

Municipal Code Chapter 545 and 546
Screening Criteria

ML&S shall deny an application for, or a renewal for any business, trade or calling for which a vehicle and it's driver are licenced or required to be licenced by the City under this Chapter and for which a licensee is required to hold a valid provincial driver's licence under this Chapter where the licensee or applicant has:

a) Been convicted at any time of a sexual offence against a minor or a person with a disability under any of sections 151 to 153.1 of the *Criminal Code*;

b) Been convicted of any sexual offence under the *Criminal Code* in the preceding ten years;

c) Been convicted of an offence under the following *Criminal Code* sections in the preceding five years:

i. 84 to 117.15 (Firearms and Other Weapons);

ii. 264.1 to 286.1 (Offences Against the Person);

iii. 321 to 378 (Offences Against Rights of Property);

iv. . 379 to 462 (Fraudulent Transactions, Wilful and Forbidden Acts of Certain Property, Offences Relating to Currency);

v. 462.3 to 462.5 (Proceeds of Crime).

d) Been convicted at any time of an offence under the following *Criminal Code* sections:

i. 83.01 to 83.33 (Terrorism);

ii. 219 to 248 (Major Offences Against the Person);

iii. 267, 268, 270.01, 272, 273 (Major Assaults or Major Sexual Assaults).

e) Been convicted of an offence under the following *Controlled Drugs and Substances Act* sections in the preceding ten years:

i. 5 (Trafficking);

ii. 6 (Importing and exporting);

iii. 7 (Production);

iv. . 7.1 (Possession for use in production or trafficking).

f) Been convicted of any offence under section 4 (Possession or obtaining) of the *Controlled Drugs and Substances Act* in the preceding five years;

g) Been convicted of five or more offences under Chapter 545 or 546 of the *Toronto Municipal Code* in the preceding three years;

h) Any overdue by-law fines, unless the applicant provides proof that such fines have been subsequently paid.

- i) Been convicted of any offence under sections 249, 252, or 253 of the *Criminal Code* (Motor Vehicles, Vessels, and Aircraft) in the preceding five years;
- j) Accumulated nine or more demerit points on his or her driving record abstract at the time the application for a licence or renewal is made;
- k) Been convicted of any of the following offences under the *Highway Traffic Act* in the preceding five years:
 - i. Careless driving;
 - ii. Racing or stunt driving;
 - iii. Exceeding the speed limit by 50 km/hour or more;
 - iv. Failing to stop for a school bus or when signaled or asked by a police officer;
 - v. Failing to remain at the scene of a collision;
 - vi. Driving while licence suspended.

Despite these screening criteria, if a licence has been previously issued or renewed and the applicant's or licensee's record discloses no new breach of the screening criteria, the licence may be issued or renewed without the matter being referred to the Toronto Licensing Tribunal. These screening criteria do not apply to any offence for which a licensee or applicant has been granted a criminal record suspension (i.e. a pardon) by the Parole Board of Canada.

Municipal Code Chapter 545 and 546
Screening Criteria

ML&S shall deny an application for, or a renewal, for all businesses required to be licenced under this chapter that has:

- a) Been convicted at any time of a sexual offence against a minor or a person with a disability under any of sections 151 to 153.1 of the *Criminal Code*;
- b) Been convicted of any sexual offence under the *Criminal Code* in the preceding ten years;
- c) Been convicted of an offence under the following *Criminal Code* sections in the preceding five years:
 - i. 84 to 117.15 (Firearms and Other Weapons);
 - ii. 264.1 to 286.1 (Offences Against the Person);
 - iii. 321 to 378 (Offences Against Rights of Property);
 - iv. . 379 to 462 (Fraudulent Transactions, Wilful and Forbidden Acts of Certain Property, Offences Relating to Currency);
 - v. 462.3 to 462.5 (Proceeds of Crime).
- d) Been convicted at any time of an offence under the following *Criminal Code* sections:
 - i. 83.01 to 83.33 (Terrorism);
 - ii. 219 to 248 (Major Offences Against the Person);
 - iii. 267, 268, 270.01, 272, 273 (Major Assaults or Major Sexual Assaults).
- e) Been convicted of an offence under the following *Controlled Drugs and Substances Act* sections in the preceding ten years:
 - i. 5 (Trafficking);
 - ii. 6 (Importing and exporting);
 - iii. 7 (Production);
 - iv. . 7.1 (Possession for use in production or trafficking).
- f) Been convicted of any offence under section 4 (Possession or obtaining) of the *Controlled Drugs and Substances Act* in the preceding five years;
- g) Been convicted of five or more offences under Chapter 545 or 546 of the *Toronto Municipal Code* in the preceding three years;
- h) Any overdue by-law fines, unless the applicant provides proof that such fines have been subsequently paid.

Despite these screening criteria, if a licence has been previously issued or renewed and the applicant's or licensee's record discloses no new breach of the screening criteria, the licence may be issued or renewed without the matter being referred to the Toronto Licensing Tribunal.

These screening criteria do not apply to any offence for which a licensee or applicant has been granted a criminal record suspension (i.e. a pardon) by the Parole Board of Canada.