or house only birds, have a removable metal or other impermeable bottom which shall be cleaned daily;
 - (c) in the case of all other cages or containers, have a floor of either solid or wire mesh construction or any combination thereof, provided that:
 - (i) all spaces in wire mesh shall be smaller than the pads of the foot of any animal confined therein;
 - (ii) any such wire mesh shall be of a thickness and design adequate to prevent injury to any such animal; and
 - (iii) such floor shall be of sufficient strength to support the weight of any such animal;
 - (d) be equipped with receptacles for food and for water, so mounted or situated that they cannot be easily overturned or contaminated.
 - (5) water shall be provided daily to every animal or bird in sufficient quantity to maintain at all times a potable supply available to such bird or animal;
 - (6) animals and birds shall be fed periodically each day in accordance with the particular food requirements of each type or species of animal or bird kept in the said pet shop;
 - (7) light in the premises shall be sufficient to permit observation of all birds and animals kept there;
 - (8) each cage containing birds shall be of sufficient size and dimension to enable all birds to have sufficient perch space to permit full extension of their wings in every direction; and
 - (9) all cages, tanks, containers or other enclosures in which animals or birds are housed on the premises shall be located in such a way as to provide maximum comfort to satisfy the known and established needs for the particular species so housed and shall be provided with safeguards to prevent extreme environmental changes and to prevent undue direct physical contact with such birds or animals by the general public.
4. The keeper shall ensure that all persons responsible for the care, feeding or cleaning of birds or animals are adequately instructed and supervised in the handling and care of all such birds and animals.
5. No keeper of a pet shop shall:
 - (1) keep his stock of animals or birds in crowded quarters or cages;

- (2) sell any diseased animal or bird;
 - (a) the following shall be deemed an animal unfit for sale or release:
 - (i) obvious signs of infectious diseases such as distemper, hepatitis, leptospirosis, rabies, or other similar diseases;
 - (ii) obvious signs of nutritional deficiencies, including rickets or emaciation;
 - (iii) obvious signs of severe parasitism severe enough to be influencing the general health of the animal; and
 - (iv) obvious fractures or congenital abnormalities affecting the general health of the animal;
 - (3) display any animal or bird in a shop or display window except at the rear of such window out of draughts and rays of the sun.
6. Every keeper of a pet shop shall ensure that any animal or bird indicating signs of sickness or disease is examined and appropriately treated within 24 hours of the onset of illness, by a veterinarian or other qualified person experienced in the care and treatment of the species concerned and that such animal or bird is kept in a quarantine area, separate from all other birds and animals until such illness has been cured.
 7. No keeper of a pet shop shall sell, permit to be sold, offer for sale or give away, any dog or bitch under the age of eight (8) weeks.
 8. Incompatible animals of different species shall not be confined or displayed in the same cage.
 9. Whenever a keeper of a pet shop sells or otherwise disposes of a dog, bitch or cat, he shall give to the purchaser a receipt showing the name and address of the vendor and the purchaser, the date of the sale, the sale price, and the breed or cross-breed, sex, age and description including colour and placing of markings, if any, of the dog, bitch or cat, and an up-to-date certificate of health from a veterinarian with respect to such dog, bitch or cat.
 10. (1) Every keeper of a pet shop shall keep a register in which shall be entered a record of each dog and bitch purchased or otherwise obtained. Each entry shall be made at the time each dog or bitch comes into such keeper's possession, and shall include, in addition to the date of purchase, a full description of the dog or bitch, together with the name, address and description of the person from whom it was purchased or otherwise obtained. The keeper shall retain the register in respect of each such transaction for the period of twelve (12) months thereafter; and

(2) Every keeper of a pet shop shall ensure that the aforesaid register is not mutilated or destroyed and shall keep it open to inspection by the Licence Issuer at all times during business hours and shall make it available to be removed at any time for inspection or for use in the courts, if necessary. The keeper shall not be responsible for neglecting to make the necessary entries in the said register while it is removed from the premises for this reasons.
 11. A Medical Officer of Health or such of his staff as he may designate, and every other person authorized by the Licence Issuer, may inspect any shop or place where animals or birds for use as pets are sold or kept for sale.
 12. A keeper shall ensure that whenever he is absent from the pet shop or from the part of the premises used for the keeping or housing of animals or birds, during the business hours of such shop, there is an attendant in charge of and responsible for the care and safe keeping of his pet stock.
 13. No keeper of a pet shop shall:
 - (1) sell or permit the sale of any dyed chick or other dyed live poultry;
 - (2) sell or permit the sale of any chick, duckling or other live poultry in quantities fewer than twelve per sale; or
 - (3) sell, give away or otherwise dispose of any chick, duckling or other live poultry as a bonus to a sale of, or as part of a sale of, any other goods, products or services.

SCHEDULE 16 TO BY-LAW

Relating to owners and operators of public garages and owners or keepers of automobile service stations

1. A public garage licence may be issued restricted to one or more of the following classifications:
 - Class A: A parking station or a parking lot or a building or place where motor vehicles are hired or kept or used for hire or sold or kept for sale;
 - Class B: A building or place where gasoline or oil is dispensed to the public;
 - Class C: A building or place used as a motor vehicle body repair shop;
 - Class D: A building or place used as a motor vehicle repair shop;
 - Class E: A building or place used for washing or cleaning motor vehicles by mechanical means;
 - Class F: A building or buildings used for washing or cleaning motor vehicles by other than mechanical means.
 - Class G: A parking station or a parking lot or a building or place where motor vehicles are stored or parked;
2. Every person to whom this Schedule relates shall, for each place, premises or contrivance for which he holds a licence procure a policy or a certificate of insurance against occupier's liability and endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or variation in the amount of the policy, and insuring in at least the following amounts:

In the case of bodily injury or death, to a limit of at least \$1,000,000.00 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$1,000,000.00. A certified copy of the policy or a certificate satisfactory to the Licence Issuer, issued in regard thereto, shall be deposited with the Licence Issuer.

PART 1

Relating to owners and operators of public garages other than those described in Parts 2, 3 and 4 hereof

3. No public garage licence shall be issued pursuant to this by-law unless the applicant satisfies the Licence Issuer that all provincial laws and regulations have been complied with.
4. No person licensed under this by-law shall use or permit his automobile service station to be used for the purpose of wrecking, parking, storing or selling motor vehicles, or except in an enclosed building for washing motor vehicles, or except in an enclosed building for vulcanizing tires or tubes, or for performing therein any repairs to motor vehicles other than minor or running repairs essential to the actual operation of such vehicles.
5. No person licensed under this Part shall, where practicable, permit the drainage of surface water across any sidewalk upon which the licensed premises abuts.
6. Every person licensed under this Part shall keep the licensed premises free from rubbish and in a clean and neat condition and keep any sidewalk or street upon which such premises abuts free from any dirt or other foreign substance derived from such premises or resulting from the use thereof.
7. No person licensed under this Part shall store or park or allow to be stored or parked thereat for a longer period than forty-eight (48) hours any trailer used for human habitation while so stored or parked.
8. No person licensed under this Part shall remove or cause to be removed any snow from his public garage or automobile service station premises to any sidewalk or roadway upon which such premises abuts.
9. Every person licensed under this Part shall at all times permit the Licence Issuer to enter the Licensed Premises and make such inspection as may be deemed necessary in order to ascertain whether or not the provisions of this by-law are being complied with.
10. Every person licensed under this Part, shall comply with all relevant legislation pertaining to the storage and disposal of hazardous materials on the premises.

PART 2

Relating only to Owners and Keepers of Public Garages used as Parking Lots and Parking Stations

11. No person licensed under this Part shall store or park or allow to be stored or parked thereat for a longer period than forty-eight (48) hours any trailer used for human habitation while so stored or parked.
12. Every applicant for a licence to own or operate a parking lot or parking station shall include in his application a statement setting forth:
 - (1) the location and dimensions of the lands in respect of which he seeks such licence (hereinafter referred to as the premises);
 - (2) the maximum number of motor vehicles proposed to be parked or stored at or upon such premises at any one time;
 - (3) the hours during which such premises will be open for business;
 - (4) the location of each proposed entrance to and exit from such premises; and
 - (5) the location, size and type of construction of any office proposed to be used or erected at or upon such premises.
13. Every person licensed under this Part shall:
 - (1) if he engages in driving, operating, or moving motor vehicles parked or stored at or upon the licensed premises, be the holder of a valid Ontario driver's licence, and shall not employ any person or permit any employee to drive or operate such motor vehicles unless such person is the holder of an Ontario driver's licence;
 - (2) if the licensed premises is open to the public, display in a conspicuous place at or upon the licensed premises, the rates or charges for parking or storing motor vehicles and the hours during which the licensed premises is open for business;
 - (3) keep the licensed premises free from rubbish and in a clean and neat condition and keep any sidewalk or street upon which such premises abuts, free from any dirt or other foreign substance derived from such premises or resulting from the use thereof;
 - (4) prevent the drainage of surface water across any sidewalk upon which the licensed premises abuts; and
 - (5) whenever any motor vehicle remains continuously without lawful excuse at or upon the licensed premises for more than twenty-four (24) hours, forthwith report to the nearest police station the make and provincial permit number of such vehicle.

PART 3

Relating to Owners and Keepers of Public Garages Used as Public Establishments

14. The holder of a public garage licence for washing motor vehicles at a building or place on an entirely coin-operated self-carwash basis with no attendant in charge shall observe and comply with the following regulations:
 - (1) no person licensed under this Part shall, where practicable, permit the drainage of surface water across any sidewalk upon which the licensed premises abuts; and
 - (2) every person licensed under this Part shall keep the licensed premises free from rubbish and in a clean and neat condition and keep any sidewalk or street upon which such premises abuts free from any dirt or other foreign substance derived from such premises or resulting from the use thereof.

PART 4

Relating to Owners and Operators of Public Garages Used as Service Stations

15. No person licensed under this Part shall store or park or allow to be stored or parked thereat for a longer period than forty-eight (48) hours any trailer used for human habitation while so stored or parked.
16. (1) No person licensed under this Part shall, where practicable, permit the drainage of surface water across any sidewalk upon which the licensed premises abuts; and
 - (2) Every person licensed under this Part shall keep the licensed premises free from rubbish and in a clean and neat condition and keep any sidewalk or street upon which such premises abuts free from any dirt or other foreign substance derived from such premises or resulting from the use thereof.

SCHEDULE 17 TO BY-LAW

Relating to Owners or Keepers of Salvage Shops or Salvage Yards; Owners or Keepers of Shops, Stores or Other Places for the Purchase, Sale or Exchange of Second-Hand Goods; Persons Other Than Those Beforementioned Who Engage in the Business of Purchasing, Selling, Exchanging or Other Premises; and Persons Who go from House to House or Along any Street Whether Public or Private for the Purpose of Collecting, Purchasing or Obtaining Second-Hand Goods

1. Notwithstanding any other provision in this by-law, no licence shall be required by persons engaged in any of the trades, callings, businesses or occupations to which this schedule relates for patriotic or charitable purposes, and recognized as valuable antiques and works of art, either in their original condition or as renovated, remodeled, repaired or re-manufactured.
2. No person licensed pursuant to this schedule shall deal in any class of second-hand goods not covered by his licence.
3. Every store, shop, yard or other place, the owner or keeper of which is licensed under this schedule, shall be kept clean, in a neat condition, and in good repair.
4. No goods or merchandise shall be displayed on the outside of any such store or shop, and all goods shall be exhibited in an orderly manner.
5. Every application for a licence to carry on any of the businesses mentioned in this schedule in a yard, shop, store, warehouse or other similar place, the owner or keeper of which had not been licensed in respect thereto during any portion of the previous twelve (12) months, must be accompanied by a certificate from the Medical Officer of Health.
6. Every person requiring a licence under the provisions of this schedule shall obtain a separate licence in respect of each and every shop, store or other place used for the transaction of business or for taking in or storing of second-hand goods.
7. No person to whom this Schedule relates shall purchase, take in exchange, or receive any goods, article or thing from any person who appears to be under the age of eighteen (18) years, or from any person under the influence of liquor.
8. No person to whom this Schedule relates shall transact any business between the hours of eleven o'clock in the evening and seven o'clock in the morning.
9. Notwithstanding any other provision of this schedule, no person having a collector's licence shall, between the hours of sunset on any day and the hour of sunrise on the next following day, pass from house to house or along any private street or lane or public highway in the City of Brampton for the purpose of collecting, purchasing or obtaining second-hand goods.
10. (1) Subject to subsection (2) hereof, no person to whom this Schedule relates shall alter, repair, dispose of, or in any way part with any goods or articles purchased or taken in exchange until after the expiration of fifteen (15) clear days, exclusive of Sundays and holidays, from the date of purchase or such exchange, and during these fifteen (15) days the goods or articles so obtained shall remain on the premises in respect to which the licence is issued and be kept in a separate location from goods previously purchased, and shall be subject to inspection at any time during business hours by the Chief of Police or any police officer or any person duly authorized by the Licence Issuer.

(2) Notwithstanding the provisions of subsection (1) hereof:
 - (a) scrap metal or recyclable materials purchased or taken in exchange may be altered or disposed of after the expiration of five (5) clear days, exclusive of Sundays and holidays; and
 - (b) any police officer designated by the Chief of Police to investigate transactions involving the purchase or exchange of scrap metal, on completing his investigation, may authorize the release of such scrap metal or recyclable materials for alteration or disposal prior to the expiration of the five (5) clear days referred to in clause (a).
11. The licensee shall maintain a Register, which shall be furnished free of charge by the Licence Issuer, in which shall be entered a record of all goods received or taken in exchange or otherwise obtained, either at the licensee's place of business or elsewhere. The entry must be made at the time the goods are received or immediately thereafter, and shall include, in addition to the date on which and the hour at which the goods are received, a full description of the article or articles including the serial and model

number, if any, and the manufacturer's name, if any, and the name, address, full particulars of identification and description of the person from whom the goods are received, and if purchased, the price paid therefor, and in the case of goods delivered or conveyed by motor vehicle licensed by any Province of Canada or any State of the United States of America, the provincial or state licence number of the motor vehicle delivering or conveying the goods. Goods of every description redeemed on pawn tickets purchased or taken in exchange by licensed dealers shall be treated as purchased and shall be so entered. In entering bicycles, the name of the maker and the manufacturer's number thereof shall, in every case, be recorded, if known or ascertainable.

12. The Register shall remain the property of the Licence Issuer, and it shall be the duty of the person to whom it is issued to see that it is not mutilated or destroyed. It shall be open to inspection by the Licence Issuer at all times during business hours, and may be removed at any time for inspection, or for use in the courts if necessary. The person licensed shall not be held liable for neglecting to enter goods received while the Register is so absent from his premises.
13. Every person to whom this Schedule relates or any person acting as a servant or agent of any such person, when offered goods or articles of any kind, which he has cause to suspect have been stolen or otherwise unlawfully obtained shall report the facts including the removal or defacement or apparent tampering with the serial numbers or model numbers, if any, on such goods or articles to the local police.

SCHEDULE 18 TO BY-LAW

Relating to Owners, Operators, and Drivers in Vehicles from which Refreshments are Sold for Consumption by the Public

1. For the purposes of this Schedule:
 - (a) "public place" shall mean a place to which the general public is invited or permitted access, whether of not for a fee.
2. A refreshment vehicle licence may be issued restricted to one or more of the following classifications:

Class A: A refreshment vehicle from which the food or refreshments sold are prepared in a commissary or a place other than the refreshment vehicle, but which is not exclusively a vendor of factory pre-packaged frozen products.

Class B: A refreshment vehicle which is non-motorized and does not require a health certificate from the Region's Medical Officer of Health because it is exclusively a vendor of factory pre-packaged frozen products.

Class C: A refreshment vehicle from which any of the food or refreshments sold are prepared or apportioned at the refreshment vehicle.
3. Every owner and every operator of a refreshment vehicle shall for each such vehicle procure a policy or certificate of insurance endorsed to the effect that the Licence Issuer will be given at least ten (10) days' notice in writing of any cancellation, expiry or variation in the amount of the policy, insuring to a limit of at least \$1,000,000.00 (exclusive of interest and costs) against loss or damage resulting in bodily injury to or death of any one person including property damage. A certified copy of the policy or a certificate satisfactory to the Licence Issuer, issued in regard thereto, shall be deposited with the Licence Issuer.
4. No owner or operator of a refreshment vehicle shall permit or allow any person other than a licensed driver employed by him to operate his refreshment vehicle.
5. Every owner and every operator shall ensure that a separate licence is taken out for each refreshment vehicle owned or operated by him, and the plate issued in respect of such licence shall be securely affixed to the rear of the vehicle in a manner approved by the Licence Issuer.
6. Every owner and operator shall ensure that the owner's phone number is visibly displayed on the refreshment vehicle.
7. Every vehicle from which refreshments are sold shall be of a type approved by the Licence Issuer.
8. Every owner and every operator of a refreshment vehicle shall, whenever required to do so by the Licence Issuer bring such vehicle to any person designated by the Licence Issuer to inspect the same, at the place and time indicated by such person.
9. No person shall stop any refreshment vehicle to sell refreshments within 100 metres of the entrance or exit to any school grounds, public park, or intersection, or within 30 metres of any school ground, or public park.
10. No person shall stop any refreshment vehicle on a roadway to sell refreshments unless servicing a construction site or work crew, and in no case shall the duration of such stop exceed ten (10) minutes.
11. No person shall stop a Class C refreshment vehicle to sell refreshments on any property unless the zoning by-law indicates that the sale of refreshments is permitted use for such property.
12. No person shall stop any Class C refreshment vehicle to sell refreshments on any property without the written permission of the property owner, clearly identifying the location and zoning of the property.
13. All refreshments sold from a refreshment vehicle shall be clean, fresh and wholesome.
14. Every person selling or handling refreshments shall wear clean clothes, be clean and neat in appearance, and have clean hands.
15. Every refreshments vehicle shall be equipped with either:
 - (a) a metal refuse container with a self-closing lid which shall be kept at all times in a clean and sanitary condition and emptied at least once daily; or
 - (b) a disposable litter container which shall be replaced daily;

and such containers shall be used for the disposal of all refuse.

16. Every refreshment vehicle and all parts and equipment thereof for use in the dispensing of refreshments shall at all times be kept in a clean and sanitary condition and in good repair.
17. Every owner, operator, or driver of a refreshment vehicle shall comply with the provisions of this Schedule.
18. Every Class A refreshment vehicle:
 - (a) shall be sufficiently sound construction to provide reasonable protection against dust, dirt, flies, and other injurious matter or things;
 - (b) shall have a light coloured interior, and shall be repainted or refinished as often as the Licence Issuer may require; and
 - (c) shall have all surfaces covered with a suitable impervious material, free of holes, cracks or crevices, and the surface thereof shall be readily washable and shall be kept clean and in good condition.
19. Every owner or operator of Class A refreshment vehicle shall ensure that all sandwiches, cakes, doughnuts, hot dogs, hamburgers, pies, and other similar foods shall be wrapped and sold in individual servings, and the date of preparation shall be clearly and legibly marked as such on or affixed to the wrapper of all such foods.
20. No person licensed pursuant to this Schedule in respect of a Class A refreshment vehicle shall sell any refreshments not prepared, assembled and wrapped in a commissary approved by the Medical Officer of Health.
21. Every owner and every operator of a refreshment vehicle to which a Class A licence has been issued shall:
 - (a) at the time he receives his licence, specify to the Licence Issuer the source of supply of all refreshments to be sold from the vehicle;
 - (b) notify the Licence Issuer forthwith of any change in such source of supply;
 - (c) refrain from selling or permitting to be sold from the vehicle any refreshments from a source of supply other than that specified by him to the Licence Issuer; and
 - (d) produce from the Medical Officer of Health an approval for the vehicle to which the licence is issued.
22. Every owner and every operator of a refreshment vehicle to which a Class C licence has been issued shall produce from the Medical Officer of Health an approval for the vehicle to which the licence is issued.
23. Every owner and every operator in respect of a Class A or Class C refreshment vehicle shall ensure that:
 - (a) all condiments, milk, cream and sugar shall be dispensed from containers approved by the Licence Issuer;
 - (b) only single-service disposable cups, plates, containers, forks, spoons and serviettes provided in dispensers approved by the Licence Issuer or individually wrapped shall be used in the sale of refreshments;
 - (c) all milk and any cold perishable foodstuffs sold from the vehicle shall be kept in dry storage at a temperature no higher than 5 degrees Celsius and shall be sold only in individual, disposable containers;
 - (d) the vehicle shall be equipped so as to maintain hot prepared foods at a temperature of not less than 66 degrees Celsius and such foods shall be kept so heated; and
 - (e) no prepared foods other than those kept in unopened cans shall be sold more than twenty-four (24) hours after their preparation.
24. No person shall solicit business to a refreshment vehicle through the use of any noise-making device in a manner likely to disturb inhabitants.
25. On application by a charitable organization, Council may waive the payment of the license fee required pursuant to this by-law.

SCHEDULE 19 TO BY-LAW

Relating to special sales and persons conducting special sales

1. No person shall sell, offer to sell or advertise for sale in any way, any goods, wares or merchandise by way of special sale unless such person is the holder of a licence issued under this Schedule for such purpose.
2. Any person who has not carried on business in the Corporation of the City of Brampton for a period of at least two (2) months prior to the date of the proposed special sale shall not be granted a licence, except where the applicant is the executor or administrator of the estate of a person who had been carrying on a business in the Corporation of the City of Brampton immediately prior to his death and where the goods to be offered for sale form part of the estate being administered by the applicant.
3. Every application for a licence shall be in the form attached hereto as "Form 1".
4. Every application shall be verified by statutory declaration of the applicant in the form annexed hereto as "Form 2" to this Schedule and if the applicant is not the owner of the goods to be sold, the application shall also be verified by statutory declaration of the owner thereof.
5. The applicant shall produce such books, records or other documents or information as the Licence Issuer shall consider necessary to corroborate any of the statements contained in the application, both before and after the licence is issued and shall permit the Licence Issuer, at any reasonable hour, to inspect the goods to be sold and to enter and inspect the premises in which such goods are located or in which the sale will be held.
6. Notwithstanding anything herein contained, the Licence Issuer may refuse to issue a licence or may revoke at any time, any licence already issued under this by-law if:
 - (1) any of the information or particulars set forth in the application or statutory declaration of the applicant or the owner is false;
 - (2) any attempt is made to add to or replenish the goods described in the application or to substitute other goods, wares or merchandise therefor;
 - (3) the sale is advertised or conducted in any manner other than that described in the application or in any manner contrary to the provisions of this by-law; and
 - (4) the applicant refuses to produce any books, documents, records or other information requested by the inspector, or refuses to permit the Licence Issuer to inspect any goods or premises in accordance with the provisions of this by-law.
7. Every licence issued under this Schedule shall expire thirty days after the date of issue, provided that a licensee shall be entitled to apply for and receive once only, a licence for an additional thirty (30) day period to permit the further sale of any remaining goods, wares or merchandise described in the original application.
8. A licence for an additional thirty (30) day period may be granted upon submission by the original licensee to the Licence Issuer of a detailed list of such goods, wares or merchandise remaining, verified by declaration in form annexed hereto as "Form 3" to this Schedule, and the fee for such licence shall be fifty percent (50%) of the fee which would have been payable with respect to such goods, wares or merchandise on an original application for licence.
9. All advertising material distributed or published with respect to a special sale, including each radio or television broadcast, shall contain a statement that such sale is held under the authority of this by-law and shall state the number and expiry date of the licence issued hereunder.
10. The licence shall be permanently displayed on the premises where the special sale is held and a separate licence is required for each location where a special sale is held at more than one location.

APPLICATION FOR LICENCE FOR SPECIAL SALE

FORM "1" TO SCHEDULE 19

Name of Applicant:

Address:

Age:

Occupation:

Place of business, of other than above:

Date upon which applicant commenced business now being carried on by him (her) in the Corporation of the City of Brampton:

Present location of goods to be sold:

Place at which sale is to be held:

Date or dates of sale:

Name and address of owner of goods, if other than applicant:

Relation, if any between Applicant and Owner:

Particulars of any damage or other deterioration to goods being sold:

Full particulars of information to be used by way of advertisement of sale indicating any reason for sale:

<u>Name and Address of Person</u>	<u>Date of</u>	<u>Cost Price</u>	<u>Retail Price</u>
<u>Description of Goods</u>	<u>For Whom Goods Purchased</u>	<u>Purchase per unit</u>	<u>per unit</u>

FORM "2" TO SCHEDULE 19

STATUTORY DECLARATION

PROVINCE OF ONTARIO,	)	IN THE MATTER OF an application
IN THE REGIONAL	)	for a licence to carry on a
MUNICIPALITY OF PEEL	)	special sale pursuant to the
TO WIT:	)	provisions of By-law Number
	)	of the Corporation of the City
	)	of Brampton

I, _____ of the _____ of _____, in the Regional Municipality of _____

DO SOLEMNLY DECLARE:

1. THAT I am the _____ described in the application attached hereto and as such have knowledge of the statements and information contained therein.
2. THAT the statements and information contained in the said application are true and correct to the best of my knowledge and belief.
3. AND THAT I am of the full age of eighteen years.

AND I make this solemn declaration conscientiously believing it to be true and knowing that is if the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the _____)
of _____,)
in the Regional Municipality)
of Peel, this _____ day)
of _____, 199 . . .)

A Commissioner, etc.

FORM "3" TO SCHEDULE 19

STATUTORY DECLARATION

PROVINCE OF ONTARIO	)	IN THE MATTER OF an application
IN THE REGIONAL	)	for a licence to carry on a
MUNICIPALITY OF PEEL	)	special sale pursuant to the
TO WIT:	)	provisions of By-law Number
	)	of the Corporation of the City
	)	of Brampton

I. _____ of the _____ of _____, in the Regional Municipality of _____

DO SOLEMNLY DECLARE:

1. THAT I am the licence holder [or director/officer thereof] described in licence number _____ dated _____, which licence expired on the _____ day of _____.
2. THAT attached hereto is a complete list of the goods offered for sale under such licence and now remaining unsold.
3. THAT all of such goods were listed on the original application for the said licence and no other goods have been added to or substituted for any of such original goods.
4. THAT the said goods remaining unsold are located at _____ and I request that the said Licence be renewed upon the same terms and conditions for a further thirty (30) day period expiring on the _____ day of _____.

AND I make this solemn declaration conscientiously believing it to be true and knowing that is if the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the _____)
of _____)
in the Regional Municipality _____)
of Peel, this _____ day of _____)
, 199 . _____)

A Commissioner, etc.

SCHEDULE 20 TO BY-LAW

Relating to Persons Engaging in the Business of Altering, Repairing Renovating Buildings or Structures or Constructing Radiation Fall-Out Shelters

1. (1) Where an Examining Board has been established, every applicant for a licence to engage in the business of altering, repairing or renovating buildings or structures or constructing radiation fall-out shelters, shall be examined by the Examining Board as hereinafter constituted touching the provisions of this by-law and of all relevant codes and standards relating to the type of business for which he requires a licence, and his licence, if granted, shall be so endorsed to show the work for which he has qualified and is entitled to carry on under the said licence;
- (2) Before being examined, the applicant shall pay the Licence Issuer the examination fee as provided for in Appendix A; and
- (3) The Examining Board shall report the result of each examination to the Licence Issuer.
2. (1) Members of the Examining Board shall be appointed by the Commission and the Board shall be constituted as follows:
 - (a) a chairman, who shall be an administrative officer of an area municipality who is conversant with the skills and knowledge required to exercise the several trades, callings, businesses or occupations to which this Schedule relates, and is familiar with the pertinent legislation concerning the same; and
 - (b) two (2) persons, who have each had not less than ten (10) years' experience in the building, renovating or general contracting business, or a person who teaches architectural trades in a trade school of the Province of Ontario.
- (2) The members of the Examining Board shall be appointed for a three (3) year term expiring on the 31st day of December in the third (3rd) year and shall be eligible for re-appointment and may be paid such salary or other remuneration as provided for in Appendix A;
- (3) For the purpose of an examination, two members of the Board shall constitute a quorum; and
- (4) In addition to furnishing any information required of him under this schedule, every applicant for a building renovator's licence shall, in the application, set out his mailing address of his proposed business premises, and every holder of such a licence shall notify the Licence Issuer in writing within seventy-two (72) hours of any change of his business address.
3. The Licence Issuer may require any person previously licensed under this by-law as a building renovator, who does not renew his licence for two or more years, to be re-examined by the Examining Board before receiving a licence.
4. The Licence Issuer may require any person to whom this Schedule relates to sit for a re-examination by the Examining Board but not more than once in a five-year period.
5. Every applicant shall have his business registered with the Ministry of Consumer and Commercial Relations.
6. No person licensed pursuant to this Schedule shall carry on business under any name other than that for which the licence has been issued.
7. Every person to whom this Schedule relates shall, for each place, premises or contrivance for which he holds a licence procure a policy of insurance against occupier's liability and endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or variation in the amount of the policy, and insuring in at least the following amounts:

In the case of bodily injury or death, to a limit of at least \$1,000,000.00 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$1,000,000.00. A certified copy of the policy or a certificate satisfactory to the Licence Issuer, issued in regard thereto, shall be deposited with the Licence Issuer.
8. No person carrying on business as a building renovator shall perform any type of work as a building renovator unless his licence is endorsed to show that he has qualified to perform the type of work being done or he has in his employ, throughout the performance of the work, a person who is licensed as a building renovator and whose licence is endorsed to show that he has qualified to perform such work.
9. Every person licensed or required to be licensed under this by-law as a building renovator shall observe or cause to be observed the following regulations:

- (1) before commencing any work a building renovator shall enter into a written contract with the person for whom the work is to be performed to be signed by the renovator and such person and to be in the form attached hereto as "Form 1";
- (2) no other work shall be done by such building renovator as an extra or otherwise unless and until a further contract on the same form covering such other work has been entered into in like manner between the parties;
- (3) the building renovator shall complete the form of contract in as much detail as may be practical as to the quality and quantity of material and the number of hours labour involved and the rate thereof and as to all other dimensions and measurements relating to the work to be done; and
- (4) a building renovator shall upon request furnish to the person for whom the work has been done an itemized and detailed written bill concerning such work within twenty-four (24) hours.

FORM 1 TO SCHEDULE 20

CONTRACT FORM

Name, address and telephone number of building renovator
City of Brampton Licence Number

Date _____

TO: (Name and address of person for whom the work is to be done)

RE: (Address where work is to be done)

We offer to furnish all materials and labour necessary to complete the following:

All of the above work is to be completed in a workmanlike manner on or before (completion date) for the sum of _____.

Payment to be made on receipt of invoice

(Signature of building
renovator)

ACCEPTANCE

I/We hereby accept the above offer and authorize you to proceed with the above work in accordance with the above terms.

(Signature of person for
whom work is to be done)

One copy of this contract signed by both parties is to be delivered to the person for whom the work is to be done before any work is done. The other copy signed by both parties is to be retained by the building renovator.

NOTICE

The Ontario Consumer Protection Act provides in part as follows:

"buyer" means a person who purchases goods for consumption or services under an executory contract and includes his agent, but does not include a person who buys in the course of carrying on business of an association of individuals, a partnership or a corporation; (s.1(c))

"executory contract" means a contract between a buyer and a seller for the purchase and sale of goods or services in respect of which delivery of the goods or performance of the service or payment in full of the consideration is not made at the time the contract is entered into; (s.1(h))

"seller" means a person who is in the business of selling goods or services to buyers, and includes his agent; (s.1(s))

An executory contract is not binding on the buyer unless the contract is made in accordance with this Part and the regulations and is signed by the parties, and a duplicate original copy thereof is in the possession of each of the parties thereto; (s.31(2))

Where a seller solicits, negotiates or arranges for the signing by a buyer of an executory contract at a place other than the seller's permanent place of business, the buyer may rescind the contract by delivering a notice of rescission in writing to the seller within two days after the duplicate original copy of the contract first comes into the possession of the buyer, and the buyer is not liable for any damages in respect of such rescission; (s.33(1))

A notice of rescission may be delivered personally or sent by registered mail addressed to the person to whom delivery is required to be made at the address shown in the contract, and delivery by registered mail shall be deemed to have been made at the time of mailing." (s.33(4))

SCHEDULE 21 TO BY-LAW

Relating to owners or operators of laundrieterias washing machines, dryers and dry cleaning machines used for the public including coin operated machines

1. Every person licensed under this Schedule shall:
 - (1) post in a conspicuous place in all premises where coin operated washing machines and dryers are kept, a sign in clearly legible letters setting out the name, address and telephone number of the person responsible for the operation of the premises;
 - (2) keep all licensed premises in a neat, clean sanitary and tidy condition;
 - (3) maintain all equipment in a safe condition and in good working order;
 - (4) be responsible for the orderly conduct of all patrons at all times while they are upon the premises;
 - (5) not permit undue noise;
 - (6) provide to the City a current Copy of Health Inspection each year.

SCHEDULE 22 TO BY-LAW

Relating to owners, operators and drivers of tow trucks

DRIVER'S LICENCE ISSUANCE - PREREQUISITES

1. For the purpose of this Schedule:

"accident" means where a vehicle has been in a collision with another vehicle(s) or struck an object or was struck by an object, or turned over, and in all cases did receive damage or was damaged, and or was disabled by fire.

"accident scene" means the general location or place where an accident occurred.

"accident towing" means the towing of a disabled vehicle as a result of an accident.

"dolly" means a four-wheeled carriage used in towing to support the trailing end of the towed vehicle.

"flat bed" means a platform body with a winch for loading (dolly not required).

"gross vehicle weight rating (GVWR)" means the maximum total vehicle rated capacity, measured at the tire ground interface, as rated by the chassis manufacturer.

"owner" means the owner or lessee of a tow truck licensed pursuant to this Schedule.

"tow bar" means a device for positioning a towed vehicle behind a towing vehicle.

"tow sling" means a device used for lifting and towing vehicles with a partial load supported on rubber belts.

"underlift" means a device used for towing vehicles by lifting one end of the towed vehicle from under the axle or structural member of the towed vehicle.

"wheel lift" means a device used for towing vehicles by lifting one end of the towed vehicle by the wheels.

"wrecker body" means a recognized manufacturer's wrecker unit designed to be attached to the frame of a cab and chassis and used with an underlift, tow bar or tow sling or wheel lift or flat bed carrier or other similar device and which is equipped and maintained in a manner to ensure the safe lifting and conveying of a vehicle to be towed.

2. Every applicant in respect of a tow truck driver's licence shall file with the Licence Issuer:

- (1) a current Ontario driver's licence in good standing;

- (2) two (2) prints of a passport size photograph of the applicant; and

- (3) a letter from a licensed owner, stating that such owner is prepared to employ the applicant and has tested the applicant and found the applicant competent to operate a tow truck and its equipment.

3. No person shall be licensed as a driver pursuant to this by-law unless he is either a Canadian Citizen, a permanent resident, or has a valid employment authorization issued by the Government of Canada to work as a driver and has a working knowledge of English.

4. No person shall be licensed as a driver pursuant to this by-law unless he holds a current, valid driver's licence of the appropriate class issued under the Highway Traffic Act.

5. No corporation may be licensed as a driver pursuant to this by-law.

VEHICLE LICENCE REQUIREMENTS

6. Every applicant for a vehicle owner's licence shall:
 - (1) submit an approved motor vehicle inspection report for the tow truck from the Ministry of Transportation (Ontario);
 - (2) submit evidence of insurance, in a form satisfactory to the Licence Issuer, and providing for:
 - (a) at least ten (10) days written notice to the Licence Issuer prior to cancellation, expiration, or variation in amount of coverage;
 - (b) coverage of at least \$1,000,000.00, exclusive of interest and costs, against liability resulting from bodily injury to, or the death of, any person or persons, and against liability from damage to property;
 - (c) coverage of at least \$1,000,000.00, exclusive of costs, against liability for damage to the vehicles of customers while in the care, custody and control of applicant; and
 - (d) coverage of at least \$50,000.00 against liability for damage to or theft of cargo or other goods of customers, subject to reasonable limitations.
 - (3) submit for inspection and approval by the licensing section the vehicle for which the plate will be issued.
7. A licence issued in respect of a vehicle is not transferable to any other vehicle.
8. Council may suspend or revoke a licence if an owner fails to operate a tow truck for a period of sixty (60) consecutive days and does not provide a reasonable explanation therefor.
9. Where the applicant has any interest, either directly or indirectly, in any building, yard or place used for the storage or impounding of vehicles or in any business or operation involving the storage or repair and servicing of vehicles, full information as to the location and type of facilities in which such applicant has an interest, and the nature and extent of the interest.
10. Where the applicant is a corporation, a copy of the incorporating document and a copy of the last annual information return which has been filed with the appropriate government departments.
11. Where the applicant is a registered partnership, a copy of the registered declaration of partnership.
12. Every owner shall return to the Licence Issuer the licence issued to such owner and the licence plate for a tow truck if such owner disposes of or is no longer operating or using that tow truck.

PROHIBITIONS

13. No person shall operate or permit to be operated a tow truck, unless he is licensed as an owner in respect of that tow truck.
14. No person shall drive a tow truck, or act as a driver of a tow truck, unless he is licensed as a tow truck driver.
15. No person shall drive a tow truck, or act as a driver, unless a vehicle licence has been issued in respect of that tow truck.
16. A person shall not hold himself out as a licensed driver or owner unless that such person is licensed under this by-law.
17. No person shall attach a vehicle licence plate to any tow truck other than the tow truck for which the licence plate was issued.
18. No owner or driver shall use or operate a tow truck unless the tow truck is equipped in accordance with the requirements of this by-law, and all such equipment is in good condition and fully operational.
19. No owner or driver shall use or permit to be used a tow truck that is unsafe or defective.
20. No driver shall commence to tow or move any vehicle, or hook, lift or connect the vehicle to the tow truck, or perform any other services unless first requested to do so by the customer.
21. No driver shall stop or park within sixty (60) metres of the location of an accident, unless there are fewer tow trucks at the accident location than the number of vehicles for which the services of a tow truck are required or unless the driver has been summoned to the accident location by the customer.

22. No driver shall approach a customer or offer or make available for hire the services of the driver or the tow truck of the driver, unless permitted to do so in accordance with section 21.
23. No owner or driver shall interfere with the contract of hiring of any other owner or driver.
24. No owner or driver shall demand or request payment for the services rendered or to be rendered other than in accordance with the applicable Schedule of Rates filed with the Licence Issuer.
25. No owner shall alter or amend the Schedule of Rates filed with the Licence Issuer until thirty days after having provided to the Licence issuer written notice of the changes:
26. Where an estimate is given of the cost of service or equipment to be provided by an owner or a driver, the charge to the person contracting for such service or equipment shall not exceed the charges set out in the Schedule of Rates filed with the Licence Issuer, or the amount of the estimate, whichever is lower.
27. Prior to towing or conveying any vehicle, the owner or driver shall provide a copy of his current Schedule of Rates to the customer.
- 27A. Prior to conducting any accident towing, the tow truck owner or driver shall ensure that an Authorization To Tow A Vehicle Form, as provided by the License Issuer, is completed in its entirety and is duly signed by both the owner or authorized agent of the vehicle to be towed and the tow truck owner or driver at the time of the accident.
28. No owner or driver shall charge a customer for time lost due to a breakdown of the tow truck or its equipment.
29. No owner or driver shall demand, request, accept or receive, directly or indirectly, any charge, gift, payment, drop fee, thing or other consideration from any person who owns or has an interest, directly or indirectly, in any motor vehicle pound, motor vehicle body shop, public garage or any other yard, shop, building or place, used for the storage, repair or servicing of motor vehicles, in respect of or in consideration for the towing or conveying of a motor vehicle to such building or place.
- 29A. No owner or driver of a tow truck, while conducting the business of towing, shall permit any passengers (ride-alongs) in the tow truck unless that person is the owner or authorized agent of the vehicle being towed or the passenger is a tow truck driver in training and as such has recently applied for a tow truck drivers license. This training period shall not exceed a total of thirty (30) days commencing from the date the application was filed with the Licensing Department. No driver in training shall be a nuisance, hindrance or create a disturbance while in the process of receiving such training.

OBLIGATIONS

30. Every owner shall carry on the business of operating a tow truck only in the name to which the vehicle owner's licence was issued.
31. Every owner shall give written notice of the sale or other disposition of any tow truck to the Licence Issuer within seven (7) days of any such sale or disposition.
32. Every owner shall provide and maintain on, or in, every tow truck owned or leased by such owner, and in respect of which such owner is licensed under this by-law, the equipment set out in Part II of this Schedule.
33. Every owner shall ensure that all equipment required by this Schedule is kept in a good state of repair, and shall have the fire extinguisher inspected and serviced annually.
34. Every owner shall ensure that:
 - (1) the business name under which the tow truck operates is clearly indicated on both sides of the tow truck, in a location acceptable to the Licence Issuer, in letters and figures not less than eight (8) centimetres in height; and
 - (2) the plate number shall be affixed to the front in a location and manner approved by the Licence Issuer.

RATES

35. Every owner shall file with the Licence Issuer a Schedule of Rates to be charged by the towing company for each of its services.
36. The Schedule of Rates filed with the City shall be based only on the factors set out in this Schedule.

37. Where rates are to vary with the time of day or location served, or in accordance with some other factors, the formula for determining exactly the rates to be charged shall be set out in the Schedule of Rates filed with the Licence Issuer.
38. The provisions of this Schedule do not prohibit an owner from entering into a written agreement with any person, group or company to provide towing services at rates lower than those shown in the Schedule of Rates filed, provided that a copy of such written contract or agreement is filed with the Licence Issuer at least ten (10) days before any services to which such contract or agreement applies are to be provided.
39. Before demanding payment for any services, an owner or driver shall present to the person for whom the services were performed, a numbered bill itemizing the cost of all services and equipment.
- 39A. Every owner and driver of a tow truck who tows or offers to tow a passenger vehicle, light van or truck from an accident scene not exceeding 2,725 kgs. (6,000 lbs.) in towing weight, shall only charge or cause to be charged an all inclusive flat rate towing fee of one hundred and eighty-five dollars (\$185.00), no more or no less, with no other additional service charges other than the applicable federal and provincial taxes.
40. Every owner and driver shall keep a daily record of the work performed by the tow truck owned or driven by such owner or driver, either on a continuous log sheet or with consecutively numbered bills or invoices, showing, in every instance:
 - (1) the name of the person for whom work was done;
 - (2) a description and licence plate number of the vehicle towed or conveyed;
 - (3) from where and to where the vehicle was towed or conveyed; and
 - (4) the rate charged and the total fee collected thereon.
41. Every driver shall:
 - (1) keep in the truck, at all times while operating a tow truck, the tow truck driver's licence issued to such driver;
 - (2) be properly dressed and well groomed; and
 - (3) behave courteously.
42. Every driver shall:
 - (1) clean up any debris, fragments of glass, vehicle parts, or other materials (excluding loads dumped during accidents) from any highway or roadway prior to towing any vehicle from the scene;
 - (2) take due care of all vehicles and property delivered to or entrusted to such driver for towing;
 - (3) tow a vehicle by the most direct route reasonably possible in the circumstances, and in the most expeditious manner, unless otherwise directed by the customer; and
 - (4) comply with all reasonable instructions of the customer.

GENERAL

43. The Licence Issuer may require a driver, at any time, if the Licence Issuer feels it may be in the public interest, to provide a certificate from a doctor, stating that the driver is fit and able to operate a motor vehicle.
44.
 - (1) Where the Licence Issuer believes, on reasonable grounds, that a tow truck is not a fit and safe vehicle, in accordance with the requirements of the Highway Traffic Act, he may give its owner or driver a written notice requiring such owner or driver to submit the tow truck for inspection at the location set out in the notice;
 - (2) Where the inspection reveals that the tow truck is unfit or unsafe, the owner shall immediately return to the Licence issuer the licence and licence plate for that tow truck; and
 - (3) An owner may recover from the Licence Issuer, at no charge, the licence and licence plate returned to the Licence Issuer pursuant to this section upon satisfying the Licence Issuer that the matters rendering the tow truck unfit or unsafe have been remedied.
45. No owner or operator shall operate or permit to be operated a tow truck with a gross vehicle weight rating of less than 4,536 kg (10,000 lbs.).

46. No owner or operator shall operate or permit to be operated a tow truck without a wrecker body.
47. Sections 45 and 46 shall come into effect immediately upon enactment of this by-law only for all new or replacement vehicles.

Sections 45 and 46 shall come into effect on April 30, 2001 for all vehicles which are or were licensed at the date of the enactment of this by-law.

PART II, SCHEDULE 22

1. A winching or hoisting device of sufficient capacity to safely lift the motor vehicle to be towed;
2. Wheel lift or an underlift equipped and maintained in a manner to ensure the safe lifting and conveying of a vehicle to be towed; and
3. One device for securing the steering wheel of a vehicle;
4. At least one 2.27 kg., chemical fire extinguisher having an effective total rating equivalent to at least 4-B, C;
5. At least tow safety chains having a minimum length of 2.7432 metres each with links of at least 21 mm steel;
6. Two (2) safety pylons;
7. Broom;
8. Shovel;
9. First Aid Kit;
10. An intermittent amber warning light system consisting of at least one light which would be clearly visible in all directions for a distance of at least 100 metres;
11. Prybar at least 152.4 centimetres in length;
12. Two (2) wheel blocks;
13. Flares of reflector kits;
14. Wheel wrenches.
15. A Dolly

PART III, SCHEDULE 22

1. Time required to reach accident location after being hired;
2. Time required to perform services;
3. Standby time after being hired;
4. Distance to travel to reach scene after being hired;
5. Distance vehicle is towed or conveyed;
6. Weight and size of vehicle towed or conveyed;
7. Additional services:
 - (a) changing more than one wheel;
 - (b) disconnecting driveshaft;
 - (c) uprighting overturned vehicle;

- (d) moving vehicle to towing position;
- (e) opening locked vehicle without keys;
- (f) provision and use of dolly;
- (g) other specified services.

SCHEDULE 23 to BY-LAW

A By-law to provide for licensing, regulating and governing limousines, limousine drivers and owners.

DRIVER'S LICENSE ISSUANCE - PREREQUISITES

1. (1) No person may be licensed as a driver pursuant to this by-law unless he is either a Canadian citizen, a permanent resident, or has a valid employment authorization issued by the Government of Canada to work as a driver, and has a working knowledge of English;
- (2) No person shall be licensed as a driver pursuant to this by-law unless he holds a current, valid driver's licence issued under the Highway Traffic Act;
- (3) No corporation may be licensed as a driver pursuant to this Schedule; and
- (4) Prior to being licensed as a driver, every applicant for a driver's licence shall:
 - (a) complete and personally deliver to the licensing section in the form provided by the licensing section an application accompanied by the appropriate fee;
 - (b) have his photograph taken by the licensing section;
 - (c) complete the "Police/Criminal Record Data Request Form", as provided by the licensing section; and
 - (d) submit, if requested, a certificate prepared by a medical doctor indicating that the applicant is physically fit and able to operate a motor vehicle.

PLATE ISSUANCE - PREREQUISITES

2. Every applicant for a plate owner's licence must:
 - (1) submit for inspection and approval by the licensing section the vehicle for which the plate will be issued;
 - (2) every person to whom this Schedule relates shall, for each place, premises or contrivance for which he holds a licence procure a policy of insurance and endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or variation in the amount of the policy, and insuring in at least the following amounts:

In the case of bodily injury or death, to a limit of at least \$1,000,000.00 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$1,000,000.00. A certified copy of the policy or a certificate satisfactory to the Licence Issuer, issued in regard thereto, shall be deposited with the Licence Issuer.
 - (3) maintain an Ontario business registration; and
 - (4) maintain a Brampton business address.

CORPORATE APPLICANTS

3. Every corporate licensee shall maintain a business office in the City of Brampton.

PLATE REPLACEMENT

4. (1) The licensing section shall provide every plate owner with a plate;
- (2) Lost, destroyed or defaced plates, may be replaced by the Licence Issuer upon the original plate being accounted for to the satisfaction of the Licence Issuer and, upon payment of the cost of a replacement plate;
- (3) No person shall use any plate for which a replacement has been issued; and
- (4) No replacement plate shall be replaced except on order of the Licence Issuer.

PLATE OWNER'S RESPONSIBILITIES

5. (1) Every plate owner is, at all times, responsible for the maintenance and safety of his limousine;

- (2) Every plate owner shall ensure that any driver of his limousine complies with the provisions of this by-law;
- (3) Every plate owner shall ensure that adequate trip records are kept and these records shall include:
 - (a) client identification;
 - (b) driver identification;
 - (c) service rendered;
 - (d) rate charged; and
 - (e) date and time of service.
- (4) Every plate owner shall repair immediately any mechanical defect of his limousine.

DRIVER'S CONDUCT

6. Every driver shall:
 - (1) upon request of the Licence Issuer, produce his licence and any other relevant documents required under this by-law;
 - (2) upon request of the Licence Issuer, submit any licensed vehicle for inspection;
 - (3) be professionally attired;
 - (4) wear a lapel pin issued by the City of Brampton;
 - (5) report any mechanical defects or physical damage of the limousine promptly to the plate owner;
 - (6) identify himself to any passenger upon request by producing his licence and any other identification required;
 - (7) produce the limousine rate sheet on request;
 - (8) maintain in good standing at all times a current, valid driver's licence issued by the Province of Ontario, and the driving privileges conferred under this by-law shall, for all purposes of the by-law, be deemed suspended during any period in which such driver's licence is under suspension; and
 - (9) take due care of all property, delivered or entrusted to him for conveyance, and immediately upon his termination of any hiring engagement shall carefully search the vehicle for any property lost or left therein; and, all property or money left in the vehicle shall be forthwith delivered over to the person owning the property or money and if the owner of the property or money cannot at once be found, the driver shall deliver the property or money to the nearest police station with all the information in his possession regarding the property or money, and immediately notify his dispatcher of such property.

GENERAL PROHIBITIONS

7. (1) No person shall operate or permit to be operated as a limousine any vehicle which is not licensed pursuant to this by-law;
- (2) No person shall operate or permit to be operated as a limousine any vehicle which does not have affixed to it, in a manner approved by the Licence Issuer, a current valid number plate;
- (3) No person shall operate or permit to be operated as a limousine any vehicle in respect of which the Licence Issuer has required an examination or inspection be carried out, prior to such examination or inspection being passed to the satisfaction of the Licence Issuer;
- (4) No person shall fail to submit a vehicle for inspection or examination as required pursuant to this by-law;
- (5) No person shall operate a limousine or permit a limousine to be operated as a taxicab;
- (6) No person shall solicit or accept passengers without a pre-arranged contract of hire; and
- (7) No plate owner or driver shall operate or permit to be operated as a limousine any motor vehicle which is not in good mechanical condition.

VEHICLE MARKINGS AND CAPACITY

8. (1) No vehicle shall be permitted to carry a greater number of passengers than is set out in the manufacturer's seat capacity rating for such vehicle;

- (2) No luggage or object shall be placed in, hung on or attached to the vehicle in a manner that might obstruct the driver's view;
- (3) Every vehicle shall have one owner's plate affixed to the front of the vehicle, in a manner approved by the Licence Issuer;
- (4) No vehicle shall display a number plate issued by another municipal licencing authority;
- (5) No vehicle may be equipped with a two-way radio, fare meter, or roof sign; and
- (6) No vehicle shall display any advertising on the exterior of the vehicle, except the name of the limousine company may be affixed to the rear of the vehicle or the rear window in lettering not exceeding 2 inches, in a manner approved by the Licence Issuer.

VEHICLE MAINTENANCE

9. (1) Every plate owner and every driver shall only operate, or permit to be operated, a motor vehicle provided the requirements are met:
 - (a) the vehicle is equipped with a full size spare tire and hubcaps, wheel and jack which are ready for use;
 - (b) the vehicle meets the standards required for the issue of a Certificate of Mechanical Fitness; and
 - (c) the vehicle is clean, in good repair as to its interior and exterior, free from exterior body damage and with well maintained exterior paint finish, trim and wheel covers;

INSPECTIONS

10. Every plate owner shall submit annually for inspection as required by the Licence Issuer the vehicle for which the plate licence was issued.
11. At any reasonable time, a Licence Issuer may enter and inspect the business premises and the vehicle of any licensee to ensure compliance with the provisions of this Schedule.
12. Inspections shall be scheduled by the Licence Issuer and plate owners shall be notified at least seventy-two (72) hours in advance of such inspection.
13. Upon request of a Licence Issuer every licensee shall provide the Licence Issuer with access to any books of account, vouchers, correspondence or other business documents relevant to the business of the operation of the limousine.
14. (1) Plate owners shall produce the following documents at the time of inspection:
 - (a) a Certificate of Mechanical Fitness;
 - (b) the plate owner's licence;
 - (c) proof of liability insurance coverage in the form and amount set out in this Schedule; and
 - (d) a current valid passenger motor vehicle permit (ownership) for the motor vehicle being inspected, issued in the name of the plate owner by the Ministry of Transportation of (Ontario).
15. All propane and natural gas vehicles shall have annual inspections and shall have affixed to the windshield a valid sticker issued by a qualified propane or natural gas inspector.
16. Where the Licence Issuer believes a vehicle may be mechanically defective or unsafe, he may require the plate owner or driver to submit the vehicle for inspection by the licensing section, or for examination by a qualified mechanic, or he may remove the plate and require the owner or driver to submit his vehicle forthwith for examination by a mechanic.
17. Where the Licence Issuer requires a vehicle to be examined or inspected, pursuant to section 10(8) such vehicle shall not be operated as a limousine until it has passed such examination or inspection to the satisfaction of the Licence Issuer.
18. The Licence Issuer may require any vehicle to be re-examined by a mechanic of the Licence Issuer's choice.

19. Where the Licence Issuer has ordered an inspection of a vehicle and such vehicle is not produced for inspection, the Licence Issuer may, notwithstanding any other provision of this by-law, suspend the plate in respect of such vehicle.

APPROVAL OF NEW MOTOR VEHICLE

20. Every plate owner shall, prior to operating any vehicle previously unlicensed as a limousine:
 - (1) submit the vehicle for inspection and approval by the Licence Issuer;
 - (2) produce a current certificate of Mechanical Fitness with respect to the motor vehicle;
 - (3) file all documentation required pursuant to this by-law; and
 - (4) pay any fees prescribed.

RATES

21.
 - (1) Every plate owner shall file with the Licence Issuer annually, a copy of the rates to be charged for the use of the limousine;
 - (2) Every plate owner shall abide by the rates he has filed with the Licence Issuer;
 - (3) Any change in rates will not be effective until the Licence Issuer is notified; and
 - (4) No passenger shall be required to pay an amount for service that exceeds the amount set out in the rates filed by that limousine plate owner with the Licence Issuer.

INSURANCE

22. (1) Every limousine must at all times procure a policy of insurance endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or change in the amount of the policy, and insuring in respect of any one accident, to the limit of at least \$1,000,000 exclusive of interest and costs against loss or damage resulting from bodily injury to or death of one or more persons and loss of or damage to property; and the said policy shall make provision for passenger hazard including the carrying of passengers for compensation or hire in the business of or for the use of a driving school in an amount not less than the foregoing. A certified copy or certificate of such policy shall be deposited with the Licence Issuer; and
- (2) Upon cancellation or expiration of an insurance policy which has been filed pursuant to this Schedule, the plate owner's licence in respect of which the policy is filed shall be suspended and shall not be reinstated until such time as coverage as required by this Schedule is reinstated and proof thereof is filed with the Licence Issuer.

SCHEDULE 24 to BY-LAW

A By-law to provide for licensing, regulating and governing taxicabs and taxicab brokers, owners and drivers

GENERAL ADMINISTRATIVE PROVISIONS AND LICENSING REQUIREMENTS

DEFINITIONS

1. In this Schedule:

"accessible driver" means a driver of an accessible taxicab;

"accessible owner" means an owner of an accessible taxicab plate;

"accessible taxicab" means an accessible vehicle which is licensed as a taxicab used for the transportation of passengers and/or goods for hire or reward;

"accessible taxicab plate" means a metal number plate issued to a person licensed as a plate owner with respect to an accessible vehicle;

"accessible vehicle" means a vehicle originally constructed or subsequently modified to permit the loading, transportation and off-loading without transfer of persons confined to a wheelchair or other similar device used to assist the disabled, and which vehicles comply with Ontario Regulation 167/81 as amended, and Canadian Standards Association's Standard D409-M84;

"broker" means any person who carries on the business of accepting calls in any manner and of dispatching taxicabs in any manner;

"broker's licence" means the licence issued to a broker pursuant to this by-law;

"commercial passenger vehicle" means a motor vehicle used in the transportation for hire or reward of goods and passengers;

"disabled" means a person who is unable because of a mobility impairment to use a regular public transit facility;

"disabled passenger" means a passenger who is disabled;

"dispatch" means the communication of an order or information in any manner between a taxicab broker and a taxicab driver;

"dues" means any amount charged by a taxicab broker to a taxicab plate owner or to the lessee of a taxicab to receive orders from the taxicab broker;

"fare" means the amount displayed on the taxicab meter at the conclusion of a trip, or the flat rate allowed pursuant to this by-law for the trip, together with any additional charges allowed pursuant to this by-law;

"fleet" means more than one taxicab owned by the same person;

"fleet manager" means a person who actively manages on a daily basis ten or more taxicabs on his own behalf or on behalf of a plate owner;

"fleet owner" means a person who owns more than one taxicab;

"fleet owner's licence" means the licence issued to a fleet owner pursuant to this by-law;

"lease" means an agreement between a plate owner and another under which the plate owner provides his owner's plate to be used by that other person for a defined period of time to operate a vehicle as a taxicab;

"lessee" means a person who has entered into an agreement with a plate owner for the lease of the owner's plate to be used to operate a vehicle as a taxicab;

"meter" means a measuring device used in a taxicab to calculate the fare payable for the trip;

"plate owner" means a person who owns a plate pursuant to this by-law, either through issue, renewal or transfer;

"plate owner's licence" means the licence issued to a plate owner pursuant to this by-law;

"priority list" means a list of applicants for a plate owner's licence which is maintained by the licensing section, recording in chronological order by date of application;

"tariff card" means a card, issued by the City of Brampton showing the rates as approved by Council;

"taxicab" means a vehicle having four (4) doors, a meter, and seating capacity for not less than three (3) passengers, which vehicle is licensed to be used for the transport of goods and passengers for hire or reward;

"taxicab stand" means any area designated to be used by a taxicab while waiting for or picking up goods or passengers;

"transfer" means an arrangement between a plate owner and another, whereby the plate owner permanently assigns all interest in the plate to the other;

"trip" means the distance and time traveled or the distance and time to be traveled, measured from the time and point at which the passenger first enters the taxicab to the point at which the passenger finally leaves the taxicab;

"trip record" means a daily written record of the details of each trip;

"vehicle owner" means a person who is registered with the Registrar of Motor Vehicles for the Province of Ontario as the owner of a motor vehicle;

DRIVER'S LICENCE REQUIREMENTS

2. No person may be licensed as a driver pursuant to this by-law unless he is either a Canadian citizen, a permanent resident, or has a valid employment authorization issued by the Government of Canada to work as a driver, and has a working knowledge of English.
3. No person shall be licensed as a driver pursuant to this by-law unless he holds a current, valid driver's licence issued under the Highway Traffic Act.
4. No corporation may be licensed as a driver pursuant to this by-law.
5. Prior to being licensed as a driver, every applicant for a driver's licence shall:
 - (1) complete and personally deliver to the licensing section in the form provided by the licensing section an application accompanied by the appropriate fee;
 - (2) have his photograph taken by the licensing section;
 - (3) successfully complete a test, scoring a minimum of 70% on first testing, or 90% on any subsequent testing, allowing a minimum of 90 days between test dates, which test shall be set by the Licence Issuer and shall deal with the requirements of this by-law and the geography of the city (such as the location of hospitals, transit terminals, etc.) Anybody found attempting to cheat on their test will not be allowed to rewrite the test for a period of three (3) years;
 - (4) complete the "Police/Criminal Record Data Request Form", as provided by the licensing section;
 - (5) provide a letter of promise of employment from the plate owner, broker or lessee for whom he proposes to drive; and
 - (6) submit, if requested, a certificate prepared by a medical doctor indicating that the applicant is physically fit and able to operate a motor vehicle.

PLATE OWNER'S LICENCE REQUIREMENTS

6. Prior to being licensed as a plate owner, every applicant for a plate owner's licence shall:
 - (1) complete and submit an application in the form provided by the licensing section, along with the appropriate fee;
 - (2) hold a current, valid driver's licence issued pursuant to this by-law;
 - (3) hold a current passenger motor vehicle permit, which is in good standing, issued in the name of the applicant by the Ministry of Transportation and Communication, for the vehicle of which he is the owner;
 - (4) submit for inspection and approval by the licensing section the vehicle for which the plate will be issued or transferred as the case may be; and

- (5) every person to whom this Schedule relates shall, for each place, premises or contrivance for which he holds a licence procure a policy of insurance and endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or variation in the amount of the policy, and insuring in at least the following amounts:

In the case of bodily injury or death, to a limit of at least \$1,000,000.00 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$1,000,000.00. A certified copy of the policy or a certificate satisfactory to the Licence Issuer, issued in regard thereto, shall be deposited with the Licence Issuer.

SPECIAL REQUIREMENTS REGARDING ACCESSIBLE VEHICLES

7. Every applicant for an accessible driver's licence shall:
- a) be licensed under this by-law as a driver;
 - b) submit to the licensing section a certificate indicating successful completion of the Transhelp program provided by the Regional Municipality of Peel or proof satisfactory to the Licence Issuer of successful completion of any other comparable program as approved from time to time by Council; and
 - c) produce to the Licence Issuer his driver's licence for endorsement as a licensed accessible driver by the Licence Issuer.
8. Every driver of an accessible taxicab shall securely fasten all wheelchairs so that they are prevented from moving when in motion.
9. No vehicle may be operated as an accessible taxicab unless it has approved wheelchair tie downs and complies with Ontario Regulation 167/81, as amended, and Canadian Standards Association's Standard D409-M84.
10. Every broker shall:
- (1) when dispatching to accessible taxicabs, keep accurate records of the number of trips each such vehicle has made for disabled and non-disabled passengers which shall be available for inspection by the Licence Issuer on a monthly basis;
 - (2) where service requested is of a type which would require an accessible taxicab and the broker is unable to provide such service, direct the person requesting such service to a brokerage which can provide such service; and
 - (3) Where the brokerage provides accessible taxicabs and such service is requested by a disabled person, provide priority service for such request.
11. An accessible taxicab plate priority list shall be established and maintained by the Licence Issuer.
12. The number of accessible taxicab plates to be issued at any time shall be as determined by Council from time to time.
13. Accessible taxicab plates shall not be transferred in any manner.
14. Every accessible taxicab plate owner shall ensure that run sheets are maintained in the format prescribed by the Licence Issuer, and such run sheets shall be provided to the Licence Issuer for inspection when requested.
15. The Licence Issuer may recall an accessible taxicab plate which is not utilized for a period of three consecutive months.
16. Every accessible taxicab vehicle, driver, plate owner and lessee is subject to the general provisions of this by-law unless these conflict with the specific provisions of the 'Accessible Vehicle' sections, in which case the specific provisions shall prevail.

CORPORATE APPLICANTS AND LICENSEES

17. Every corporate applicant shall file a copy of the incorporating documents, along with any amending documents, and the most recent annual filing, if any.
18. Every corporate licensee shall maintain a business office in the City of Brampton.
19. Every corporate licensee shall file written notice of any change in corporate structure or control within 3 days of such change.

20. No corporation may hold a broker's licence or plate owner's licence unless a licensed driver controls at least fifty-one percent (51%) of the voting rights attached to the shares of such corporation.

NUMBER OF PLATES

21. (1) No more than 10 accessible taxicab plates shall be issued.

RENEWAL

22. On an application for renewal of a licence there shall be returned with the application the licence issued for the period immediately preceding the period for which the licence renewal is sought, along with any owner's plate.
23. Every application for renewal of a licence shall be delivered to the licensing section fourteen (14) days prior to the expiry date of the licence as set out in section 27.
24. A licensed driver may make application for renewal of his licence by completing and mailing to the Licence Issuer by prepaid regular mail a renewal application, along with the appropriate fee.
25. Notwithstanding that a licence has been renewed, the Licence Issuer may require that the licensee file such certificates or other documentary evidence as the Licence Issuer may deem necessary to establish that the licensee continues to meet the requirements of this by-law.
26. Every licence issued or renewed pursuant to this by-law shall contain the expiry date and the licence number.
27. Every licence issued under this by-law shall be valid for a period not exceeding one year, and every licence shall expire each May 31st unless renewed in accordance with the provisions of this by-law.

TRANSFER

28. No plate shall be transferred except with the written consent of the Licence Issuer.
29. Every plate owner who transfers his plate shall:
- (1) complete and file a declaration, in the form provided by the licensing section;
 - (2) provide to the licensing section a fully executed copy of the complete transfer agreement with respect to the plate being transferred; and
 - (3) return to the licensing section the owner's licence and plate which are being transferred.
30. No plate may be transferred to any person who does not meet all other relevant requirements of this by-law.

CANCELLATION OF A LICENCE

31. (1) A licence issued to a plate owner, a fleet owner or a broker under this by-law may be canceled by Council at any time, if the plate owner, fleet owner or broker fails to actively operate the motor vehicle or carry on the brokerage business for which the licence has been issued for a continuous period of sixty (60) days, unless just cause for such failure can be shown to the satisfaction of Council; and
- (2) Any licence issued under this by-law may be canceled by Council at any time upon the request in writing by the licensee.

TARIFF CARD AND PLATES

32. (1) The licensing section shall provide every plate owner or lessee with a tariff card;
- (2) Lost, destroyed or defaced tariff cards or number plates, may be replaced by the Licence Issuer upon the original tariff card or plate being accounted for and, in the case of a plate, upon payment of the cost of a replacement plate; and
- (3) No person shall use a plate for which a replacement has been issued.
33. A plate owner, a taxicab broker or fleet owner licensed under this by-law shall carry on business in the City of Brampton only in the name for which the licence is issued.

PROHIBITIONS

34. No person shall operate or permit to be operated as a taxicab any vehicle in respect of which the Licence Issuer has required an examination or inspection be carried out, prior to such examination or inspection being passed to the satisfaction of the Licence Issuer.
35. No person shall fail to submit a vehicle for inspection or examination as required pursuant to this by-law.
36. No person shall obstruct the Licence Issuer, whether directly or indirectly. No person shall withhold, destroy, conceal or refuse to furnish any information, books, papers, documents or things relevant to the subject matter of the inspection.

DRIVER'S DUTIES - GENERAL

37. Every driver shall:
 - (1) each day before commencing the operation of a motor vehicle, examine the motor vehicle for mechanical defects or interior or exterior damage to the vehicle, and report forthwith any defects found, to the owner of the vehicle or the broker;
 - (2) each day upon completion of the operation of a motor vehicle, return the vehicle to his employer and examine the motor vehicle as provided in subsection (a) and report all defects in the motor vehicle and all accidents to the owner of the vehicle or the broker;
 - (3) carry the licence issued under this by-law and the driver's licence issued under the Highway Traffic Act R.S.O. 1980, Chapter 198 as amended, with him at all times when operating a licensed vehicle;
 - (4) produce for inspection upon request of the Licence Issuer any documentation required under this by-law;
 - (5) maintain good grooming, and proper hygiene;
 - (6) behave courteously;
 - (7) refrain from smoking while driving any passenger or passengers except when expressly permitted to do so by all passengers;
 - (8) provide passengers with a receipt on an authorized form, showing the driver's name, licence number and an identifying number for the motor vehicle, whenever requested or whenever there is a dispute over the fare;
 - (9) display his driver's photograph card in the holder provided; and
 - (10) file with the Licensing Section any lease agreement entered into with respect to any plate.
38. No driver licensed under this by-law shall:
 - (1) carry in any motor vehicle licensed under this by-law, a greater number of passengers than is set out in the manufacturer's rating of seating capacity for such motor vehicle;
 - (2) drive a motor vehicle with luggage or any object placed in, hung on, or attached to the motor vehicle in such manner as will obstruct the driver's view of the highway;
 - (3) drive a vehicle which does not have an owner's plate affixed at a location on the motor vehicle in an area approved by the Licence Inspector;
 - (4) take, consume or have in his possession any alcohol, drugs or intoxicants while his in charge of a motor vehicle for which he is licensed as a driver under this by-law;
 - (5) take on any additional passenger(s) except:
 - (a) at the request of the passengers already in the vehicle;
 - (b) in an emergency situation where subsequent approval has been given by an inspector; or
 - (c) when operating a motor vehicle which is being used exclusively for the transportation of children to and from school.
 - (6) recommend hotels or restaurants or other like similar establishments unless requested to do so by the passenger;

- (7) while a taxicab is being used for the transportation of children to or from school, not more than five (5) children shall be at any one time carried in a standard five-passenger taxicab and not more than seven (7) children shall be carried at any one time in a standard seven-passenger taxicab; and
- (8) when a passenger enters a motor vehicle and gives the driver the destination, the driver shall take the shortest possible route to the destination desired, unless the passenger designates otherwise.

ONTARIO DRIVER'S LICENCE SUSPENDED

39. Every driver shall have, and maintain in good standing at all times a driver's licence issued by the Province of Ontario, and the driving privileges conferred under this by-law shall, for all purposes of the by-law, be deemed suspended during any period in which such driver's licence is under suspension.

REPHOTOGRAPHING OF DRIVERS

40. If at any time the driver's photograph required on the is not a reasonable likeness of the driver because of physical changes, passage of time, or poor quality photography the Licence Issuer may require the driver to have another photograph taken.

RETURNING OF LOST PROPERTY

41. Every driver shall take due care of all property, delivered or entrusted to him for conveyance, and immediately upon his termination of any hiring engagement shall carefully search the vehicle for any property lost or left therein; and, all property or money left in the vehicle shall be forthwith delivered over to the person owning the property or money and if the owner of the property or money cannot at once be found, the driver shall deliver the property or money to the nearest police station with all the information in his possession regarding the property or money, and immediately notify his dispatcher of such property.

DRIVER CONDUCT

42. Every driver shall:
- (1) if he wants to enter a taxicab stand with his taxicab, do so by taking his position at the end of any line formed by taxicabs already in the stand;
 - (2) if he is not the first taxi in line at the stand, he must refuse the fare and direct the passenger to the first taxi in line;
 - (3) while waiting in the taxicab at a taxicab stand or at any public place not obstruct or interfere in any way with the normal use of the taxicab stand or the public place or interfere with the surrounding traffic patterns;
 - (4) not make any loud noise or disturbance while waiting in a taxicab at a taxicab stand or in a public place;
 - (5) while waiting at a taxicab stand or public place be sufficiently close to his taxicab to have it under constant observation;
 - (6) while waiting with a taxicab at a taxicab stand or public place, not wash the taxicab;
 - (7) while waiting with a taxicab at a taxicab stand or public place, not make repairs to the taxicab unless such repairs are immediately necessary;
 - (8) not push or bump any other taxicab at the taxicab stand;
 - (9) when a vacancy occurs any driver waiting at the taxicab stand must fill the vacancy by advancing his taxicab;
 - (10) not pick up any passenger within 200 metres of a taxicab stand when there is one or more taxicabs upon the stand, except, where an arrangement has been previously made with the passenger to pick him up at that location;
 - (11) serve the first person requiring the service of his taxicab, any place within the City, at any time provided such person is not disorderly or does not refuse to give his destination; and
 - (12) punctually keep all of his appointments, and shall not make any appointments if a previous engagement would prevent him from fulfilling it; provided however, that he shall not be compelled to accept any order from a person who owes him for a previous fare or service.

VEHICLE MARKINGS

43. (1) When a driver uses a taxicab for transportation of passengers not for gain or reward, the driver must comply with the following regulations:
- (a) remove the roof light from the taxicab; and/or
 - (b) put the meter in a non-recording mode.
- (2) No plate owner or lessee shall display on any motor vehicle licensed under this by-law, any metal vehicle number plate, or permit issued by any other municipal licensing authority;
- (3) No plate owner or lessee shall operate or permit to be operated as a taxicab any motor vehicle without an owner's plate affixed thereto;
- (4) No plate owner or lessee shall operate or permit to be operated as a taxicab any motor vehicle which is not in good mechanical condition;
- (5) No plate owner or lessee shall enter into a lease agreement with respect to the plate unless a copy of such lease agreement is filed with the Licensing Section forthwith;
- (6) Every driver shall, in an area approved by the Licence Issuer, display in a holder supplied by the licensing section a current tariff card indicating the identifying number of the vehicle, a photo card and appropriate signage required under the Smoke Free By-law, as amended;
- (7) Every plate owner and lessee shall securely affix the owner's plate at a location on the motor vehicle in an area approved by the Licence Issuer;
- (8) Keep at all times the original or a photocopy of the current plate owner's licence in the motor vehicle to which it pertains;
- (9) There shall be affixed, in a location approved by the Licence Issuer an indicator light and roof sign, which both operate in conjunction with a meter. There shall be displayed inside the vehicle a current tariff card and driver's photo;
- (10) There shall be a 'no smoking' sign displayed inside the vehicle in accordance with the Smoke Free By-law, as amended;
- (11) No roof sign shall be used on a taxicab unless approved by the Licence Issuer;
- (12) There shall be no display of any emblem, decal, advertisement or other markings on or in the taxicab which has not been approved as to form and location by the Licence Issuer;
- (13) If affiliated with a broker, the broker's name and/or phone number shall be on the roof sign; if not affiliated with a broker the roof sign must indicate in a manner approved by the Licence Issuer that the vehicle is a taxicab;
- (14) The plate shall be securely affixed to the vehicle with rivets or at least four (4) bolts, inserted through the plate into the body of the vehicle each bolt being held by a nut, and such plate shall be affixed in a position approved by the licensing section; and
- (15) The plate number shall be affixed to the front fender in a location and manner approved by the Licensing Section. The numbers shall be six (6) inches in height, either black or white in color in contrast to the vehicle colour, and of materials approved by the licensing section.

METERS AND FARES

44. (1) Every owner shall have affixed to each cab in respect of which such owner is licensed, a meter which shall register distances traveled, record trips and units, and compute fares to be paid;
- (2) Each meter shall be:
- (a) submitted for the testing, inspection and sealing by the Licence Issuer at such times as required by the licensing section;
 - (b) when the Licence Issuer is not available to seal the taxicab meter, the owner or driver who has had the meter altered, repaired or replaced in the taxicab may operate the taxicab on weekends for a period up to 72 hours and, for a period up to 48 hours during the week, provided that the driver has in his possession a certificate or receipt for the repair or installation of the meter signed by the person who made the repairs or installation, and setting out the date, time and nature of the repair or installation;
 - (c) illuminated between sunset and sunrise;

- (d) in a raised position in plain view of the passengers and approved by the Licence Issuer;
- (e) adjusted in accordance with the rates prescribed by Tariff, Appendix B;
- (f) tested by running the taxicab to which it is attached over a measured track or distance before being sealed, or by such mechanical means as the Licence Issuer may approve;
- (g) used only when the seal thereon is intact;
- (h) kept in good working condition at all times and not used when defective in any way;
- (i) numbered, and, subject to the provisions of the by-law, shall be of a make and model approved by the Licence Issuer; and
- (j) equipped with a luminous yellow or illuminated metal plate or flag attached to the top thereof; or a light on the top thereof clearly visible from any direction outside the cab;

which plate, flag or light shall be approved by the Licence Issuer or his designate.

- (3) Every driver shall immediately engage the meter when a passenger first enters the taxicab, which meter shall remain engaged throughout the trip;
- (4) When the trip is prearranged and the driver has notified the passenger that the taxicab is available and the driver has waited a reasonable time after notifying the passenger, the meter may be engaged by the driver and shall remain engaged through the trip until cancellation;
- (5) At the conclusion of a trip, the driver shall place the meter in a "hold" position and bring the passenger's attention to the amount of the fare registered on the meter in a non-recording position;
- (6) The driver shall only charge the fare shown on the meter, together with any additional charges authorized by Appendix B, and when the meter has not been engaged there shall be no charge for the trip;
- (7) Notwithstanding the provision of subsection (1) every driver of a taxicab licensed under this by-law may, if the destination of a trip extends beyond the boundaries of the City, agree before the trip with the passenger to a flat rate, but where the driver so agrees the meter must be engaged while the taxicab is within the City of Brampton;
- (8) When a dispute arises between a passenger and a taxicab driver about the fare, the driver may refer the dispute to the nearest police officer for arbitration;
- (9) No vehicle may be operated as a taxicab while the meter is unsealed;
- (10) The tariff or Schedule of rates filed under this by-law shall be computed from the time and place the passenger first enters the taxicab to the time and place the passenger finally discharges the taxicab.
- (11) The meter shall be adjusted in accordance with any additional charges authorized under Appendix B;
- (12) Only the fare shown on the meter shall be charged, together with any additional charges authorized under Appendix B;
- (13) The meter shall be maintained in the position approved by the Licence Issuer so that it is clearly visible to the passengers in the rear seat of the taxicab;
- (14) The meter shall be used only when the seal is intact;
- (15) The meter shall not be used without retesting and resealing on an annual basis, or as otherwise required by the Licence Issuer;
- (16) The meter shall be kept in good working condition at all times;
- (17) The meter light shall be illuminated from dusk to dawn so that the charge is clearly visible to passengers;
- (18) The meter shall not be used when it is defective in any way;
- (19) No plate owner, lessee or driver shall:

- (a) induce any person to engage his taxicab by any misleading or deceiving statement or representation about the location or distance to any destination;
- (b) publish or use any tariff other than the tariff which has been authorized by this by-law;
- (c) recover or receive any fare or charge from any passenger or persons who has demanded their services which is greater or lesser than the fare or charge authorized by this by-law;
- (d) recover or receive any fare or charge from any person to whom he has refused to show the tariff card or Schedule of rates as filed with the City;
- (e) make any charge under this by-law for time lost through defects or inefficiency of the motor vehicle or the incompetence of the driver; or
- (f) make any charge for the time elapsed due to early arrival of the vehicle in response to a call for vehicle to arrive at a fixed time.

PLATE OWNER'S PRIORITY LIST

45. PLACEMENT ON THE PRIORITY LIST

- (1) Where a completed application along with the appropriate fee for a plate owner's licence is received by the Licensing Section, which meets all the requirements of this by-law, but where a licence cannot be issued because of the limitation on the number of licenses set out in section 24(a), the applicant's name shall be placed on the priority list by the licence issuer for the issuance of owner's plates provided the following requirements are met:
 - (a) the applicant has been licensed as a driver for at least 24 months prior to the date that the application for the plate owner's licence is filed with the licensing section; and
 - (b) the applicant has been driving a taxicab in the City of Brampton for an average of at least 35 hours a week for 44 weeks of the 12 month period immediately preceding the date the application is filed with the licensing section, and has filed supporting documentation to that effect to the satisfaction of the Licence Issuer.
- (2) Any person who transfers an owner's plate shall be ineligible for placement on the priority list for a period of 5 years following the date of such transfer;
- (3) Any person, whose name is on the priority list, who transfers an owner's plate, shall be removed from the priority list and shall be ineligible for replacement on the priority list for a period of 5 years following the date of such transfer, and
- (4) For the purposes of this section, person shall include any person who is an owner, director, officer, shareholder or partner in any firm, partnership or corporation which is a plate owner.

STAYING ON THE PRIORITY LIST

- 46. (1) Every person whose name has been placed on the priority list shall, on or before the 31st day of May in every year after his name has been so placed, file with the Licence Issuer;
 - (a) a statement in writing signed by every person by whom the applicant was employed or to whom the applicant provided service as a taxicab driver, indicating the period during which he worked for or provided such services to each such person;
 - (b) a copy of the applicant's Income Tax Return for the preceding year in the form in which it was submitted to the Federal Government; and
 - (c) and pay the appropriate fee.
- (2) When a name is placed on the priority list pursuant to this by-law, it shall remain on the list so long as the applicant continues to meet the requirements for placement on the list provided he files, annually, satisfactory documentation in this regard;
- (3) Where an applicant whose name has been placed on the priority list, is unable to continue to drive a taxicab on account of illness, injury or other medical reasons, his name may nevertheless remain on the list provided:
 - (a) he files a doctor's certificate establishing that throughout the period during which he did not drive a taxicab, he was physically unable for medical reasons to drive a taxicab; and
 - (b) such period of time does not exceed two years.

- (4) Where an applicant's name has been on the priority list for four years his name may remain on the list while the applicant attends, on a full time basis, an Ontario Educational Institution which is recognized by Council, provided such attendance does not exceed 24 months and provided the applicant files proof of enrollment in such institution; and
- (5) The provision of subsections (c) and (d) only apply if the applicant gives written notification to the Licence Issuer of his intention to rely on the subsections.

INSPECTION OF PRIORITY LIST

47. The priority list shall be available for inspection during business hours, at the office of the Licensing Section.

PRIORITY LIST ESTABLISHED UNDER BY-LAW 77-74, AS AMENDED

48. (1) Notwithstanding the provisions of this section the priority list established under By-law 77-74, as amended, shall continue under this by-law 15-91 for a period of one year from the date of enactment of that by-law;
 - (2) (a) When a name has been placed on the priority list established under By-law 77-74 but the person has not met the requirements of this By-law for eligibility, the Licence Issuer shall within one year from the date of enactment of this by-law remove the name, and
 - (b) When an applicant fails to renew his licence in accordance with the provisions of this by-law, the Licence Issuer shall recommend to the Council that the applicant's name be removed from the priority list and the applicant may require a hearing on the recommendation before the By-law Committee.

ISSUANCE OF PLATE FROM PRIORITY LIST

49. (1) Plates shall be issued in accordance with the following formula:

If the 1996 Statistics Canada census indicates that the population of Brampton for 1996 is less than 269,000 then new plates shall be issued at a ratio of one plate per 1800 additional residents in excess of the actual 1996 population as indicated in that census;

If the 1996 Statistics Canada census indicates that the population of Brampton for 1996 is 269,000 or greater, new plates shall be issued at a ratio of one plate per 2100 additional residents in excess of the actual 1996 population as indicated in that census.
- (2) Notwithstanding subsection (1), no new plates shall be issued in 1996;
- (3) Notwithstanding the foregoing, no more than 5 plates shall be issued per calendar year.
- (4) Whenever a plate is to be issued, it shall be issued to the person whose name appears first chronologically on the priority list;
- (5) Whenever Council intends to issue a plate from the priority list, it shall first publish notice of its intention to issue and shall publish the names of the persons shown to be entitled to the issuance of the plate according to the priority list;
- (6) The notice shall be published once, in a newspaper of general circulation in the City of Brampton; and
- (7) Where a plate is issued to an applicant whose name is on the priority list, the name of that applicant shall be removed from the list by the Licence Issuer.

OBJECTION

50. (1) The notice referred to above shall state that any person objecting to the issuance must file his objection within 10 days following the date of publication of the notice;
- (2) Objections will be heard by the By-law Committee at the next meeting following the expiry of the time for objections; and
- (3) The person objecting to the issuance of the licence shall be the appellant on the hearing, and shall have the onus of proof before the By-law Committee.

HEARING

51. Where an applicant fails to continue to meet the requirements of this by-law, the Licence Issuer may recommend to Council that the applicant's name be removed from the priority list and the applicant shall be notified in writing of the recommendation at his last known address and the applicant may request a hearing on the recommendation before the By-law Committee and the provisions of this by-law respecting hearings shall apply to such a hearing.

VEHICLE MAINTENANCE

52. A plate owner, lessee or driver shall operate, or permit to be operated, a motor vehicle only if the following requirements are met:
- (1) the vehicle is equipped with an extra tire, wheel and jack which are ready for use;
 - (2) the vehicle meets the standards required for the issue of a Certificate of Mechanical Fitness;
 - (3) the vehicle is clean, in good repair as to its interior and exterior, free from exterior body damage and with well maintained exterior paint finish, trim and wheel covers;
 - (4) at any reasonable time, a Licence Issuer may enter and inspect the business premises and the vehicle of any licensee to ensure compliance with the provisions of this by-law;
 - (5) every driver, plate owner or lessee shall on request of the Licence Issuer produce his licence and any other documentation requested;
 - (6) upon request of a Licence Issuer every licensee shall provide the Licence Issuer with access to any books of account, vouchers, correspondence or other business documents relevant to the business of the operation of the taxicab;
 - (7) every plate owner or lessee shall submit annually for inspection by the Licence Issuer the vehicle for which the plate licence was issued;
 - (8) inspections shall be Scheduled by the licensing section; plate owners and lessees shall be notified of Scheduled inspections by written notice;
 - (9) when the taxicab is submitted for annual inspection the meter may be tested by the Licence Issuer;
 - (10) plate owners and lessees shall produce the following documents at the time of inspection:
 - (a) a Certificate of Mechanical Fitness;
 - (b) the plate owner's licence or lease agreement;
 - (c) proof of liability insurance coverage in the form and amount set out in this by-law; and
 - (d) a current valid passenger motor vehicle permit for the motor vehicle being inspected, issued in the name of the plate owner or lessee by the Ministry of Transportation and Communication;
 - (11) all propane and natural gas vehicles operating as taxicabs shall have annual inspections and shall have affixed to the a valid windshield sticker issued by a qualified propane or natural gas inspector;
 - (12) failure to submit a vehicle for inspection as required shall result in the owner's plate being suspended by the Licence Issuer until such time as the vehicle has been inspected and approved by the Licence Issuer;
 - (13) the Licence Issuer may require any licensee to submit any licensed vehicle for inspection at any time;
 - (14) where the Licence Issuer believes a licensed vehicle may be mechanically defective or unsafe, he may require the owner or driver to submit the vehicle for inspection by the licensing section, or for examination by a qualified mechanic, or he may remove the plate and require the owner or driver to submit his vehicle forthwith for examination by a mechanic;
 - (15) where the Licence Issuer requires a vehicle to be examined or inspected, such vehicle shall not be operated as a taxicab until it has passed such examination or inspection to the satisfaction of the Licence Issuer;
 - (16) the Licence Issuer may require any vehicle to be re-examined by a mechanic of the Licence Issuer's choice;

- (17) where the Licence Issuer has ordered an inspection of a vehicle and such vehicle is not produced for inspection, the Licence Issuer may, notwithstanding any other provision of this by-law, suspend the plate in respect of such vehicle;
- (18) no vehicle shall be licensed under this by-law as a taxicab unless the model year of the vehicle is not older than 5 years, calculated from the date of manufacture;
- (19) a plate owner may on written request to the licensing section, and on payment of the prescribed fee, obtain an extension of up to one (1) year on the model year as set out in this by-law, subject to semi-annual inspections;
- (20) no vehicle may be operated as a taxicab while the meter is unsealed;
- (21) no vehicle may be operated as a taxicab unless it is equipped with hubcaps and a spare tire;
- (22) no plate owner or lessee shall operate or permit to be operated as a taxicab any motor vehicle which is not in good mechanical condition; and
- (23) no vehicle may be operated as a taxicab while a fender is missing.

TRIP RECORD

53. (1) Every driver shall keep a trip record and this trip record shall include the following:
 - (a) the Ontario Motor Vehicle Permit number of the motor vehicle used;
 - (b) the name, address and identification number of the driver;
 - (c) the date, time and location of the beginning and end of each trip;
 - (d) the amount of the fare collected for each trip; and
 - (e) the meter readings at the start and finish of each work shift.
- (2) Every driver shall turn over a copy of all trip records pertaining to his workshift and shall turn over all fares collected, less the amount of commission or other payment as was previously agreed upon between the driver and the owner, to the owner, broker or their designate;
- (3) A driver shall not obstruct traffic while writing up the trip record and each trip shall be completely recorded prior to the commencement of the next following trip; and
- (4) Every plate owner and lessee shall retain for a period of at least 3 years, all trip records for all motor vehicles owned by him, for which he has a licence under this by-law; and, the plate owner, lessee shall make these records available for inspection by the Licence Issuer.

GENERAL PROVISIONS

54. (1) Keep at all times the original or a photocopy of the current plate owner's licence in the motor vehicle to which it pertains;
- (2) Employ or use only the services of drivers licensed under this by-law;
- (3) Give to each of his drivers at the expiry of the driver's work shift, a receipt for the total of all the fares collected and given to him by the driver; and
- (4) Repair immediately any mechanical defect in his motor vehicle reported to him by a driver.

Any violation of the provisions of this section shall result in the revocation of the owner's licence.

ORDER BY AN INSPECTOR

55. Where an inspector finds that any provision of this by-law is being contravened, he may give to the person whom he believes to be the contravenor an order in writing directing compliance with such provision and may require the order to be carried out forthwith or within such time as he specifies.

INSURANCE

56. Upon cancellation of an insurance policy which has been filed pursuant to section 9(e), the plate owner's licence in respect of which the policy is filed shall be suspended. The plate owner's licence shall not be reinstated until such time as the provision of section 9(e) are complied with.

APPROVAL OF NEW MOTOR VEHICLE

57. (1) Every plate owner or lessee shall, prior to operating as a taxicab any vehicle previously unlicensed pursuant to this by-law:
- (a) submit the vehicle for inspection and approval by the licensing section;
 - (b) produce a current certificate of Mechanical Fitness with respect to the motor vehicle;
 - (c) file with the licensing section any documents required pursuant to this by-law, including any declaration regarding transfer of plates; and
 - (d) pay any fees prescribed.

DESIGNATED AGENT, MANAGER

58. (1) A plate owner may designate a person who is a driver, plate owner or broker as his agent in respect of his plate;
- (2) A notice of designated agent shall include:
- (a) the full name of the plate owner;
 - (b) the number of the licence and plate(s) for the taxicab to which such designation relates;
 - (c) the term for which the person designated therein is granted authority by the owner in respect of the taxicab; and
 - (d) the terms of the agency agreement, including any consideration paid therefor.
- (3) If the authority of an agent designated under this section terminates before the end of the term set out in the notice, the plate owner shall forthwith file a written notice thereof with the licensing section, and for the purposes of this by-law, the obligations and requirements applicable to such authorized agent shall cease upon the filing of such notice;
- (4) No person shall act as an agent for a plate owner in respect of a taxicab except as permitted by this section;
- (5) The designation of an agent by a plate owner pursuant to this section shall not be deemed to be a lease for the purposes of this by-law unless the agent operates the taxicab, in which case the provisions of section 81 shall apply;
- (6) The taxicab shall not be operated or permitted to be operated through a taxicab broker who is not licensed under this by-law; and
- (7) The original or a photocopy of the current plate owner's licence shall be kept in the vehicle at all times.

LEASE OF PLATE

59. (1) Every plate owner who leases his plate shall file forthwith with the Licence Issuer a copy of the lease agreement by which the plate is leased, and shall pay any fee required by Appendix A;
- (2) Every plate owner who leases his plate is responsible for ensuring that the Licence Issuer is informed of any change in the status of the lease;
- (3) Every plate owner who leases his plate shall ensure that the lease agreement requires the lessee to comply with the provisions of this by-law, and every lease agreement is deemed to contain a provision to this effect;
- (4) Every lessee must meet all requirements of this by-law pertaining to plate owners, and must provide the Licence Issuer with any documents required by this by-law; and
- (5) No plate owner or lessee shall enter into a lease agreement with respect to the plate unless a copy of such lease agreement is filed with the Licensing Section forthwith.

DISPOSAL OF TAXICAB

60. (1) Where the plate owner or lessee ceases to operate a motor vehicle as a taxicab he shall immediately remove from such motor vehicle:
- (a) the roof light;

- (b) the meter;
 - (c) all identifying decals or markings;
 - (d) fender numbers; and
 - (e) any other markings which would identify the vehicle as a taxicab.
- (2) Where the plate owner of the lessee ceases to operate a motor vehicle as a taxicab he shall immediately notify the Licence Issuer.

PLATE OWNER OR LESSEE TERMINATION WITH BROKER

61. Where a plate owner or lessee ceases to operate through a broker he shall forthwith:
- (1) remove from his vehicle the broker roof light, telephone number, colour scheme and any decals or other broker markings; the radio crystals of the taxicab broker; and
 - (2) return all business cards and other equipment belonging to the broker.

BROKER'S REQUIREMENTS

62. Every taxicab broker shall:
- (1) maintain a permanent business office within the City of Brampton;
 - (2) keep his licence conspicuously posted on the premises and produce the licence for inspection upon request of the Licence Issuer;
 - (3) require all plate owner's, lessee's and driver's who have entered into arrangements with the broker for the provisions of brokerage services to use a design of roof sign approved by the Licence Issuer;
 - (4) provide the licensing section with a list of all current shareholders, officers and directors, where the broker is a corporation;
 - (5) provide the Licensing Section with a list of all owners to whom the broker dispatches or with whom the broker has entered into any arrangement for services. Such list shall include every motor vehicle to whom the broker dispatches and shall identify all vehicles plate number;
 - (6) notify the licensing section, in writing, within three (3) days of any additions to or deletions from the list provided under subsection (d);
 - (7) carry on the brokerage business 24 hours a day during the term of his licence, unless otherwise directed by Council;
 - (8) not accept calls for, or in any way dispatch or direct calls to taxicabs other than those whose owners are licensed under this by-law, unless otherwise approved by Council;
 - (9) not accept calls for, or in any way dispatch or direct calls to taxicabs where the activity would be an illegal or an unlawful act;
 - (10) supply the licensing section with a copy of the broker's Federal Radio Licence "call" sign and frequency number;
 - (11) serve customers in a "first come, first served" basis;
 - (12) inform customers of the approximate time of day where delay is anticipated before accepting the order; and
 - (13) dispatch only to drivers licensed under this by-law.
63. No broker shall be compelled to accept an order from a person who has not made payment for any previous trip.

TRANSITIONAL PROVISIONS

64. (1) All licences heretofore issued pursuant to By-law 15-91, as amended, shall, during the period for which the same have been issued, remain in full force and effect unless for some other reason the same are terminated, suspended, forfeited or revoked, and the repeal of By-laws 77-74 and 295-89 shall not effect any offence committed against the By-law 15-91 and, as

amended, nor any penalty incurred in respect thereof, nor any investigation, legal proceeding or remedy thereunder; and

- (2) Any penalty incurred, any investigation legal proceeding or remedy under By-law 15-91 may be continued or enforced as if the said By-law 15-91, as amended, had not been repealed.

SCHEDULE 25 TO BY-LAW

Relating to Adult Entertainment Parlours

1. For the purposes of this Schedule:
 - (1) "permitted area" means that area of the City which is zoned for industrial or commercial use, and where the use of land as an adult entertainment parlour has not been specifically prohibited;
 - (2) "to provide" when used in relation to services includes to furnish, perform, solicit, or give such services, and "providing" and "provision" have corresponding meanings;
 - (3) "services" includes activities, facilities, performances, exhibitions, viewings and encounters;
 - (4) "services designed to appeal to erotic or sexual appetites or inclinations" includes:
 - (a) services of which a principal feature or characteristic is the nudity or partial nudity of any person; and
 - (b) services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or picture, symbol or representation having like meaning or implication is used in any advertisement.
 - (5) "entertainer" means any person other than a licensed owner or operator who provides services designed to appeal to erotic or sexual appetites or inclinations at an adult entertainment parlour.
 - (6) "sexual contact" includes the kissing, fondling, and sucking of breasts or genitals, digital penetration, fellatio, cunnilingus, masturbation, ejaculation or intercourse.
2. No person shall operate an adult entertainment parlour unless it is licensed under this Schedule.
3. (1) No licence will be issued or renewed under this by-law unless:
 - (a) the adult entertainment parlour is located in a permitted area and is not located closer than 500 metres measured on a continuous path over the shortest distance from a dwelling unit or a residential zone; and
 - (b) the applicant is a holder of a licence under the Liquor Licence Act, as amended
- (2) The provisions of subsection (1)(a) do not apply to a person who was carrying on the business of an adult entertainment parlour on March 29, 1982; and
- (3) The provisions of subsection (1)(a) shall not apply so as to prevent the renewal of a licence when, subsequent to the valid issuance of a licence under this by-law, a dwelling unit has been located or a residential zone created within 500 metres of the adult entertainment parlour for which the licence was granted;
4. In addition to the provisions of By-law 68-89, as amended, being a by-law to regulate the use and erection of signs in the City of Brampton, no person shall:
 - (1) display, or cause to be erected or displayed, a sign or advertising device used for the purpose of promoting an adult entertainment parlour, where such sign or advertising conveys a message through the use of pictures, graphics or any means other than by the use of words;
 - (a) has any animation;
 - (b) has flashing lights; or
 - (c) is designed to revolve on an axis.
 - (2) for the purpose of this section, "animation" shall mean any motion of a display or part thereof whether by mechanical action or the flashing on and off of its lights; and
 - (3) where there is a conflict between the provisions of this Schedule and the provisions of By-law 68-89, as amended, passed by the Council of the City under authority of paragraph 141 of section 210 of the Municipal Act, or any predecessor thereto, the provisions of this Schedule shall apply.
5. No person licensed under this Schedule shall:
 - (1) permit any individual under the age of eighteen (18) years to enter or remain in the adult entertainment parlour for which the licence has been obtained, or any part thereof;

- (2) employ or otherwise use the services of individuals under the age of eighteen (18) years;
 - (3) operate an adult entertainment parlour except on Mondays to Saturdays inclusive, between the hours of 11:00 a.m. and 2:00 a.m. of the following day and on Sunday between the hours of 4:00 p.m. and 2:00 a.m. of the following day, and where "Daylight Saving Time" has been adopted in the City of Brampton for any period of the year under any statute, Order-in-Council, by-law, resolution or proclamation, whether the same is effective in law or not, such time shall be held to be the time referred to in this paragraph;
 - (4) notwithstanding the above, operate an adult entertainment parlour on Christmas Day, Good Friday or Easter Sunday;
 - (5) permit any person to loiter, create a disturbance or cause undue noise while on the licensed premises; and
 - (6) construct or equip or permit the construction or equipping of the premises containing an adult entertainment parlour in such a manner as to hinder or prevent the enforcement of this Schedule.
6. Every person licensed under this Schedule shall keep his premises in a clean and sanitary condition.
7. (1) No owner or operator shall, in respect to any adult entertainment parlour owned or operated by him, permit any entertainer to make any physical contact with the breasts, buttocks, genital or pubic areas of any other person or have sexual contact with any person.
- (2) No entertainer, while providing services as a dancer, shall allow any other person to touch, kiss, or make any physical contact with their breasts, buttocks, genital or public areas or have sexual contact with any person.
8. All services provided by an entertainer shall be provided within view of the main stage without obstruction by walls, curtains, or any other enclosure.
9. (1) Every person who owns or operates an adult entertainment parlour shall:
- (a) require an entertainer, prior to performing in the adult entertainment parlour, to complete in full a registration form in the form approved by the License Issuer;
 - (b) retain with the completed registration form a photocopy of the identification provided by the entertainer;
 - (c) upon request of a police officer or by-law enforcement officer, provide forthwith to the officer a valid, completed registration form for any and all entertainers, together with photocopies of the identification retained by the registration form;
 - (d) retain all completed registration forms and photocopies of identification for a period of two years from the date of completion;
 - (e) where an entertainer is continually performing at the licensed premises, have the entertainer complete a registration form at least once a year or where any change in information occurs.
- (2) A registration form is valid for one year from its completion.
10. (1) Every person who contravenes any provision of this Schedule and every director or officer of a corporation who concurs in such contravention by the corporation is guilty of an offence and on conviction is liable to a fine not exceeding \$25,000.00 or to imprisonment for a term not exceeding one year or to both;
- (2) Notwithstanding subsection 7(1) where a corporation is convicted of an offence, the maximum penalty that may be imposed on the corporation is \$50,000.00 and not as provided therein;
- (3) Where a person is convicted of operating an adult entertainment parlour without a licence, the court shall order that the premises or part thereof be closed to any use for any period not exceeding two years; and
- (4) Where a person is convicted of a contravention of any of the provisions of this Schedule other than operating an adult entertainment parlour without a licence, the court may order that the premises or part thereof be closed to any use for any period not exceeding two (2) years.

SCHEDULE 25a TO BY-LAW

Relating to Owners and Operators of Adult Video Stores

1. For the purposes of this schedule:
 - (a) "adult videotape" means any videotape the content of which is designed or held out as designed, to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject matter.
 - (b) "adult videotape area" means an identifiable part of any premises, which part is used for the provision of adult videotapes.
 - (c) "adult videotape store" means any premises:
 - (i) used for the carrying on of the business of the provision of adult videotapes; or
 - (ii) in which adult videotapes are provided in the pursuance of a business and to which premises entry by persons under the age of eighteen (18) years is prohibited, or in respect of which premises it is advertised or notice is given that such entry is prohibited; or
 - (iii) in which adult videotapes are provided in the pursuance of a business and in respect of which it is advertised, or notice is given either by signs or other advertising devices on or in the premises, or otherwise, that the premises are an "adult video store", an "adult videotape store", an "adult video rental store", or are otherwise described by words of like meaning;
2. A licence is not required under this Schedule in respect of any videotape store in which the provision of adult videotapes is only incidental to the carrying on of the business of the provision of videotapes which are not adult videotapes, but the regulations contained in this Schedule relating to the display of adult videotapes and to the prohibition of admission to all or part of premises by person under the age of eighteen (18) years, shall apply to all videotape stores.
3. No licence will be issued or renewed under this Schedule unless the adult video store is located in a permitted area and is not located closer than 500 metres measured on a continuous path over the shortest distance from a dwelling unit or a residential zone;
4. The provisions of Section 3 do not apply to a person who was carrying on the business of an adult video store on March 28, 1994.
5. The provisions of Section 3 shall not apply so as to prevent the renewal of a licence when, subsequent to the valid issuance of a licence under this Schedule, a dwelling unit has been located or a residential zone created within 500 metres of the adult video store for which the licence was granted.
6. Every licensee shall:
 - (1) prominently display the licence at the premises licensed at all times and shall produce the licence upon request by the Licence Issuer, any by-law enforcement officer and any police officer;
 - (2) keep the premises in a clean and sanitary condition;
 - (3) maintain on the premises, available for inspection by the Licence Issuer, any by-law enforcement officer or any police officer, during all business hours, a current list of all adult videotapes available on the premises.
7. Every person shall ensure that no person under the age of eighteen (18) years is permitted to enter or remain in such store.
8. No person shall employ in an adult videotape store, or in that part of any videotape store in which adult videotapes are displayed and provided, any person who is under the age of eighteen (18) years.
9. Every licensee shall post and keep posted at every entrance to any adult videotape store operated by such licensee, and in a prominent location inside such store, signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen (18) years is permitted to enter or remain in such store or any part thereof.
10. Every licensee shall ensure that exterior signs and advertisements relating to the provision of adult videotapes, including any signs, advertisements or other graphics which are visible to passersby from the outside of the store are restricted to the words "adult videos", "adult videotapes", or "adult videotape sales or rentals" and do not include pictorial representation of body areas or sexual or erotic activities.

11. In addition to the provisions of By-law 68-89, as amended, being a by-law to regulate the use and erection of signs in the City of Brampton, no person shall:
 - (1) display, or cause to be erected or displayed, a sign or advertising device used for the purpose of promoting an adult videotape store, where such sign or advertising conveys a message through the use of pictures, graphics or any means other than by the use of words:
 - (a) has any animation;
 - (b) has flashing lights; or
 - (c) is designed to revolve on an axis.
 - (2) for the purpose of this section, "animation" shall mean any motion of a display or part thereof whether by mechanical action or the flashing on an off of its lights; and
 - (3) where there is a conflict between the provisions of this Schedule and the provisions of By-law 68-89, as amended, passed by the Council of the City of Brampton under authority of paragraph 141 of section 21 of the Municipal Act, or any predecessor thereto, the provisions of this Schedule shall apply.
12. Every person who operates a videotape store, whether or not he or she is required to be licensed under this Schedule, shall, in the carrying on of such business, comply with the regulations contained in this Schedule relating to the provision of adult videotapes.
13. Every person referred to in Section 12 shall ensure that employees working in such videotape store comply with all requirements of this Schedule relating to the provision of adult videotapes and the prohibition to all or part of the premises to persons under the age of eighteen (18) years, as required by this Schedule.
14.
 - (1) No person who operates a videotape store in which adult videotapes are provided, shall permit any person under the age of eighteen (18) years to enter or remain in any part of such store where adult videotapes are provided, or within three (3) metres of any adult videotape unless such adult videotape is located in an adult videotape area;
 - (2) Every person who operates a videotape store in which any adult videotape is provided, shall affix, in a prominent location inside such store and at every entrance to any adult videotape area, a sign or signs sufficient to indicate clearly to persons in the store, that no person under the age of eighteen (18) years is permitted to enter or remain in any adult videotape area in accordance with this Schedule;
 - (3) Every person who operates a videotape store, including an adult videotape store, and every person working in such store, shall ensure that no person under the age of eighteen (18) years is permitted to enter an adult videotape store, or any adult videotape area, in accordance with this Schedule;
 - (4) Every person who operates a videotape store and every person working in such store shall ensure that no adult videotape, or container for an adult videotape shall be displayed in such a manner so as to be visible from the outside the store; and
 - (5) Every person who operates a videotape store and every person working in such store shall ensure that no adult videotape, or container for an adult videotape, shall be displayed in a videotape store that is not an adult videotape store, in a location where it can be seen by persons in the store, unless such adult videotape or container is in a separate location in such store to which person under the age of eighteen (18) years are not permitted to enter, and such adult videotape or container is displayed in a location where it cannot be seen from outside such area.

SCHEDULE 26 TO BY-LAW

**Relating to the owners and operators of store and shops
where tobacco, cigars and cigarettes are sold by retail**

1. No person shall sell or permit to be sold to a minor any tobacco, cigars or cigarettes.
2. No person shall locate any cigarette dispensing vending machine where it is not clearly visible by the person licensed pursuant to this by-law, or his agent or licensee.

SCHEDULE 27 TO BY-LAW

Relating to vendors, hawkers, pedlars and other persons going from place to place with goods, wares or merchandise for sale

1. For the purposes of this Schedule:
 - (a) "vendor" shall mean any person who goes from place to place or to a particular place with goods, wares or merchandise for sale, and shall include the person under whose Provincial vendor's permit the seller operates, but shall not include any such person whose goods, wares or merchandise constitute refreshments within the meaning of Schedule 18 to this by-law.
2. Every applicant for a vendor's permit shall produce for the Licence Issuer proof of the following:
 - (a) Business registration or incorporation, if applicable;
 - (b) Goods and services tax registration;
 - (c) Provincial sales tax registration (provincial vendor's licence); and
 - (d) Written permission of the property owner from which the vendor intends to sell his goods, wares or merchandise, clearly identifying the location and the zoning of the property.
3. Every vendor shall produce his licence when required to do so by any Municipal Law Enforcement Officer or Peace Officer.
4. Every vendor shall ensure that the plasticized permit issued by the City is visibly displayed at the location where he is selling or offering goods for sale.
5. Every vendor shall obtain and maintain a valid licence pursuant to this by-law.
6. No vendor shall sell or offer for sale any goods, wares or merchandise on property which is not zoned to permit such use.
7. No person shall sell on any property without the written permission of the property owner, clearly identifying the location and the zoning of the property.
8. On application by a charitable organization, Council may waive the payment of the license fee required pursuant to this by-law.

SCHEDULE 27a TO BY-LAW

Relating to persons maintaining and operating markets

1. For the purposes of this schedule:
 - (1) "market" means that area, whether enclosed by building or not, in which individual stalls are rented to vendors other than those who own the premises, for the purpose of individually exposing new or used goods and wares for sale and includes the type of establishment commonly referred to as a "flea market".
 - (2) "stall" shall include a table, booth, counter or other similar sales facility, whether within or outside of a building and whether the table, booth, counter or other similar sales facility is or is not readily identifiable as a separate selling unit, and whether or not the table, booth, counter or other similar has any degree of permanence, which is, in fact, being used by an individual vendor within the market.
2. Every owner of a market shall maintain a book known as a register in which is kept a comprehensive record of vendors, names, addresses, phone numbers, and shall comply with the following requirements:
 - (1) make all entries at the time of rental or immediately thereafter;
 - (2) not knowingly make any false entries in the register;
 - (3) preserve all records for at least one (1) year; and
 - (4) keep the register available for inspection at any reasonable time when requested by an officer.

SCHEDULE 27b TO BY-LAW

Relating to persons selling and setting off of fireworks

THE COUNCIL of The Corporation of the City of Brampton ENACTS as follows:

DEFINITIONS

In this schedule:

1. "Act" means the Explosive Act, R.S.C., 1985, c. E-17 and the regulations as amended to and as in effect on the date of the passing of this by-law.

"Fire Chief" shall include the Fire Chief's designate.

"Recreational low hazard fireworks" are low hazard fireworks generally used for recreation such as fireworks showers, golden rain, lawn lights, pin wheels, roman candles, volcanoes, sparklers, Christmas crackers and caps.

"Recreational high hazard fireworks" are high hazard fireworks generally used for recreation such as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, batteries, illumination, set pieces, pigeons and firecrackers (also known as display fireworks).

"Licensed factory" means a licensed factory as defined in the Explosives Act.

"Licensed Fireworks Magazine" means a magazine licensed for fireworks as defined in the Explosives Act.

"vehicle" shall include a temporary structure.

SALE, STORAGE & DISPLAY

2. No person shall:
 - (1) sell or offer for sale any recreational low hazard fireworks from any vehicle which contains a gas, propane or diesel fuel tank;
 - (2) sell or offer for sale any recreational low hazard fireworks except on Victoria Day, Canada Day and the fourteen (14) days immediately preceding each of them unless that person is the operator of a licensed factory or licensed fireworks magazine;
 - (3) display in any manner visible to the public any recreational low hazard firework except a mock sample not containing any explosive material;
 - (4) display or sell within a vehicle, a "lot" or "bin" of fireworks exceeding twenty-five (25) kilograms (55 lbs.);
 - (5) cause fireworks to be exposed to direct sunlight;
 - (6) have in his or her possession within a vehicle or within six (6) metres (20 feet) of a vehicle in which any fireworks are kept or displayed for sale, any:
 - (a) lighted match;
 - (b) lighted lighter;
 - (c) lighted pipe;
 - (d) lighted cigar;
 - (e) lighted cigarette;
 - (f) any unapproved heat source;
 - (g) any electrical wiring not approved and labeled by Ontario Hydro;
 - (7) permit access to fireworks stored within a vehicle, unless the vehicle has two separate operative doors and signs stating that lighted smoking material is prohibited within six (6) metres (20 feet) of the vehicle are posted at every point of entrance to the vehicle visible from a distance of 6 metres (20 feet);

- (8) leave a vehicle unlocked or unattended;
- (9) have a vehicle, which is not equipped with at least two (2) fire extinguishers with a minimum 3A, 10BC rating;
- (10) offer for sale fireworks unless kept within an enclosed display unit of non-combustible or of 3/4" plywood construction;
- (11) sell fireworks to persons under eighteen (18) years of age;
- (12) display, sell or offer for sale recreational high hazard fireworks;
- (13) sell or offer for sale fireworks without approval of the Licence Issuer;
- (14) display fireworks within 50 metres (164 feet) of a premise where gasoline or highly inflammable materials are kept or sold;
- (15) store fireworks other than in a cool dry place; and
- (16) position a vehicle from which fireworks are sold or offered for sale in a location which is inaccessible to the Fire Department or which is not within 150 metres (500) feet of a fire hydrant.

3. Where a licence has been issued the licensee shall comply with the following conditions:

- (1) Only fireworks authorized pursuant to Explosives Regulations of the Department of Energy, Mines and Resources shall be used in any fireworks display;
- (2) All fireworks to be used in an approved display shall be stored in a cool, dry place, remote from flammable materials and inaccessible to the public;
- (3) All fireworks that remain unfired and any fireworks that failed to fire, and for which permission has been granted, shall immediately be disposed of in a safe manner having regard to the particular type of fireworks remaining; and
- (4) Post signage stating the age restriction for sales.

LICENCE REQUIREMENTS

4. Every application for a licence shall:

- (1) where the sale of fireworks is from a vehicle or temporary structure supply to the Licence Issuer a letter from the owner of the property granting them permission to sell fireworks;
- (2) supply, when required by the Licence Issuer, a compliance letter from the Zoning Department of the City of Brampton; and
- (3) submit to an inspection by the Licence Issuer of each premises to be licensed and all inventory to be sold.
- (4) submit proof of recent inspection by the Fire and Building Departments.

SCHEDULE 28 TO BY-LAW

Relating to Persons who Sell Fresh Meat in Quantities less than by the Quarter Carcass

1. A licence issued to persons dealing in fresh meat, except horse meat, shall be known as a "fresh meat dealer's licence".
2. Every person having a fresh meat dealer's licence shall provide proper racks and hooks for hanging meat; and proper blocks and tables for cutting up the same, and shall keep his shop or store in a clean and proper state.
3. No person have a fresh meat dealer's licence shall purchase, use, sell, offer for sale or have in his possession any meat unless such meat has been inspected and bears on the carcass the inspection legend of the Department of Agriculture of Canada or of the Department of Public Health of the area municipality in which such person carries on his business, or one approved by either Department.

SCHEDULE 29 TO BY-LAW

Relating to bingo lotteries, raffle lotteries and lottery schemes

1. In this schedule:
 - (1) "Act of God" means an act occasioned exclusively by violence of nature without the interference of any human agency.
 - (2) "bazaar lottery" means a lottery scheme held at a charitable function, exhibition or fair;
 - (3) "bingo lottery" means a game of chance where players are awarded a cash prize or other prizes for being the first to complete a specified arrangement of numbers on pre-printed bingo cards from numbers selected at random.
 - (4) "bingo sponsors' association" means an association formed by licensees conducting regular bingo events within a bingo hall. The purpose of this association is to assist organizations in administering bingo events, the sale of break open tickets, super jackpot games and other licensed games within the bingo hall for its members.
 - (5) "bonafide member" means a member in good standing of the licensee who has other duties, beyond conducting lotteries, within the organization and shall include parents and guardians. Members of convenience whose only duty is to assist with the raffle lottery are not considered bona fide members.
 - (6) "caller" means a person who calls out the bingo ball numbers and declares a bingo;
 - (7) "charitable organization" shall be a registered organization or an incorporated body and shall include both non-profit and charitable organization;
 - (8) "event" means a bingo, lottery or bazaar;
 - (9) "lottery" means a scheme that involves a prize, a chance to win a prize, and consideration, directly or indirectly in any form whatsoever, for a chance to win a prize;
 - (10) "Minister" means the Minister of Consumer and Commercial Relations for the Province of Ontario;
 - (11) "raffle" means a lottery scheme where tickets are sold for a chance to win a prize at a draw and includes 50/50 draws, elimination draws, calendar draws, sports pools and rubber duck races.
 - (12) "runner" or "floor checker" means a person who assists caller in verifying a bingo;
2. No licence shall be granted to an applicant unless it meets the following criteria:
 - (1) the applicant is a charity or non-profit group which is a registered charitable organization or incorporated body;
 - (2) the municipality may issue a licence to any non-profit or charitable organization if it deems it to be in the interest of its inhabitants whether or not the organization has a physical presence in the municipality; and
 - (3) sections 197, 198 and 207 of The Criminal Code of Canada are complied with.
3. Any person may conduct a raffle lottery in the City of Brampton without first obtaining a licence pursuant to this by-law provided that person is the holder of a valid lottery licence issued by another municipality in the Province of Ontario and provided permission of the City of Brampton's Licence Issuer has been obtained.
4. Notwithstanding section 3, a licence may be issued to a non-charitable organization which is sponsored by a charitable organization, which meets the requirements of section 2.
5. No person shall conduct or manage a bingo lottery or lottery scheme within the City of Brampton until such person or organization has obtained a licence.
6. The licensee shall be responsible and accountable for the overall management and conduct of the lottery.
7. The licensee shall ensure that:

- (1) all funds are held in a separate approved account or an approved lottery trust account into which only funds generated pursuant to licences issued by the City of Brampton are held and records are maintained for a four (4) year period;
 - (2) on any approved lottery trust account, an annual audited statement is provided;
 - (3) all transactions shall be conducted by cheque drawn on the separate account, excluding honorariums;
 - (4) all transfer of funds are documented and may be subject to an audit;
 - (5) any sales commission paid does not exceed five per cent (5%) of the price of each ticket sold;
 - (6) only the type of game or games provided for in the licence shall be conducted or performed;
 - (7) the licence be produced upon demand;
 - (8) a copy of each licence shall be conspicuously displayed at the place where the event is to be conducted and at all times during the conduct thereof;
 - (9) there is compliance with all the terms and provisions set out in the application for the licence;
 - (10) the lottery is conducted in accordance with the information supplied on the application and approved by the Licence Issuer;
 - (11) the gross receipts derived from the lottery shall be used for the charitable or religious object or purpose as set out by the licensee in the application for licence, less the cost of the prizes awarded and such reasonable and necessary administrative expenses actually incurred in the management and conduct of the lottery, provided the expenses do not exceed such limits as provided for in this schedule;
 - (12) itemized invoices and proof of payment are obtained for each expense incurred and where any single expenditure exceeds \$500.00, these shall be submitted with the lottery licence report;
 - (13) a detailed record of all charitable donations made is kept;
 - (14) a detailed record of how profits from the lottery have been dispersed is maintained;
 - (15) a lottery licence report, in a form acceptable to the Licence Issuer, is submitted to the Licence Issuer with respect to each event.
 - (16) books, records and other documents in support of all financial reports or statements are maintained and these records shall be kept up to date and be retained for no less than four (4) years from the date of the lottery;
 - (17) the amount or value of each prize awarded or the money or other valuable consideration paid to secure a chance to win a prize or the total value of all prizes to be awarded, as the case may be, does not exceed the amount specified in this by-law for the class of licence applied for;
 - (18) pyramiding of games or prizes is not permitted; and
 - (19) games of a type or kind known as razzle dazzle, roll down, three card monte, punch board, coin table, any dice game or any variation thereof are not operated.
8. The licensee shall not:
- (1) where only one approved lottery trust account is maintained, deposit monies received from any source other than lottery events conducted by the licensee into the designated trust account;
 - (2) where an approved lottery trust account for lotteries has been established, deposit monies received from any other source in the designated lottery account; or
 - (3) close the approved lottery trust account until all monies have been donated to approved charitable purposes and a report has been submitted to the Licence Issuer on an original application for a licence.
9. An original application for a licence shall be made to the Licence Issuer no later than thirty (30) days prior to the date or the first date on which the bingo lottery, raffle lottery or bazaar lottery is to be held.
10. The licensee shall deliver to the Licence Issuer, upon request, all books and records of the licensee pertaining to the nature, management, and conduct of the event for which the licence has been granted.

11. The Licence Issuer may require clearances from the following with respect to an original or annual application or if there has been a change in officers from what was on the application:
 - (1) the Peel Regional Police Department;
 - (2) the Ministry of Consumer and Commercial Relations; and
 - (3) the Department of Consumer and Corporate Affairs, and may issue the appropriate licence unless the investigations disclose any reason to believe that the applicant is not of good character or that the carrying on of the said lottery or event will be likely to result in a breach of the law or be in any way adverse to the public interest, in which event, the licence shall not be issued or renewed.
12. A licence issued under this by-law is not transferable.
13. A licence may be suspended, canceled or renewal refused by the Licence Issuer for breach of any provision of this by-law.
14. Where the Licence Issuer refuses to issue the licence applied for, or recommends revocation of a licence the applicant or licensee may appeal.
15. No person shall sell, give away, or distribute raffle tickets on the premises where, and on the occasion on which a bingo is conducted.
16. Where requested, the licensee shall provide a financial statement to the Licence Issuer within one-hundred and twenty (120) days of the request or such other time limit as may be imposed by the Licence Issuer.
17. The licensee may use lottery proceeds to pay for expenses related to the preparation of the yearly financial statements. This expense shall not be included in any expense maximum within the provisions of this by-law.

BINGO LOTTERIES

18. No charitable organization shall be granted a licence to conduct more than fifty-two (52) bingo lottery events in any calendar year.
19. A new applicant will be permitted a maximum of thirteen (13) events.
20. No licence for the conduct of any game of bingo shall be effective for a period of more than six (6) months from the date of original issuance. Such licence may be renewed for successive six (6) month periods.
21. The licence shall specify the place where the bingo lottery is to be operated, the date or dates of operation and the starting and finishing times.
22. The licensee shall not permit any person apparently under the age of eighteen (18) years of age to play any game of bingo.
23. The licensee shall ensure that every place except a school or a church where a bingo lottery is proposed to be conducted and is conducted shall be licensed under the provisions of this by-law respecting public halls and under the requirements of the Gaming and Services Act.
24. Only the licensee, and no other person, including a corporation, on its behalf, may advertise or place advertisements through any medium with respect to the event authorized by the licence.
25. Every licensee shall ensure that advertisements clearly state the name of the licensee conducting the bingo event(s) and the licence number.
26. The licensee shall supply samples of advertising and promotional materials to be used in connection with the event if requested to do so for review by the Licence Issuer.
27. The licensee shall have a minimum of three (3) bona fide members present continuously during the conduct of each bingo event, one of whom must be a designated member as outlined in this schedule. A bona fide member of the licensee shall be responsible for the reconciliation of all cash transactions.
28. The licensee may use employees of a bingo hall owner/ operator registered in accordance with the Gaming Services Act, to assist in the conduct of the bingo as runners and/or as the caller. Payment for these services shall be the responsibility of the bingo hall owner/operator.
29. The licensee may pay an honorarium, not to exceed three per cent (3%) of the prize board for people working the bingo. Honorariums may be paid by cash.

30. Every licensee shall keep and maintain a record of all persons employed to assist and the amount of remuneration paid to each person for each occasion.
31. The licensee may use the services of a person to assist in the conduct of the bingo event provided the person is registered in accordance with the Gaming Services Act, or is otherwise exempt.
32. The licensee shall ensure that where the bingo hall owner/ operator provides the licensee with runners and the caller, the gross receipts from the bingo shall be distributed as follows:
 - (1) The payment of prizes, licence fee, honorariums to members and advertising costs shall be deducted first from the gross receipts;
 - (2) The licensee shall retain a minimum of sixty per cent (60%) of the remaining proceeds;
 - (3) The licensee may pay the bingo hall owner/operator a maximum of forty per cent (40%) of the remaining proceeds up to a maximum of fifteen per cent (15%) of the gross receipts, whichever is less;
 - (4) In the event of a loss, the licensee shall be responsible for a maximum fifty per cent (50%) of the loss incurred. The bingo hall owner/operator is responsible for the remainder;
 - (5) Cash shortages incurred as a result of an error on the part of the bingo hall owner/operator or its employees shall be deducted from the fee paid to the bingo hall owner/operator; and
 - (6) Goods and services tax on the hall rental shall be paid from the proceeds retained by the licensee.
33. The licensee shall ensure that where the bingo hall owner/ operator does not provide the licensee with runners and/or the caller, the gross receipts from the bingo shall be distributed as follows:
 - (1) The payment of prizes, licence fee, honorariums to members and advertising costs authorized by the Licence Issuer shall be deducted first from the gross receipts;
 - (2) The licensee shall retain a minimum of sixty per cent (60%) of the remaining proceeds;
 - (3) The licensee may pay the bingo hall owner/operator a maximum of forty per cent (40%) of the remaining proceeds up to a maximum of fourteen per cent (14%) of the gross receipts, whichever is less;
 - (4) In the event of a loss, the licensee shall be responsible for a maximum fifty per cent (50%) of the loss incurred. The bingo hall owner/operator is responsible for the remainder; and
 - (5) Goods and services tax on the hall rental shall be paid from the proceeds retained by the licensee.
34. The licensee shall appoint at least two (2) bona fide members to be in charge of and responsible for the conduct of the bingo. The appointed member(s) in charge shall be at least eighteen (18) years of age and shall be responsible for:
 - (1) supervising all activities related to the conduct of the bingo;
 - (2) completing and filing the required financial report on the results of the event within fifteen (15) days of the event;
 - (3) ensuring that all terms and conditions of the licence and any additional conditions imposed by the Licence Issuer are complied with;
 - (4) keeping all required records and depositing all monies into the approved lottery account; and
 - (5) directing complaints to the property authority.
35. Where a licence has been issued, the licensee shall not thereafter without the consent of the Licence Issuer substitute another person as a designated member.
36. No licensee shall distribute, cause to be distributed or consent to or allow the distribution of free bingo cards.
37. No caller or floor checker in a bingo lottery shall participate where he has a pecuniary interest, directly or indirectly with any other participant.

38. Notwithstanding any other provision of this by-law, no licensee shall conduct and manage a bingo lottery unless it provides a method or system satisfactory to the Licence Issuer by which players can at any time stop the game fully and completely in order that the board of the caller may be checked.
39. The licensee shall ensure that the particular arrangement of numbers required in order to win the game and the amount of the prize for each game is clearly and audibly described to the players immediately before each game is begun.
40. The licensee shall ensure that a verification of the numbers appearing on the winning card at the time a winner is determined is made by audible call back in the immediate presence of one or more neutral players.
41. After a winner has been declared, the caller shall enquire clearly and audibly three times of the players whether there are any other players claiming to be winners of that game. If there are no other winners, at that time, the licensee shall ensure that the game is declared closed.
42. No claim of a player to have won a game shall be valid if made after the game has been declared closed by the caller.
43. The designated member in charge of the bingo event shall provide, in a form approved by the Licence Issuer, a record outlining the order in which the numbers were called for each game held during the bingo event. This shall constitute the official record of the games. In the event of an error in verification of a card resulting in a game being declared closed, the game shall be reconstructed, using the official record to identify the numbers previously called and the game shall continue until won by a player. The record shall be retained for thirty (30) days following the bingo event.
44. Where a person calls bingo but during verification is found not to have won the game respecting which call was made, a bonafide member shall direct that the same game be resumed.
45. No person shall offer, give or permit to be offered or given or otherwise provide directly or indirectly, other than the prizes advertised or otherwise represented for the bingo game, any incentives or inducements to play bingo games including, but without restricting the generality of the foregoing, bingo cards, door prizes or other prizes or benefits.
46. No licensee shall provide or allow to be provided, by contract or otherwise, transportation of patrons to or from the place where any game of bingo is conducted unless prior written authorization is obtained from the Licence Issuer. Application for this authorization must be in writing and must establish to the satisfaction of the Licence Issuer that the licensee has good cause for such request. Any authorization granted by the Licence Issuer may be suspended or revoked by such authority if it determines that there is no further need for such transportation or that, in the opinion of the Licence Issuer, the transportation of patrons to and from bingo games should no longer be authorized.
47. The licensee shall ensure that the total value of all prizes awarded in the operation of a single occasion bingo lottery for which a licence has been issued under this by-law shall not exceed \$5,500.00 cash, notwithstanding prize splits.
48. No licensee shall offer a non-monetary prize without the approval of the Licence Issuer.
49. The licensee shall not charge nor shall it permit any other person to charge or collect any consideration for admission to the premises where bingo games are to be played.
50. The licensee shall, within two (2) banking days of the licensed event, deposit in the account all monies received from the conduct of each bingo lottery less the amount awarded in cash prizes.
51. Each licensee shall submit a report on the results of the bingo event as set out in the prescribed Bingo Lottery Report Form within fifteen (15) days of the conclusion of the event. Copies of all deposit slips shall accompany the financial report form, if requested.
52. If the licensee determines that the number of persons attending or who may attend at the commencement of a bingo is, or would be insufficient to provide sufficient revenue to cover the cost of the prizes and other expenses incurred in connection with the operation of the bingo event because of an Act of God or other such extreme condition, which is beyond the control of the licensee, it shall have the option of proceeding with the event(s), with the prizes as originally offered or of canceling the entire bingo event. If the bingo event has commenced, the licensee shall conduct the event to its conclusion, as originally offered. Insufficient attendance of players alone does not constitute authority to cancel a bingo occasion. If the bingo event has commenced and is canceled due to an Act of God situation, the licensee shall issue refunds to all persons who have purchased bingo paper pro rated based on the number of games which have been played.
53. The Licence Issuer may refuse to issue a lottery licence to any person or organization whose cost of conducting and managing bingo lottery events under licences issued under the provisions of this by-law exceeded the terms and conditions set out in this by-law for each of the last three (3) events,

unless the applicant for a new licence arranges, to the satisfaction of the Licence Issuer, a reduction in proposed expenses to permit compliance with this by-law.

54. No licence shall be issued for a bingo lottery when a licence has been issued by the Province for a bingo lottery whose event date and time are identical to that issued by the municipality.

RAFFLES

55. The licensee shall ensure that expenses are directly related to the conduct of the raffle lottery.
56. The licensee may pay sales commissions to volunteer ticket sellers, provided such commission does not exceed five per cent (5%) of the price of each ticket sold.
57. The licensee shall not permit any person apparently under the age of eighteen (18) years old to purchase a ticket.
58. The licensee shall produce the licence upon demand.
59. Each licensee shall submit a report on the results of the raffle within one-hundred and twenty (120) days of the conclusion of the raffle and shall ensure that copies of all deposit slips, upon request, and a list of winners accompany the financial report form.
60. The licensee shall obtain receipts, upon request, for each expense incurred and shall ensure that a copy of these receipts are submitted with the financial report.
61. The licensee shall ensure that the winners of the prizes are determined and publicized in the manner set out in the application.
62. The licensee shall print only the number of tickets indicated and approved in the application for licence.
63. The licensee shall ensure that tickets are consecutively numbered.
- (1) The licensee shall have tickets printed in two parts in which the buyer's portion shall contain the following information:
- (a) the licence number;
 - (b) the name of the licensee;
 - (c) the location(s), date(s) and time(s) of the draw(s);
 - (d) a description, including the nature, number and value of the prize(s) to be awarded;
 - (e) the price of each ticket; and
 - (f) the number of the ticket.
- (2) The licensee shall ensure that on the part retained by the organization (for draw or record purposes), there appears:
- (a) the number of the ticket;
 - (b) the licence number and the name of the licensee; and
 - (c) adequate space for the name, address and telephone number of the ticket purchaser.
64. The licensee shall ensure that if tickets are to be discounted from the regular price, then the prices shall be indicated and printed on each ticket.
65. The licensee shall provide a sample of the ticket.
66. The licensee shall not use any type of 'scratch and win' ticket.
67. Where prizes are donated, and the donor and the licensee agree, the donor name or company name may be included on the ticket, provided that the name of the licensee is more prominent.
68. The licensee shall ensure that tickets do not bear any coupon, promotional or advertising material unless it is promoting the licensee and is approved by the licensee.
69. Only the licensee, and no other person, may advertise or place advertisements through any medium with respect to the event authorized by the licence, unless approved by the Licence Issuer.

70. The licensee shall ensure that advertisements shall clearly state the name of the licensee and the licence number.
71. The licensee shall supply samples of advertising and promotional materials to be used in connection with the raffle if requested to do so for approval by the Licence Issuer.
72. The licensee shall ensure that the total retail value of all prizes awarded in the operation of a raffle lottery for which a licence has been issued under this by-law shall not exceed fifty-thousand (\$50,000.00) dollars.
73. The licensee shall provide a letter of guarantee if the prize(s) exceed(s) \$5,000.00.
74. The licensee shall appoint at least two (2) bona fide active members to be in charge of and responsible for the conduct of the raffle. The designated members in charge shall be at least eighteen (18) years of age and be responsible for:
 - (1) supervising all activities related to the conduct of the raffle;
 - (2) completing and filing the required financial report on the results of the event;
 - (3) ensuring that all terms and conditions of the licence and any additional conditions imposed by the Licence Issuer, are complied with;
 - (4) supervising all ticket sellers;
 - (5) keeping all required records and depositing all monies into a separate account or an approved lottery trust account; and
 - (6) reconciling all tickets.
75. The licensee may use the services of a person to assist in the conduct of the raffle provided the person is registered under the Gaming Services Act , S.O., 1992 and Regulations, as amended, or is otherwise exempt.
76. The licensee shall be responsible for awarding all prizes and for making all reasonable efforts to contact the prize winner(s) within thirty (30) days.
77. The licensee shall ensure that any prizes which are not claimed are secured or placed in safekeeping for a period of one (1) year from the date of the draw. If at that time the prize has still not been claimed, the licensee shall ensure that the prize or monies equivalent to the fair market value of the prize are donated back to the organization with notification to the Licence Issuer.
78. The licensee shall ensure that only the prize(s) as described and approved in the licence application are awarded.
79. The licensee shall ensure that the value of the prize(s) includes the amount of any duty, tax, sales tax or other cost and that the prize(s) is awarded free and clear of any mortgage, lien or any other encumbrances.
80. The licensee shall ensure that a serial number record is maintained showing the distribution of tickets, including the names of sellers, and the return of ticket stubs, cash, unsold or returned tickets to reconcile all tickets and cash at the end of the raffle.
81. The licensee shall retain all unsold tickets, and stubs or counterfoils of sold tickets for a period of one (1) year from the date of the (last) draw.
82. The licensee shall provide officers appointed by the Licence Issuer and all peace officers unencumbered access to all books and records related to the conduct of the raffle and shall deliver these documents to the Licence Issuer when requested. The books and records may be retained by the Licence Issuer for audit and investigation purposes.

BREAK-OPEN TICKETS

83. Licensees selling break open tickets in conjunction with bingo events at Class A and Class B bingo halls as defined under the Gaming Services Act , S.O., 1992 and Regulations, as amended, shall do so only as a member of a Bingo Sponsors' Association.
84. Notwithstanding the Bingo Sponsor's Association, break open tickets shall not be sold during any bingos which are being conducted by organizations which are not members of the association which administers break open ticket sales.

85. The licensee shall appoint at least one (1) bona fide active member to be in charge of and responsible for the conduct of the break open ticket lottery. The appointed member(s) in charge shall be at least eighteen (18) years of age and be responsible for:
 - (1) supervising all activities related to the conduct of the break open ticket lottery;
 - (2) completing and filing the required financial report on the results of the event;
 - (3) ensuring that all terms and conditions of the licence and any additional conditions imposed by the Licence Issuer are complied with; and
 - (4) keeping all required records and reconciling all deposits made into a separate approved account or an approved lottery trust account.
86. The licensee shall ensure that the person whose services are used to assist in the conduct of the break open ticket lottery is registered under the Gaming Services Act, S.O., 1992 and Regulations, as amended, or is otherwise exempt.
87. The licensee shall purchase break open tickets only from the registered gaming supplier(s) as approved in the application for licence or upon subsequent notification to the Licence Issuer within five (5) working days.
88. The licensee shall provide the gaming supplier with a copy of the licence issued when ordering or purchasing tickets.
89. The licensee shall be responsible for ensuring the payment of all prizes when directly involved in the sale of the tickets.
90. The licensee shall ensure that break open tickets are kept secure when directly involved in the sale of the tickets.
91. The licensee shall ensure that the following information appears on each ticket;
 - (1) the licence number;
 - (2) the name (or abbreviation) of the licensee;
 - (3) the price of the ticket;
 - (4) the name of the manufacturer; and
 - (5) the serial number of the ticket;
92. The licensee shall ensure that tickets do not bear any coupon, promotional or advertising material unless approved by the Licence Issuer.
93. No person directly involved in or responsible for the conduct of the break open ticket lottery shall purchase a ticket related to that lottery.
94. The licensee shall not allow any person apparently under the age of eighteen (18) years of age to purchase a ticket. The licensee shall ensure that a sign outlining this requirement is posted at the premises where break open tickets are being sold.
95. The licensee shall only sell tickets which have been approved for sale by the Licence Issuer.
96. A licensee may sell break open tickets from any location on the premises indicated on the licence application.
97. The licensee shall only sell tickets from a transparent container which is large enough to hold at least one and one half (1-1/2) full units of break open tickets. Tickets in the container shall be thoroughly mixed but shall not be pre-bundled.
98. The licensee shall ensure that the container is kept in view of the purchasers at all times. The licensee shall ensure that ticket purchasers do not remove tickets from the container.
99. All winning tickets shall be defaced by the seller at the time of prize pay out.
100. No person shall sell break open tickets other than by cash transaction.
101. The licensee shall ensure that all prizes and expenses incurred as a result of conducting the break open ticket lottery are deducted and paid out from the gross receipts derived from the break open ticket lottery. The licensee shall not use monies from any other source to pay for expenses related to the break open ticket lottery.

102. The licensee shall ensure that expenses are directly related to the conduct of the break open ticket lottery.
103. The licensee shall ensure that total expenses, not including the licence fee do not exceed the following:
 - (1) Licensees selling tickets from their own premises

Total expenses, including shortages and all taxes but not including the licence fee, shall not exceed ten per cent (10%) of the gross receipts derived.
 - (2) Licensee selling tickets through a registered break open ticket seller (third party location)
 - (a) Total expenses, including all taxes but not including the licence fee, shall not exceed thirteen and one half per cent (13 1/2%) of the gross receipts derived;
 - (b) The licensee shall not pay more than a maximum sales commission of five per cent (5%) of the gross receipts derived to the registered break open ticket seller (third party location);
 - (c) The licensee shall not pay more than a maximum fee of four per cent (4%) of the gross receipts derived to a registered gaming service supplier;
 - (d) Any shortages incurred are the responsibility of the break open ticket seller and shall be deducted from the sales commission; and
 - (e) The licensee has the option of receiving its proceeds from the sale of break open tickets at the time the tickets are delivered for sale to the break open ticket seller.
104. The licensee shall ensure that each expense is individually calculated and paid separately by cheque, drawn on a separate approved account or an approved lottery trust account described in the banking and financial provisions of this by-law. The licensee shall pay each gaming supplier separately.
105. The licensee shall ensure that honorariums, if paid by cash, are supported by a receipt. The financial report shall be filed within thirty (30) days of the expiry of the licence. The Licence Issuer may request additional documents deemed necessary to substantiate the particulars of the event which may include receipts for each expense incurred.
106. Where the licensee has completed the sale of tickets prior to the expiry date on the licence, then the licence shall be deemed to have expired and the financial report shall be due within thirty (30) days, after termination of the licence.

SCHEDULE 30 TO BY-LAW

Relating to driveway paving contractors

1. No person shall commence or undertake any driveway paving for another person unless a written contract has been signed between the driveway paving contractor and the person on whose behalf the work is being done.
2. Every contract for paving work shall set out:
 - (a) the name, address and phone number of the driveway paving contractor;
 - (b) the name, address and phone number of the person for whom the paving is being done;
 - (c) the address where the work is to be performed;
 - (d) a description of the materials and services to be supplied;
 - (e) an estimate of the total cost of the proposed work;
 - (f) the terms of payment;
 - (g) details of warranties or guarantees extended by the driveway paving contractor;
 - (h) start and completion dates.

SCHEDULE 31 TO BY-LAW

For regulating the placement and securing of newspaper boxes

1. Every person who causes a newspaper box to be placed on the highway shall do so in a manner and location satisfactory to the Commissioner and in accordance with the terms and conditions of this by-law.
2. Every licensee shall indemnify and hold harmless the City and the Regional Municipality of Peel ("the Region"), from and against all actions, suits, claims and demands which may be brought against the City or the Region arising out of the location or disposition of a newspaper box.
3. Every licensee shall, at his own expense, install and locate each box.
4. Every licensee shall maintain a policy of insurance in an amount of not less than \$2,000,000 in a form satisfactory to the City and the Region as co-insureds and endorsed to the effect that the License Issuer shall be given at least ten (10) days written notice of any cancellation, expiry or variation in the amount of the policy.
5. The license granted thereunder shall not be transferred or assigned and such licence shall immediately terminate in the event that the licensee ceases to be the owner of the newspaper box for which the licence is issued.
6. Nothing in this by-law shall be construed as giving to the licensee anything more than permission to install and maintain a newspaper box in accordance with the terms of this by-law and until such time as notice may be given to the licensee to remove the box.
7. In determining whether to issue a licence to allow the placement of a newspaper box on any highway, the Commissioner shall consider locational, site feasibility, site preparation and maintenance criteria.
8. Notwithstanding all placement criteria, if in the opinion of the City or the Region, a newspaper box placement adversely affects pedestrian or vehicular traffic flow, the newspaper boxes shall be removed by the licensee immediately upon receiving notification from the City of Brampton and the licensing fee be refunded on a prorated basis.
9. Every licensee shall remove any box upon receiving written notice to do so, and shall replace and restore the highway to a safe and proper condition.
10. In the event a licensee fails to remove any newspaper box upon receiving written notice to do so, the City may require the removal of the box at the licensee's expense.
11. In the event a licensee fails to restore the highway to a safe and proper condition within five (5) days of receiving written notice, the City may cause such restoration at the licensee's expense.
12. A licensee required to remove newspaper boxes pursuant to the provisions of this by-law, shall make no claims against the City on account of such removal.
13. In the event that the City or any Public Utility Company or the Regional Municipality of Peel must remove any box for the purpose of making repairs to, maintaining or constructing additional public services, the licensee shall reimburse the City, the Public Utility Company or the Regional Municipality of Peel, as the case may be, for the additional costs, if any, incurred by reason of the placement of the newspaper box.
14. No person shall, without a valid licence, place or maintain or permit to be placed or maintained, any newspaper box of any highway in the City of Brampton.
15. Within the area identified on Appendix A to this Schedule, being the Brampton Downtown Business Area, newspaper boxes shall not be permitted except as specific sites as designated on Appendix A.

SCHEDULE 32 TO BY-LAW

Relating to pool installation contractors

1. Every applicant for a pool installation contractors licence shall post a bond, letter of credit or other security, satisfactory to the Licence Issuer, which shall be valid for the term of the licence in the amount of \$10,000.
2. Every applicant for a pool installation contractors licence shall obtain and maintain in good standing liability insurance in the amount of \$1,000,000.

3. No person shall commence or undertake any pool installation for another person unless a written contract has been signed between the pool installation contractor and the person on whose behalf the work is being done.

4. No person shall commence installation of a swimming pool unless all requisite permits have been obtained.

SCHEDULE I TO BY-LAW 68-97

SCHEDULE 33 TO BY-LAW
Relating to operators of day nurseries.

1. No person shall be granted a licence to operate a day nursery until he produces and files with his application proof of the following:
 - (a) a licence in good standing from the Provincial Minister of Community and Social Services;
 - (b) a certificate of the Medical Officer of Health showing that the premises to be licensed are in proper sanitary condition;
 - (c) a certificate from Fire and Emergency Services showing that the premises to be licensed have been inspected and meet all relevant Fire Safety Standards;
 - (d) a certificate from the Property Standards Department showing that the premises to be licensed have been inspected and meet all relevant Property Standards provisions;
 - (e) a certificate of insurance against occupier's liability, endorsed to the effect that the Licence Issuer shall be given at least ten (10) days' notice in writing of any cancellation, expiration or variation in the amount of the policy, and insuring in at least the following amounts: in the case of bodily injury or death, on a limit of at least \$1,000,000.00 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$1,000,000.00.
2. Where the applicant is not the owner of the property, he shall produce a letter from the owner authorizing the use of the property for this purpose.
3. Every holder of a licence issued pursuant to this Schedule shall:
 - (a) be responsible for supervising the orderly conduct with the building or part thereof being used as a day nursery;
 - (b) keep the licensed premises in a clean, safe and sanitary condition, free from fire or any other health or safety hazards.

SCHEDULE I TO BY-LAW 82-97

SCHEDULE 34 TO BY-LAW

1. Every applicant for a sign distributor's licence shall obtain and maintain in good standing liability insurance in the amount of \$1,000,000.
2. No person shall erect or install any sign unless all requisite permits have been obtained.
3. Every person who erects or installs a sign shall abide by the provisions of the Sign By-law as amended.
4. Any person who contravenes a provision of the Sign By-law or the Licensing By-law may have his license revoked pursuant to this by-law.

SCHEDULE 1 TO BY-LAW 154-97

SCHEDULE 35 TO BY-LAW

Relating to Owners and Drivers of Pedicabs

1. In this Schedule:
 - (1) "Driver" means an individual person who operates, drives, pulls or otherwise draws a pedicab and includes an owner who operates, drives, pulls or otherwise draws a pedicab;
 - (2) "Owner" means a person who owns a pedicab or pedicabs licensed as such or required to be licensed as such under this By-law;
2. Every driver and every owner shall at all times when operating a pedicab have his or her name, together with a photograph of his or her person, affixed in a place on the pedicab in such a manner as may be approved by the Licence Issuer so that such name and photograph are plainly visible to and readable by any passenger of the pedicab.
3.
 - (1) Every licence issued to an owner is valid only for such owner and no owner's licence may be transferred, leased or sold.
 - (2) Subject to s.5 of this Schedule, where any pedicab is sold, or where the owner of any pedicab gives up, transfers, leases or otherwise parts with possession or control or the right to possession or control of such pedicab, the licence and plate issued in respect of the pedicab shall be terminated.
 - (3) Every owner who sells a pedicab shall notify the Licence Issuer of the sale within ten (10) days after such sale, and shall within the same period surrender the licence and plate issued in respect of such pedicab to the Licence Issuer.
4. No owner shall permit any person other than himself, herself or a driver employed or otherwise retained by such owner to operate the pedicab or to make it available to the public for hire.
5.
 - (1) Every owner shall, in respect of each pedicab for which a licence is held, obtain, maintain and pay for a liability insurance policy to cover the offering and operating of pedicabs for hire with a limit of not less than \$2 million combined bodily injury, death and property damage, exclusive of costs and interest, for any one accident or occurrence.
 - (2) The policy referred to in subsection (1) shall be endorsed to the effect that the Licence Issuer will be given ten (10) days' notice in writing of any cancellation, expiration, variation or suspension of the policy or of any reduction in the amount of coverage under the policy.
 - (3) Every owner shall ensure that the Licence Issuer receives notice of any change respecting the insurance policy as referred to in subsection (2).
6.
 - (1) Every owner shall produce for inspection by staff of the Licence Issuer, a copy of such owner's insurance policy whenever an application for, or a renewal of, a licence is made and the Licence Issuer shall note the name of the insurer, the amount of coverage and the policy number in the owner's file at the City of Brampton.
 - (2) Every owner shall ensure that the driver of such owner's pedicab carries and every such driver shall carry a certificate or other proof of insurance as provided by the insurer, at all times while the vehicle is hired or available for hire and will produce for inspection such certificate or other proof of insurance to an inspector or peace officer upon request.
7. No owner or driver shall operate or permit to be operated or made available for hire any pedicab unless it is:
 - (1) clean and in good repair as to its exterior;
 - (2) clean, dry and in good repair as to its interior; and
 - (3) free from mechanical defects.

8. No owner shall permit such owner's pedicab to be hired or made available for hire and no driver shall operate such pedicab unless it is equipped with both front and rear reflective devices in good working condition and satisfactory to the Licence Issuer.
9.
 - (1) No owner or driver shall permit more than two persons to be passengers in a pedicab at any time.
 - (2) Notwithstanding subsection (1), an owner or driver may permit a third person to be a passenger in a pedicab provided such person is twelve (12) years of age or younger.
10. Every driver of a pedicab shall be properly dressed, neat and clean in his or her person, and be civil and well-behaved whenever the pedicab is hired or made available for hire and such driver shall not make any loud noise or disturbance.
11. No owner or driver shall permit a pedicab to obstruct the roadway or the sidewalk either while such pedicab is hired or available for hire.
12. Every owner shall, for each pedicab for which such owner holds a licence, affix and maintain a sign in a place in the pedicab approved by the Licence Issuer that is plainly readable by any passenger in or near the pedicab, which indicates all rates or fares to be charged for the hiring of the pedicab and their method of calculation including whether such charges are to be per passenger.
13. Every owner or driver shall give a passenger a receipt showing the owner's name, licence or plate number and the driver's name and licence number whenever requested or where there is a dispute over the fare.
14.
 - (1) Every owner shall file with the Licence Issuer a schedule of all the rates or fares to be charged for the hiring of the pedicab which schedule shall include the same rates and fares as referred to in this schedule.
 - (2) A schedule of rates filed with the Licence Issuer by an owner may not be altered or amended without the consent of the Licence Issuer or unless notice in writing setting out the amended rates is given to the Licence Issuer at least thirty (30) days before such rates come into effect.
 - (3) No owner or driver shall demand or request payment for services other than in accordance with the schedule of rates filed with the Licence Issuer.
15. No owner or driver shall take, consume or have in his or her possession any liquor while he or she is in charge of a pedicab, nor shall the use of liquor by him or her be apparent while he or she is in charge of any such pedicab.
16. Every owner shall ensure that the driver of such owner's pedicab carries personal identification of himself or herself which shall include a photograph, at all times while the vehicle is hired or available for hire and will produce for inspection such identification to an inspector or peace officer upon request.
17. Any licence issued under this schedule of By-law is limited to the geographic boundaries as follows:
 - (1) Highway 7 to South, Central Park Drive to the West and to the North and Bramalea Road to the East, but does not include any part of the above-noted bounding highways.

SCHEDULE I TO BY-LAW 145-97

SCHEDULE 36 TO BY-LAW
Relating to Body-Rub establishments

1. For the purposes of this Schedule, "Owner" and "Operator" mean respectively an owner or operator of a body-rub parlour, licensed as such or required to be licensed as such under this by-law.
2.
 - (1) On every application for an owner's/operator's licence or the renewal thereof, the applicant shall attend in person and not be an agent, at the office of the Licensing Section and shall complete the prescribed forms and shall furnish to the Licensing Section such information as the Licensing Section may direct.
 - (2) In the case of a body-rub parlour owned or operated by a partnership, the attendance required under this section shall be by one of the partners and in the case of a body-rub parlour owned or operated by a corporation such attendance shall be by an officer of the corporation.
 - (3) Every applicant for an owner's licence shall, at the time of making his application, file with the Licensing Section a list showing the names and addresses and birth dates of all operators.
 - (4) Every individual, partner, or other person referred to in this section, shall file with or produce to the Licensing Section proof of age, if required to do so by the Licensing Section, and no such licence shall be issued unless the Licensing Section is satisfied that every such person is of the full age of eighteen years.
 - (5) Every owner or operator of a body-rub parlour shall:
 - (a) require every body-rubber, prior to performing any body-rub function, to complete in full a registration form in the form approved by the License Issuer;
 - (b) retain with the completed registration form photocopies of the identification provided by the body-rubber;
 - (c) upon request of a police officer, licensing inspector, by-law enforcement officer or health inspector, provide forthwith to the officer, a valid completed registration form for any and all body-rubbers, together with photocopies of the identification and photograph retained as per the registration form;
 - (d) retain all completed registration forms, photocopies of identification and photograph for a period of two(2) years from date of completion; and
 - (e) where a body-rubber is continually employed at the licensed body-rub parlour, have the body-rubber complete a registration form at least once a year including any change in information.
 - (6) A registration form is valid for one (1) year from its completion.
3. It shall be the duty of every member of a partnership to advise the Licensing Section immediately in writing of any change in the membership of the partnership and of any other change in any of the particulars relating to the partnership or its business including the names, addresses and birth dates of all new partners which are required to be filed with the Licensing Section and Council may, at its discretion, determine whether the licence or licences shall be revoked.
4. A separate owner/operator's licence shall be taken out in respect of each body-rub parlour.
5.
 - (1) No owner of a body-rub parlour shall permit any person other than a licensed operator to operate such body-rub parlour.
 - (2) No operator shall operate the said body-rub parlour unless the owner of the said body-rub parlour is duly licensed as an owner under this By-law.
 - (3) No operator may operate a body-rub parlour unless he first notifies the Licensing Section of the name of the owner whose body-rub parlour he intends to operate and has endorsed upon his licence the said owner's name accordingly, and every operator, before operating any other body-rub parlour, shall notify the Licensing Section of his intention so to do and have his licence endorsed accordingly.

6. Every owner and operator shall keep his licence issued in respect of that body-rub parlour, exposed in a conspicuous place in the interior of the said premises at all times during the currency of the licence.
7. Every owner or operator who changes his address shall, within four (4) days after such change, attend at the office of the Licensing Section and notify the Licensing Section of such change of address and produce his licence for the change to be entered thereon.
8. No owner or operator shall perform or provide any service or services or permit the performing or providing of any service or services in any body-rub parlour which is constructed or equipped so as to hinder or prevent the enforcement of this by-law.
9.
 - (1) Every body-rub or other service performed in a body-rub parlour shall be given in an individual room or cubicle, but no owner or operator shall cause or permit the door or other means of access to any room or cubicle where body-rubs are or may be provided, to be equipped or constructed with a locking device of any kind, or with any other device or structure which could delay or hinder anyone from entering or obtaining access to such room or cubicle.
 - (2) No person shall permit the obstruction, hindrance or delay of any person attempting to gain entry into a room or cubicle in a body-rub parlour in which a service is or may be provided in respect of such body-rub parlour.
10. Every owner who operates his own body-rub parlour and every operator of a body-rub parlour, in the operation of the body-rub parlour, shall ensure that:
 - (1) adequate toilet and washroom accommodations are provided in accordance with the Building Code as amended from time to time issued pursuant to the Building Code Act, 1992, S.O. 1992 c.23.
 - (2) the body-rub parlour is kept in a clean and sanitary condition;
 - (3) every table, mat or other surface upon which persons lie or sit while being given or provided with a body-rub shall be clean and in good repair, and shall have a top surface of impervious material;
 - (4) every table mat or other surface referred to herein shall be covered with a fresh, clean individual paper or cloth sheet before any person receives a body-rub thereon;
 - (5) every sheet or towel shall, immediately after being used by any person, be deposited in a receptacle reserved for that purpose and shall not be utilized again for any purpose before being freshly laundered.
 - (6) all exterior signs and advertisements relating to the body-rub parlour shall comply with all applicable law.
 - (7) the signage referred to herein shall not contain any offensive words or graphics.
11. Every owner or operator of a body-rub parlour shall post and keep posted in a prominent location inside the body-rub parlour, signs sufficient to indicate clearly to every person in the body-rub parlour, that no person under the age of eighteen years is permitted to remain in such body-rub parlour or part thereof.
12. No owner, operator or body-rubber shall perform or permit to be performed a body-rub in any body-rub parlour by or upon any person whom he has reasonable cause to suspect has been exposed to or is suffering from any communicable disease, including any communicable skin disease.
13. Every owner, operator, body-rubber or other person performing services in, at or upon a body-rub parlour or in attendance at a body-rub parlour in pursuance of trade, calling, business or occupation carried on by the owner, or operator of such body-rub parlour, shall, upon a request made to him by any peace officer, by-law enforcement officer or public health inspector acting under the direction of the Medical Officer of Health, provide his name and residential address, and if he is licensed under this By-law in respect of any trade, calling, business or occupation relating to such body-rub parlour, he shall produce his said licence.
14. A peace officer, licensing inspector, by-law enforcement officer, or public health inspector acting under the direction of the Medical Officer of Health, may enter and inspect all areas of a body-rub parlour, at any time of the night or day, for the purposes of carrying out the enforcement of this By-law.

15. The offering, selling, giving, performing or soliciting of any service and the selling, giving, trading or offering of any goods in a body-rub parlour, shall comply to all applicable law.
16.
 - (1) No person under the age of eighteen may be or act as an owner or operator of a body-rub parlour or provide any services in a body-rub parlour.
 - (2) No one may provide a body-rub or any other services in a body-rub parlour to a person who is under the age of eighteen years.
 - (3) No owner or operator shall permit any person under the age of eighteen to enter or remain in any body-rub parlour owned or operated by him.
17. No Licence will be issued or renewed under this By-law unless:
 - (1) the body-rub parlour is located in a permitted area and is not located closer than 500 metres on a continuous path over the shortest distance from a dwelling unit or a residential zone.

APPENDIX A TO BY-LAW

FEE SCHEDULE - LICENCE FEES

CLASSIFICATION	FEES	EXPIRY DATE
Adult Entertainment Parlour	\$3,500.00	Apr 30
Adult Video	\$1,000.00	Apr 30
Auctioneer	\$225.00	Dec 31
Barber Shops and Hair Salons	\$50.00	Dec 31
Billiard Hall	\$250.00	Dec 31
Body-Rub owner/operator	\$2000.00	Dec 31
Circus	\$150.00 per day	
Day Nursery Operator	\$100.00	Jan 31
Contractors:	\$100.00	Dec 31
Building Renovator		
Drain Contractor	\$100.00	Dec 31
Driveway Paving Contractor	\$100.00	Jan 31
Electrical Contractor	\$100.00	Dec 31
Master Electrician	\$50.00	Dec 31
Heating Contractor	\$100.00	Dec 31
Master	\$50.00	Dec 31
Plumbing Contractor	\$100.00	Dec 31
Master Plumber	\$50.00	Dec 31
Pool Installation Contractor	\$100.00	Jan 31
Exam for Contractors	\$25.00	
Driving School Operator	\$50.00	Apr 30
Driving Instructor	\$40.00	Date of Birth
Driving School Plate	\$100.00	Apr 30
I.D. Photo for Instructors	\$15.00	
Fireworks	\$100.00 annual	

Flea Market/Mall Kiosks	\$150.00 annual or \$75.00/month	Dec 31
Foodhandler/Victualling House	\$50.00	Dec 31
Fresh Meat	\$50.00	Dec 31
Golf Driving Range	\$100.00	Dec 31
Hawker & Pedlars	\$50.00	Dec 31
Laundreterias	\$50.00	Dec 31
Limousine Plate	\$100.00	Jun 30
Limousine Driver	\$40.00	Date of Birth
I.D. Photo	\$15.00	
Lotteries		
Raffles (\$51 - \$500)	\$15.00	
(over - \$500)	3%	
Bazaars (per unit/wheel)	\$15.00	
Bingos	3%	
Nevadas (Jumbo per box)	\$27.00	
(Super per box)	\$24.00	
(Regular per box)	\$18.00	
(Junior per box)	\$15.00	
Minature Golf	\$50.00	Dec 31
Newspaper Boxes	\$20.00/each box for the first year and \$20.00/each box upon each annual renewal	Jan 31
Pawnbroker	\$150.00	Dec 31
Pedicab	\$50.00	Mar 31
Pedicab Driver	\$40.00	Mar 31
I.D. Photo	\$15.00	Mar 31

Pet Shops		\$50.00	Dec 31
Place of Amusement		\$65.00 per unit up to \$650.00	Dec 31
Public Garage			
a) accommodating up to five vehicles		\$25.00	Dec 31
b) 6 to 10 vehicles		\$50.00	Dec 31
c) more than 10 vehicles		\$75.00	Dec 31
d) if oils or gas are stored for sale, an additional		\$25.00	Dec 31
e) if used as a motor vehicle repair shop, an additional		\$40.00	Dec 31
f) washing or cleaning of motor vehicle by mechanical means		\$50.00	Dec 31
g) other mechanical means		\$50.00	Dec 31
Public Halls		\$200.00	Dec 31
Refreshment Vehicles			
Class A	Vehicle Plate	\$500.00	Mar 31 Date of Birth
	Operator	\$40.00	
	I.D. Photo for Operator	\$15.00	
Class B	Vehicle/Car/Wagon Plate	\$200.00	May 31 May 31
	Operator	\$40.00	
	I.D. Photo for Operator	\$15.00	
Class C	Vehicle Plate	\$500.00	Mar 31 Mar 31
	Operator	\$40.00	
	I.D. Photo for Operator	\$15.00	
Rental Vehicle		\$100.00	Dec 31
Salvage Shop and Salvage Collector		\$50.00	Dec 31
Second Hand Shop and Second Hand Goods		\$50.00	Dec 31
Sign Distributor		\$100.00	Jan. 31
Special Events		\$100.00	
Boxing/Wrestling			
Special Sales		\$150.00	Dec 31

TAXI PLATES	ORIGINAL	RENEWAL	
Fleet Owner Licence	\$300.00	\$150.00	May 31
Broker's Licence	\$500.00	\$325.00	May 31
Plate Owner's Licence	\$2,500.00	\$200.00	May 31
Accessible Vehicle	\$250.00	\$250.00	May 31
TAXI TRANSFERS			
First Transfer		\$3,000.00	
Second or Subsequent Transfer		\$3,000.00	
TAXI DRIVERS			
	ORIGINAL	RENEWAL	Date of
Driver's Licence	\$40.00	\$40.00	Birth
OTHER TAXI FEES			
Driver's Licence Test initial sitting		\$35.00	
each additional sitting		\$35.00	
Replacement of Driver's Photo I.D. Card		\$15.00	
Replacement of Driver or Plate Licence		\$15.00	
Replacement of Plate		\$50.00	
Replacement of Tariff Card		\$15.00	
Registration of New Vehicle		\$15.00	
OTHER TAXI FEES (continued)			
Filing of Leases		\$35.00	
Extension of Vehicle Model Year		\$100.00	
Position on Priority List (plus \$25.00 per year to stay on list)		\$100.00	May 31
Theatres		\$200.00	Dec 31
Tobacco Sales		\$150.00	Dec 31
Tow Truck Plate		\$250.00	Apr 30
Tow Truck Driver		\$40.00	Date of Birth
I.D. Photo for Drivers		\$15.00	
Transient Trader		\$500.00	Dec 31

FEE STRUCTURE

FOR NEW LICENCES OVER \$100.00

Any person taking out a new licence or a combination of licences issued simultaneously, which are valued at/over \$100.00 and renewable on an annual basis will be assessed based on the following formulae.

First six months	Full annual fee for licence
Seventh Month to Ninth Month	75% of annual fee
Tenth Month to Twelfth Month	50% of annual fee

SCHEDULE I TO BY-LAW 140-98

BEING APPENDIX B TO BY-LAW

TAXICAB TARIFF

1. Meter Tariffs

(a) By distance:

- for the 1st 71.43 metres (1/14 km) \$ 2.15
- for each additional 71.43 metres or part thereof \$ 0.10

(b) Waiting Time, while under engagement:

- for each 20 seconds \$ 0.10

2. Hourly Rate

- for the first hour or part thereof \$ 16.50
- for each additional 15 minutes \$ 4.00


Read a First, Second and Third Time and Passed in Open Council this **11th** day of December, 2000

THE CORPORATION OF THE CITY OF
BRAMPTON


SUSAN FENNELL MAYOR


LEONARD J. MIKULICH CLERK

APPROVED AS TO FORM AND CONTENT


JANICE ATWOOD-PETKOVSKI
B. COLANGELO

JAP/mi/