

AGENDA



TOWING INDUSTRY ADVISORY COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

TUESDAY, JUNE 21, 2011 - 9:00 A.M.

COUNCIL CHAMBERS

SECOND FLOOR, CIVIC CENTRE

300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

www.mississauga.ca

Members

Councillor Ron Starr, Ward 6 (**Chair**)

Councillor Nando Iannicca, Ward 7

Mark Bell, Citizen Member

Daniel Ghanime, Citizen Member

Todd Keely, Citizen Member

John C. Lyons, Citizen Member (**Vice Chair**)

Tullio (Tony) Pento, Citizen Member

Daniel R. Wallace, Citizen Member

Contact: John Britto, Legislative Coordinator
Office of the City Clerk 905-615-3200 ext. 3795 Fax 905-615-4181
john.britto@mississauga.ca

CALL TO ORDER

DECLARATIONS OF DIRECT (OR INDIRECT) PECUNIARY INTEREST

PRESENTATIONS/DEPUTATIONS

MATTERS TO BE CONSIDERED

1. Minutes of Previous Meeting

Minutes of the Towing Industry Advisory Committee meeting held May 5, 2011.

Recommend Adoption

2. Annual Review of the Collision Tow Rates Regulated Under Tow Truck Licensing By-law 521-04, as amended

Corporate Report dated May 16, 2011 from the Commissioner of Transportation and Works with regard to increase in fees that may be charged for various services contained in Schedule 3 of the City of Mississauga Tow Truck Licensing By-law 521-04, as amended.

Recommend Approval

INFORMATION ITEMS

DATE OF NEXT MEETING – 9:00 a.m Tuesday, September 20, 2011, Council Chambers

OTHER BUSINESS

ADJOURNMENT



Minutes

TOWING INDUSTRY ADVISORY COMMITTEE

THURSDAY, MAY 5, 2011 – 9:00 AM

COUNCIL CHAMBERS

SECOND FLOOR, MISSISSAUGA CIVIC CENTRE, MISSISSAUGA, ONTARIO

www.mississauga.ca

Members Present: Councillor Ron Starr, Ward 6
Councillor Nando Iannicca, Ward 7 (until 10:45am)
Mark Bell (Citizen Member)
Daniel Ghanime (Citizen Member)
Todd Keely (Citizen Member)
John C. Lyons (Citizen Member)
Tullio (Tony) Pento (Citizen Member)
Daniel R. Wallace (Citizen Member)

Staff Present: James Bisson, Manager, Mobile Licensing Enforcement
John Britto, Legislative Coordinator, Office of the City Clerk

Also Present: Ed Spence, Mobile Licensing Enforcement Inspector
Members of the Towing Industry

John Britto, Legislative Coordinator
Office of the City Clerk 905-615-3200 ext. 3795 Fax 905-615-4181
john.britto@mississauga.ca

CALL TO ORDER – 9:05

APPOINTMENT OF CHAIR

RECOMMENDATION

TIAC-0001-2011

That Councillor Ron Starr, Ward 6, be appointed as Chair of the Towing Industry Advisory Committee for the 2010-2014 Council term, or until a successor is appointed.

Approved: (Councillor Nando Iannicca)

APPOINTMENT OF VICE-CHAIR

RECOMMENDATION

TIAC-0002-2011

That John C. Lyons, Citizen Member, be appointed as Vice-Chair of the Towing Industry Advisory Committee for the 2010-2014 Council term, or until a successor is appointed.

Approved: (Councillor Nando Iannicca)

DECLARATIONS OF DIRECT (OR INDIRECT) PECUNIARY INTEREST – Nil

PRESENTATIONS/DEPUTATIONS – Nil

MATTERS CONSIDERED

1. Introduction of Committee Members and Staff

The Chair welcomed the new and incumbent Committee Members. Committee members and staff briefly introduced themselves.

2. Minutes of Previous Meeting(s)

RECOMMENDATION

TIAC-0003-2011

That the report of the Towing Industry Subcommittee from its meeting held November 23, 2010, be received and that recommendation TIS-0010-2010 be approved as presented:

That the report dated October 28, 2010 entitled TIS-0006-2009 (PVAC-0020-2009/GC-0769-2009) Vehicle Storage Fees charged throughout the Greater

Toronto Area, from Transportation and Works Department, be received for information (TIS-0010-2010).

Adopted as presented (Councillor Nando Iannicca)

3. Draft Terms of Reference

RECOMMENDATION

TIAC-0004-2011

That the Draft Terms of Reference of the Towing Industry Advisory Committee (TIAC) presented at its first meeting on May 5, 2011, be approved.

Approved (Councillor Nando Iannicca)

4. 2011 Meeting Dates

Memorandum dated April 4, 2011 from John Britto, Legislative Coordinator indicating proposed 2011 meeting dates.

Revised meeting dates for 2011: June 21, September 20 and November 29, 2011

RECOMMENDATION

TIAC-0005-2011

That the Memorandum dated April 4, 2011 from John Britto, Legislative Coordinator, listing the 2011 Towing Industry Advisory Committee meeting dates, as amended, be approved.

Approved (John C. Lyons)

5. Letter dated January 31, 2011 from Daniel Ghanime of M.V.C. Towing & Storage Inc.

Council Resolution 0033-2011 of February 9, 2011 referring letter dated January 31, 2011 from Daniel Ghanime of MVC Towing & Storage Inc. for appropriate action.

Daniel Ghanime spoke to his letter of February 9, 2011 and requesting an increase in towing rates.

Discussion ensued regarding the various charges related with the towing industry.

The Chair, Councillor Ron Starr suggested that staff investigate the various rates being charged by neighbouring municipalities and report to a future Committee meeting.

James Bisson, Manager Mobile Licensing suggested appointing an Insurance Industry representative on the Towing Industry Advisory Committee.

Mark Lockwood, RBC Insurance addressed the Committee on the issue of towing rates and allied charges within the City. He also supported the appointment of an Insurance

Industry representation on the Committee.

Responding to a question from Mark Bell, Mark Lockwood advised that RBC has ongoing discussions with all municipalities in the GTA with respect to towing and related charges. RBC operating principles reflect and are guided based on the by-laws of the local municipalities. The Insurance Industry has no ongoing issues related to current towing and related charges by the various municipalities in the GTA.

Responding to a question from Todd Keely, Mark Lockwood advised that he is not aware of any incidents where vehicles have been towed from other jurisdictions into the City of Mississauga.

Daniel Wallace advised that the low rates applicable within the City of Mississauga could be a deterrent for operators to tow vehicles into the City of Mississauga.

Responding to a question from Councillor Ron Starr, Mark Lockwood advised that State Farm Insurance is the largest insurance company with respect to home and auto insurance. RBC does not meet with other insurance companies on a regular basis, but anecdotal experiences are shared.

Ms. Dara Carpenter of Allstate Insurance Company of Canada addressed the Committee expressing concerns with vehicles leaving the City. Ms. Carpenter advised that a minor increase in towing rates may encourage operators from staying within the City limits.

Responding to a question from Councillor Starr, Edward Spence, Mobile Licensing Enforcement Inspector advised that approximately 3 to 4 vehicles are reported being towed outside the City limits into the Town of Oakville and the City of Toronto.

Responding to a question from Daniel Wallace, Ed Spence advised that the issue of vehicles being towed outside the City limits has been persisting over a number of years. He suggested that harsher penalties should be levied on operators responsible for towing vehicles outside the City limits.

Daniel Wallace was of the opinion that the City should look at stronger enforcement in order to deter operators from towing vehicles outside the City limits.

James Bisson was of the opinion that the City should not tolerate non-compliance of drivers responsible for towing vehicles outside the City. He suggested that staff could bring back options of different rates. Merely increasing tow rates may not resolve the issue of towing outside the City limits. Currently it is the consumer's choice to decide where they would like their vehicle towed to. This option may need review.

Responding to a question from Councillor Ron Starr, James Bisson, Manager of Mobile Licensing Enforcement advised that the City of Toronto has similar problems. They are

looking at adopting guidelines similar to those currently in the City of Mississauga.

John Lyons was of the opinion that insurance industry representation on the TIAC is not necessary. He was supportive of increasing tow rates, provided towing outside the City resulted in conviction of the defaulting operator.

James Bisson, Manager Mobile Licensing Enforcement advised that the City has strong threshold that is dealt with by the Enforcement Divison. Part 1 tickets carry a penalty of \$500. Part 3 tickets carry a penalty of \$25,000. Staff have been requested to investigate administrative penalties which would carry a fine of between \$150 to \$200. More than 60 charges have been laid this year, but most of them are still to be heard by the court.

Allan McConnell of Eastgate Towing addressed the Committee and suggested that 8 demerit points within a 12 month period should be good enough to revoke a licence. Rates should be consistent within the Region of Peel at \$60 per day.

Mark Lockwood advised that an increase in tow rates would have an impact on the insurance industry and auto insurance premium for the citizens in the City.

Councillor Nando Iannicca moved the following motion which was voted on and carried.

TIAC-0006-2011

That staff prepare a report focussing on storage rates and licensing of pounds in the surrounding municipalities of Mississauga, and also providing options to the TIAC on issues regarding towing of vehicles outside City boundaries, for consideration at the next Towing Industry Advisory Committee meeting.

Approved (Councillor Nando Iannicca)

INFORMATION ITEMS

DATE OF NEXT MEETING – 9:00 a.m Tuesday, June 21, 2011, Council Chambers

OTHER BUSINESS

ADJOURNMENT – 10:50am



Corporate Report

Clerk's Files

Originator's
Files

DATE: May 16, 2011

TO: Towing Industry Advisory Committee
Meeting Date: June 21, 2011

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Annual Review of the Collision Tow Rates Regulated Under Tow Truck Licensing By-law 521-04, as amended**

RECOMMENDATION: That a by-law be enacted to amend the Tow Truck Licensing By-law 521-04, as amended, to increase the fees that may be charged for various services contained in Schedule 3 to the By-law as follows:

- (a) The per kilometre rate for the towing of a passenger vehicle, light duty van or truck not exceeding six thousand (6000) pounds (2721 kg) in towing weight found in Section 1 of Schedule 3 be increased from \$3.00 to \$3.10 per kilometre (\$4.98 per mile).
- (b) The collision tow fee contained in Section 2 of Schedule 3 be increased from \$230.00 to \$237.00.
- (c) The winching fee contained in Section 2.2 of Schedule 3 be increased from \$100.00 to \$103.00.
- (d) The re-tow rate from a Vehicle Pound Facility contained in Section 5 of Schedule 3 be increased from \$100.00 to \$103.00.

BACKGROUND: In 2010, Council directed staff to conduct an annual review of the Collision Tow Rates and the General Rates contained in the Tow Truck Licensing By-law, 521-04, as amended. Staff were further directed to apply “the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area” against the existing rates and to report their findings back to the Towing Industry Advisory Committee.

COMMENTS: The percentage change information for the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area, published by Statistics Canada, for the period ending October 1st, 2010, is 3.2%.

Staff have applied this increase to the existing fees contained in Schedule 3 to the By-law and the results are shown in Appendix 1 to this report.

The result of applying the increase brings all the fixed fees to an uneven dollar amount. With the exception of the per kilometre amount, staff recommend that the new fees be rounded to the closest dollar figure as follows:

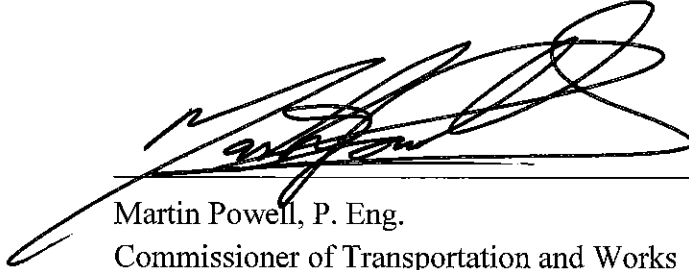
- (a) Increase the collision tow fee contained in Section 2 of Schedule 3 from \$230.00 to \$237.00.
- (b) Increase the winching fee contained in Section 2.2 of Schedule 3 from \$100.00 to \$103.00.
- (c) Increase the re-tow rate from a Vehicle Pound Facility contained in Section 5 of Schedule 3 from \$100.00 to \$103.00.

Staff recommend that the per kilometre rate not be rounded to the nearest dollar and that the new fee be set at \$3.10 per kilometre (\$4.98 per mile).

FINANCIAL IMPACT: Not applicable

CONCLUSION: Staff believe the set fees in Schedule 3 of the Tow Truck Licensing By-law 521-04, as amended, should be increased to the amount suggested in this report.

ATTACHMENTS: Appendix 1: Current and proposed rates for fees set in Schedule 3 to By-law 521-04, as amended.



Martin Powell, P. Eng.
Commissioner of Transportation and Works

*Prepared By: James Bisson, Manager, Mobile Licensing
Enforcement*

JB:jmk

APPENDIX 1

Current and proposed rates for fees set in Schedule 3 to By-law 521-04, as amended.

FEE DESCRIPTION	CURRENT FEE	CPI 3.2%	CURRENT FEE PLUS CPI	PROPOSED NEW FEE 2011
Per KM Rate	\$ 3.00	\$ 0.10	\$3.10	\$ 3.10
Collision Tow Fee	\$230.00	\$ 7.36	\$237.36	\$ 237.00
Winching Fee	\$100.00	\$ 3.20	\$103.20	\$ 103.00
Re-Tow Rate from Vehicle Pound Facility	\$100.00	\$ 3.20	\$103.20	\$ 103.00