

## Chapter 240 – Taxicabs

### 240-1. Definitions.

- A. For the purposes of this chapter, the following terms shall have the meanings indicated:

*CHIEF OF POLICE* – The Chief of Police of the City of Dryden or his or her designate.

*COUNCIL* – The Council of the Corporation of the City of Dryden.

*DRIVER* – Includes any person engaged in driving or operating a taxicab or other vehicle for or on behalf of the owner.

*LIMOUSINE* – A motor vehicle which is kept or used for hire for the conveyance of passengers on an hourly basis or for a fixed fee between any two given locations, and which is not equipped with a taximeter, and shall not include an ambulance, bus, van, or funeral hearse.

*OWNER* – Includes any person, party or corporation having possession or control of any taxicab or other vehicle whether under an instalment purchase agreement or by way of rental.

*TAXI DRIVER'S LICENCE* – A licence issued under the authority of this chapter.

*TAXI LICENCE* – A licence issued under the authority of this chapter.

*TAXI PLATE* – The metal plate(s) supplied with a taxi licence.

*TAXICAB* – Any automobile, limousine, motor vehicle or other vehicle used for hire for the conveyance of passengers from one point to another within the City of Dryden and from a place within the City of Dryden to any other point not more than five kilometres beyond its limits, having a seating capacity of not more than eight persons, exclusive of the driver, but shall not include an ambulance or a funeral hearse.

*TAXIMETER* – Any device installed in a taxicab and approved by the Chief of Police to accurately register the kilometres travelled by the taxicab.

- B. The masculine gender shall include the feminine.

### 240-2. Taxi licences.

- A. No person or firm shall own or operate a taxicab business within the City of Dryden without having first obtained a taxi licence from the Council.

- B. No holder of a taxi licence shall permit any person to operate a taxicab owned or operated under the provisions of such licence who is not the holder of a taxi driver's licence issued by the Corporation of the City of Dryden.
- C. An application for a taxi licence shall be made in writing to the Council and shall contain such information as shall be required by Council.
- D. Each applicant for a taxi licence, and the officers and directors of each corporate applicant for a taxi licence, shall submit to the Chief of Police an application on a form supplied for such purpose.
- E. Every such applicant or officer or director of such corporate applicant shall tender with such form a copy of the fingerprints of the applicant or officer or director as the case may be.
- F. Investigation.
  - (1) The Chief of Police shall make such investigation, as he or she considers necessary, and shall report the result of such investigation in writing to the Council and shall recommend to Council the granting or refusal of the application.
  - (2) If the investigations disclose any reason to believe the applicant's, owner's or operator's character may not be good, or that the carrying on of the said trade, calling, business or occupation may result in a breach of the law, or may in any way be adverse to the public's interest, or may be adverse to the health, safety, morality or welfare of the said inhabitants of the municipality, the Chief of Police shall deny the application.
- G. Every proposed transferee of a taxi licence shall be considered an applicant for the purpose of this chapter.
- H. Every holder of a taxi licence shall pay such fees as are set out in Schedule B to this chapter.
- I. Every applicant for a taxi licence shall satisfy the Chief of Police before such licence is issued that the applicant is the owner or lessee of a garage or suitable parking space to adequately accommodate the taxicabs the applicant proposes to operate.
- J. Vehicles.
  - (1) Every vehicle to be operated as a taxicab shall be licenced under the provisions of this chapter.
  - (2) A certificate of mechanical fitness as prescribed by the Highway Traffic Act of Ontario shall be submitted to the Chief of Police for each vehicle to be so licenced.

(3) Certificate of mechanical fitness.

- (a) For each vehicle licenced under this chapter, except a vehicle operated exclusively as a limousine, and having a model year of not more than four years, a current certificate of mechanical fitness is to be filed with the Chief of Police on June 30 and December 31 of each year. For each such vehicle attaining a model year in excess of four years, said certificates of mechanical fitness shall be filed on December 31, April 30 and August 31 of each year.
  - (b) For each vehicle licenced under this chapter, and operated exclusively as a limousine, a current certificate of mechanical fitness is to be filed with the Chief of Police on April 30 and October 31 of each year.
  - (c) Certificates required under Subsection J(3)(a) and (b) may be dated within the thirty-day period preceding or following the aforementioned due dates, and must be submitted within 30 days of said due dates.
- (4) No vehicle shall be licenced, as a taxicab other than for exclusive operation as a limousine, in excess of six years from initial date of licencing.
- (5) One taxi plate shall be issued for every vehicle licenced under the provisions of this chapter and shall be permanently affixed to the outside of the vehicle on the left rear trunk so that it is readily visible.
- K. Any licence issued pursuant to the provisions of this chapter may be revoked or cancelled at any time upon recommendation by the Chief of Police and approval of the Council, subject to the provisions of the Statutory Powers Procedures Act and the Municipal Act. The reference in this chapter to circumstances where a licence may be revoked or cancelled, or where a person shall show cause why a licence should not be revoked or cancelled, shall not be interpreted as derogating from the general power of the Chief of Police and Council.

**240-3. Taxi drivers.**

- A. No person shall operate a taxi within the City of Dryden who is not the holder of a taxi driver's licence for the current year issued by the City of Dryden.
- B. Investigation.
- (1) The Chief of Police shall make such investigation, as he or she considers necessary, and shall report the result of such investigation in writing to the Council and shall recommend to Council the granting or refusal of the application.
  - (2) If the investigations disclose any reason to believe the applicant's, owner's or operator's character may not be good, or that the carrying on of the said

trade, calling, business or occupation may result in a breach of the law, or may in any way be adverse to the public's interest, or may be adverse to the health, safety, morality or welfare of the said inhabitants of the municipality, the Chief of Police shall deny the application.

- C. Each applicant shall supply a copy of his or her fingerprints with such application.
- D. No taxi driver's licence shall be issued to any person unless such person:
  - (1) Has not 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;
  - (2) Has not been found guilty of an offence under the Liquor Licence Act of Ontario pertaining to the illegal sale or purchase of liquor within the preceding three years;
  - (3) Has not been found guilty of a criminal offence pertaining to the operation of motor vehicles within the preceding three years;
  - (4) Has reached the age of 18 years;
  - (5) Is of good character;
  - (6) Holds a valid driver's licence issued by the Province of Ontario designated as Class "G," Class "D," or Class "A," or any of these classes of licence in combination with themselves or with other classes.
  - (7) Has been a resident of the City of Dryden or its vicinity for a period of at least six months immediately preceding the application.
- E. Notwithstanding Subsection D, the following may apply:
  - (1) An applicant who has been found guilty of a criminal offence within the preceding three years and received an absolute discharge may be granted a licence;
  - (2) An applicant who has been found guilty of a criminal offence within the preceding three years and received a conditional discharge and/or suspended sentence may be granted a licence on condition that it be reviewed after a period of six months;
  - (3) An applicant who has been found guilty of a summary conviction offence under the Criminal Code may be granted a licence on condition that it be reviewed after a period of six months.
- F. Each holder of a taxi driver's licence shall pay the fees set out in Schedule B to this chapter.

- G. On the issue of taxi driver's licence, the City of Dryden shall, upon payment of the fee provided in Schedule B hereto, supply to the licence holder a numbered photocard in a format approved by the Chief of Police. Each taxi driver shall affix his/her photocard in any vehicle being operated by said driver as a taxicab in such a position as to be readily visible at all times by any passenger.
- H. Notwithstanding the requirements of this section, the holder of a taxi licence shall be eligible to apply for a taxi driver's licence.
- I. Any refusal by the Chief of Police of an application for a taxi driver's licence under the provisions of this chapter shall be appealable by the applicant to the Council.
- J. Any licence issued pursuant to the provisions of this chapter may be revoked or cancelled at any time upon recommendation by the Chief of Police and approval of the Council, subject to the provisions of the Statutory Powers Procedures Act and the Municipal Act. The reference in this chapter to circumstances where a licence may be revoked or cancelled, or where a person shall show cause why a licence should not be revoked or cancelled, shall not be interpreted as derogating from the general power of the Chief of Police and Council.

#### **240-4. General provisions.**

- A. All licences issued under the provisions of this chapter shall expire on the 31st day of December in each year.
- B. Appearance of taxicab and driver.
  - (1) Every taxicab shall be kept, at all times, in good mechanical condition and shall be clean and of good appearance inside and out to the satisfaction of the Chief of Police. No firm or person shall operate or permit to be operated any taxicab which does not conform to the provisions of this section.
  - (2) Taxi drivers will, at all times, while actively working as a taxi driver, be neat and clean in appearance.
- C. Every holder of a taxi driver's licence under the provisions of this chapter shall serve the first person requiring his or her services, but no driver or owner shall be compelled to take any order of any person who has failed to pay for any previous services rendered to him or her.
- D. No greater number of persons than the taxicab has safety seat belt equipment permanently installed shall be carried in any cab at any one time.
- E. Upon the failure of the holder of any taxi licence to operate the business for which such licence is issued for a continuous period of 30 days, such licence shall forthwith be cancelled, and all rights granted thereunder shall at once cease and terminate.

- F. All licences may be refused, revoked or cancelled by the Council at any time in its discretion, and the reasons shall be available to the licensee in writing.
- G. If any police officer inquires within seven days thereafter as to the destination or destinations to which any licensee under this chapter drove any person or carried any goods, baggage or any other thing, it shall be the duty of such licensee to inform such officer of the name of such person or persons, if known, and if not known, the description of such person or persons and the destination or destinations, and failure to furnish such information shall constitute a breach of this chapter.
- H. No holder of a taxi licence or of a taxi driver's licence shall wash, clean or make repairs to any vehicle licenced under this chapter while on any public street or cabstand except for emergency repairs.
- I. Every holder of a taxi driver's licence, upon change of his or her address, shall notify the Chief of Police within six days of such change.
- J. Every holder of a licence under the provisions of this chapter shall take due care of all property delivered or entrusted to and accepted by him or her for conveyance or safekeeping, and every driver of a taxicab shall, immediately upon termination of any hiring or engagement, search his or her taxicab for property lost or left therein, and all such property left in his or her cab shall be forthwith delivered over to the person owning the same, or if the owner cannot at once be found, then to the Dryden Police Office.
- K. The holder of a taxi driver's licence under the provisions of this chapter shall not attend at any place where liquor is illegally kept for sale, nor shall he or she permit his or her taxicab to be used by persons desirous of visiting such places.
- L. No person shall be granted a licence under the provisions of this chapter who has been convicted of any criminal offence or any breach of the Liquor Licence Act in the past five years, and any holder of a licence under the provisions of this chapter who is so convicted shall forthwith forfeit such licence.
- M. The driver of any taxicab shall, upon request of any passenger, give in writing his or her name, taxi driver's licence number and the licence number of his or her taxicab together with the name and address of the owner of the said taxicab.
- N. Every taxi licenced under the provisions of this chapter shall identify the taxi company's trade name on an illuminated sign with approved lettering of not less than three inches in height. The sign will be maintained in a proper state of repair at all times.
- O. Every taxi licenced under the provisions of this chapter shall identify the taxi company's trade name on the exterior of the right and left doors thereof with approved lettering of not less than 4 inches in height. The signs will be maintained in a proper state of repair at all times.

- P. For the purposes of Subsections N and O of this chapter, the signs referred to therein must be approved by Council.

#### **240-5. Fares and taximeters.**

- A. Every taxicab, except a limousine, operated in the City of Dryden shall be equipped with a taximeter of a standard type approved by the Chief of Police and so placed in the taxicab as to be conveniently seen at all times by any passenger or passengers therein.
- B. Every such taximeter shall be set to register the rates in conformity with the tariff set out in Schedule A to this chapter and shall be the only rates charged for transportation from one point to another in the City of Dryden from a point in the City of Dryden to any point within a distance of five kilometres of the limits of the City of Dryden.
- C. No person shall operate or cause to be operated a taxicab unless there is installed therein a properly operating taximeter that is registering the correct kilometres travelled.
- D. Every taximeter shall be inspected by the Chief of Police to ensure that it is registering correctly, and an appropriate seal to be attached thereto. No person shall tamper with the meter or seal except as authorized by the Chief of Police.
- E. While every taximeter should be accurate, the tolerances thereon shall not exceed the following:
- (1) On kilometre tests (road tests) with respect to computed distance actually travelled, a tolerance of 28 metres short of 1.6 kilometres and nine metres for each additional 533 metres or 55 metres over 1.6 kilometres and a proportionate distance for each 1/3 over 1.6 kilometres.
  - (2) Certification of compliance with the above tolerances is to be submitted annually to the Chief of Police, in a form acceptable to the Chief of Police.
- F. Any person employing a taxicab may require the driver thereof to furnish him or her with a receipt for charges made and paid, indicating thereon the kilometres travelled, and the driver shall promptly furnish such receipt upon request, together with his or her name, address and his or her licence number.
- G. No person licenced under this chapter shall publish or use a tariff or demand or receive rates or charges other than those authorized by this chapter.
- H. Any taxicab driver or operator shall be permitted to operate on a time basis at the request of the passenger at the time rate specified in Schedule A to this chapter.
- I. Tariff cards or badges defaced, lost or destroyed may be replaced by the City of Dryden upon the original tariff card or badge being accounted for, and upon payment of the sum of \$15.

#### **240-6. Insurance.**

- A. Every applicant for a taxi licence shall produce a policy of insurance issued by a company authorized to issue indemnity insurance policies in Ontario for a period of time which extends to or beyond the expiry of the current taxi licence, insuring the applicant to the amount of at least \$1,000,000 against liability for damages resulting from injury or death occasioned by any accident arising out of the operation of the taxicab in respect of which a licence is applied for or for loss or damage to property resulting from any one accident, and such original policy or renewal thereof shall be deposited with the City Clerk.
- B. Every policy shall be kept in force by such owner during the period for which such licence is issued to him or her or any renewal thereof is in effect, and shall he or she fail to renew the same from time to time and pay the premiums due thereon, the Council may, upon notice to him or her, mailed or delivered to the last address of record of his or her place of business, forthwith cancel such taxi licence.
- C. No owner or person shall operate or permit the operation of any taxicab which does not at all times carry the insurance coverage herein required.

#### **240-7. Offences; revocation of licence.**

- A. Offences. Any person who contravenes any provision of this chapter is guilty of an offence and, upon conviction, is liable to a penalty as provided in the Provincial Offences Act.
- B. In addition to any other penalty herein imposed, the licence of any person, owner or firm found guilty of any breach of the provisions of this chapter may be revoked or cancelled by the Council.

#### **240-8. Schedules.**

- A. Attached to and forming part of this chapter is Schedule A, Tariff for Taxicab Hire.
- B. Attached to and forming part of this chapter is Schedule B, Taxi Licence Fees and Taxi Driver's Licence Fees.

## Schedule A

### Tariff for Taxicab Hire

#### **PART I - Taxicabs Other Than Limousines**

- A. For trips between any point in the City of Dryden within five (5) kilometres thereof:
- (1) For the first 1/10 of a kilometre or part thereof actual passenger transportation travelled: \$5.25.
  - (2) For each additional 1/10 kilometre or part thereof of actual passenger transportation travelled: \$0.26.
  - (3) Where more than four (4) passengers are carried: an additional flat charge of \$1 for each passenger in excess of four (4) for the whole distance of actual passenger transportation travelled.
  - (4) Any person who has attained the age of 65 years shall be entitled to a discount of 10% from the metered rate.
- B. Waiting time: \$0.55 for each minute or portion thereof of waiting time requested by the passenger after the first three (3) minutes of waiting time have elapsed.
- C. Hourly rates: \$45.00 per hour for car; \$55.00 per hour for van.
- D. General: When two (2) or more separate passengers are carried from a common starting point to two (2) or more destinations, the tariff to be paid by such passengers shall be regulated as follows:
- (1) The passenger first disembarking shall pay the tariff charge from the common starting point to his or her destination; the meter shall then be turned back and the passenger next disembarking shall pay the tariff charge thereafter registered to his or her place of disembarking, and in a like manner until all passengers have disembarked.
- E. General: When two (2) or more passengers are carried from several starting points to a common destination, the tariff to be paid by such passengers shall be regulated as follows:

- (1) The passenger first embarking shall pay the tariff charge from the point where he or she embarks to the point where the second passenger embarks. The meter shall then be turned back and the second passenger shall pay the tariff charge thereafter registered to the place where a subsequent passenger (if any) embarks. The tariff charge to subsequent passengers shall be determined in like manner, provided that the passenger who last embarked shall pay the tariff charge from the point where he or she entered the taxicab to the common destination.

## **PART II - Limousines**

- A. Hourly rate: \$79.95.
- B. Minimum charge: \$79.95 per rental.
- C. To or from Dryden Municipal Airport: \$20.

## **Schedule B**

### **Taxi Licence Fee** **[Amended 2-5-1996 by By-law No. 2404-96]**

- A. For every taxicab licensed under this chapter: \$55 per annum.

### **Taxi Driver's Licence Fee** **[Amended 2-5-1996 by By-law No. 2404-96]**

- B. For every taxi driver licensed and taxi badge issued: \$25 per annum.