



CORPORATION OF THE TOWN OF HEARST

TAXI BY-LAW

No. 108-02

(consolidated version - 2014)

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**PART 1
DEFINITIONS**

In this By-law:

- (a) COUNCIL means the Municipal Council of the Corporation of the Town of Hearst.
- (b) TOWN means the Corporation of the Town of Hearst.
- (c) CORPORATION means the Corporation of the Town of Hearst.
- (d) TAXICAB DRIVER means a person licenced according to this by-law and who is engaged in driving or operating a taxicab on behalf of himself/herself or another person who is the owner thereof.
- (e) LICENCE means a licence granted under the provision of this By-law for a taxicab driver, for a taxicab owner and for a taxicab broker.
- (f) LICENCE ISSUER means the official or officials designated by Council as Licence Issuer.
- (g) PRESCRIBED TARIFF means the metered rates of fare set out on Annex B hereto.
- (h) SENIOR BY-LAW ENFORCEMENT OFFICER means the official or his replacement designated by Council as Senior By-law Enforcement Officer of the Town of Hearst.
- (i) TAXICAB means a motor vehicle as defined in the Highway Traffic Act of Ontario R.S.O.1990, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, and in remuneration for the service provided, one fare or charge only being collected or made for the trip.
- (j) TAXICAB BROKER means a person who accepts calls in any manner for taxicabs that are used for hire and for taxicabs a broker may own and operate or hire a licenced driver to operate.
- (k) TAXICAB OWNER means any person licenced according to this by-law who owns a taxicab or has possession or control thereof under a lease agreement, an instalment purchase agreement, or by way of rental.
- (l) TAXI STAND means a convenient place of business in a commercial zone designated for such use, with sufficient on site parking space that serves as the place of reference for the taxicab broker, owner and driver and from where dispatching and communication with taxicab drivers are conducted and where a reception and rest area is open to drivers and the public.

**PART 2
RESPONSIBILITIES OF MUNICIPAL OFFICIALS**

2.1 SENIOR BY-LAW ENFORCEMENT OFFICER

- (1) The Senior By-law Enforcement Officer shall have supervision over all persons licenced under this By-law, and over all vehicles in respect of which licences are issued and shall, in connection with this By-law:
 - (a) report to the Chief Administrative Officer/Clerk on the performance of his duties or to Council at any time upon request;
 - (b) make all necessary and proper inquiries concerning applications for licences and the suspension, revocation and transfer thereof ;
 - (c) cause the examination and testing of every applicant for a driver's licence as to his/her ability to operate the vehicle to be driven by him/her, if deemed necessary;
 - (d) cause the inspection and satisfy himself/herself as to the sufficiency, repair and condition of every vehicle and the equipment used in respect of which a licence is applied for, according to the terms of this By-law;
 - (e) satisfy himself/herself as to the good character and responsibility of all applicants and, if the Senior By-law Enforcement Officer deems it advisable, the applicant shall make himself available for fingerprinting;
 - (f) review applications for all licences and prepare recommendation to Council, the Chief Administrative Officer/Clerk or the Licence Issuer, as the case may be;
 - (g) investigate all matters relevant with the revocation or suspension of any licences and prepare a report for Council and the Chief Administrative Officer/Clerk;
 - (h) upon issuing a licence, furnish to the licensee one copy of this by-law and one tariff card containing the tariff herein provided and check all taxicabs from time to time to see that the tariff card is displayed in a conspicuous place in the interior of each taxicab;
 - (i) prosecute persons who contravene any provisions of this by-law;
 - (j) upon reasonable and probable grounds, order a mechanical inspection of a licenced taxicab at the cost of the cab owner.
- (2) Any of the duties required to be done by the Senior By-law Enforcement Officer may be delegated to any other By-Law Officer of the Corporation or an Officer of the Ontario Provincial Police.

2.2 LICENCE ISSUER

The licence issuer shall:

- (a) furnish forms of application for licences;
- (b) verify completed applications to ascertain compliance with this licencing by-law and distribute for review to authorized officials, securing approval as required in this By-law;
- (c) ensure that the prescribed fees payable for licences are duly paid before a licence is issued;
- (d) issue and sign taxicab driver licences and supply each driver with a metal badge bearing the number of the licence and a numbered identification card, including photograph or such other driver identification means the Town may require;
- (e) issue and sign taxicab owner and taxicab broker licences and monitor on-going compliance with insurance requirements;
- (f) keep a register of all licences.

PART 3 - TAXICAB OWNER LICENCE

3.1 LICENCING REQUIREMENTS

- (a) No person shall operate a taxicab or permit a taxicab to be operated for hire in the Town without a Taxicab Owner Licence approved by the Chief Administrative Officer/Clerk. A licence shall become in effect only upon payment to the Corporation of the annual licence fee established under Annex A of this By-law.
- (b) Request for a taxicab owner licence shall be made with the Licence Issuer on the application form in Annex F of this by-law.
- (c) A separate owner licence shall be required for each taxicab.
- (d) Every applicant for an owner's licence shall sign a waiver as set out in Annex H hereto, authorizing the Town to verify, at any time, with the Insurer or his agent the current coverage for each licenced vehicle.
- (e) Every applicant for an owner's licence shall submit each taxicab for an inspection prior to issuance of the licence thereof.
- (f) Any owner's licence issued after November 13, 2001 in relation to a taxicab which is out of service for more than 30 continuous days, shall be forfeited.
- (g) A taxicab owner licence is personal to the holder thereof and shall not be transferable or leasable to any other party, unless authorized by Council pursuant to Article 8.2 of this By-law.
- (h) Notwithstanding paragraph (f), where a vehicle for which a licence has been issued is replaced by another vehicle during the period for which the licence was issued, a new licence shall not be necessary. A transfer of the licence may be granted by the Licence Issuer provided the Licence Holder submits a request for transfer on the 'Request for transfer of Owner's Licence' form as set out in Annex C to this By-law, and all applicable requirements of this By-law are complied with.
- (i) Every owner shall, unless he is affiliated with a taxicab broker, maintain and make available for hire at least one (1) taxicab twenty-four (24) hours a day. Notwithstanding, hours of operation may be reduced from time to time for just cause provided written authorization from the Chief Administrative Officer is given to the taxicab owner.
- (j) Where two or more persons carry on or engage in partnership, the taxicab owner licence will be issued in the name of one partner only, but the name and address of each member of the partnership shall be registered on the application for the licence.
- (k) No owner shall employ as a driver of a taxicab any person other than a licenced driver under this by-law.

- (l) The total number of taxicabs licenced to operate within the Town of Hearst, shall not exceed six (6) at any one time. A taxicab licence shall be deemed to be in effect only if and when a vehicle is duly licenced as a taxicab and operated as such on a regular basis and the determination of regular operation shall be at the sole discretion of the Chief Administrative Officer/Clerk who may suspend or revoke a taxicab licence for non-compliance with this condition.
- (m) Council may, at its sole discretion, approve additional owner's licences for wheelchair accessible taxis and the issuance of such licence shall be in addition to the limits of taxicab owners licences.

3.2 OWNER RESPONSIBILITIES

- (a) While on duty, unless his/her taxicab has been previously engaged, a taxicab owner shall serve at any specified time whether by day or night, any person who may require his/her taxicab unless prohibited in this By-law;
- (b) Every owner shall give full information to a By-Law Enforcement Officer or police officer upon being required to do so, with reference to the address of the house or place to or from which he/she has driven any passenger that relates to his/her description, name or address, if known to him/her.
- (c) A taxicab owner shall require and verify that all taxicab drivers he employs comply in all respect with provisions of this By-law.

3.3 CONDITION OF VEHICLE

- (a) The owner or driver of every taxicab shall keep the interior clean and dry and the exterior of the taxicab clean of dirt and free from visible damage.
- (b) Whenever the owner or driver of a taxicab receives a notice signed by the Senior By-law Enforcement Officer or his designate that his taxicab is not in acceptable condition for use, the owner or driver shall, within the time mentioned in such notice, perform all repairs and improvements necessary for the taxicab to be in a fit and proper condition, to the satisfaction of the Officer and failure to do so will result in the suspension of the owner's licence.
- (c) Seat belts shall be in operable condition at all times according to the vehicle manufacturer's specifications.
- (d) Every cab shall be equipped with an extra tire in good condition.
- (e) No owner or driver or anyone else with his/her consent shall wash or make repairs to his/her vehicle while upon a public taxicab stand or on public property unless such repairs are immediately required and are of a minor nature.

- (f) Any vehicle considered for licence or relicencing must be mechanically fit in the opinion of the Senior By-law Enforcement Officer or his designate. The mechanical fitness certificate of a mechanic licenced by the Ministry of Transportation or other applicable governmental authority shall be required as a minimum.

3.4 AGE OF VEHICLES

Any vehicle older than two (2) years old at the time of application for a taxicab owner licence or on the date of renewal shall be subject to the passing of a mechanical fitness examination by a licenced mechanic and the issuance of a duly authorized certificate thereof. Notwithstanding such certificate, if in the opinion of the Senior By-law Enforcement Officer, a vehicle remains unsafe or unsuitable to be operated as a taxicab, he may require a mechanical fitness examination from an independent mechanic at the cost of the Owner.

3.5 INSPECTION

- (a) The owner of every taxicab shall submit his/her taxicab to appear for inspection by municipal officials once every year and at any other time when requested by the Senior By-law Enforcement Officer. The Taxicab Fitness Report form as set out in Annex I appended to this By-law shall be prepared and filed by the Town official in charge of conducting an inspection.
- (b) No owner or driver shall, at any time, when his/her taxicab is not employed, prevent or hinder the Senior By-law Enforcement Officer or any police officer from entering the same or at any time prevent or hinder him/her from entering a garage or other building for the purpose of inspecting the same.
- (c) The Senior By-law Enforcement Officer or his designate who believes, on reasonable and probable grounds that a vehicle or its equipment is mechanically defective shall give the owner or driver written notice requiring such owner or driver to submit the vehicle for examination by an approved mechanic within twenty-four (24) hours, the examination to be at the expense of the owner.
- (d) The Senior By-law Enforcement Officer or his designate who believes, on reasonable and probable grounds, that a taxicab is dangerous or unsafe may suspend and confiscate the taxi owner or driver licence and shall require the owner or driver to submit the taxicab for examination by a mechanic who is licenced by the Ministry of Transportation (or other applicable governmental authority) and approved by the Senior By-law Enforcement Officer or his designate.
- (e) An owner or driver who fails to submit his/her taxicab for examination as instructed pursuant to this by-law is guilty of an offence and shall have his/her licence suspended until such time as he/she complies with this by-law.

- (f) Upon notice by registered mail or personal service, a taxicab broker shall notify all taxicab owners to submit their vehicles to appear at the time and place specified in such notice for an inspection.
- (g) In the event an owner disposes of a licenced taxicab and acquires another vehicle in its stead, the new vehicle shall be submitted to the Senior By-Law Enforcement Officer for inspection and approval and the owner shall apply for a transfer of the licence to cover the newly acquired vehicle. At no time shall the new vehicle be used as a taxicab before the Corporation transfers the licence.

3.6 SMOKING PROHIBITION

No driver shall smoke or permit any passenger or passengers to smoke while in a taxicab.

3.7 LIQUOR PROHIBITION

- (a) No driver shall take, consume or have in his possession any liquor while he/she is in charge of a taxicab.
- (b) A driver shall not be under the influence of liquor while he/she is in charge of a taxicab.

3.8 TAXI SIGN

- (a) The owner of every taxicab, shall, as a condition of the receipt of a licence, install on the roof of every taxicab belonging to him, an illuminated sign bearing the name of the taxi stand from where the said taxicab operates and, in addition, he/she shall display on the rear of the taxicab, a numbered plate, issued by the Licence Issuer bearing the number of the licence for the current year.
- (b) The roof sign of every taxicab shall be connected to the taxicab metre in such manner that the light of the roof sign shall turn off when the taximeter is placed in a recording position.
- (c) The numbered plates shall be positioned on the rear of the taxicab in a visible location and in a manner specified by the Senior By-law Enforcement Officer.
- (d) No person shall sell, scrap or dispose of any taxicab without first returning the taxi licence plate to the Senior By-law Enforcement Officer or the Licence Issuer.

3.9 TAXI METRE

Every owner shall have affixed to each taxicab in respect to which he/she is licenced a taximeter which shall register distances travelled and compute fares to be paid and every such taximeter shall be:

- (a) submitted for testing, inspection and sealing by the Senior By-law Enforcement Officer, when so requested;

- (b) illuminated between dusk and dawn;
- (c) attached to the taxicab in a location and manner approved by the Senior By-law Enforcement Officer;
- (d) adjusted in accordance with the tariff prescribed by Annex B of this By-law;
- (e) tested by running the taxicab to which it is attached over a measured track or distance before being sealed;
- (f) used only when the seal thereon is intact;
- (g) used for not longer than twelve months without retesting and resealing;
- (h) kept in good working condition at all times and not used when defective in any way;
- (i) used only until approved by the Senior By-law Enforcement Officer.

3.10 FARES

- (a) The rates of fares to be charged by every owner and driver shall be exactly as shown in Annex B to this By-law;
 - (b) No higher or lower amount than that contained in Annex B shall be charged or be payable.
 - (c) No passenger shall refuse to pay the rate of fare that is due in accordance with this By-law, after he has employed a taxicab.
- 3.10.1 When operating on a taximeter basis, the rate of fare charged shall be exactly as shown on the taximeter together with any additional charges authorized by Annex B hereto.
- 3.10.2 (a) No owner or driver or broker shall publish or use a tariff or demand or receive rates and charges other than those authorized by this By-law whether such rates and charges are determined by a distance or by time.
- (b) Every owner and driver shall keep the tariff card containing the tariff herein provided displayed in a conspicuous place in the interior of each taxicab.
- 3.10.3 No owner or driver shall be entitled to recover or receive any fare or charge from any person or persons:
- (a) from whom he/she shall have demanded any fare or charge greater or less than those authorized by this By-law; or
 - (b) to whom he/she has refused to show his/her card or tariff as provided by this By-law.

- 3.10.4 (a) When a passenger first enters a taxicab, the taximeter shall immediately be placed in a recording position and shall remain so throughout the trip.
- (b) The shortest possible route shall be taken to the destination desired unless the passenger instructs the driver to use another route.
- 3.10.5 If a call extends beyond the territorial limits of the Corporation, the driver and passenger(s) may agree before the start of the trip to a flat rate but the taximeter must be in a recording position at all times within the limits of the Corporation.
- 3.10.6 At the conclusion of a trip, the driver shall place the taximeter in a non-recording position and shall call the passenger's attention to the amount of the fare registered on the taximeter.
- 3.10.7 No owner or driver shall make any charge under this By-law for:
- (a) time lost through defects or inefficiency of the taxicab; or
- (b) the failure of the driver to use the shortest and/or the fastest route to destination or operate the taxicab in an efficient and timely manner; or
- (c) for time consumed by the arrival of the taxicab in response to a call in advance of the time such taxicab has been requested by the person calling same.
- 3.10.8 The tariff or rates herein authorized shall be computed from the time or place when the passenger or passengers first enter the taxicab or instruct verbally or by body gesture to wait and to the time or place when the taxicab arrives at the final destination of the passenger(s).

3.11 TARIFF CARDS

Tariff cards or badges defaced, lost or destroyed, shall be replaced and upon the original tariff card or badge being rendered or satisfactorily accounted for, and, in the case of a badge, upon payment of an amount fixed by the Council, the Senior By-law Enforcement Officer shall supply a new card or badge.

3.12 TRIP RECORDS

- (a) No taxicab shall be hired for more than one specific trip for the transportation exclusively of one passenger or group of passengers, except with the prior consent of the passenger having first signified the hiring of the taxicab thereof.
- (b) No owner or driver shall drive a taxi with luggage or other material placed in a manner that obstructs his view.
- (c) Every taxicab owner and every taxicab broker shall keep a record in writing of the date, time, origin and destination of each trip, the name of the driver and the number of the taxicab.

- (d) The trip records shall be retained for at least twelve months at the taxi stand from where the taxicab operates and shall be surrendered immediately for examination when requested by the Senior By-law Enforcement Officer or a police officer.

3.13 HANDICAPPED TRANSPORTATION

- (a) To qualify for licencing under this By-law, a handicapped transportation vehicle shall meet the standards for a physically disabled passenger vehicle as established by the Highway Traffic Act of Ontario, R.S.O. 1990 and regulations thereto.
- (b) A handicapped transportation vehicle may be utilized as a regular taxicab if operated under a taxicab owner licence. In such cases, the handicapped transportation vehicle must be equipped in the same manner as a taxicab in addition to the requirements set out in paragraph (a).
- (c) Where a handicapped transportation vehicle is used, the charges set out in Annex B will apply.

PART 4 – TAXICAB DRIVER LICENCE

4.1 LICENCE

- (a) No person shall drive or operate a taxicab in the Town of Hearst without a taxicab driver licence duly issued by the Licence Issuer.
- (b) Request for a driver licence shall be made with the Licence Issuer on the application form in Annex E to this By-law.
- (c) Payment of the fees set out in Annex A to this By-law shall be paid in advance and upon filing the application with the Licence Issuer.
- (d) A taxicab owner attesting his/her intention to hire the applicant as a driver of his taxicab shall endorse an application for a taxicab driver licence.
- (e) The applicant shall provide two passport photographs recently taken.
- (f) The Senior By-law Enforcement Officer or his designate, may require upon reasonable and probable grounds, any person applying for a licence or currently licenced under this By-law to produce a medical certificate from a physician which states that the person is fit to operate a taxicab in compliance with this By-law. A Certificate of Health on the form per Annex J appended to this By-law shall be executed and filed with the Officer to satisfy the requirements of this By-law.
- (g) No licence shall be granted except upon application therefore by a person who is at least nineteen (19) years of age and of good character and who possesses knowledge of the geography of the Town and is able to charge accurately the prescribed tariff.
- (h) The applicant must not have been found guilty of an indictable offence under the Criminal Code of Canada, or an offence under the Narcotic Control Act or the Food and Drug Act within the preceding three years.
- (i) The applicant must not have been found guilty of an offence under the Liquor Licence Act of Ontario, R.S.O. 1990, pertaining to the illegal sale or purchase of liquor within the preceding three years.
- (j) The applicant must not have been found guilty of a criminal offence pertaining to the operation of a motor vehicle within the preceding three years.
- (k) The applicant must not have been found guilty of any sexual offence under the Criminal Code.

- (l) The applicant must at a minimum have a valid Ontario Class G driver licence recognized by the Ministry of Transportation, have two (2) years of experience as a car driver and be in possession of at least 5 (five) demerit points at the time of application and at any other time while licenced as taxicab driver and failure to comply with this condition shall result in revocation of the licence.

4.2 DRIVER RESPONSIBILITIES

- (1) Every driver shall:
 - (a) post the driver identification card in the taxi as required by section 4.3 and wear the metal badge supplied to him by the Licence Issuer, on his clothing in a visible location or wear or display such other driver identification means, as the Town may require;
 - (b) punctually keep all his/her appointments and engagements;
 - (c) when called to a house or other place for attending to passengers, notify the person calling of his readiness to receive them and if necessary, by going to the door of the house or other place and informing an adult person of his/her presence;
 - (d) not neglect to fulfil his/her appointment or engagement, except for reasons beyond his/her control;
 - (e) be neatly attired, clean and presentable and shall not be permitted to wear shorts, jogging pants, tank tops, muscle shirts or halter tops or any other inappropriate clothing deemed unacceptable by the Senior By-law Enforcement Officer;
 - (f) be civil and well behaved;
 - (g) while on duty at any public taxicab stand, sit or stand sufficiently close to his/her taxicab as to have it constantly under close supervision and to be available to respond to a call or request for service;
 - (h) not stand in groups of three or more, or in any way obstruct the use of the sidewalk, or make any loud noise or disturbance.
 - (j) when receiving or delivering passengers, give such reasonable assistance in opening the door of any cab, as the circumstances may require, and shall deposit all luggage as directed, providing that such request or direction is reasonable.
 - (k) give full information to a By-Law Enforcement Officer or police officer upon being required to do so, with reference to the address of the house or place to or from which he/she has driven any passenger with his/her description, name and address, if known to him/her.

- (2) While on duty and when a licenced vehicle is being used as a taxicab, no driver shall carry any passenger(s) other than (a) paying passenger(s).
- (3) A taxicab driver shall not carry any passenger who is under the influence of liquor or any narcotic drug while transporting a passenger or passengers that are not of the same party.

4.3 DRIVER IDENTIFICATION

- (a) Every taxicab owner and driver, when operating a taxicab, shall have displayed in the vehicle an identification card supplied by the Licence Issuer.
- (b) The identification card will contain the name and description of the driver along with one of the photographs required by Section 4.1.e) of this By-law.
- (c) The card will be displayed in a conspicuous place on one of the interior sidewalls or back of the front seat of the taxicab in a location that is in direct view of a passenger.
- (d) The driver shall not display any card except his/her own.
- (e) Every driver of a taxicab shall retain his/her taxicab driver licence in his/her possession at all times while operating the same, and upon request shall surrender his/her taxicab driver licence to any By-Law Officer or police officer.

4.4 PASSENGER SEATING CAPACITY

- (a) No person shall carry in any vehicle used for hire a greater number of occupants or persons than the manufacturers rating of seating capacity of such vehicle inclusive of the driver.
- (b) No owner or driver shall carry in any taxi used for hire, a greater number of occupants or persons that there are seat belts to accommodate them.

4.5 PASSENGER PROPERTY

- (a) Every owner or driver employed shall take due care of all property delivered or entrusted to and accepted by him/her for conveyance or safekeeping.
- (b) Every driver of a taxicab immediately upon termination of any hiring or engagement shall visually search his/her taxicab for any property lost or left therein.
- (c) All property, or money left in a taxicab shall be forthwith delivered to the person owning the same, or if the owner cannot be at once found, then the driver shall inform, as soon as possible, the Senior By-Law Enforcement Officer of the property or money in his/her possession and the property or money shall be immediately rendered to the taxicab owner or broker for safekeeping. The owner or broker shall keep the property or money for not more than ten (10) days, which will thence be delivered to the Senior By-Law Enforcement Officer.

No owner or driver shall knowingly:

- i) frequent any disorderly house as defined by the Criminal Code; or,
- ii) frequent any place where liquor is illegally kept for sale; or,
- iii) permit his/her taxicab to be used by persons desirous of visiting such places.

4.6 DRIVER CONDUCT

- (1) No owner or driver shall induce any person to engage him either by knowingly, wantonly, or wilfully misinforming, misleading or deceiving such person as to:
 - (a) the time or place of the arrival or departure of any railroad train, bus, aircraft or other public conveyance; or
 - (b) the location or distance from any part of the Town of any bus station, airport, hotel, public house or private residence;
 - (c) nor shall he/she, in any way, manner, or form, impose upon or deceive or in any way insult, abuse or ill treat any person engaging him/her.
- (2) No driver shall permit or allow any person to be on any exterior portion of any taxicab while the same is in motion.

4.7 RESTRICTED USE OF TOWN PROPERTY

- 1. No owner or driver shall permit a taxicab to remain standing on a highway in the Town of Hearst unless for the immediate purpose of:
 - (a) taking on a passenger who has already engaged the taxicab;
 - (b) discharging a passenger from the taxicab;
 - (c) waiting for a passenger for whom the taxicab is already engaged and who has instructed the continuance of the engagement.
- 2.
 - (a) A taxicab owner shall be responsible for private on-site parking and shall not use a roadway allowance or other Town property for parking of taxicabs.
 - (b) No person shall park a taxicab or place a taxicab in waiting position on property owned by the Corporation within 30 metres of a taxicab stand.
 - (c) No person shall park a taxicab or place a taxicab in waiting position on property owned by the Corporation for the purpose of soliciting a ride or a fare.

PART 5 - TAXI STAND LICENCE

- (a) No person shall operate a taxi stand without a Taxi Stand Licence approved by Council. Request for a taxi stand licence shall be made with the Licence Issuer on the application form in Annex G to this By-law.
- (b) A taxicab broker shall be required to operate from a taxi stand.
- (c) A taxicab owner and a taxicab driver must be associated with a taxi stand operator and shall refer to the taxi stand whenever in active duty.
- (d) Taxi stands shall be located conveniently in designated commercial zones as provided for in the Town of Hearst Zoning By-law and the Director of Planning shall certify compliance for the establishment of a proposed taxi stand.
- (e) A taxi stand shall be equipped with a commercial telephone for the purpose of receiving customer calls and with a radio communication system to ensure two-way communication with taxicab drivers at all times.
- (f) A taxi stand shall consist of suitable building space accessible from a municipal street by clients and taxicab owners and drivers.
- (g) A taxi stand shall have a sufficient number of on-site parking spaces to accommodate the number of licenced taxicabs associated thereto.
- (h) Every taxi stand operator shall keep a record of the date, time, origin and destination of each trip, the name of the driver of each cab and the licence number of the cab and shall retain said record for at least six (6) months at the place of business. The taxi stand operator shall give full information to any By-law Officer or officer of the Ontario Provincial Police upon being requested to do so, with reference to the address of the house or the place to or from which he has driven any passenger, and he shall provide the By-law Officer or the Police Officer with a description of the passenger, his name and address, if known to him, or he shall provide any other information he may have with regard to such passenger.
- (i) The holder of an owner's licence or a broker's licence shall not change the place of his taxi stand without prior notice to the Senior By-law Enforcement Officer or the Licence Issuer and payment of the fee as outlined in Annex A of this By-law to the Corporation for the place of a taxi stand.
- (j) Any public waiting area in a taxicab stand shall be maintained in a clean and tidy condition.
- (k) No person, while on any taxicab stand, shall in any way obstruct the use of the sidewalk, or make any loud noises or disturbances, or use profane, obscene, impudent or abusive language, or molest, annoy or insult the owner, occupants, inmates or inhabitants of any building or residence or any person whatsoever and shall not while on any such taxicab stand or at any bus station, airport or other public place, place his/her taxicab so as to obstruct traffic in any way.

- (1) During periods of the day with limited business activity, the operation of a taxi stand on duty personnel may be suspended temporarily, provided the public is able to communicate at all times with the taxi cab driver in at least one on-duty vehicle at the same telephone business number published for the taxi operation. Notwithstanding the temporary suspension of the taxi stand, a taxi cab driver shall continue to have access to a licenced taxi stand.

PART 6 - TAXICAB BROKER LICENCE

- (a) No taxicab broker shall accept calls and dispatch taxicabs without a broker's licence from the Council and payment to the Corporation of the annual fee prescribed in annex A hereto.
- (b) Request for a taxicab broker licence shall be made with the Licence Issuer on the application form in Annex D to this By-law.
- (c) Every licenced broker shall operate from a taxi stand.
- (d) Every broker shall ensure the availability for hire of at least one (1) taxicab twenty-four (24) hours a day.

**PART 7
INSURANCE REQUIREMENTS**

7.1 *POLICY OF INSURANCE TO INCLUDE NOTICE OF CANCELLATION*

Every owner, in respect to each taxicab belonging to him/her, shall procure a policy of insurance endorsed to the effect that the Town will be given at least ten days notice by the insurer or his agent, in writing, of any cancellation, expiry or change in the amount of the policy, and deposit a copy or certificate thereof with the Town.

7.2 *MINIMUM INSURANCE COVERAGE OF \$2,000,000*

The said policy of insurance shall insure the owner and driver of such taxicab against loss or damage resulting from bodily injury or death to passengers, the owner and the driver as well as others and against damage to property, to an aggregate maximum limit of not less than two million dollars (\$2,000,000) for all claims in any one accident, exclusive of interests and costs.

7.3 *LICENCE SUSPENSION OR CANCELLATION IF POLICY NOT IN FORCE*

Copy of every such policy of insurance or certificate thereof shall be deposited with the Licence Issuer before the owner commences operation of the insured vehicle as a taxicab. The insurance policy shall be kept in force by such owner during the period for which the licence is issued to him and during any renewal periods and in the event the policy of insurance lapses and becomes null and void for any reason, the Chief Administrative Officer/Clerk, upon written notice to the taxicab licence owner, may suspend or cancel such licence without forewarning.

**PART 8
GENERAL**

8.1 REVOCATION OF LICENCE

- (a) Licences may be refused or revoked by the Council in its discretion subject to the Statutory Powers Procedure Act R.S.O. 1990.
- (b) In the event of any licence being revoked, the previous holder thereof shall not be entitled to a new licence unless the Council approved the granting of such new licence.
- (c) The Chief Administrative Officer / Clerk may suspend at its sole discretion any licence until the next meeting of the Council where any apparent contravention of the Criminal Code, Narcotic Control Act or the Food and Drug Act, or loss of 10 or more demerit points under the Highway Traffic Act, R.S.O. 1990 or any breach of the Liquor Licence Act, R.S.O. 1990 or any section of this by-law, provided that the person whose licence is suspended is entitled to appeal the suspension at the next meeting of the Council pursuant to The Statutory Powers Procedure Act, R.S.O. 1990.

8.2 TRANSFER OF LICENCE

- (a) No taxicab broker licence, taxicab owner licence or taxi stand licence issued under this by-law shall be transferred from one person to another without the prior written approval of the Council, which approval may be withheld at its discretion. If approved, the transferee shall fulfil the requirements of this by-law and pay to the Corporation the fee set out in Annex A of this By-law before a new licence is issued.
- (b) Subject to paragraph (c) and (d), no Taxicab Owner licence issued under this By-law may be transferred from one person to another unless the number of taxicab owner licences currently in effect in the Town of Hearst is less than or equal to the total number of owner licences authorized per Article 3.1(l) of this By-law or unless otherwise adjusted by resolution of Council.
- (c) Notwithstanding paragraph (b), in the event of the death of a taxicab owner or taxicab broker, the estate of the deceased may apply to Council to transfer the licence(s) of the deceased to one of the following:
 - (i) the estate of the deceased, or
 - (ii) one or more immediate family members of the deceased, who are either a spouse of the deceased or children of the deceased, provided under proven authorization, or
 - (iii) a private corporation whose sole shareholder(s) are members of the immediate family of the deceased, as defined in subparagraph (ii).

8.3 EXPIRY OF LICENCE

Every licence, unless sooner revoked, shall expire on the 31st day of January of every year.

8.4 APPEAL

Any act done under the authority of the Senior By-law Enforcement Officer under any of the provisions of this By-law shall be subject to appeal to the Chief Administrative Officer / Clerk and/or Council by any person feeling aggrieved. Any appeal shall be submitted in writing and duly signed.

8.5 CHANGE OF ADDRESS

- (a) Every person licenced under this by-law shall, upon changing his/her residential and business address notify the Senior By-law Enforcement Officer or the Licence Issuer, in writing, within two days of such change of address.
- (b) Every taxicab broker and owner shall notify the Senior By-law Enforcement Officer on or before the 1st day of April and October, or any other time upon request, of the names, addresses and licence numbers of taxicab drivers currently in his/her employment on forms to be supplied by the Senior By-law Enforcement Officer.

8.6 NOTICE OF NON-COMPLIANCE

- (a) A copy of any deficiency notice issued to an owner may be sent by registered mail or personal service to all taxicab brokers.
- (b) No taxicab broker shall permit a taxicab owner and no taxicab owner shall be authorized to operate a taxicab in respect of which a notice of non-compliance has been issued and remains in effect.

8.7 PENALTY

Every person who contravenes any of the provisions of this By-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay a penalty of not more than five thousand dollars (\$5,000), exclusive of costs and every such fine is recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P33 as amended.

Any by-law Officer of the Corporation or any Officer of the Ontario Provincial Police may proceed by imposing the set fines established by By-law No. 70-81 as set out hereunder:

	Article	Set Fine
a) Permit operation of Taxi Cab – Licence not issued	3.1(a)	\$53
b) Permit operation of Taxi Cab – insufficient insurance	7.2	\$103
c) Permit operation of Taxi Cab – no identification sign on cab	3.8	\$23
d) Permit operation of Taxi Cab – no taximeter on cab	3.9	\$53
e) Permit operation of Taxi Cab – when taximeter defective	3.9	\$53
f) Drive Taxi Cab – no driver's licence	4.1(a)	\$53

ANNEX A

TAXICAB BROKER, OWNER AND DRIVER LICENCE FEES

1. TAXICAB BROKER

The annual fee for a Taxicab Broker licence shall be one hundred and fifty dollars (\$150), effective February 1st, 2002.

2. TAXICAB OWNER

The annual fee for each Taxicab Owner licence, including cartage, shall be seventy-five dollars (\$75), effective February 1st, 2002.

3. TRANSFER OF TAXICAB OWNER LICENCE

The fee for transferring a Taxicab Owner licence from one vehicle to another shall be twenty-five dollars (\$25), effective February 1st, 2002.

4. TAXICAB DRIVER

The annual fee for a Taxicab Driver licence shall be twenty-five dollars (\$25), effective February 1st, 2002.

5. TAXI STAND

The annual fee for a taxi stand licence shall be twenty-five dollars (\$25), which shall include the required zoning certificate.

6. OTHER CHARGES

In addition, an applicant for any licence shall be required to pay other fees and expenses that may be applicable to conform with the requirements of this by-law.

7. RENEWALS

All licences expire on January 31st following the year of issuance and must be renewed for the effective date of February 1st. The full annual fee will be charged for all licences issued between February 1st and August 31st of the same year and one half of the set annual fee will be charged for all licences issued between September 1st of one year and January 31st of the following year.

ANNEX B**METER RATES OF FARE**
amended by By-law ~~84-14~~ 81

	AMOUNT	H.S.T.	TOTAL
Initial Charge	\$4.16	\$0.54	\$4.70
Each additional one (1/10) of a kilometre	\$0.22	\$0.03	\$0.25
For waiting time while under engagement at an hourly rate	\$31.00 per hour	\$4.00	\$35.00 per hour

NOTES:

1. The rate being charged must be posted in all taxicabs, and must be clearly visible to all passengers.

ANNEX C

**REQUEST FOR TRANSFER
OF OWNER'S LICENCE TO NEW VEHICLE OF SAME OWNER**

I _____ owner of Taxicab Owner licence no _____ - _____ do hereby
apply for the transfer of my owner's licence from vehicle _____
model *type*

_____ *year* *serial number*

to vehicle _____
model *type* *year* *serial number*

Signature of Licence Owner

Date

I _____ Senior By-Law Enforcement Officer, do hereby authorize the
above requested transfer.

Signature of Senior By-Law Enforcement Officer

Date

ANNEX D

APPLICATION FOR TAXI BROKER LICENCE

TOWN OF HEARST

P.O. BAG 5000, 925 ALEXANDRA STREET

HEARST, ONTARIO, P0L 1N0

(705) 362-4341

FAX: (705) 362-5902

Applicant: _____

Address: _____

Telephone: _____

Location of proposed taxi stand: _____

Name(s) / Address(es) of all partners (if any) of the applicant:

1. _____
2. _____

Name(s) / Address(es) of all vehicle Owners/Lessees for whom the Applicant will act as Broker.

1. _____
2. _____
3. _____
4. _____

Insurance Company and Policy No. _____

I hereby apply for a taxicab broker licence and agree to abide by all applicable terms and conditions of the Town of Hearst Taxi By-law under Taxi Licencing By-law 108-02.

Applicant's signature

date

FOR OFFICE USE ONLY:

Certificate of Insurance to accompany application

We, the undersigned, have reviewed and have investigated the above application and recommend approval.

Senior By-law Enforcement Officer (or designate)

Director of Planning

Building Inspector/Fire Chief

TOWN OF HEARST
P.O. Bag 5000, 925 Alexandra Street
Hearst, Ontario, P0I 1N0



ANNEX E

Tel.: (705) 362-4341
Fax: (705) 362-5902

APPLICATION FOR TAXI DRIVER LICENCE

Renewal: - OR - New licence

Name: _____
Surname *Given name(s)*

Address: _____
Street Address *Town* *Postal Code*

Telephone: (home) _____ (work) _____

Weight: _____ Height: _____ Eyes: _____ Hair: _____

Date of birth: _____ Driver's Licence #: _____

TAXICAB OWNER CERTIFICATION

I _____, owner of a taxicab licence no. _____, do hereby attest that I intend to hire the applicant as a driver of my Taxicab(s).

Signature – Taxicab Owner

TAXICAB DRIVER CERTIFICATION

The applicant acknowledges his/her being informed of the requirements, the conditions and the responsibilities for taxicab drivers as set out in the Town of Hearst Taxi Licensing By-law and in the event a licence is issued, the applicant agrees to abide by such requirements, conditions and responsibilities. The applicant further agrees to apply for a Personal Record Check with the Ontario Provincial Police and authorizes the Personal Record Check Report to be submitted to the Senior By-law Enforcement Officer or his designate to verify compliance with requirements of this By-law.

Signature - Applicant

FOR OFFICE USE ONLY

TOWN OF HEARST RECORD CHECKS	YES	NO	ATTACHED
A. Indictable offence within past 3 years			
1. Criminal Code of Canada			
2. Narcotic Control Act			
3. Food and Drug Act			
4. Liquor Licence Act of Ontario			
5. Criminal offence pertaining to operations of motor vehicle			
B. Sexual offence under the Criminal Code at any time			
C. Deemed acceptable per Medical Certificate			
D. Minimum Ontario Class G Driver licence with minimum 2 years experience and minimum 5 demerit points			

Licence Issuer

Date

By-law Officer

Date

Information collected on this application is made under the authority of the Town of Hearst Taxi Licensing By-law.

ANNEX F

APPLICATION FOR TAXI OWNER LICENCE

TOWN OF HEARST

P.O. BAG 5000, 925 ALEXANDRA STREET

HEARST, ONTARIO, P0L 1N0

(705) 362-4341

FAX: (705) 362-5902

Applicant: _____ Owner/Mgr.: _____

Name(s) all Owners: _____

Name of Taxicab stand: _____

Business Address: _____

Insurance Company: _____

Policy No. _____ Expiry Date: _____

I, _____, hereby certify the above information to be correct.

Signature, Owner/Manager

To the Municipal Council of the Town of Hearst. I have investigated the above, and recommend approval.

Recommended by: _____
Senior By-law Enforcement Officer /or designate

Date Issued: _____
Day Month Year

(Vehicle information sheet attached)

ANNEX G

APPLICATION FOR TAXI STAND LICENCE

TOWN OF HEARST

P.O. BAG 5000, 925 ALEXANDRA STREET

HEARST, ONTARIO, P0L 1N0

(705) 362-4341

FAX: (705) 362-5902

Applicant: _____

Address: _____

Telephone: _____

Location of proposed taxi stand: _____

Name(s) / Address(es) of all partners (if any) of the applicant:

1. _____

2. _____

Name(s) / Address(es) of all vehicle Owners/Lessees for whom the Applicant will act as Broker.

1. _____

2. _____

3. _____

4. _____

Insurance Company and Policy No. _____

I hereby apply for a taxistand licence and agree to abide by all applicable terms and conditions of the Town of Hearst Taxi By-law No. 108-02.

Applicant's signature

date

FOR OFFICE USE ONLY:

Certificate of Insurance to accompany application

We, the undersigned, have reviewed and have investigated the above application and recommend approval.

Senior By-law Enforcement Officer (or designate)

Director of Planning

Building Inspector/Fire Chief

ANNEX H

TAXICAB OWNER'S INSURANCE WAIVER FORM

Name of owner: _____

Address: _____

Telephone: _____
Residence *Business*

Date of application for owner licence _____

Name of Insurer: _____

Address: _____

Telephone: _____

Name of Broker _____

Address: _____

Telephone: _____

Insurance policy number: _____

WAIVER

I _____, applicant for a Taxicab owner's licence do hereby authorize my broker and /or insurance Company to reveal to the Corporation of the Town of Hearst, upon their request, at any time, the status of insurance for all vehicles I own and that are used as Taxicab in the Town of Hearst and are licenced by the Town of Hearst, further to the Town of Hearst Taxi Licencing By-Law No. 108-02, in order to determine if all provisions of said By-law are adhered to for said insured vehicles.

Applicant

Date

TAXI LICENCING BY-LAW 108-02

**CORPORATION OF THE TOWN OF HEARST
ANNEX I TO TAXI LICENCING BY-LAW
TAXICAB FITNESS REPORT**

It is mandatory to register all vehicles to be licenced or renewed as taxi with the By-law Enforcement Department of the Hearst Municipal Building. You are required to provide the following documents:

- | | |
|---|--|
| (a) Provincial Motor Vehicle Registration | (c) Approved MTO Vehicle Inspection Report |
| (b) Taxi Cab Owner Licence | (d) Certificate of Insurance |

Taxicab Owner information

Name and address of Taxicab Owner	
Taxicab Business Name	
Licensed Owner Address	
Phone #	
Broker Name and Plate No.	
Taxi Drivers name and licence number	

Vehicle information

Make - year		Insurance Co.	
Ontario plate		Insurance Broker	
V.I.N.		Policy #	
		Expiry Date	

List Mechanical Defects

Exterior inspection: Body condition and required equipment

- | | |
|--|--|
| <input type="checkbox"/> Fenders | <input type="checkbox"/> Door Numbers |
| <input type="checkbox"/> Doors | <input type="checkbox"/> Tire Condition |
| <input type="checkbox"/> Trunk Lid | <input type="checkbox"/> Exhaust |
| <input type="checkbox"/> Hood | <input type="checkbox"/> Lights |
| <input type="checkbox"/> Bumpers | <input type="checkbox"/> Roof Light Working with Meter |
| <input type="checkbox"/> Grill | <input type="checkbox"/> Taxi-cab Plate |
| <input type="checkbox"/> Hub Caps | <input type="checkbox"/> Trunk: Clean Out |
| <input type="checkbox"/> Door Handles | <input type="checkbox"/> Car Wash |
| <input type="checkbox"/> Exterior Moulding | <input type="checkbox"/> Other Exterior (if applicable – see attached sheet) |

Interior inspection

- | | |
|--|--|
| <input type="checkbox"/> Front Seat | <input type="checkbox"/> Tariff Card & Bracket |
| <input type="checkbox"/> Rear Seat | <input type="checkbox"/> Floor Mats |
| <input type="checkbox"/> Arm Rests | <input type="checkbox"/> Shampoo Interior |
| <input type="checkbox"/> Door Panels & Window Cranks | <input type="checkbox"/> Other Interior (if applicable – see attached sheet) |
| <input type="checkbox"/> Headliner | |

Meter inspection

Fast	m	Time:		<i>Licence Inspector</i>
Slow	m	Sealed:		
<input type="checkbox"/> Approved		<input type="checkbox"/> Not approved		

Physical inspection: Approved Not approved Rejected vehicle

This vehicle has been rejected and must be returned by the date specified below to the Hearst By-law Department at 925 Alexandra St.

Date: _____

Inspector

CORPORATION OF THE TOWN OF HEARST

ANNEX J TO TAXI LICENCING BY-LAW

CERTIFICATE OF HEALTH

I hereby certify that _____
has undergone a complete physical examination and that, in my opinion, he/she is physically and
mentally capable of operating/driving a taxi.

DATED this _____ day of _____ 20__.

Signature of Examining Physician

xiii) Émission de licence de taxi à Jacques A. Brisson

Résolution no. 117-16

Proposée par: Conseiller Conrad Morin
Appuyée par: Conseiller Raymond Vermette

CONSIDÉRANT que M. Jacques A. Brisson propose d'établir une entreprise de taxis à Hearst, à condition d'être exempté de l'obligation d'avoir une station de taxi,
QU'IL SOIT RÉSOLU que le Conseil fasse exception au Règlement No.108-02 sur les taxis afin de permettre l'exploitation d'un service de taxi sans station et approuve la demande de Jacques Brisson exploitant sous le nom de Hearst Taxi pour une licence de courtier et de propriétaire de taxi.

ADOPTÉE

12. AVIS DE MOTION

Aucun

13. TRAVAUX EN COURS / RÉOLUTIONS DIFFÉRÉES

Aucun

14. HUIS-CLOS

Aucun

15. FERMETURE DE LA SÉANCE

Résolution no. 118-16

Proposée par: Conseiller André Rhéaume
Appuyée par: Conseiller Raymond Vermette

QU'IL SOIT RÉSOLU que cette réunion ordinaire du Conseil tenue le 30 mars 2016 soit maintenant levée à 19h28.

ADOPTÉE

Maire