



**REGIONAL MUNICIPALITY OF NIAGARA  
POLICE SERVICES BOARD**

**ADMINISTRATION & LICENSING COMMITTEE  
PUBLIC MINUTES**

**Thursday, July 6, 2017**

**Niagara Police Services Board  
Multipurpose Room 1<sup>st</sup> Floor, 110 James Street, St. Catharines**

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**CALL TO ORDER**

The Licensing Committee Meeting of the Niagara Police Services Board commenced at 10:15 am.

**ROLL CALL**

**PSB MEMBERS:**

Mr. B. Gale, Committee Chair  
Mr. K. Gansel, Vice-Chair  
Mr. T. Bonham  
Mr. A. Caslin  
Mr. B. Marshall  
Mr. V. Stewart

Ms. D. Reid, Executive Director  
Mr. W.B. McKaig, Board Solicitor

**NRPS MEMBERS:**

Chief J. McGuire  
Deputy Chief B. MacCulloch, Operations Support  
Deputy Chief B. Fordy, Support Services  
Inspector M. Giannico, Executive Officer to the Chief of Police  
Ms. L. DiDonato-DeChellis, Director of Business Services  
Ms. L. Rullo, Finance Manager  
Detective Sergeant C. Labaune, Issuer of Licenses  
Detective Constable E. Lindsay, By-law Enforcement & Licensing  
Detective Constable M. Webb, By-law Enforcement & Licensing

**OTHER:**

Mr. R. McGuire, Citizen

**LICENSING  
INDUSTRY:**

Attendees (see Appendix A)

**DECLARATIONS OF CONFLICT/PECUNIARY INTEREST**

There were no declarations of conflict or pecuniary interest.

**MINUTES OF THE PREVIOUS MEETINGS**

- 1. Minutes of the Licensing Committee Meeting held Thursday, May 11, 2017.**

Moved by: B. Marshall  
Seconded by: T. Bonham

**That the information be received.**

**Carried.**

## PRESENTATIONS

### 2. NRPS Tow Rotation – Chris York

The Committee considered a letter received June 26, 2017 from Mr. Chris York, Sids Towing, requesting to make a presentation to the Board on behalf of numerous tow owners and drivers about recent changes to the tow rotation by the NRPS Licensing Unit.

Mr. York asked the Committee to reconsider the changes made to the tow rotation agreement. He spoke about issues with towing companies that have multiple names on the tow rotation list, which are controlled by the same party, and use the same colour scheme on their vehicles to obtain multiple turns in the particular tow zones. He also talked about the 30 minute response time, and the need for the Board to move back to the previous requirement that towing companies must have a secured compound in that tow zone and at least one truck to be on the list.

With respect to towing rates, Mr. York advised that the current rate of \$225.00 does not allow for extra charges for special equipment or accident scene clean-up or any cost offset for the new requirement that vehicles must be towed to the police Collision Reporting Centre prior to reaching its final towing destination. He is requesting the Board increase the towing rates to counterbalance these additional costs.

The last issue raised was the use of scanning devices. Niagara is the only area that does not permit the use of scanning devices and Mr. York is requesting that it be removed from the by-law to allow towing companies to use scanning devices for the purpose of monitoring the OPP in the Niagara area so they can respond to calls for service that are dispatched through the OPP radio system. Detective Constable Lindsay clarified that two other jurisdictions, namely Halton Region and the County of Dufferin, also do not permit scanners under their by-law.

Committee Chair Gale asked about the towing companies that Mr. York is representing. Mr. York advised that he has spoken with almost all the towing companies in Niagara and they are in agreement with the requests made, including Tom James Towing and Robbins Towing. Chair Gale requested that in future, Mr. York provide a list of the towing companies that he represents as part of his written submission.

Regarding complaints, Chair Gale asked if the Licensing Unit has received any complaints about towing companies not responding to calls within the 30 minute time. Detective Constable Lindsay advised that the majority of complaints received are from officers on the road. The current by-law permits removal from the tow rotation list if they do not respond within 30 minutes. There are certain individuals and/or companies that frequently do meet the criteria and when that happens they are suspended. Detective Constable Lindsay said that the 30 minute criteria has not been an issue to-date other than in the winter months for weather related reasons.

Following the question and answer period, Detective Constable Lindsay was directed by the Committee to meet with Mr. York and review his concerns as outlined and provide a further report back to the Committee.

Moved by: T. Bonham  
Seconded by: B. Marshall

**That the presentation be received.**

**Carried.**

## **NEW BUSINESS**

### **3. By-Law Enforcement & Licensing Unit – YTD May 2017 Financial Operating Statement**

The Committee considered Service report 192/2017 providing the Board's Licensing Committee with a quarterly variance and forecast report to monitor the Licensing Unit's financial performance against its mandate to achieve a full cost recovery position by year-end.

Ms. Rullo provided an overview of the report, which indicates a net deficit of \$91,217 as at May 31, 2017 and is mainly due to the recent collective agreement settlement.

The Committee questioned the need for the Service to make a recommendation for adjustments to offset the projected shortfall and achieve full cost-recovery in the Unit. Detective Sergeant Labaune advised that the fees are adjusted annually; however, there has been discussion about implementing an annual cost-of-living adjustment along with an examination to see how much each portfolio in the Licensing Unit is costing so the fees could be adjusted accordingly to return to a revenue neutral position. With respect to increasing fees semi-annually, Ms. DiDonato-DeChellis advised that she will look into the process for fee increases, which may be linked to the Board's User Fee By-law and require final approval from the Regional Council. She suggested an option may be to increase the fees and set up a reserve fund that can be used to offset future year deficits.

Moved by: T. Bonham  
Seconded by: A. Caslin

**That the information be received.**

**Carried.**

### **4. Uber – Response to Report on 'TNC Review 2017' & One Year Review of Board Licensing By-law 361-2016**

The Committee considered correspondence dated July 5, 2017 and June 1, 2017 from Mr. Chris Schafer, Uber Public Policy Manager – Canada, with a response to the NRPS report on the one year review of the TNC's and providing the Board with proposed changes it may wish to consider as part of the Board's deliberations on revisions to the Board's Licensing By-law concerning Transportation Network Companies.

Mr. Shafer highlighted Uber's track record of compliance both in Ottawa and Toronto as well as the strong partnerships at the municipal and provincial levels, and organizational partnerships with McDonald's, Uber Eats, the transit service for the Town of Innisfil, and upcoming RFP with Metrolinx.

With respect to the Niagara Region, Mr. Schafer said because Uber was a new initiative there were initial costs associated with the development and implementation of the service. He said they have done their best to work with the Licensing Unit to reduce costs and have also accommodated various requests from the Licensing Unit, such as developing a second decal specifically for use in Niagara.

Mr. Shafer identified various issues with the Licensing Unit proposal and stated that the proposal will create new additional work, lead to appeals, public safety issues, and increased costs. Uber is proposing an 'audit-based' model that would reduce costs with only slight 'cosmetic' changes to the Board's By-law. He offered that if the Board decided to increase fees, he would support the Hamilton based fee model of \$50,000 annual fee plus a per trip fee of \$0.11 for Niagara. In summary, the recommendations from Uber is that the by-law licensing process move to an 'audit-based' model that requires minimal cosmetic changes to the by-law or status quo; that the fees remain status quo or move to the Hamilton fee arrangement and no decal or status quo.

Mr. McKaig raised an issue with respect to the incompatibility of Uber's IT systems with the Licensing Unit's programs. He asked if Uber would be willing to adapt the electronic data formats to ensure a seamless transfer of information, regardless of the decision on the audit-based model. Mr. Schafer explained that the information is contained on an Excel spreadsheet, which is provided to regulators on a scheduled reporting cycle (i.e. weekly, monthly, quarterly, etc.), so they can select drivers, trips, etc., for auditing purposes. He offered to meet with the police Licensing Unit and IT staff to further discuss this matter. Mr. McKaig clarified that the Excel spreadsheet reporting does not give the Licensing Unit staff the capability that they currently have to run all names electronically on weekly basis to pick up new criminal charges or otherwise. He further asked if Uber could make any adjustments to send the Licensing Unit the information so that it can be seamlessly incorporated into the Licensing Unit system. Mr. Shafer committed to having Uber IT staff come to Niagara to see what can be done to alleviate this issue.

Moved by: K. Gansel  
Seconded by: V. Stewart

**That the presentation and information be received;**

**And further, that the recommendations be considered as part of the Transportation Network Company (TNC) review process at the September 14<sup>th</sup> Licensing Committee meeting.**

**Carried.**

**5. TNC Review 2017**

The Board considered Service report 191/2017 dated June 22, 2017 providing the Board's Licensing Committee with a report with an annual one year review of the Transportation Network Company category of licenses within Board By-law 361-2016 with recommendations for revisions to the current system.

Detective Sergeant Labaune provided an overview on the financial aspects of the TNC activities, which includes one annual fee plus trip fees of 11 cents, at a total of approximately \$37,000. The annual fee is \$7,500 plus approximately \$29,000 for trip fees. Since the inception of Uber last year, the total received is slightly more than \$40,000. He indicated that approximately 20% of staff resources are spent on TNCs (i.e. Uber) and only three percent of the revenue was coming from Uber. Based on the financial forecast for the budget, the Licensing Unit will cost \$741,000 and 20% of that would be \$148,000.

Uber is currently paying \$40,000, which leaves a \$108,000 discrepancy. The Licensing Unit proposal is similar to Hamilton and London with a \$50,000 annual fee plus trip and driver fees, and that would bring the Licensing Unit to a revenue neutral position. He further stated that if the TNC portfolio was brought back to the normal licensing system processes the Service could cut the Unit's expenses (i.e. time spent) by 50%. He also noted that the staff time administrative requirements for Uber has negatively impacted on the ability of his Unit to provide licensing enforcement.

With respect to the exchange of data between Uber and police IT systems, Detective Sergeant Labaune agreed to explore the opportunity to bridge the gap of the information exchange with appropriate IT staff from both organizations. The Committee directed that police IT staff meet with Uber IT staff within the next two months to see if a solution can be found to eliminate manual data entry and reduce administrative requirements to become more efficient. The Chief advised that the Service will make the connection and have appropriate staff review the various issues.

The Committee noted the importance of allocating costs to the appropriate area of licensing and recommended that Licensing and Finance staff meet to conduct an analysis of the various licensing operations so that a determination can be made as to where these costs belong.

Member Bonham referred to page 3 and asked for clarification on the discrepancy of the internal numbers reported for Uber drivers. Detective Sergeant Labaune advised that it may be a typo and he would review and report back with clarification.

Committee Chair Gale directed that a meeting be arranged the first week of September with the Issuer of Licenses and any other interested Board members to follow-up on the items that have been raised at today's meeting in preparation for the meeting on September 14<sup>th</sup>.

Moved by: B. Marshall  
Seconded by: V. Stewart

**That the information be received;**

**And further, that the report be referred to the Board Solicitor and the Issuer of Licenses for review and report back with recommendations at the September 14<sup>th</sup> Licensing Committee meeting.**

**Carried.**

## **OTHER NEW BUSINESS**

### **6. Petition – Taxi Drivers and Operators in Niagara Region**

Mr. Dalibor Bogdanovic, Niagara Falls Taxi, presented the Committee with a petition signed by 37 taxi representatives regarding issues with the Board's decision made last year for Region-wide plates. He read his letter dated June 14, 2017, outlining various concerns from the taxi industry including lack of service in some communities, longer wait times, no response from on-duty drivers and no paratransit services. Mr. Bogdanovic suggested the Board should exclude Niagara Falls from the Region-wide licensing requirements to alleviate concerns in neighbouring communities. A copy of his letter was filed with the Board's Executive Director.

Mr. Bogdanovic provided the Committee with statistical research that was conducted by a team with Niagara Falls Taxi who examined impaired driving charges before and after the Region-wide licensing requirements were implemented.

He said the information provided was from the NRPS website and based on two timelines. The first analysis was conducted on a 20-day period during the pilot research project and focused on critical areas, namely, Fort Erie, Pelham, Niagara-on-the-Lake, Port Colborne, and Grimsby. The small random pilot sample showed an overall increase in impaired driving from 24 to 32 charges after the Region-wide bylaw change was applied. He noted that the areas of Fort Erie, Grimsby, West Lincoln, Pelham and Niagara-on-the-Lake jumped from 6 to 11 charges. The second analysis conducted was for a 60-day period before Region-wide licensing from December 21, 2015 to February 21, 2016, which showed 68 impaired driving charges for 60 days. After Region-wide licensing, impaired driving charges jumped from 68 to 109 in the areas of Dunnville, Wainfleet, Fort Erie, Niagara-on-the-Lake, Pelham, Thorold and Grimsby. He further noted that a total of 67 of the 109 charges were from those municipalities.

In summary, Mr. McKaig clarified that on the issue of Region-wide use of licenses, Mr. Bogdanovic is stating that in the smaller communities (not Niagara Falls or St. Catharines) the taxis are leaving those communities and going to work in Niagara Falls and St. Catharines so there is less service in the outlying areas. The second point raised is that from the outlying areas the study that Mr. Bogdanovic has completed shows that impaired driving charges have increased in those areas and he feels there is a link between Region-wide licenses and the increase in impaired driving.

The Committee directed that the Issuer of Licenses meet with Mr. Bogdanovic to review the material that he has presented. In addition, the Committee requested the Issuer of Licenses include as part of his report, any lack of taxi or paratransit service in the outlying areas and any complaints about the taxi or TNC services for discussion at the next Licensing Committee meeting. Chair Gale also invited the taxi industry to contact the Issuer of Licenses to submit any further comments for the Committee's consideration as part of its review.

Moved by: A. Caslin  
Seconded by: T. Bonham

**That the information be received.**

**Carried.**

## **NEXT MEETING**

**There are no Committee meetings scheduled for the month of August to facilitate summer holiday schedules.** The next meeting is scheduled for Thursday, September 14, 2017 at 8:30 am, NRPS Headquarters, Community Room, 1<sup>st</sup> Floor, 5700 Valley Way, Niagara Falls.

## **ADJOURNMENT**

The Licensing Committee Meeting adjourned at 12:12 pm.

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Bob Gale, Chairperson

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Deb Reid, Executive Director

**APPENDIX "A"**  
**ATTENDANCE LIST FOR LICENSING INDUSTRY**

	Name	Company
1	Peter Mandronis	Niagara Falls Taxi
2	Kathy Platanitis	Niagara Falls Taxi
3	Dalibor Bogdanovic	Niagara Falls Taxi
4	Diane Falconer	Niagara Falls Taxi
5	Val Kirilov	Niagara Falls Taxi
6	Paul Walker	Niagara Falls Taxi
7	Ahmet Fidan	Lucky Dollar Taxi (NF)
8	Etibar Sharifov	Niagara Falls Taxi
9	Jazz Cheema	Niagara on the Lake Taxi
10	Atanas Nankov	Central Taxi
11	Iko Dzhitlarski (Unconfirmed)	Central Taxi
12	Geno Genov	Central Taxi
13	Murat Kaya	Niagara Falls Taxi
14	Ozgur Unsac	Niagara Falls Taxi
15	Ismail Ertemiz	Niagara Falls Taxi
16	Stefan Roshanov	Niagara Falls Taxi
17	Umut Gungor	Niagara Falls Taxi
18	Dragana Zegarac	Niagara Falls Taxi