



TOWN OF  
**HALTON HILLS**  
*Working Together Working for You!*

## REPORT

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**TO:** Mayor Lawlor and Members of Council

**FROM:** Susie Spry, Manager of Enforcement Services

**DATE:** July 26, 2023

**REPORT NO.:** ADMIN-2023-025

**SUBJECT:** Amendments to the Business Licensing By-law 2005-0067

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### RECOMMENDATION:

THAT Report No. ADMIN-2023-025 dated July 26, 2023 regarding Amendments to the Business Licensing By-law 2005-0067, be received;

AND FURTHER THAT Council approve the deletion of Schedule No. 10 (Support Activity for Road Transportation) of Business Licensing By-law 2005-0067, to be replaced by a new Schedule I;

AND FURTHER THAT Council adopt the new Schedule I (Appendix A) to By-law 2005-0067 with an effective date of January 1, 2024;

AND FURTHER THAT Council extend the current Tow Truck licences to expire on January 1, 2024.

### KEY POINTS:

The following are key points for consideration with respect to this report:

- Licensing By-law 2005-0067 allows for the licensing and regulation of the Towing Industry operating in the Town of Halton Hills.
- The current licence year for the Towing Industry expires on September 30<sup>th</sup> every year.
- Through Provincial Legislation of the Towing and Storage Safety and Enforcement Act (TSSEA), the province will be responsible for the licensing and regulation of the towing industry beginning January 1, 2024.

- Staff are asking Council to extend this year's licenses from September 30<sup>th</sup>, 2023, to January 1, 2024 to cover the 3 month period prior to the TSSEA enforcement period beginning.
- The Province has introduced new legislation that will provide provincial oversight of the towing and vehicles storage sectors.
- In January 2024, new provincial legislation will replace existing municipal regulations.
- Removal of the regulations within the Business Licensing By-law is required to prepare for the transition to provincial oversight.

## **BACKGROUND AND DISCUSSION:**

In 2005, Council approved Report No. CL-2005-0009 which was enacted to provide for a system of licences with respect to a business, including any business wholly or partly carried on within the municipality. CL-2005-0009 which proposed a new business licensing by-law to provide for a system of licences, including any business wholly or partly carried on within the municipality. The purpose of this by-law was to address consumer protection, nuisance control and health and safety with respect to businesses licenced by the municipality.

Currently, Schedule No. 10 of the Town's Business Licensing By-law 2005-0067, provides enforcement provisions with respect to the Support Activity for Road Transportation class of licenses which includes Towing Service Company, Tow Truck Driver, Towing Storage Compound. It also includes Driving School Operator licence which will be reviewed later on in this report.

In June 2021, the Ontario government passed the *Towing and Storage Safety and Enforcement Act (TSSEA)* to provide provincial oversight of the towing and vehicles storage sectors. TSSEA will replace existing municipal regulations. As a result of the new provincial regulations, the Town of Halton Hills will no longer provide any enforcement support with respect to the licensing of Towing Service Companies, Tow Truck Drivers and Towing Storage Compounds.

The implementation of TSSEA is being rolled out in phases to allow the industry time to understand the new legislation and bring their businesses into compliance. The Ministry of Transportation (MTO) has established the following dates for implementation:

**January 1, 2023 (already in effect):** new HTA [requirements](#) that apply to other commercial motor vehicles and establish vehicle requirements for tow trucks (i.e., daily and annual inspections and use of a safety vest).

**July 1, 2023:** Introduction of three certificate types: Tow Operator, Tow Truck Driver and Vehicle Storage Operator.

**On July 4, 2023,** the [online application portal](#) launched and members of the industry can apply for a certificate at no cost (until July 2024).

**January 1, 2024:** new TSSEA requirements including customer protection and standards of practice to professionalize the industry. Tow operators and vehicle storage operators must have a certificate to operate and TSSEA enforcement begins.

**July 1, 2024:** Tow truck drivers must have a certificate to drive a tow truck.

### **Application Process and Certificate Fees**

The application process for certificates will open on July 4, 2023. To encourage industry registration and ease transition from municipal oversight, there will be no fees charged until July 1, 2024, for all certificate types. Tow drivers who apply early will have an additional three years to complete the required training (training must be completed for certificate renewal, which is required three years after certification). Effective July 2024, the following certificate fees will apply:

\$575 per year for a tow operator certificate

\$195 every three years for a tow truck driver certificate and;

\$575 per year for a vehicle storage operator certificate.

To ensure adequate time for the industry to get ready, the requirement to have a certificate will not be enforced until January 1, 2024, for tow and vehicle storage operators and July 1, 2024, for tow truck drivers.

### **Driving School Operator**

The provisions for a Driving School Operator license will remain the same and form Schedule I of the Town's Business Licencing By-law 2005-0067, attached as Appendix A to this report.

### **STRATEGIC PLAN ALIGNMENT:**

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

### **RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

### **PUBLIC ENGAGEMENT:**

Public Engagement was not needed as this report is administrative in nature.

Enforcement Services staff will continue to direct members of the Tow industry to the appropriate Provincial body.

**INTERNAL CONSULTATION:**

Staff consulted with the Town Clerk on this matter.

**FINANCIAL IMPLICATIONS:**

This report is administrative in nature and does not have any financial implications.

As the Town will no longer be responsible for the issuing Towing Service Company, Tow Truck Driver, and Towing Storage Compound licences, there will be an estimated loss of revenue totaling \$2388.17

Type of Licence	Number of Licences issued in 2023	Annual Business License Fee	Revenue per Year
Towing Service Company with Storage Compound	4	\$289.47	\$1,157.88
Towing Storage Compound	0	\$217.10	\$0.00
Tow Truck Driver	17	\$72.37	\$1,230.29
Total Revenue			<b>\$2, 388.17</b>

Reviewed and approved by,

**Report Approval Details**

Valerie Petryniak, Town Clerk & Director of Legislative Services

Chris Mills, Chief Administrative Officer