



Truro Town Council Meeting
Monday, May 2nd, 2016 at 3:20 pm
Council Chambers – Town Hall

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A regular public meeting of Truro Town Council was held on Monday, May 2nd, 2016 at 3:20 pm in the Council Chambers of the Truro Town Hall.

Present: Mayor W.R. (Bill) Mills, Councillors D. Joseph, B. Kinsman, R. Tynes, G. MacArthur and T. Chisholm

Regrets: Deputy Mayor C. Fritz

In Attendance: Police Chief D. MacNeil, Town Solicitor J. Rafferty and CAO M. Dolter

APPROVAL OF AGENDA

On motion of Councillors B. Kinsman and T. Chisholm, the agenda was approved as circulated. Motion carried.

TAXI APPEAL

The CAO reviewed a letter received from Jerry Atkinson, in which he requests an appeal of a refusal of a renewal of a taxi license. In the letter, Mr. Atkinson states that he was refused a renewal based on tickets he received. He noted that one ticket was for driving a taxi without a taxi driver's license, but he was driving the taxi only for deliveries which he thought he was permitted to do.

The Town Solicitor stated that according to Section 30(2) of the Taxi Bylaw, a person has the right to appeal a decision of the Taxi Authority, but that Section 30(3) states that if the Taxi Authority's refusal to issue or renew a license is based on the applicant having disqualifying convictions, then the Taxi Authority's decision is final and not subject to appeal. The Town Solicitor noted that the definition of a disqualifying conviction is a conviction for three or more driving offenses or two or more convictions of such offenses within a 12 month period. He stated that the denial of the license was based on the two driving offenses within 12 months.

The Taxi Authority stated that Mr. Atkinson received a ticket in March 2016 for failing to stop at a right light, and was charged in February with driving a taxi without a valid license. He advised that it is a bit of a grey area as to whether the charge of driving without a license was considered a driving conviction, and therefore whether it was a disqualifying conviction.

The Town Solicitor advised that under Section 18 of the Taxi Bylaw, anyone driving a taxi with a roof light in the Town is deemed to be soliciting passengers for hire, and that is what Mr. Atkinson was charged under. He stated that Mr. Atkinson should have covered the light on the roof. He said the question for Council to consider is whether that should be considered a driving offense. If Council deems it to be a driving offense, then Council cannot grant the appeal; if Council deems it to not be a driving offense, then they can consider the appeal.

Councillor T. Chisholm asked if Mr. Atkinson knew of the covered light rule.

Mr. Atkinson stated that he was not aware of it, as he just started a few months ago making deliveries.

On motion of Councillors R. Tynes and B. Kinsman, it was agreed that Jerry Atkinson would be granted a Town of Truro Taxi License. Motion carried.

ADJOURNMENT

There being no further business, the meeting be adjourned at approximately 3:30 p.m. Motion carried.

W.R. (Bill) Mills
Mayor

M.W. Dolter
CAO