



BY-LAW 2024-XX

A By-law to amend By-Law No. 2022-20, being a by-law to provide for the licensing and regulation of mobile businesses in the City of Markham

WHEREAS Section 150 of the *Municipal Act* defines a business as any business, activity or undertaking wholly or partly carried on within the municipality even if the business is being carried on from a location outside the municipality; and

WHEREAS Section 151(1) of the *Municipal Act* provides that a municipality may provide for a system of licenses with respect to a business, as defined in section 150 of the *Municipal Act*, and may prohibit the carrying on or engaging in the business without a license, refuse to grant a license or revoke or suspend a license, impose conditions as a requirement of obtaining, holding, or renewing a license, and license, regulate or govern real and personal property used for a business and the persons carrying it on or engaged in it;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

That the Mobile Licensing By-law 2022-20 be amended as follows:

(1) That Section 1 (Definitions), the following definitions be deleted:

“**Collision**” means unintended contact resulting from the motion of a Motor Vehicle and/or its load with another Motor Vehicle or other thing;

“**Collision Scene**” means the general location or place where a Collision occurred;

“**Drop Fee**” means any fee or commission paid to the Owner or Driver of a Tow Truck or to a Tow Truck Company in return for the Towing or otherwise conveying of a Vehicle to a particular place, which fee is in addition to the amount which the Owner or Driver of the Tow Truck is authorized to charge to the Customer in accordance with the provisions of Schedule 6;

“**Run Sheet**” means a record of Tows and/or conveyances made by a Tow Truck Driver;

“**Tow Truck**” means a Motor Vehicle used for hire for Towing or otherwise conveying Vehicles;

“**Tow Truck Company**” means a Person who in pursuance of a trade, calling business, or occupation arranges for the provision for hire to a customer of the services of a Tow Truck;

“**Towing**” means the movement of a Vehicle by a Tow Truck, whether such Vehicle is picked up at, or delivered to, a location within the City, and the terms Tow and Towed have a corresponding meaning;

(2) That Section 1 (Definitions)” be amended as follows:

- a) “**Driver**” – remove tow truck
- b) “**Owner**” – remove tow truck
- c) “**Vehicle**” – remove “a tow truck used for either Towing or otherwise conveying Vehicles”

(3) That Section 2 (Schedules) be amended as follows:

Remove Schedule 6 – Tow truck owners, drivers and companies and renumber the remaining schedules accordingly;

(4) That Section 3 (Licence Requirement) be amended as follows:

Section 3.1, subsections (j), (k) and (l) be deleted and remaining subsections be renumbered accordingly;

(5) That Section 11 (Schedules), subsection 11.2 be amended as follows:

Remove Schedule 6 – Tow truck owners, drivers and companies and renumber the remaining schedules accordingly;

(6) That Schedule 6 - **Relating to the Tow Truck Owners, Drivers and Companies** be repealed in its entirety.

Read a first, second, and third time and passed January 31, 2024.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor