

ATTACHMENT A



2019-JUL-29

Mr. Vidit Nayyar

Via email: [REDACTED]

Dear Mr. Nayyar:

RE: NOTICE OF HEARING – CHAUFFEUR PERMIT

TAKE NOTICE that an appeal will be heard before Nanaimo City Council (City Council) from the refusal by the Officer-in-Charge (OIC), Nanaimo RCMP, to issue a Chauffeur's Permit to Mr. Vidit Nayyar (the "Applicant"). This appeal is brought pursuant to section 36 (7) of the *Motor Vehicle Act*.

On hearing the appeal, City Council may uphold the permit refusal or overturn the permit refusal and direct the RCMP to issue the permit. The decision of City Council is final.

Both the Applicant and the RCMP are able to bring forward evidence that was not in front of the RCMP Inspector when the initial decision was made. They are both entitled to rely on additional documentation and witnesses that they think helps their case. These materials will be included in the agenda for the meeting at which the hearing will take place and be shared with the RCMP. In accordance with legislation, this information must be part of an open Council agenda that is available to the public.

The OIC is required to provide any information it intends to rely on at the hearing by 4:00 p.m., Thursday, August 8, 2019. After the City receives the OIC's material, it will provide this information to you via email as soon as practicable.

You are required to provide to the City Clerk by 4:00 p.m., Thursday, September 5, 2019:

1. All documents you wish Council to consider during the appeal,
2. Names of all witnesses you intend to have speak on their behalf (if applicable)

This information will be provided to the OIC in advance of the hearing. At the hearing, which is also open to the public, the OIC will be given the opportunity to present its reasons for refusing to issue the licence. Council will be given the opportunity to ask questions of the OIC regarding these reasons. You or your representative will then be given an opportunity to ask questions of the OIC. Following the OIC's presentation, you or your representative will be given the opportunity present your arguments in response to the OIC's decision. Council may ask you or your representative questions. The OIC will also be given an opportunity to ask you or your representative questions.

The agenda for the hearing is as follows:

1. Appeal Hearing Commences
2. The OiC will make its presentation
3. Council may ask questions of the OiC
4. You or your representative may ask questions of the OiC
5. You or your representative will make representations to Council
6. Council may ask you or your representative questions
7. Council will deliberate on the information before it. Council may wish to obtain or consider legal advice during its deliberations. If this is the case, Council may close the meeting to the public for this purpose. Council will then return to the open meeting to decide on the information presented.
8. Council will make a decision by way of a Council resolution
9. The hearing will be adjourned


The appeal will be heard at:

Location: Shaw Auditorium, Vancouver Island Conference Centre,
80 Commercial Street, Nanaimo, British Columbia
Date: Monday, September 16, 2019
Time: 2:30 p.m.

Any inquiries regarding the hearing should be directed to Sheila Gurrie, City Clerk, City of Nanaimo, telephone 250 755-4494.

Dated at Nanaimo, British Columbia, this 29th day of July, 2019.

Sincerely,



Sheila Gurrie,
Director, Legislative Services
City of Nanaimo

SG/ss

cc: Corporal Terry Crawford, RCMP
CAO's Office
Stewart McDannold Stuart