



MINUTES

TOWING INDUSTRY ADVISORY COMMITTEE

MONDAY, JUNE 18, 2012 – 9:11 AM

COUNCIL CHAMBERS

SECOND FLOOR, MISSISSAUGA CIVIC CENTRE, MISSISSAUGA, ONTARIO

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Members Present: Councillor Ron Starr, Ward 6 (**Chair**)
Councillor Nando Iannicca, Ward 7
Mark Bell (Citizen Member)
Daniel Ghanime (Citizen Member)
Todd Keely (Citizen Member)
Tullio (Tony) Pento (Citizen Member)
Daniel R. Wallace (Citizen Member) (arrived: 9:05am)

Members Absent: John C. Lyons (Citizen Member) (**Vice Chair**)

Staff Present: Mickey Frost, Director, Enforcement
Brad Parliament, Acting Manager, Mobile Licensing Enforcement
Ed Spence, Mobile Licensing Enforcement Officer
Stephanie Smith, Legislative Coordinator, Office of the City Clerk

Stephanie Smith, Legislative Coordinator
Office of the City Clerk 905-615-3200 ext. 3795 Fax 905-615-4181
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CALL TO ORDER – 9:11 a.m.

DECLARATIONS OF DIRECT (OR INDIRECT) PECUNIARY INTEREST - Nil

PRESENTATIONS/DEPUTATIONS

Mr. Naveed Butt, Resident, 3827 Manatee Way spoke to the Towing Industry Advisory Committee (TIAC) regarding his vehicle that was towed on February 9, 2012 at the Plaza located at 2515 Hurontario Road. Mr. Butt outlined to the Committee that his vehicle was towed by Atlantic Towing who received permission to tow any vehicle that violated the two hour parking on the premises as posted on the property parking lot by the property manager of Westside Properties. Mr. Butt expressed concern that the towing company failed to provide any documentation that he was in violation of any City of Mississauga by-law and he feels that the City of Mississauga has delegated its power to private property owners to enforce the City parking by-laws.

Councillor Starr addressed Mr. Butt's concerns and suggested that all documentation shown during the deputation be forwarded to Enforcement staff for a review and staff would follow-up with you in the coming weeks.

Mr. Butt expressed concern that documentation had already been forwarded to his Councillor Sue McFadden, Ward 10 who in return forwarded it to Enforcement staff. The staff member advised that the charges are within the limits but did not answer if the tow was justifiable or not.

Mickey Frost, Director, Enforcement advised that his office has only received one piece of documentation and agrees with Councillor Starr that Enforcement staff needs to receive all documentation to look into this matter. Mr. Frost also mentioned that he is not aware who responded to Mr. Butt.

Mr. Butt responded by reading an email that he received from Mr. Ed Spence, Mobile Enforcement Officer that he felt was contradicting and was unclear who Mr. Spence is and how he obtained his contact information. Councillor Starr reiterated that staff would look into the matter and will follow-up with Mr. Butt

Mr. Butt expressed concern about how the matter has been dealt with by the City of Mississauga. He further expressed concern about the membership of TIAC. Councillor Starr addressed Mr. Butt's concerns about the TIAC membership and advised that members are appointed by Council and Council has the final decision on recommendations from advisory Committees.

Recommendation

TIAC-0011-2012

That the deputation made by Mr. Naveed Butt regarding concerns about the towing industry be received and referred to Licensing and Enforcement staff for further review.

Received (T. Keely)

MATTERS CONSIDERED1. Minutes of Previous Meeting

That the minutes of the Towing Industry Advisory Committee meeting held February 28 2012 be approved as presented.

Approved (D. Ghanime)

2. Amendments to the Tow Truck Licensing By-Law 521-04. As Amended – Gross Vehicle Weight Rating

Corporate Report dated April 2, 2012 from the Commissioner of Transportation and Works with respect to amendments to the Tow Truck Licensing By-law 521-04 as amended – Gross Vehicle Weight Rating.

Todd Keely, expressed concern with the proposed Gross Vehicle Weight Rating (GVWR) as there is too much flexibility and room for error. Mr. Keely suggests that the GVWR should remain at 6000 pounds and if there are concerns between the insurance company or the towing company that a scale ticket be produced and the ownership should be on the towing company.

Daryl Bell, Manager, Mobile Licensing Enforcement explained that in determining the GVWR staff reviewed tow trucks with the combined weight of the two vehicles. When reviewing this issue we were not looking at it from the perspective of a loaded vehicle but looking at the stickers on each truck door and adding them up to produce your combined weight of the two vehicle.

Mr. Keely explained the tow is not the whole vehicle, because only the front axle weight is being towed. He further noted that the numbers in the report have too many variables and only the three major manufactures were considered. If we are going to change the GVWR then it should be a fare rate of 8800 pounds.

Daniel Ghanime, Citizen Member expressed concern with staff's recommendations to change the GVWR to 9500 pounds as other municipalities are using the 6000 pounds. Discussion ensued with respect to changing the GVWR. Mr. Ghanime noted that

modifications can be done to a vehicle to increase the weight that isn't included in the manufactures GVWR.

Recommendation

TIAC-0012-2012

That the Corporate Report prepared by Licensing and Enforcement staff with respect to amendments to the Tow Truck Licensing By-Law 521-04 - Gross Vehicle Weight Rating be referred back to staff for further review and for consideration at a future Towing Industry Advisory Committee meeting.

Received (M. Bell)

3. Amendments to the Tow Truck Licensing By-Law 521-04, As Amended – Single Versus Dual Wheel Rear Axle

Corporate report dated June 8, 2012 with respect to the amendments to the Tow Truck Licensing By-Law 521-04, as amended – Single Versus Dual Wheel Rear Axle.

Mr. Mark Bell noted that manufactures are now making new single wheel trucks that are equivalent to dual wheel trucks.

Mr. Daniel Wallace commented that he does not see the need to eliminate single wheel trucks if they are meeting the bylaw requirements and if the manufactures and the Ministry of Transportation are agreeing that they can carry these weights.

Daryl Bell, Manager, Mobile Licensing Enforcement commented that there are approximately 23 single wheel trucks that the City is aware and they are all in compliance with the requirements of the by-law. Mr. Mark Bell noted that the single wheel trucks that Daryl is referring to are new 2011 GMC trucks.

Councillor Starr asked the Committee if there is any public safety factor between single versus dual trucks. Discussion ensued with respect to any public safety factors between single versus dual trucks. Members of the Committee noted that if there were safety issues the Ministry of Transportation would get involved.

Recommendation

TIAC-0013-2012

That the Corporate Report prepared by Licensing and Enforcement staff with respect to amendments to the Tow Truck Licensing By-Law 521-04 – Single Versus Dual Wheel Rear Axle be left as is and be deferred for one year to further evaluate the industry standards.

Received (M. Bell)

4. Vehicle Pound Facility Inspection Update

Mickey Frost, Director, Enforcement provided the Committee with a verbal update regarding vehicle pound facility inspections. He noted they have now all been inspected and a number of property standards were issued and they are now all in compliance with City of Mississauga by-laws and staff will continue to make sure they are in compliance.

5. Action List – Towing Industry Advisory Committee Meeting Held on February 28, 2012

Committee members reviewed the attached action list.

OTHER BUSINESS

Councillor Starr raised the issue of capping the number of tow truck licenses and drivers licenses and put an immediate moratorium on any new licenses. He noted that there is a lot of pressure to bring this report to the September meeting, but we have to take a pro active step.

Recommendation

TIAC-0014-2012

The Towing Industry Advisory Committee recommends an immediate moratorium be placed on the issuance of any new tow truck and tow truck driver's licenses issued by the City of Mississauga pending a review of Tow Truck Licensing By-law 521-04 as amended, and that the by-law be amended to include more stringent licensing requirements.

Approved (D. Wallace)

Mark Bell stated that capping the licenses is a great idea. There needs to be criteria as to who can become a tow truck driver as the industry has no guidelines or regulations. Drivers should have some experience and training.

Adjournment 10:24a.m