



OFFICE CONSOLIDATION

THE CORPORATION OF THE TOWN OF ORANGEVILLE

TAXI BY-LAW NO. 119-2004

As amended by:

No. 071-2005

No. 080-2008

No. 122-2009

No. 093-2010

No. 022-2020

No. 011-2021

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THE CORPORATION OF THE TOWN OF ORANGEVILLE

BY-LAW NUMBER 119 - 2004

A BY-LAW TO LICENSE, REGULATE AND GOVERN TAXICABS AND TAXICAB OWNERS, TAXICAB BROKERS, LIMOUSINE OWNERS AND LIMOUSINE DRIVERS AND FOR LIMITING THE NUMBER OF TAXICAB OWNER LICENCES

WHEREAS Subsection 150(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (the “*Act*”), provides that, subject to the *Theatres Act* and the *Retail Business Holidays Act*, a local municipality may license, regulate and govern any business wholly or partly carried on within the municipality, even if the business is being carried on from a location outside the municipality;

AND WHEREAS Subsection 155(1) of the *Act* provides that a by-law under Section 150 for licensing, regulating and governing the owners and drivers of taxicabs may establish the rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality, and for the collection of the rates or fares charged for the conveyance, and for limiting the number of taxicabs or any class of them;

AND WHEREAS Subsection 150(2) of the *Act* provides that a municipality may only exercise its licensing powers under Section 150, including imposing conditions for the purposes of health and safety, nuisance control or consumer protection;

AND WHEREAS Subsection 150(3) of the *Act* requires that a by-law licensing or imposing any condition on any business or class of business passed after Section 150 comes into force shall include an explanation as to the reason why the municipality is licensing it or imposing the conditions and how that reason relates to the purposes under Subsection 150(2) of the *Act*;

AND WHEREAS this by-law is passed for the following purposes:

- (i) Health and safety - being an activity or undertaking that could result in hazardous conditions, injury or loss.
- (ii) Nuisance control - being an activity that adversely affects, or could possibly adversely affect, the “quality of life” of any person(s).
- (iii) Consumer protection - being the prevention of unfair or potentially unfair business practices that could result in loss(es) on the part of the consumer.

AND WHEREAS a public meeting has been held pursuant to Subsection 150(4) of the *Act*;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the Town of Orangeville as follows:

1 DEFINITIONS

In this by-law:

“broker’s licence” means a licence granted by the Licensing Officer to any person to act as a taxicab broker.

“Canadian Police Certificate” means a certificate issued by a police service having jurisdiction in the area in which the applicant is residing.

“Council” means the Council of The Corporation of the Town of Orangeville and, with respect to the holding of hearings or any hearing, includes, as the context allows, a committee under Section 252 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorized to hold any such hearing or hearings.

“daily trip record” means a log book kept and maintained in each taxicab in which the driver will record the starting and ending point of each trip, including the mileage of each trip.

“Director” means the Director of Building and By-law Enforcement for the Town of Orangeville.

“driver” means a person who is an individual and who has a limousine or taxicab driver’s licence issued pursuant to this by-law.

“licence” means a taxicab driver’s licence, limousine driver’s licence, owner’s vehicle licence or a broker’s licence, or any of them, as defined in this by-law.

“licence plate” means a metal or plastic plate containing the taxicab or limousine number issued by the Director pursuant to this by-law.

“licensee” means the holder of a licence issued pursuant to this by-law.

“Licensing Officer” means the Director of Building and By-law Enforcement or his designate.

“limousine” means a full size luxury motor vehicle, having a minimum of four (4) doors and a wheel base of not less than 114 inches (290 cm), which does not have either a taximeter, a roof sign or a two-way radio, and which motor vehicle is no more than eight (8) years old (subject to Section 14.7 of this by-law), as calculated from January 1st of the vehicle’s model year, except for a vintage vehicle that is licensed as such by the Province of Ontario and to

which vintage plates have been issued, but shall not include a taxicab, van, bus, station wagon, ambulance or hearse.

“limousine driver’s licence” means a licence granted by the Licensing Officer to any individual to drive or act as a driver of any limousine licensed pursuant to this by-law.

~~“Non resident” means the applicant/business does not own, rent or lease a permanent building in the Town of Orangeville.~~

~~(Amended by By-law 122-2009, November 16, 2009).~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

“owner” means any person licensed pursuant to this by-law, who owns, keeps or uses any taxicab or limousine that is subject to this by-law.

“owner’s vehicle licence” means a licence granted by the Licensing Officer to any person to own or keep or use any taxicab or limousine that is subject to this by-law.

“person” includes an individual, corporation, firm or agent thereof.

“tariff card” means a card, issued by the Town of Orangeville to display the rates for a taxicab, which rates are approved by Council.

“taxicab” includes any motor vehicle equipped with a taximeter and used for hire for the conveyance of passengers, which is no more than five (5) years old (subject to Section 14.7 of this by-law), as calculated from January 1st of the vehicle’s model year, with a manufacturer’s rated seating capacity of not less than five (5) and not more than nine (9) persons.

“taxicab broker” means any person who accepts calls in any manner for taxicabs that are used for hire where such taxicabs are used by persons other than himself, his immediate family or his employer.

“taxicab driver’s licence” means a licence granted by the Licensing Officer to any individual to drive or act as a driver of any taxicab that is subject to this by-law.

“taximeter” means a taximeter as referred to in Section 17 of this by-law.

“Town” means The Corporation of the Town of Orangeville and its locality, including its geographic area.

~~“waiting list” means an active waiting list for taxicab owners licences only.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

2 ADMINISTRATION

2.1 Except as expressly stated herein and except as required otherwise by statute, this by-law shall be administered by the Licensing Officer.

- 2.2 Any act authorized or directed to be done under the provisions of this by-law by the Licensing Officer may be done by any member of the Orangeville Police Service and any Provincial Offences Officer and any by-law Enforcement Officer of the Town.

3 REQUIREMENT FOR A LICENCE

- 3.1 Within the Town no person shall:
- 3.1.1 Drive a taxicab or limousine without having a current, valid taxicab driver's or limousine driver's licence, issued under the provisions of this by-law.
- 3.1.2 Keep a taxicab or limousine for hire without having a current, valid taxicab or limousine owner's vehicle licence issued under the provisions of this by-law.
- 3.1.3 Operate as a taxicab broker without having a current, valid taxicab broker's licence issued under the provisions of this by-law.

4 DUTIES OF LICENSING OFFICER RE: APPLICATIONS, ISSUANCE AND RENEWALS OF LICENCES

- 4.1 The Licensing Officer shall:
- 4.1.1 Provide application forms and a copy of this by-law to each applicant for a licence.
- 4.1.2 Upon receipt of each completed application for a licence, make all necessary enquiries and examine all applications to ensure that they are complete.
- 4.1.3 Issue a licence to an applicant, or issue a renewal of a licence, if the requirements as set out in this by-law have been complied with, except where the maximum number of taxicab owner's vehicle licences as set out in Section 7 of this by-law have already been issued or except where, in the opinion of the Licensing Officer:

If Applicant or Licensee is an Individual:

- 4.1.3.1 Having regard to his financial position, the applicant or licensee cannot reasonably be expected to be financially responsible in the conduct of the business which is to be licensed or is licensed.
- 4.1.3.2 The past conduct of the applicant or licensee affords reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which he is licensed or to continue to be licensed, in accordance with the law or with honesty and integrity.

- 4.1.3.3 The issuance of the licence or renewal of the licence would, in the opinion of the Licensing Officer, be contrary to the public interest.
- 4.1.3.4 The applicant or licensee is carrying on activities that are, or will be, if the applicant is licensed, in contravention of this by-law or any other law.
- 4.1.3.5 There are reasonable grounds for belief that the premises, accommodation, equipment, vehicles or facilities which are used or operated pursuant to this by-law do not comply with the provisions of this by-law or any other law.

If Applicant or Licensee is a Corporation:

- 4.1.3.6 Having regard to its financial position, it cannot reasonably be expected to be financially responsible in the conduct of the business for which it is licensed.
- 4.1.3.7 The past conduct of the officers or directors of the corporation affords reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which it is to be licensed or continue to be licensed in accordance with the law or with honesty and integrity.
- 4.1.3.8 The issuance of the licence or renewal of the licence would, in the opinion of the Licensing Officer, be contrary to the public interest.

5 REFUSAL TO ISSUE OR RENEW LICENCE

Any person whose application or licence renewal has been refused by the Licensing Officer may request a hearing of Council in accordance with Section 22 of this by-law.

6 DUTIES OF THE LICENSING OFFICER RE: SUPERVISION AND RECORDS

- 6.1 The Licensing Officer shall:
 - 6.1.1 Issue a licence plate for each licensed limousine or taxicab.
 - 6.1.2 Issue a tariff card to each licensed taxicab owner.
 - 6.1.3 Issue a photo identification card to each licensed driver.
 - 6.1.4 Supervise all persons licensed under this by-law.
 - 6.1.5 Maintain a record of all licences issued including the name and address of each licensee and the number of taxicabs or limousines owned by each licensee.
 - 6.1.6 Maintain a record of each vehicle operating hereunder including the make, model, year, serial number, the provincial licence plate number, the taxicab or

limousine owner's vehicle licence plate number and the date of the issuance of each licence.

- ~~6.1.7 — Maintain a record of the colour(s) used by each taxi fleet or taxicab owner.
(Amended by By-law 2020-022, April 20, 2020)~~

7 LIMITATION ON NUMBER OF TAXICAB OWNER'S VEHICLE LICENCES

- ~~7.1 — There shall be a limit placed on the number of taxicab owner's vehicle licences issued by the Licensing Officer based upon a ratio of one (1) licence for each 1,000 residents of the Town. The number of residents shall be calculated by taking the number of households shown in the annual report from the provincial assessment records and using a factor of three (3) persons per household, or as otherwise determined from time to time by Council.
(Amended by By-law 2020-022, April 20, 2020)~~

- ~~7.2 — Notwithstanding Section 7.1 of this by-law, when a new taxicab owner's vehicle licence becomes available pursuant to Section 7.1, the Town shall not issue the said taxicab owner's vehicle licence until two (2) new taxicab owner's vehicle licences become available in accordance with Section 7.1, at which time the two (2) new taxicab owner's vehicle licences shall be made available in accordance with this by-law.
(Amended by By-law 2020-022, April 20, 2020)~~

- ~~7.3 — The Licensing Officer shall give to the holders of all taxicab owner's vehicle licences issued under Section 7 of this by-law, notice of any proposed change in the number of taxicab owner's vehicle licences pursuant to Section 7.
(Amended by By-law 2020-022, April 20, 2020)~~

8 APPLICANTS AND LICENCE FEES

8.1 General

- 8.1.1 The annual fees to be paid to the Town for licences referred to in this by-law shall be as outlined in Schedule "A" (Licence Fees) attached hereto and forming part of this by-law.
- 8.1.2 Every fee paid under Section 8 of this by-law is refundable if the licence applied for is not issued by the Licensing Officer.
- 8.1.3 No fee pursuant to Section 8.1.1 of this by-law and no refund pursuant to Section 8.1.2 shall be pro-rated for any portion of a year.

8.2 Taxicab Owners and Limousine Owners

Each applicant for a taxicab owner's vehicle licence or limousine owner's vehicle licence shall:

- 8.2.1 Attend at the office of the Licensing Officer and make a written application for such licence.
- 8.2.2 In the case of an individual, hold either or both a current, valid taxicab driver's or limousine driver's licence issued pursuant to this by-law.
- 8.2.3 In the case of a corporation, an officer of the said corporation shall hold either or both a current, valid taxicab driver's or limousine driver's licence issued pursuant to this by-law.
- 8.2.4 File with the Licensing Officer proof that the motor vehicle which is to be operated pursuant to this by-law is licensed for the current year under the provisions of the *Highway Traffic*, R.S.O 1990, c. H.8, as amended.
- 8.2.5 File with the Licensing Officer proof of ownership in the form of the Ontario motor vehicle permit issued in respect of each motor vehicle to be operated pursuant to this by-law, or proof satisfactory to the Licensing Officer that the applicant has the exclusive right to the use of the vehicle for which the application is being made.
- 8.2.6 File with the Licensing Officer proof of insurance in respect of each motor vehicle to be operated pursuant to this by-law, indemnifying and protecting the owner, taxicab driver or limousine driver and the public, including passengers carried in such vehicles, in the minimum amount of two million dollars (\$2,000,000) inclusive of public liability and property damage per incident or occurrence, and such policy shall make provision for third party liability for not less than two million dollars (\$2,000,000.00).
- 8.2.7 File with the Licensing Officer a written undertaking that the licensee shall, after receiving a licence, provide notice in writing of any cancellation, expiration or variation of any documents or information filed pursuant to Sections 8.2.5 and 8.2.6 of this by-law, provided that said notice shall be given to the Licensing Officer within 48 hours of such cancellation, expiration or variation or any material change in circumstances.
- 8.2.8 File with the Licensing Officer a certificate of mechanical fitness as prescribed by the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended, with respect to the vehicle to receive a licence plate.
- ~~8.2.9 Provide proof to the satisfaction of the Licensing Officer that the premises from which the licensee intends to operate as a taxicab owner or limousine owner or carry on the business thereof are situated within the limits of the Town and will continue to be so situated throughout the term of his licence.
(Amended by By-law 2020-022, April 20, 2020)~~
- 8.2.10 For taxicabs only, file with the Licensing Officer an undertaking, upon any request by the Licensing Officer, to submit a certificate of accuracy with respect to the taximeter installed in the motor vehicle to receive the licence plate, which certificate shall be issued by a qualified testing company on the

testing company's letterhead. The said certificate shall include a signed statement certifying that the said taximeter is properly sealed and registers accurately.

- ~~8.2.11 For taxicabs only, provide proof to the satisfaction of the Licensing Officer that the licensee will have a satisfactory system for receiving and dispatching calls for the taxicabs operating within the licensee's fleet, and that such system will not interfere with the operation of the taxicabs of another taxicab broker, taxicab owner or fleet.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

- 8.2.12 File with the Licensing Officer an undertaking to submit for inspection and approval, upon request, the vehicle that will receive the licence plate.

- 8.2.13 In the case of a corporation, file with the Licensing Officer details of the corporate ownership acceptable to the Licensing Officer.

- ~~8.2.14 File with the Licensing Officer an undertaking to use colours acceptable to the Licensing Officer on all motor vehicles for which licence plates are to be issued.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

- 8.2.15 File with the Licensing Officer an undertaking to provide to the Licensing Officer such information relevant to the application as the Licensing Officer may request.

- 8.2.16 Pay the prescribed licence fee.

8.3 ***Taxicab Driver's and Limousine Driver's***

Each applicant for a taxicab driver's licence or limousine driver's licence shall:

- 8.3.1 Attend at the office of the Licensing Officer and make a written application for such licence.

- 8.3.2 Be at least 18 years of age.

- 8.3.3 Be able to speak, read and write the English language.

- 8.3.4 Have a current, valid, full Class G provincial driver's licence issued pursuant to the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended.

- 8.3.5 Provide two (2) passport-size photographs of the face of the applicant taken no more than thirty (30) days prior to the application for the licence.

- 8.3.6 Provide a Canadian Police Certificate issued within 30 days of application.

- 8.3.7 Provide the Licensing Officer with such other information relevant to the application as the Licensing Officer may request.

8.3.8 Pay the prescribed licence fee.

8.4 Taxicab Brokers

Each applicant for a taxicab broker's licence shall:

8.4.1 Attend at the office of the Licensing Officer and make a written application for such licence.

8.4.2 In the case of an individual, hold a current valid taxicab driver's licence issued pursuant to this by-law.

8.4.3 In the case of a corporation, an officer or director of the said corporation shall hold either or both a current valid taxicab driver's licence or an owner's vehicle licence issued pursuant to this by-law.

8.4.4 Provide to the satisfaction of the Licensing Officer proof:

(a) of a system capable of receiving and dispatching calls for the taxicabs operating within the licensee's fleet;

(b) that the premises from which the taxicab broker intends to operate is a permitted use in accordance with the zoning by-law of the applicable municipality.

(Amended by By-law 2020-022, April 20, 2020)

8.4.5 Provide proof to the satisfaction of the Licensing Officer that the taxicab broker has a satisfactory system for receiving and dispatching calls for the taxicabs operating within his fleet, and that such system will not interfere with the operation of the taxicabs of another taxicab broker, taxicab owner or fleet.

8.4.6 Provide to the Licensing Officer such other information relevant to the application as the Licensing Officer may request.

8.4.7 Pay the prescribed licence fee.

9 WAITING LIST - TAXICAB OWNER'S VEHICLE LICENCES

~~9.1 The Licensing Officer shall establish and maintain a waiting list of persons whose applications for taxicab owner's vehicle licences have been approved but not yet issued. The waiting list shall contain the names of those applicants in order of the date on which their applications were approved by the Licensing Officer, and such list shall be available for inspection by the public at all reasonable times.~~

~~*(Amended by By-law 2020-022, April 20, 2020)*~~

~~9.2 Each applicant whose name has been placed upon the waiting list shall:~~

~~*(Amended by By-law 2020-022, April 20, 2020)*~~

- 9.2.1 ~~Receive written notification from the Licensing Officer that the applicant's name has been placed on the waiting list and advising the applicant of the requirement to pay the prescribed fee, as set out in Schedule "A", and to complete the required waiting list application form within fifteen (15) days of the date of the written notification, failing which the applicant's name shall be removed from the waiting list and the licence shall be deemed to have not been approved.~~
(Amended by By-law 2020-022, April 20, 2020)
- 9.2.2 ~~Furnish to the Licensing Officer any information relevant to the said application as the Licensing Officer may request.~~
(Amended by By-law 2020-022, April 20, 2020)
- 9.3 ~~No application for a position on the waiting list shall be approved unless the applicant holds a current valid taxicab driver's licence.~~
(Amended by By-law 2020-022, April 20, 2020)
- 9.4 ~~Upon removal of an applicant's name from the waiting list, no further application from the applicant shall be considered within the six (6) months following such removal.~~
(Amended by By-law 2020-022, April 20, 2020)
- 9.5 ~~No person shall hold more than one (1) position on the waiting list at any one time, and Council may, where it considers two (2) or more persons are related to each other, or not operating at arms length, consider such persons to be one and the same.~~
(Amended by By-law 2020-022, April 20, 2020)
- 9.6 ~~When an owner's vehicle licence becomes available, it shall be issued to the person whose name is at the top of the waiting list, provided that the person completes the application for, and qualifies to have, the taxicab owner's vehicle licence issued to him within sixty (60) days from the date upon which he was notified of the availability of the licence. If that person does not apply or does not qualify within sixty (60) days from the date upon which he was notified of the availability of the licence, his name shall be struck from the waiting list and he shall forfeit his fee, and the next person on the waiting list shall be advised of the availability of the licence and the provisions of this section shall be followed until the licence is issued.~~
(Amended by By-law 2020-022, April 20, 2020)
- 9.7 ~~A person's name shall be struck off the waiting list when:~~
(Amended by By-law 2020-022, April 20, 2020)
- 9.7.1 ~~A new owner's vehicle licence is issued to him pursuant to the preceding section.~~
(Amended by By-law 2020-022, April 20, 2020)
- 9.7.2 ~~He fails to apply for or to qualify for the owner's vehicle licence.~~
(Amended by By-law 2020-022, April 20, 2020)

~~9.7.3 He fails to submit the annual fee to stay on the waiting list by August 1st of each year.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~9.7.4 He requests that his name be removed.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~9.7.5 In the case of an individual, upon the death of the applicant.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~9.7.6 In the case of a corporation, upon the corporation being wound up.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~9.8 A person whose name has been struck off the waiting list shall be notified of such action forthwith by letter addressed to him at the last address furnished by him to the Licensing Officer.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~9.9 Where there are no persons on the waiting list, a taxicab owner's vehicle licence shall be issued to the applicant, provided there has been compliance with all other provisions of this by-law.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

10 COMMENCEMENT AND EXPIRY OF LICENCE

10.1 *Taxicab Owner's, Limousine Owner's and Taxicab Broker's Licences*

All taxicab owner's vehicle licences or limousine owner's vehicle licences or taxicab broker's licences issued under the provisions of this by-law shall expire on the 31st day of October of the year following the date of issue.

(amended by By-law 2020-022, April 20, 2020).

10.2 *Taxicab Driver's Licences and Limousine Driver's Licences*

All taxicab driver's licences or limousine driver's licences issued under the provisions of this by-law shall expire on the 30th day of April of the year following the date of issue. *(amended by By-law 2021-011, February 8, 2021).*

11 RENEWAL OF LICENCE

11.1 *Taxicab Owners, Limousine Owners and Taxicab Brokers*

11.1.1 Every application for the renewal of any taxicab owner's vehicle licence, limousine owner's vehicle licence or taxicab broker's licence issued pursuant to this by-law shall be delivered in writing to the Licensing Officer, in person, at least fifteen (15) days before the expiry date set out in Section 10.1 of this by-law. If the licence is not renewed on or before the date set out in Section 10.1, and so on from year to year thereafter, the licence shall expire on that date.

- 11.1.2 Every applicant for a renewal of an owner's vehicle licence shall comply with the requirements set out in Section 8.2 of this by-law.
- 11.1.3 The provisions of the previous section shall apply with necessary modifications to the renewal of an owner's vehicle licence for a vehicle that is different than one that was previously operated by the owner pursuant to this by-law.
- 11.1.4 Every applicant for a renewal of a taxicab broker's licence shall comply with the requirements set out in Section 8.4 of this by-law.

11.2 Taxicab and Limousine Drivers

- 11.2.1 Every application for the renewal of any taxicab driver's licence or a limousine driver's licence issued pursuant to this by-law shall be delivered in writing to the Licensing Officer, in person, at least two weeks prior to the expiration of the said licence. If the licence is not renewed on or before the date set out in Section 10.2, and so on from year to year thereafter, the licence shall expire on that date.
- 11.2.2 Every applicant for the renewal of a taxicab driver's licence or a limousine driver's licence shall comply with the requirements set out in Section 8.3 of this by-law.
- 11.2.3 An application for the renewal of any licence not valid at the time of the application shall be considered an original application.

12 NO VESTED RIGHT TO CONTINUANCE OF A LICENCE

No person shall enjoy a vested right to the continuance of a licence, and the value of a licence, if any, shall remain at all times the property of the Town.

13 RE-ISSUE OF TAXICAB OWNER'S VEHICLE LICENCE, TAXICAB BROKER'S LICENCE OR LIMOUSINE OWNER'S VEHICLE LICENCE

- 13.1 No taxicab broker's licence, taxicab owner's or limousine owner's vehicle licence shall be transferred without fifteen (15) days prior notification to the Licensing Officer and consent of the Licensing Officer. The Licensing Officer may require the production of any documents and fees regarding the proposed transfer.

(Amended by By-law 2020-022, April 20, 2020).

- ~~13.2 No taxicab owner's or limousine owner's vehicle licence shall be transferred; however, an owner may sell his vehicle and equipment to another person and, upon such sale, the owner's vehicle licence issued in respect of that vehicle shall be terminated. The said owner's vehicle licence may be re-issued to the purchaser of the vehicle and equipment, subject to the provisions of this Section 13.~~

(Amended by By-law 2020-022, April 20, 2020)

~~13.3 On the purchase of a taxicab or limousine from the holder of an existing owner's vehicle licence, the purchaser shall apply as an original applicant for an owner's vehicle licence and, to receive a licence, the purchaser must meet all the requirements set out in this by-law for the issuance of an owner's vehicle licence.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~13.4 Notwithstanding Section 13.3 of this by-law, the purchaser of a taxicab from an owner licensed pursuant to this by-law shall not be required to be placed upon the waiting list when making an application for the re-issuance of the owner's vehicle licence for the said taxicab.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~13.5 An applicant for an owner's vehicle licence applying for a licence under Section 13.2 of this by-law shall, in addition to filing the material required to be filed by an applicant for such a licence, file with the Licensing Officer:~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~13.5.1 Copies of all documents relating to the purchase and sale transaction.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~13.5.2 Statutory declarations of both the vendor and the purchaser confirming that the above documents represent the complete and only arrangement between them.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~13.5.3 Full particulars of the financing of the transaction.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~13.5.4 A statutory declaration of the purchaser confirming the particulars of the financing documents.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

~~13.5.5 Where an interest of fifty (50%) per cent or more in any company holding an owner's vehicle licence under this by-law is sold, it shall be deemed that all taxicabs or limousines of the company operating pursuant to this by-law have been sold and the purchaser of the interest shall be deemed to be subject to the provisions set out in Sections 13.3 to 13.5 inclusive.~~

~~(Amended by By-law 2020-022, April 20, 2020)~~

14 DUTIES OF TAXICAB OWNERS AND LIMOUSINE OWNERS

14.1 Each licensed owner shall:

14.1.1 Hold a separate owner's vehicle licence for each vehicle used or kept for hire as a taxicab or limousine.

14.1.2 Maintain insurance on each vehicle as required pursuant to Section 8.2.6 of this by-law.

- 14.1.3 Ensure that each vehicle for which he is licensed is, in its interior, neat, clean, dry and in good repair and, on its exterior, clean and in good repair, free from exterior body damage and has a well-maintained paint finish.
- 14.1.4 Submit each taxicab, that is five (5) years old or less, or limousine, that is eight (8) years old or less, as the case may be, for a safety inspection by a licensed, qualified automobile mechanic annually, and at such other time or times when requested to do so by a Police Officer or by the Licensing Officer, and submit to the Licensing Officer a valid safety standards certificate as prescribed by Regulation 611 (Safety Inspections), as amended, made under the *Highway Traffic Act*, R.S.O 1990, c. H.5, as amended, at the time of the licence renewal or re-issue.
- 14.1.5 Submit each taxicab six (6) years old to eight (8) years old for a safety inspection by a licensed, qualified automobile mechanic bi-annually.
- 14.1.6 Provide or maintain therein or thereon, for each vehicle operating pursuant to this by-law, the following:
- The licence plate issued by the Licensing Officer, with the current year's licence sticker affixed, securely attached to the rear of the vehicle.
 - The number of the licence plate referred to above displayed on the exterior sides of the vehicle, in contrasting colours, at least 6 inches high and 3 inches wide (15.2 cm high and 7.6 cm wide).
 - A fully inflated spare tire in good condition.
 - The tools required to change a tire.
 - A heater in good working order.
 - An emergency first aid kit and an emergency road kit.
 - Windows that open and close.
 - For a taxicab only, a holder for the tariff card of the driver on the sun visor of the vehicle and clearly visible to the passenger(s).
 - ~~For a taxicab only, an illuminated electric sign, securely affixed on the top of the taxicab, indicating that the vehicle is a taxicab, and the name of the fleet in which it operates. Such sign shall be connected to the meter so as to be illuminated between dusk and dawn when the vehicle is not engaged.~~

(Amended by By-law 2020-022, April 20, 2020)

- 14.1.7 For a taxicab only, supervise and monitor the daily trip records and shall require the driver to place an entry into the daily trip record for each trip recorded on the meter.
- 14.1.8 For a taxicab only, retain the daily trip records referred to in this by-law for a period of time not less than twelve (12) months and such records shall be open to inspection by any Police Officer or the Licensing Officer or any person authorized by the Licensing Officer, and such records may be removed and retained by the Licensing Officer for a reasonable time.
- 14.1.9 Notify the Licensing Officer in writing within six (6) days of a change of address of the place of business of the owner of the taxicab licence or the owner of the limousine licence.
- 14.1.10 Notify the Licensing Officer when the effect of any collision or other occurrence will prevent a taxicab operating under this by-law from being operated for more than five (5) consecutive days.
- ~~14.1.11 Provide for off-street parking for every vehicle which he operates.
(Amended by By-law 2020-022, April 20, 2020)~~
- 14.1.12 Accept calls only in the name under which he holds a taxicab owner's vehicle licence or a limousine owner's vehicle licence.
- 14.1.13 Post a copy of this by-law and the notice of every change thereto which he receives from the Licensing Officer in a conspicuous location in every place of business used by him in connection with the operation of a taxicab or limousine business.
- 14.2 A taxicab owner or limousine owner, as the case may be, shall not:
 - 14.2.1 Employ or allow any person to operate his vehicle who does not hold a valid taxicab driver's licence or limousine driver's licence, as the case may be, issued pursuant to this by-law.
 - 14.2.2 Use or permit to be used any taxicab licence or limousine licence issued to him pursuant to this by-law for any vehicle other than the vehicle for which the licence was issued.
 - 14.2.3 Exhibit on or about his taxicab or limousine any number, sign or card except one authorized under this by-law, with the exception of the provincial licence issued for that vehicle.
 - 14.2.4 Permit a taxicab to be operated when the taximeter is out of order or defective in any way.
 - ~~14.2.5 Use or permit to be used on any taxicab a colour scheme or emblem which is not registered with the Licensing Officer, but shall ensure that such colour scheme or emblem is distinctive and different from any colour scheme or~~

~~emblem which is being used by another taxicab company operating within the Town.~~

(Amended by By-law 2020-022, April 20, 2020)

~~14.2.6 Have his taxicab or taxicabs painted in a colour scheme other than that of the brokered fleet in which it operates.~~

(Amended by By-law 2020-022, April 20, 2020)

14.2.7 Use or permit to be used in any taxicab or limousine any type of scanning device, more than one (1) two-way radio communication system or more than one (1) cellular telephone.

14.2.8 Operate as a taxicab or limousine or advertise or promote in any manner a taxicab or limousine operation under any name other than the name under which his operation is licensed pursuant to this by-law.

14.2.9 Use or permit to be used any vehicle licensed as a taxicab or as a limousine for any commercial purpose other than the transportation of passengers or their belongings.

14.2.10 Make any charge for time lost through defects or inefficiency of the vehicle or the incompetence of the driver or for the time consumed by the arrival of the vehicle in response to a call ahead of the time for which it was requested.

14.2.11 Require or permit a taxicab driver or limousine driver to work when that person's ability to perform his duties is impaired by fatigue, illness or otherwise.

14.2.12 Require a driver to work more than six (6) days in a calendar week.

14.2.13 Induce any person to employ a taxicab or limousine by knowingly misleading or deceiving such person as to the location or distance of any place or by making any false representation to such person.

14.2.14 Knowingly permit a taxicab or limousine to be used for any unlawful purpose whatsoever.

14.3 No owner shall dispose of a taxicab or limousine and acquire another taxicab or limousine unless he:

14.3.1 Immediately advises the Licencing Officer and submits the new vehicle for inspection.

14.3.2 Complies with all other requirements under this by-law for the issuance of an owner's vehicle licence, save and except the payment of an owner's vehicle licence fee.

14.3.3 Pays the prescribed fee for registration of a replacement vehicle.

- 14.4 Licence plates issued under this by-law which have been defaced, lost or destroyed may be replaced by the Licensing Officer upon the original plate being satisfactorily accounted for and upon payment of the prescribed fee.
- 14.4.1 Nothing in this section shall be deemed to guarantee that a replacement licence plate will bear the same number as the original licence plate; and where a new licence plate number has been given, the provisions of Section 14.1.6 of this by-law shall apply.
- 14.5 No person shall use a licence plate on a vehicle for which a replacement licence plate has been issued.
- 14.6 Taxicabs more than five (5) years old, as calculated from the first day of January of the vehicle's model year, may be used as a taxicab for an additional one (1) year period up to a maximum of twelve (12) model years, provided that the Licensing Officer, after inspecting the said vehicle, is satisfied that the vehicle's interior is neat, clean, dry and in good repair, and that its exterior is clean and in good repair, free from exterior body damage and has a well-maintained paint finish, and further that:
(Amended by By-law 71-2005, August 8, 2005)
- 14.6.1 The taxicab has been submitted for bi-annual safety inspections by a licensed, qualified automobile mechanic and a valid safety standards certificate as prescribed by Regulation 611 (Safety Inspections), as amended, made under the *Highway Traffic Act*, R.S.O 1990, c. H.5, as amended, has been submitted to the Licensing Officer along with verification annually that the taxicab has passed a vehicle emissions test conducted pursuant to the Ontario Drive Clean program or any subsequent program.
- 14.7 Limousines more than eight (8) years old, as calculated from the first day of January of the vehicle's model year, may be used as a limousine for an additional one (1) year period up to a maximum of twelve (12) model years, provided that the Licensing Officer, after inspecting the vehicle, is satisfied that the interior is neat, clean, dry and in good repair, and that its exterior is clean and in good repair, free from exterior body damage and has a well-maintained paint finish, and further that:
- 14.7.1 The limousine has been submitted for bi-annual safety inspections by a licensed, qualified automobile mechanic and a valid safety standards certificate as prescribed by Regulation 611 (Safety Inspections), as amended, made under the *Highway Traffic Act*, R.S.O 1990, c. H.5, as amended, has been submitted to the Licensing Officer along with verification annually that the taxicab has passed a vehicle emissions test conducted pursuant to the Ontario Drive Clean program or any subsequent program.
- 14.8 The prescribed fee for extension of the vehicle model year has been paid to the Licensing Officer.

- 14.9 Notwithstanding Section 14.6 of this by-law, no taxicab more than twelve (12) years old, as calculated from the first day of January of the vehicle's model year, shall be used as a taxicab.
(Amended by By-law 71-2005, August 8, 2005)
- 14.10 Notwithstanding Section 14.7 of this by-law, no limousine more than twelve (12) years old, as calculated from the first day of January of the vehicle's model year, shall be used as a limousine. An annual extension beyond the twelfth model year may be granted for a limousine, provided that the Licensing Officer is satisfied that the vehicle is in good condition.
- 14.11 Notwithstanding Sections 14.7 and 14.10 of this by-law, a limousine that is licensed as a vintage vehicle by the Province of Ontario and to which vintage plates have been issued, may be licensed as a limousine pursuant to this by-law and shall not be required to pay the fee for extension of the vehicle model year.
- 14.12 No licensed owner shall permit any other person to manage the operation of his taxicabs or limousines or the taxicab or limousine business or shall enter into any arrangement or agreement, written or oral, with any other person for such purposes.
- 14.13 No owner being a limited company shall permit any person other than an officer, director or employee to manage the operation of its taxicab, limousine or taxicab or limousine business.
- 14.14 On the death or total incapacity of an owner, the operation of his taxicab, limousine or taxicab or limousine business may be carried on for him or his estate by a person approved by the Licensing Officer, for a period not to exceed one (1) year.

15 DUTIES OF A TAXICAB DRIVER AND LIMOUSINE DRIVER

- 15.1 Each driver of a taxicab or limousine shall:
- 15.1.1 Be neat and clean in person while on duty.
- 15.1.2 Punctually keep all appointments and engagements.
- 15.1.3 Keep filed with the Licensing Officer, photographs as required with his application, which represent a true likeness of the driver's current appearance, and shall provide new photographs every year.
- 15.1.4 Have his photograph card affixed in a position in the vehicle so that it is plainly visible to and readable by passengers in the back seat.
- 15.1.5 Keep his licence with him at all times while on duty as a taxicab driver.

- 15.1.6 Keep in his vehicle a current street guide or map of the Town and the surrounding area.
- 15.1.7 Maintain the interior and exterior of the vehicle within his control in a clean and tidy condition.
- 15.1.8 Report forthwith to his employer any accident or collision in which he or a passenger was involved in connection with the operation of his vehicle.
- 15.1.9 Take due care of all property delivered or entrusted to him and accepted by him for conveyance or safe keeping and, immediately upon termination of any hiring or engagement, search his vehicle for any property left therein and deliver the same to the rightful owner of the property; if the rightful owner of the said property cannot at once be found, deliver the said property to the owner of the taxicab or limousine with all information in the driver's possession regarding the property or money, all of which shall be retained by the owner of the taxicab or limousine for a period of thirty (30) days.
- 15.1.10 At the expiration of his shift, return the vehicle to his employer and not at any time abandon the vehicle or permit any other person to drive the taxicab or limousine.
- 15.1.11 Make his daily trip record and all information as to passengers carried available to any Police Officer and to the Licensing Officer when requested to do so.
- 15.1.12 Notify the Licensing Officer in writing within six (6) days of a change of address.
- 15.1.13 Provide such reasonable assistance to all passengers as is required to allow them to enter or leave his vehicle with their belongings.
- 15.1.14 At the beginning and end of each shift, examine his vehicle for mechanical or other defects and report immediately to the owner any mechanical defects.
- 15.2 In addition to the duties set out in Sections 15.1 to 15.1.14 inclusive, each taxicab driver shall:
 - 15.2.1 Unless his taxicab has been previously engaged, serve at any place within the Town and at any specified time, whether by day or night, any person who may lawfully require his taxicab; however, the driver shall have the right to refuse a customer on the basis that:
 - He is concerned for his personal safety.
 - The person owes him from a previous fare or service.
 - He has reason to believe that the person is likely to soil or damage the interior of his vehicle.

- 15.2.2 Upon the request of any passenger, provide a receipt for the fare or charge made and paid, indicating “taxicab” thereon and stating:
- The date and place of pick up and discharge of any person.
 - The distance traveled.
 - The driver’s first name.
 - The number of his taxicab driver’s licence.
 - The number of the taxicab owner’s vehicle licence for the vehicle.
 - The provincial motor vehicle plate number for the taxicab.
- 15.2.3 Keep a daily trip record of all trips made by him each day and turn the trip record in to the owner at the end of the shift, which record shall contain the following information:
- The number of the taxicab owner’s vehicle licence issued pursuant to the provisions of this by-law.
 - The taxicab driver’s name and valid taxicab driver’s licence number.
 - The meter readings at the beginning and end of each work period.
 - The date, time and location of the beginning and termination of each trip.
 - The amount of the fare collected for each trip.
- 15.2.4 Take the shortest and quickest possible route to the destination of the passenger, unless the passenger directs the taxicab driver to take another route; however, nothing in this section will prevent a driver from making reasonable detours from the shortest route due to road conditions or traffic.
- 15.2.5 A taxicab driver or limousine driver shall not:
- Drive or act as a driver of any taxicab or limousine unless the owner of such vehicle is licensed under this by-law as a taxicab owner or limousine owner with respect to such vehicle.
 - Knowingly permit a taxicab or limousine to be used for any unlawful purpose whatsoever.
 - Carry in a taxicab or limousine a greater number of persons than the manufacturer’s rated seating capacity for the vehicle.

- Drive a taxicab or limousine with luggage or other material therein obstructing his view.
- Be under the influence of any alcohol or other intoxicant or take or consume or have in his possession any alcohol or other intoxicant while in charge of a taxicab.
- Smoke, or permit anyone to smoke any pipe, cigar, cigarette or any tobacco product in any taxicab without the consent of all occupants, including the driver of the vehicle.

15.2.6 A taxicab driver shall not:

- Obstruct traffic while writing up his daily trip record, but each trip shall be completely recorded prior to the commencement of the next following trip.
- Induce any person to employ a taxicab by knowingly misleading or deceiving such person as to the location or distance of any place or by making any false or misleading representation to such person.
- Take on any additional fare after the taxicab has been engaged by a passenger except at the request of or with the consent of the passenger already in the taxicab.
- Make any charge for time lost through defects or inefficiency of the vehicle or the incompetence of the driver or for the time consumed by the arrival of the taxicab in response to a call ahead of the time for which it was requested.

16 DUTIES OF A TAXICAB BROKER

16.1 Each licensed taxicab broker shall:

~~16.1.1 Provide adequate telephone and radio facilities maintained in proper order in a suitable office within the Town for the carrying on of that business and shall keep the same orderly, clean and neat.~~
(Amended by By-law 2020-022, April 20, 2020)

~~16.1.2 Provide for off-street parking within the Town for every taxicab operating from his dispatch.~~
(Amended by By-law 2020-022, April 20, 2020)

16.1.3 Accept calls only on behalf of and in the licensed name of his brokerage and the owners associated with him.

16.1.4 Post a copy of this by-law and the notice of every proposed change therein which he receives from the Licensing Officer, in a conspicuous location in every place of business used by him in connection with the operation of a taxicab.

- 16.1.5 Check the daily trip records and shall require an entry for each trip recorded on the meter.
- 16.1.6 Keep a trip record of each vehicle dispatched showing the date, time, origin and destination of each trip as well as the name of the driver and licence number of the taxicab. This record shall be maintained for at least twelve (12) months and the broker shall give full information to the Licensing Officer or any Police Officer upon being requested to do so as to the place from which any person was driven and every matter within his knowledge relating to the passenger or the trip.
- 16.1.7 Keep filed with the Licensing Officer a list of all owners operating taxicabs in association with him, such record to show the number of taxicabs operated by each owner, including his name and address and the number of the licence issued under this by-law in respect of each owner.
- 16.1.8 Before permitting a taxicab to be used, make certain that every owner or driver associated with him is duly licensed under the laws of the Province of Ontario and under this by-law.
- 16.1.9 Notify the Licensing Officer in writing within six (6) days of a change of address.
- 16.2 A taxicab broker shall not:
 - 16.2.1 Exhibit on or about his taxicab any number, sign or card except one authorized under this by-law and his provincial motor vehicle licence.
 - 16.2.2 Permit a taxicab to be operated when the taximeter is out of order or defective in any way.
 - 16.2.3 Use or permit to be used in any taxicab any type of scanning device, more than one (1) two-way radio communication system or more than one (1) cellular telephone.
 - 16.2.4 Operate a taxicab or advertise or promote in any manner a taxicab operation under any name other than the name under which his taxicab brokerage is licensed.

- 16.2.5 Use or permit any vehicle licensed as a taxicab to be used for any other commercial purpose.
- 16.2.6 Make any charge for time lost through defects or the inefficiency of the vehicle or the incompetence of the driver or for the time consumed by the arrival of the taxicab in response to a call ahead of the time for which it was requested.
- 16.2.7 Require or permit a taxicab driver to work when that person's ability to perform his duties is impaired by fatigue, illness or otherwise.
- 16.2.8 Require a driver to work more than six (6) days in a calendar week.
- 16.2.9 Induce any person to employ a taxicab by knowingly misleading or deceiving such person as to the location or distance of any place or by making any false or misleading representation to such person.
- 16.2.10 Knowingly permit a taxicab to be used for any unlawful purpose whatsoever.

17 TAXIMETER

- 17.1 Every taxicab owner shall have affixed to each taxicab in respect of which such owner is licensed a taximeter for registering distance traveled, waiting time and computing the fares to be paid, and each taximeter shall be:
 - 17.1.1 Identified with a serial number.
 - 17.1.2 Illuminated between dusk and dawn.
 - 17.1.3 Located in a position clearly visible to the passengers in the taxicab.
 - 17.1.4 Adjusted in accordance with the rates prescribed by Schedule "B" (Taxicab Tariffs).
 - 17.1.5 Submitted for testing, inspection and sealing by such person as the Licensing Officer directs in the period between June 1st and July 31st (both inclusive) in each year and at such other times as directed by the Licensing Officer. The Licensing Officer may request a certificate of accuracy issued by a qualified testing company on its letterhead. The said certificate shall include a signed statement certifying that the said taximeter is properly sealed and registers accurately.
 - 17.1.6 Used only when the seal thereon is intact.
 - 17.1.7 Used for not longer than one (1) year without retesting and resealing.
 - 17.1.8 Kept in good working condition at all times and not used when defective in any way.

18 RESTRICTIONS ON DISPLAY OF ADVERTISING

- 18.1 No owner shall display or permit the display of any advertisement on or in his taxicab except:
- 18.1.1 Not more than five (5) interior advertising signs or placards, each not exceeding 10" by 12" (25.4 cm by 30.5 cm) in size, placed on the back of the front seat of the taxicab in such a way as not to obscure the vision of the driver or the view of his photograph and licence by the passenger(s).
- 18.1.2 One (1) permanently attached exterior advertising sign not exceeding 14" by 20" (35.6 cm by 50.8 cm) in size on each of the side panels of the front doors of the vehicle and on the rear or lid of the trunk of the vehicle, such sign relating solely to the taxicab business of the owner.
- 18.1.3 The roof sign as permitted under this section.
- 18.1.4 One (1) exterior advertising poster not exceeding 16" by 48" (40.6 cm by 121.9 cm) in size, placed at the rear end of the taxicab in such a way as not to obscure the taxicab licence plates or the vision of the driver, such poster to be carried in a suitable rust and corrosion resistant frame.
- 18.1.5 One (1) exterior advertising sign on the roof of a taxicab at a size not to exceed 12" by 36" (30.5 cm by 91.4 cm).
- 18.2 No advertisement shall be displayed on or about any taxicab until it has first been submitted to and approved by the Licensing Officer.

19 TARIFFS

- 19.1 The rates for fares to be charged by the owners or drivers of taxicabs for the conveyance of passengers wholly within the Town or to any point not more than five (5) kilometers beyond its limits, shall be exactly as shown in Schedule "B" (Taxicab Tariff) attached hereto, and no higher or lower amount than that contained in the said tariff shall be charged or payable, whether such rates and charges are determined by distance or by time. Provided always that an owner and a customer may enter into a contract, in writing, for services to extend for the period of a year or more on runs between fixed points at an agreed tariff, but a duplicate original of such contract must first be filed with and approved of by the Licensing Officer; provided, however, that the said contracts shall not be deemed to be public documents and shall not be made available by the Licensing Officer to anyone other than the parties to the agreement.
- 19.1.1 At the conclusion of the trip, the driver of a taxicab shall call to the passenger's attention the amount of the fare registered on the taximeter and place the taximeter in a non-recording position.

- 19.1.2 No owner or driver of a taxicab shall be entitled to recover or receive any fare or charge from any person unless the fare is displayed on the taximeter.
- 19.1.3 No person employing any taxicab shall refuse upon demand to pay the fare or charge authorized by this by-law.
- 19.1.4 When a passenger first enters a taxicab or the taxicab driver has picked up an item for delivery, the taximeter shall be immediately placed in operation and shall remain so placed throughout the trip or until such trip extends to a point five (5) kilometers beyond the limits of the Town.
- 19.1.5 When a taxicab is called or hired by any person who unduly delays entering the taxicab or having the item to be delivered ready, that person may be charged on a time basis or the taximeter engaged from the time the taxicab was available at the address to which it was called, but not in advance of the time for which it was called.
- 19.1.6 If a trip extends beyond the five (5) kilometer limit hereinbefore referred to, the driver and the passenger may agree before the start of the trip to a flat rate, but the taximeter must remain in a recording position at all times within such limit.

20 INSPECTION

- 20.1 Every owner shall submit his taxicab or limousine for examination at any time required by the Licensing Officer and no owner or driver shall, at any time when his vehicle is not employed, prevent or hinder a person authorized by the Licensing Officer from entering the vehicle for the purpose of inspecting such vehicle. Without limiting the generality of the foregoing, every owner shall submit his taxicab or limousine for examination before a licence is issued for it and shall, if requested, submit it for a further examination at the same time as he submits his taximeter for testing in accordance with this By-law. Any vehicle found to be in an unacceptable condition shall not be used as a taxicab or limousine until all defects have been corrected and the vehicle found acceptable by the Licensing Officer.

21 SUSPENSION, REVOCATION OR CANCELLATION OF LICENCES

- 21.1 Any person who is licensed as required by this by-law shall at all times comply with the by-laws of the Town, and any contravention of any by-law or any other law may be grounds for the suspension, revocation or cancellation of the licence.
 - 21.1.1 A licence may be suspended, revoked or cancelled upon notice in writing by the Licensing Officer if, in the opinion of the Licensing Officer, any provision of this by-law or any other law has been contravened.
 - 21.1.2 Upon suspension, revocation or cancellation of a licence issued under this by-law, the licensee shall return to the Licensing Officer all licences issued by the

Town including licence plates (if any) and the Licensing Officer shall have access to any premises, vehicles or other property of the licensee for the purpose of receiving or taking the Licenses, and no person shall refuse to deliver the licences to the Licensing Officer or shall in any way prevent or hinder the Licensing Officer from receiving or taking same.

- 21.1.3 Despite any other provision in this section, the Licensing Officer shall immediately suspend the licence(s) issued pursuant to this by-law should notice of cancellation or expiration of the insurance coverage required under this by-law be communicated to, or discovered by, the Licensing Officer. Upon such a suspension, the Licensing Officer shall forthwith advise the licensee, in writing, of the suspension pursuant to the notice requirements of this by-law.
- 21.1.4 Any suspension in accordance with Section 21.1.3 of this by-law shall remain in effect until the insurance has been re-instated and proof of such reinstatement is provided, in writing, to the Licensing Officer in a form that is satisfactory to the Licensing Officer.
- 21.1.5 Any person whose licence has been suspended, revoked or cancelled by the Licensing Officer may request a hearing by Council in accordance with Section 22 of this by-law.

22 HEARING BY COUNCIL OR COMMITTEE

- 22.1 Where a Licensing Officer refuses to issue, suspends, revokes or cancels a licence pursuant to this by-law, the applicant or licensee, as the case may be, shall be entitled to request a hearing of the matter by Council, provided that such request shall be delivered to the Town within seven (7) days of the notification by the Licensing Officer of the refusal to issue, suspension, revocation or cancellation of a licence, failing which the refusal to issue, suspension, revocation or cancellation shall be final.
- 22.2 Upon receipt of a request for a hearing, Council shall conduct a hearing and either confirm the refusal to issue, suspension, revocation or cancellation of the licence or direct the issuance or reinstatement of the licence upon such terms and conditions as Council shall deem advisable.

23 SERVICE

- 23.1 Any notice or order required to be given by the Licensing Officer to an applicant or a licensee shall be sufficiently served if delivered personally or by telephone transmission of a facsimile or sent by registered or certified mail and addressed to the person to whom service is required to be made according to the Licensing Officer's application or licence records.
 - 23.1.1 Any notice required to be given by an applicant for a licence or by a licensee to the Town shall be sufficiently served if delivered personally to the Licensing Officer or by telephone transmission of a facsimile or sent by registered or

certified mail addressed to the Town of Orangeville, Municipal Offices, 87 Broadway, Orangeville, Ontario L9W 1K1, facsimile number (519) 941-9033.

- 23.1.2 When service is made through registered or certified mail, the service shall be deemed to have been made on the seventh day after the day of mailing.
- 23.1.3 When service is made by telephone transmission of a facsimile between 5 p.m. and midnight, it shall be deemed to have been made on the following day.
- 23.1.4 When service is made by personal delivery, it shall be deemed to have been received on the day that it was delivered.

24 OFFENCE AND PENALTY

- 24.1 Any person who contravenes any provision of this by-law or is party to such contravention commits an offence under the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.
- 24.2 Notwithstanding Section 24.1 of this by-law, every person who contravenes any provision of this by-law and every director or officer of a corporation who concurs in such contravention by the corporation is guilty of an offence and on conviction is liable to a fine not exceeding \$25,000, exclusive of costs.
- 24.3 Notwithstanding Section 24.2 of this by-law, a corporation that contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to a fine not exceeding \$50,000.
- 24.4 The court in which a conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other remedy and to any penalty imposed on the person convicted.
- 24.5 If any part of a fine for a contravention of this by-law remains unpaid after the fine becomes due and payable under Section 66 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, including any extension of time for payment ordered under that section, the Treasurer for the Town or his agent may give the person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than twenty-one (21) days after the date of the notice, by delivering the notice or causing it to be delivered to that person at the person's residence or place of business.
- 24.6 If the fine referred to in Section 24.5 of this by-law remains unpaid after the final date specified in the notice, the fine shall be deemed to be unpaid taxes for the purposes of Section 351 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

25 SCHEDULES

- 25.1 The schedules referred to in this by-law shall form part of this by-law. Each entry in a column of a schedule shall be read in conjunction with the entries across from that entry and not otherwise.

26 CONFLICT WITH ANY OTHER BY-LAW

- 26.1 In the event of any conflict between any provisions of this by-law and any other by-law heretofore passed, the provisions of this by-law shall prevail.

27 REPEALING SECTION

- 27.1 By-law 117-2002 of the Town of Orangeville is hereby repealed.

28 SHORT TITLE

- 28.1 This by-law shall be known as the "Taxi By-law".

29 EFFECTIVE DATE

- 29.1 This by-law shall come into force and take effect on January 1, 2005.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS 6TH DAY OF DECEMBER 2004

Signed by D. Brown

Drew Brown, Mayor

Signed by C. Johns

Cheryl Johns, Clerk

SCHEDULE "A"

LICENCE FEES

<u>Column 1</u>		<u>Column 2</u>	<u>Column 3</u>
TYPE OF LICENCE		RESIDENT	NON RESIDENT
Taxicab and Limousine Driver's Licence			
Original application	per year	\$35.00	\$42.00
Renewal	per year	\$35.00	\$42.00
Taxicab and Limousine Owner's Vehicle Licence			
Original application	per vehicle	\$560.00	\$672.00
Renewal	per vehicle	\$450.00	\$540.00
Vehicle inspection fee additional	per vehicle	\$ 46.50	\$ 46.50
Re-issue to approved purchaser	per vehicle	\$ 50.00	\$ 60.00
Position on waiting list (original appl.)		\$100.00	\$120.00
Annual waiting list fee		\$ 25.00	\$ 30.00
Taxicab Broker's Licence			
Original application		\$130.00	N/A
Renewal	per year	\$ 50.00	N/A
Extension of vehicle model year		\$100.00	\$100.00
Replacement of lost or damaged plates		\$ 10.00	\$ 10.00
Registration of replacement vehicle		\$100.00	\$100.00

(Amended by By-law 122-2009, November 16, 2009).

SCHEDULE “B”

TAXICAB TARIFFS

Drop Rate Maximum \$3.51

(Amended by By-law 80-2008, Sept. 8/08)

(Amended by By-law 93-2010, Sept. 27/10)

(Amended by By-law 2020-022, April 20, 2020)

Each kilometer Maximum \$2.16

(Amended by By-law 71-2005, August 8/05)

(Amended by By-law 80-2008, Sept. 8/08)

(Amended by By-law 93-2010, Sept. 27/10)

(Amended by By-law 2020-022, April 20, 2020)

WAITING TIME

Waiting time shall be at a maximum rate of twenty-seven dollars (\$27) per hour, or \$0.45 per minute.

(Amended by By-law 80-2008, Sept. 8/08)

(Amended by By-law 93-2010, Sept. 27/10)

WHEELCHAIRS SHALL BE CARRIED AT NO CHARGE