



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 184 - 2019

To amend Business Licensing By-law 332-2013, as amended.

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**WHEREAS** By-law 332-2013, provides a system for licensing for Stationary Businesses;

**AND WHEREAS** Resolution C335-2019 (CW326-2019) passed by Council on September 11, 2019 provides that Schedules 1, 4 and 27 be amended and Schedule 19 be added to By-law 332-2013;

**NOW THEREFORE** the Council of The Corporation of the City of Brampton **ENACTS** as follows:

1. THAT That Schedule 1 of Business Licensing By-law 332-13, as amended, relating to Personal Service Facilities, be amended to:
  - a. eliminate duplicate regulatory requirements set out in Region of Peel By-laws 85-2012 and 39-2014 and the following definitions be deleted from Clause 1 and Clauses 5, 6, 7, 9, 11 & 12 be deleted in entirety :
    - Employee
    - Operator
    - Personal Services
    - Proof of Age
    - Protective Eyewear
    - Sharps
    - Single Use
    - Tanning Equipment
  - b. Delete Clause 2 and replace it with the following:

“2. Every Application for a new or renewal of a Personal Service Facility Licence shall be accompanied by evidence of completion of a satisfactory health inspection, issued and signed by the Medical Officer of Health or authorized designate.”
  - c. Delete Clause 4 and replace it with the following:

“4. Any Person who provides medical or therapeutic treatment in their capacity as a duly authorized member of a College of Health profession as set out in schedule 1 of the regulated *Health Professionals Act*, 1991, S.O. 1991, c. 18 is exempt from all licencing requirements to own or operate a Personal Services Facility.”

d. Add the following clause after Clause 4:

- "5. Every Person who operates a personal Service Facility shall comply with:
- (a) This By-law;
  - (b) Any other law or by-law, including any Region of Peel By-laws;
  - (c) Any applicable Provincial guidelines or standards including the Best Practices Document; and
  - (d) The Federal Government Guidelines for Tanning Equipment Owners, Operators and Users published in 2017 and any amendments thereto."

e. Add the following clause:

- "8. Every Person who operates a "Class B" Personal Service facility where Hairstyling services are provided shall not employ any person as a hairdresser or hairstylist, unless such person is the holder of a current certificate of qualification issued under the *Ontario College of Trades and Apprenticeship, 2009*, or successor legislation, or is registered with the Ontario College of Trades as an apprentice hairdresser or hairstylist."

f. Add the following clause:

- "9. Every Person who operates a "Class C" Personal Services Facility must comply with all applicable guidelines and regulations established by the Province of Ontario and the Region of Peel as well as other applicable laws as may be amended from time to time"

2. That Schedule 4 of Business Licensing By-law 332-13, as amended, relating to Automobile Service Stations and Parking Lots, be amended to:

a. Delete Clause 4 and replace with the following:

"4. Every Licensee under this Schedule:

- (a) May charge a parking fee if a vehicle is not picked up within 24 hours of being repaired, for every 24-hour period that the vehicle remains at the vehicle repair facility;
- (b) Shall enter into a written agreement with the owner of the Motor Vehicle that clearly details all the fees and costs that the owner of the Motor Vehicle may be required to pay for the parking or storage of the Motor Vehicle;
- (c) Shall accept cash, debit and credit methods of payment for fees and costs incurred by the vehicle owner."

b. Delete Clause 6, subsection (c) in its entirety and renumber subsections as required.

c. Delete Clause 6, subsection (k) and replace with the following:

- "6.
- (k) Be the holder of a valid Ontario driver's licence issued under the Highway Traffic Act, R.S.O. 1990, c.H.8, as amended, if he or she engages in driving, operating or moving Motor Vehicles parked or stored at or upon the Licensed Premises, and shall not employ any person or permit any employee to drive or operate any Motor Vehicle unless such person is the holder of such an Ontario driver's licence;"

d. Delete Clause 9 and replace with:

"9. Every Premises of a "Class B" Automobile Service Station, shall have at least one licensed mechanic on staff but this section does not apply to a "Class B" Automobile Service Station that only permits the Owners of Motor Vehicles to carry out the repairs and servicing."

e. Delete Clause 10 and replace with:

"10. Every Licensee of a "Class F" Automobile Service Station shall:

- (1) Have at least one licensed body person on staff; and
- (2) Not charge an administrative fee that exceeds \$50.00 all inclusive, other than the applicable taxes."

f. Address the numerical inconsistencies in Clause 11.

g. Add a point to Clause 13, subsection (a) as follows and renumber the existing bullets (i) and (ii) to (ii) and (iii):

13.(a)(i) Time and date of receipt of Motor Vehicle.

3. That Schedule 27 of Business Licensing By-law 332-13, as amended, relating to Vehicle Pound Facilities, be amended to:

a. Delete Clause 2, subsection (h) in its entirety and renumber subsections as required.

b. Insert the following clause after Clause 2 and renumber the previous Clauses 3-5 to Clauses 4-6.:

"3. Every Licensee of a Vehicle Pound facility shall, when a Motor Vehicle is left at the Licensed Premises:

(a) Maintain a register in the form approved by the License Issuer in which shall be entered:

- i. Time and date of receipt of the Motor Vehicle;
- ii. A description of the Motor Vehicle, including make, model and year; and
- iii. Name, address and telephone number, email address of the Motor Vehicle Owner.

(b) Retain the register in subsection 3. (a) for a period of 2 years;

(c) Request that the Motor Vehicle ownership document be removed from the Vehicle and deposited with the Licensee to be securely stored on the Licensed premises, and the document shall be returned when the Motor Vehicle is released;


(d) Inform the Motor Vehicle Owner that personal information is being collected and that this information will only be used, if necessary, for law enforcement purposes; and


(e) Open the register to inspection, at all times during regular business hours, by the Licence Issuer, Police or any other person duly authorized by the Licence Issuer, and permit them to remove specific entries form the register required for use in any court or other law enforcement proceedings."

ENACTED and PASSED this 11<sup>th</sup> day of September, 2019.

Approved as to  
form.  
2019/10/12  
DMS

Approved as to  
content.  
2019/10/04  
P. Fay

  
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Patrick Brown, Mayor

  
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Peter Fay, City Clerk