

WHEREAS according to the City's Tow Truck Licensing By-law 521-04, as amended, no person shall be licensed where a driver's record contains more than six demerit points or any one conviction with a value of four or more demerit points;

AND WHEREAS according to the *Provincial Offences Act*, a person can appeal a conviction under the *Highway Traffic Act* by filing a notice of appeal with the Ontario Court of Justice;

AND WHEREAS according to subsection 5(1) of *Ontario Regulation 339/94 – Demerit Point System*, if a person files a notice of appeal for a conviction under the *Highway Traffic Act* and the notice is served on Service Ontario, the conviction and related demerit points shall not be entered onto the driver's record unless the conviction is sustained on appeal;

AND WHEREAS according to subsection 5(2) of *Ontario Regulation 339/94 – Demerit Point System*, if the demerit points are on the driver's record before the notice of appeal is served on Service Ontario, the demerit points shall be removed from the driver's record;

NOW THEREFORE BE IT RESOLVED that the Tow Truck Licensing By-law 521-04, as amended, be amended to authorize the City to suspend a conviction and associated demerit points and to issue a conditional licence, if the applicant or licensee provides the City with a copy of a notice of appeal related to said conviction with proof that it has been filed with the Ontario Court of Justice.

A handwritten signature in black ink, appearing to read "Paul Starn". The signature is written in a cursive, flowing style with a long horizontal stroke extending to the right.