

**THE CORPORATION OF THE
TOWN OF MATTAWA**

AGENDA

**REGULAR MEETING OF COUNCIL
MONDAY, AUGUST 26TH, 2019
7:00 P.M.**

**MUNICIPAL COUNCIL CHAMBERS
160 WATER STREET
MATTAWA, ONTARIO**

THE CORPORATION OF THE TOWN OF MATTAWA
A G E N D A
MUNICIPAL COUNCIL CHAMBERS
160 WATER STREET
MATTAWA, ONTARIO
MONDAY, AUGUST 26TH, 2019 @ 7:00 P.M.

- 1. Call to Order**
- 2. Disclosure of Pecuniary Interest and Nature Thereof**
- 3. Petitions & Delegations**
- 4. Correspondence**
 - 4.1 Township of Papineau-Cameron – Re: North Bay Mattawa Conservation Authority Levy
Conservation Authority Committee – Clerk
 - 4.2 Community Living Mattawa – Re: Letter of Appreciation for Gala Sponsorship
General Government Committee – Clerk
 - 4.3 International Plowing Match & Rural Expo – Re: Entertainment Launch Media Release
Recreation, Tourism & Special Projects Committee – Recreation Facilities & Services
Manager
 - 4.4 Ministry of Environment, Conservation & Parks – Re: Changes to Conservation Authority
Legislation
Conservation Authority Committee – Clerk
 - 4.5 Ministry of Finance – Re: Ontario Cannabis Legalization Implementation Fund Allocation
Finance Committee – Clerk
 - 4.6 Brent & Diane Greer – Re: Recognition to Town for Paved Parking at Tim Hortons
General Government Committee – Clerk
 - 4.7 Township of Nairn & Hyman – Re: Resolution of Support to Oppose Bill 115, Sale of
Alcohol in Corner Stores
General Government Committee – Clerk
 - 4.8 AMO – Re: Federal Gas Tax Transfer
Finance Committee – Clerk
- 5. Questions/Comments (public & Council) about the Content of the Agenda**
- 6. Municipal Report Number 809**
 - **Minutes of Previous Meeting (s)**
 - **Presentation of By-laws/Resolutions**

- **Adoption of Report**

7. Committee Reports

- 7.1 Francine Desormeau, Clerk/Deputy-Treasurer – Re: Request to Purchase Municipal Property – Report # 2019-11R
- 7.2 Raymond A. Belanger, CAO/Treasurer & Terry Bangs, Public Works Supervisor – Re: Purchase of Screening Plant – Report # 2019-12R
- 7.3 Francine Desormeau, Clerk/Deputy-Treasurer – Re: Rural Economic Development Program (RED) Funding – Report # 2019-13R

8. Questions from the Floor

9. New/Old Business

- 9.1 Municipal Disaster Recovery Assistance Program Application

10. 2/3 (Special Resolutions – not previously circulated)

11. In Camera (Closed)

12. Return to Regular Session

13. Adjournment

Monday, August 12th, 2019

Members of Council,

Attached please find Municipal Report Number 809 for consideration by Council.

Respectfully submitted

Francine Desormeau
Clerk

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THE CORPORATION TOWN OF MATTAWA

COMMITTEE: GENERAL GOVERNMENT

CHAIRPERSON: COUNCILLOR D. SARRAZIN

DEPT. HEAD: FRANCINE DESORMEAU, CLERK/DEPUTY-TREASURER

TITLE: ADOPTION OF THE MINUTES

Draft By-Law

Item

Policy Recommendation

Mayor D. Backer and Members of Council:

It is respectfully recommended to Council that the minutes of the Regular Meeting of Monday, August 12th, 2019 be adopted as circulated.

Councillor D. Sarrazin

THE CORPORATION OF THE TOWN OF MATTAWA

The minutes of the regular meeting of Council held Monday, August 12th, 2019 at 7:00 p.m. in the Municipal Council Chambers.

Council Present: Mayor D. Backer
Councillor D. Sarrazin
Councillor G. Larose
Councillor G. Thibert
Councillor L. Mick
Councillor L. Ross

Council Absent: Councillor C. Lacelle

Staff Present: Raymond Belanger, CAO/Treasurer
Francine Desormeau, Clerk/Deputy Treasurer
Lucie Desrochers, Recreation & Facilities Services Manager
Wayne Chaput, Chief Building Official/By-Law Officer
Paul Lafreniere, Fire Chief (Interim)

Staff Absent: Terry Bangs, Public Works Supervisor

<p>*When a recorded vote is requested and the minutes indicate the recorded vote was "Unanimous" it means all Councillors present and noted above voted in favour unless otherwise indicated.</p>

1. Meeting Called to Order at 7:00 p.m.
2. No Disclosure of Pecuniary Interest and Nature Thereof
3. Petitions & Delegations
 - 3.1 Ms. Annie Gariepy and Ms. Johanna Johnson made a presentation to Council on lack of accessibility parking on Main Street.
 - 3.1 Mr. James Hunton of Jp2g Consultants Inc. presented Council with the Town of Mattawa 2019 Flood Event Recovery report.
4. Correspondence
5. No Questions/Comments about the Content of the Agenda
6. Municipal Report Number 808

Page No. 158

It is respectfully recommended to Council that the minutes of the Regular Meeting of Monday, July 22nd, 2019 be adopted as circulated.

Carried

Page No. 159

BE IT RESOLVED THAT Council authorizes and permits a six foot high fence at the front of his property known as 921 McKenzie Street.

Carried

Councillor D. Sarrazin declared a conflict of interest on Page No. 160

Page No. 160

BE IT RESOLVED THAT Council of the Town of Mattawa formally adopt the Volunteer Fire Department pay scale table and also authorizes staff to prepare a retroactive pay to all members who were paid from 2016 pay scale rates for weekend security duties for this weekend security season beginning May 16th, 2019.

2019			
POSITION	WEEKLY SALARY	WEEKLY TRAINING	WEEKEND SECURITY PER DAY
DEPUTY-FIRE CHIEF	\$ 137.50	N/A	N/A
CAPTAIN	\$ 50.00	\$ 45.00	\$ 125.00
FIREFIGHTER	\$ 45.00	\$ 45.00	\$ 115.00

Carried

Page No. 161

That the disbursements for the month of July 2019 in the amount of \$912,126.58 be adopted as submitted.

Carried

Page No. 162

BE IT RESOLVED THAT Council of the Town of Mattawa congratulates Community Living Mattawa as they celebrate the organization's 50th year anniversary in our community and endorses an In-Kind sponsorship by way of providing the venue being the Mike Rodden Arena free of charge for the Gala Dinner, Dance and Casino Night to be held Saturday September 14th, 2019.

Carried

Page No. 163

BE IT RESOLVED THAT Council of the Town of Mattawa authorize staff to issue the Municipal Audit Services Request for Proposal seeking auditing services for a three-year term; and further that firms will have until Friday September 13th, 2019 at 5:00 p.m. to submit a proposal and that staff will return to Council with all submissions for review.

Carried

Page No. 164

IT IS THEREFORE RECOMMENDED THAT Mayor and Council of the Corporation of the Town of Mattawa approve the service maintenance contract from Xylem Water Solutions, a division of Xylem Canada Company to come in and check our wastewater system pumps and overall stations condition. The total cost of \$28,607.08 (taxes included) will be applied to the Flood Emergency 2019 Expenses Account No. 1-20-360-018-000.

Carried

Resolution Number 19-56

Moved by Councillor G. Thibert

Seconded by Councillor D. Sarrazin

That the Municipal Report Number 808 be adopted.

Carried

7. Committee Reports

7.1 Francine Desormeau, Clerk/Deputy-Treasurer – Re: Community Safety & Well-Being Plan – Report # 2019-10R

Department Activity Reports

By-Law/Building Department Report – Chief Building Official, Wayne Chaput
Read by Councillor G. Thibert

Museum Report – Read by Councillor L. Ross

8. Questions from the Floor – None

9. New/Old Business – None

10. 2/3 (Special Resolutions – not previously circulated) – None

11. In Camera (Closed) Session – None

12. Return to Regular Session

13. Adjournment

The regular meeting of Council Monday, August 12th, 2019 adjourned at 9:20 p.m.

Mayor

Clerk

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: BY-LAW DEPARTMENT

CHAIRPERSON: COUNCILLOR G. THIBERT

DEPT. HEAD: WAYNE CHAPUT, CHIEF BUILDING OFFICIAL

TITLE: TAXI LICENSING BY-LAW

19-29 Draft By-law _____ Item _____ Policy Recommendation

Mayor D. Backer and Members of Council:

After Consulting with our Solicitor and the Ministry of the Attorney General about Taxi By-law No. 18-21 that was passed back on August 13th, 2018, there were several important changes recommended. Instead of making all the required amendments it would be better to repeal By-law No.18-21 and adopt a new Taxi By-law.

Recommendation:

BE IT RESOLVED THAT the Mayor and Council of the Corporation of the Town of Mattawa adopt By-Law No.19-29 which is a By-law to provide for the licensing, regulating and governing of owners and drivers of taxi-cabs used for hire for the transportation of passengers and to regulate the operation of taxi-cabs within the boundaries of the Town of Mattawa.

Respectfully submitted,

Councillor G. Thibert

THE CORPORATION OF THE TOWN OF MATTAWA

BY-LAW NO. 19-29

BEING A BY-LAW TO PROVIDE FOR THE LICENSING, REGULATING AND GOVERNING OF OWNERS AND DRIVERS OF TAXICABS USED FOR HIRE FOR THE TRANSPORTATION OF PASSENGERS AND TO REGULATE THE OPERATION OF TAXICABS IN THE TOWN OF MATTAWA.

WHEREAS, pursuant to Section 151 of the Municipal Act, 2001, S.O., c.25 (the “Act”) as amended, a local municipality may license, regulate and govern any business wholly or partly carried on within the municipality even if the business is carried on from a location outside the municipality;

AND WHEREAS, pursuant to section 156 of the Act, the municipality may pass a by-law under section 150 for licensing, regulating and governing the owners and drivers of taxicabs, may establish the rates or fares for this service, provide for the collection of such rates or fares and limit the number of taxicabs or any class of them;

AND WHEREAS, pursuant to section 425 of the Act, the municipality has the authority to pass by-laws making it an offence to contravene the municipalities by-laws;

AND WHEREAS, sections 429 and 444 of the Act, respectively, provides the municipality with the authority to establish fines for offences and/or to make an Order requiring the person who contravenes the by-law or who caused or permitted the contravention discontinue the contravening activity, and any person who contravenes such an Order is guilty of an offence.

NOW THEREFORE, the corporation of the Town of Mattawa enacts as follows:

1. INTERPRETATION

- 1.1 “Council” shall mean the Municipal Council of the Corporation of the Town of Mattawa which is responsible for the issuance of the licences.
- 1.2 “Town” shall mean the Corporation of the Town of Mattawa.
- 1.3 “Municipal By-Law Enforcement Officer” shall mean the officer in charge of the By-Law Enforcement of the Corporation of the Town of Mattawa or his authorized assistants and by virtue of Section 15 of the Police Services Act, Chapter P-15, S.O. such officers shall be Peace Officers.
- 1.4 “Owner” and/or “Person” shall mean any person owning a Taxi-Cab which is subject to this By-Law and shall include an individual partnership or corporation conducting a Taxi-Cab business.
- 1.5 “Taxi Broker” means a person or company that accepts calls in any manner for Taxi-Cabs that are used for hire and are owned by Owners or Persons other than that person or company, their immediate family, or their employer.

- 1.6 “Taxi Stand” includes any place designed to accept calls for Taxi-Cabs and includes public waiting areas.
- 1.7 “Driver” shall mean any person driving a Taxi-Cab which is subject to this By-Law.
- 1.8 “Passenger” shall include any person riding in a Taxi-cab other than the driver.
- 1.9 “Peace Officer” shall mean a police officer and constable or other people employed for the preservation and maintenance of the public peace and by virtue of Section 15 of the Police Services Act, Chapter P-15 1990 and shall include a Municipal By-Law Enforcement Officer.
- 1.10 “Taxi-Cab” shall mean any motor vehicle kept for hire for the conveyance of passengers.

2. APPLICATION OF BY-LAW

- 2.1 This By-Law shall apply to all Owners, Persons, Taxi Brokers, Taxi Stands, and Drivers of any Taxi-Cab engaged in the Taxi-Cab business of conveying Passengers and/or being hired by Passengers, anywhere within the Town’s boundaries as set out in Schedule “E” to this by-law, except for any Owners, Persons, Taxi Brokers, Taxi Stands, and Drivers of any Taxi-Cab exempted under s. 3(c) of this by-law.

3. LICENSE REQUIRED AND PROHIBITIONS

- 3.1 a) There shall be taken out by every Owner, Person, Taxi Broker, Taxi Stand, and/or Driver, a license under this by-law authorizing them respectively to carry on a Taxi-Cab business in the Town.
- b) No Owners, Persons, Taxi Brokers, Taxi Stands, and/or Drivers shall carry on or engage in a Taxi-Cab business using a Taxi-Cab without having first procured a license to do so under this by-law.
- c) This by-law shall not apply to an Owner, Person, Taxi Broker, Taxi Stand, and Driver of a Taxi-Cab who meets all of the following requirements:
- (i) the Owner, Person, Taxi Broker, Taxi Stand, and Driver is in possession of a duly issued license other than from the Corporation of the Town of Mattawa;
 - (ii) the Owner, Person, Taxi Broker, Taxi Stand, and Driver has conveyed a Passenger from a location outside of the Town’s boundaries to a drop-off location within the Town’s boundaries (an “Arriving Conveyance”);
 - (iii) the Owner, Person, Taxi Broker, Taxi Stand, and Driver is conveying that same Passenger from the Arriving Conveyance, from a location inside of the Town’s boundaries back to a location outside of the Town’s boundaries (a “Return Conveyance”) and that Return Conveyance occurs within the same calendar day as the Arriving Conveyance; and,

(iv) the Owner, Person, Taxi Broker, Taxi Stand, and Driver, at all times, maintains and keeps in their possession an electronically generated receipt showing the name of the Passenger, the date and time the Arriving Conveyance occurred and the location that the Passenger was picked up from on the Arriving Conveyance and such receipt is produced immediately upon demand by any Police Officer or Municipal By-Law Enforcement Officer.

d) This exemption does not exempt an Owner, Person, Taxi Broker, Taxi Stand, and Driver from this by-law if a Passenger is conveyed from a location inside of the Town's boundaries to a drop-off location outside of the Town's boundaries, unless the Owner, Person, Taxi Broker, Taxi Stand, and Driver is in strict compliance with the exemption requirements at section 3 (c) of this by-law.

4. APPLICATION FOR LICENCE

4.1 a) The Municipal Council shall be the responsible licensing authority for all issuance of licenses to Owners, Persons, Taxi Brokers, Taxi Stands, and Drivers who are the owners of Taxi-Cabs within the municipality.

b) Upon receiving the application, the Council may grant or refuse any licences in its sole and absolute discretion.

4.2 a) Owner/ Person: Before operating a Taxi-Cab, an owner must apply for and be granted a Taxi-Cab owner's licence using an application form to be provided by the By-Law (schedule "A" attached).

b) Driver: Before driving a Taxi-Cab, a driver must apply for and be granted a Taxi-Cab driver's licence using an application form provided by the By-Law (schedule "B" attached).

4.3 Every owner shall obtain and supply a Safety Standards Certificate for a Taxi-Cab when:

a) a taxi-cab is more than ten years old and by-annually thereafter.

b) a "new or used" taxi-cab is added to the annual taxi-cab licence.

4.4 The Municipal By-Law Enforcement Officer shall have supervision over all persons licensed under this By-Law, and over all vehicles in respect of which licenses are issued and shall in connection with this By-Law;

a) report to the Council the performance of his duties at any time upon request of the Council.

b) make all necessary and proper enquiries concerning applications for licences and the suspensions, revocation thereof

c) inspect and satisfy himself as to the sufficiency, repair and condition of every vehicle in respect of which a licence is applied for;

- d) satisfy himself as to the good character and responsibility of all applicants for licences;
 - e) The By-Law Officer shall, on issuing a licence, furnish to the Licensee, with one copy of this By-Law.
 - f) Prosecute all persons who shall break any of the provisions of this By-Law.
- 4.5 A Taxi-Cab Driver's Licence shall not be issued to any applicants under the age of 18 years.
- 4.6 Every owner of more than one taxi-cab required to be licenced under this by-law shall take out a separate licence for each cab.
- 4.7 Licenses may be refused or revoked by the Council at its discretion. Without limiting the generality of the foregoing, the licence holder shall be revoked upon proof being satisfactorily tendered to the Council of a conviction of such licence holder under any of the following sections of the Liquor Control Act of the Province of Ontario R.S.O. 1970 or its amendments, namely: -Section 70 (1) (Sale or supplying of Liquor to persons under 19 years); Section 70 (2) (The supplying of liquor to interdicted persons); Section 60 (1) (The selling or keeping of liquor for sale); Section 32 (1) (having liquor in place other than a residence shall not be entitled to a new licence unless and until this Council should approve the granting of such licence.
- 4.8 No owner shall hire, nor allow any person to drive such Taxi-Cab, who is not in possession of a Class G licence, valid in the Province of Ontario for current year.
- 4.9 Every driver of a Taxi-Cab shall retain his taxi driver's licence in his possession at all times while operating the same, and upon request shall exhibit his taxi driver's licence to the Municipal By-Law Enforcement Officer.
- 4.10 Whenever any licenced owner disposes of his vehicle and Acquires another, in its stead for use as a Taxi-Cab, he shall before using the same as a Taxi-Cab, submit the same to the Municipal By-Law Enforcement Officer for inspection and approval.
- 4.11 The Council may at the time, for cause, cancel and revoke any Taxi-Cab licence or any Taxi-Cab driver's licence for any breach of the provisions of the By-Law.
- 4.12 Every licence unless sooner revoked or cancelled, shall expire on the 31st day of December next after the date of issue thereof and all owners and drivers shall apply for renewals of licenses annually, before that date, for the next year.

5. INSURANCE

- 5.1 Before a cab licence is granted under this By-Law, the applicant for such licence shall procure a policy of insurance on each of his vehicles to be licenced covering public liability and passenger hazard risk to at least the amount of \$1,000,000.00 for any accident and also covering damage to the property of others to at least the amount of \$25,000.00 which policy of insurance he/she shall keep in full force and effect during the term of the licence granted to him. A copy of such policy shall be deposited with and retained by the By-Law Officer

but either the Town or the By-law Officer shall be in any way responsible for seeing that such policy of insurance is kept in force. Every owner shall notify the By-law Enforcement officer when the insurance policy is terminated by action of the issuing Company for any reason.

- 5.2 The said policy shall cover and include any other Vehicle used by the insured as a Taxi-Cab in substitution for the vehicle mentioned or described in the said policy so long as the licence is in force and effect.

6. DUTIES AND CONDUCT OF DRIVERS

- 6.1 Every driver of a Taxi-Cab shall:
Take care of all property delivered or entrusted to him for conveyance of safekeeping. Every driver of a cab, immediately upon the termination of any hiring or engagement shall carefully search his Taxi-Cab for any property lost or left therein, and all property or money left in his Taxi-Cab shall be forthwith delivered over to the person owning it, or if the owner cannot be found, then to the nearest Police Station with all information in his possession regarding it.
- 6.2 No owner or driver of a Taxi-Cab to remain standing on any street in the Town of Mattawa unless for the immediate purpose of:
- a) taking on passengers who has already engaged the taxi-cab;
 - b) discharging a passenger from the taxi-cab;
 - c) under the direction so to remain by a passenger by whom the taxi-cab is already engaged and in the continuance of such engagement.
- 6.3 Every owner or driver of a Taxi-Cab shall give full information to any Police Officer or Municipal By-Law Enforcement Officer on being required to do so, with reference to the address of the house or place to, or from which he has driven any passenger or parcel with the description, name and address, upon proper request.
- 6.4 The owner or driver of every Taxi-Cab licenced under the By-Law shall keep the interior and exterior of such cab, clean, dry and in good repair, and whenever the owner of any such cab receives notice, either given to him or his driver, and signed by the Law Officer, that such cab is not fit or proper condition for use, stating briefly the items complained of, such owner shall with the time mentioned in such notice, put the same in a fit and proper condition.
- 6.5 There shall be displayed on all Taxi-Cabs, a sign bearing the word "Taxi". Every owner/driver shall display and illuminate sign when the Taxi-Cab is available for hire.
- 6.6 The owner of every Taxi-Cab in respect of which a licence has been issued under this By-Law shall when required, submit his Taxi-Cab for examination by the By-Law Officer and no owner or driver shall, at any time, when his Taxi-Cab is not employed prevent or hinder

the said By-Law Officer from entering the same or at any time prevent or hinder him from entering the garage or other building for the purpose of inspecting same.

7. SALE OF LICENSE FEES

7.1 The Licence fees to be paid under this By-Law shall be: under Schedule “C”.

8. NUMBER OF CABS PERMITTED

8.1 Subject to the provision of this by-law, there shall be a limited number of taxi-cabs and owners within the municipality as per Schedule “D” of this by-law.

9. OFFENCES AND FINES

9.1 Every Owner, Person, Taxi Broker, Taxi Stand, and Driver who contravenes any provisions of this by-law, including any Schedule attached hereto, is guilty of an offence and upon conviction is liable to a fine (the amount of which is set out in Schedule “F” of this by-law) as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P. 33, as amended.

9.2 A director or officer of a corporation who knowingly concurs in the contravention of any provision of this by-law, including any Schedule attached hereto, is guilty of an offence and upon conviction is liable to a fine (the amount of which is set out in Schedule “F” of this by-law) as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P. 33, as amended.

9.3 If this by-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order

- a) Prohibiting the continuation or repetition of the offence by the Owner, Person, Taxi Broker, Taxi Stand, and Driver convicted; and,
- b) Requiring the Owner, Person, Taxi Broker, Taxi Stand, and Driver convicted to correct the contravention in the manner and within the period that the court considers appropriate.

9.4 By-Law No. 18-21 of the Town of Mattawa is hereby repealed.

READ a first and second time this 26th day of August, 2019.

READ a third time and finally passed this 26th day of August, 2019.

Mayor

Clerk

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: FIRE DEPARTMENT

CHAIRPERSON: COUNCILLOR G. LAROSE

DEPT. HEAD: PAUL LAFRENIERE, INTERIM FIRE CHIEF

TITLE: HIRING OF FIREFIGHTERS

 Draft By-Law

 X Item

 Policy Recommendation

Mayor D. Backer and Members of Council:

The Corporation of the Town of Mattawa advertised in the July 23rd edition of the Mattawa Recorder to recruit new firefighters due to the recent resignation of two members.

Mr. Ciren Leclerc, Mr. Shawn Turner and Ms. Brittany Whalley submitted applications by the deadline date of August 16, 2019.

Interim Fire Chief Lafreniere reviewed all three applications and is recommending to hire Mr. Leclerc and Mr. Turner as Volunteer Firefighters. New recruits shall be on probation for one year, in which time a class DZ license must be acquired in order to advance from probationary status and continue employment with the Mattawa Fire Department. A physical examination is also a requirement to the position.

It is therefore recommended:

Recommendation:

That the Town of Mattawa Fire Department hire Mr. Ciren Leclerc and Mr. Shawn Turner as Firefighters on a one year probationary period subject to acquiring a DZ licence and successfully completing a physical examination from a primary care provider.

Respectfully submitted,

Councillor G. Larose