

THE CORPORATION OF THE TOWNSHIP OF NORTH HURON

BY-LAW NO. XX-2019

A by-law to license, regulate and govern the owners and drivers of taxicabs, accessible taxicabs, group transportation vehicles and limousines used for hire for the transportation of passengers in the Township of North Huron

WHEREAS subsection 5(3) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to the provisions of Part IV of the Municipal Act, S.O. 2001, c. 25, as amended, the Council of the Corporation of the Township of North Huron may pass by-laws for licensing, regulating and governing business;

AND WHEREAS subsection 151 (1) of the Municipal Act, 2001 provides that, without limiting sections 9, 10, and 11 of the Act, a municipality may: provide a system of licenses with respect to a business and may;

- a) prohibit the carrying on or engaging in the business without a license;
- b) refuse to grant a license or to revoke or suspend a license;
- c) impose conditions as a requirement of obtaining, continuing to hold or renewing a license;
- d) impose special conditions on a business in a class that have not been imposed on all of the business in that class in order to obtain, continue to hold or renew a license;
- e) impose conditions, including special conditions, as a requirement of continuing to hold a license at any time during the term of the license;
- f) license, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and
- g) require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licenses established by the municipality;

AND WHEREAS Section 156 (1) of the Municipal Act, 2001 gives authority for municipalities to pass by-laws to establish rates to be charged for the conveyance of passengers; provide for the collection of the rates charged for the conveyance; and limit the number of taxicabs licensed within the municipality;

AND WHEREAS pursuant to Section 11 (2) and (3) of the Municipal Act, 2001 allows a municipality to pass by-laws for one or more of the following purposes:

- Health and safety and well-being of persons; and
- Protection of persons and property, including consumer protection; and
- Business licensing.

AND WHEREAS Council of the Township of North Huron considers it desirable and necessary to license, regulate and govern the owners and drivers of taxicabs, group transportation vehicles, limousines or other vehicles used for hire for the transportation of passengers in the Township of North Huron.

NOW THEREFORE the Council of the Township of North Huron enacts as follows:

1. SHORT TITLE

1.1. This by-law may be cited as the "Taxi By-law".

2. DEFINITIONS

- 2.1. **“Accessible Taxicab”** shall mean a class of Taxicab which is designed or modified to be used for the purpose of transporting persons with disabilities and is used for that purpose, whether or not the vehicle is also used to transport persons without disabilities and that is licensed as an Accessible Taxicab by the Township of North Huron. Does not include a Limousine or Group Transportation Vehicle;
- 2.2. **“Accessible Taxicab Driver”** means a Licensed Taxicab Driver whose License has been endorsed by the Licensing Officer to permit him or her to drive an Accessible Taxicab.
- 2.3. **“Accessible Taxicab Driver’s License”** means an Accessible Taxicab Driver’s License as issued by the Licensing Officer to any individual to drive or act as a driver of any accessible taxicab licensed pursuant to this by-law;
- 2.4. **“Applicant”** means a person applying for a license in the first instance or for a renewal under this By-law;
- 2.5. **“Call”** within the meaning of this by-law shall include a request or direction for the uses of a taxicab transmitted by radio, or by personal request of a prospective passenger, or in any other manner.
- 2.6. **“Clerk”** shall mean the Clerk of the Township of North Huron or designate.
- 2.7. **“Conveyance Service”** means conveying one or more persons in exchange for a fee or other consideration;
- 2.8. **“Council”** shall mean the Council of the Township of North Huron;
- 2.9. **“Driver”** means the individual who has care and control of a Taxicab, Accessible Taxicab, Limousine or Group Transportation Vehicle;
- 2.10. **“Enforcement Officer”** means a Municipal By-Law Enforcement Officer appointed by the Council of the Township of North Huron or a Police Officer with the Ontario Provincial Police;
- 2.11. **“Group Transportation Vehicle”** means a van, minivan, minibus or sports utility motor vehicle with a seating capacity for not less than six and not more than ten individuals that is available for or providing a Conveyance Service, but does not include a Taxicab, Accessible Taxicab or Limousine;
- 2.12. **“Group Transportation Vehicle Driver”** means a person who holds a Group Transportation Vehicle Driver License;
- 2.13. **“Group Transportation Vehicle License”** means a Group Transportation Vehicle Driver’s License as issued by the Licensing Officer to any individual to drive or act as a driver of any Group Transportation Vehicle licensed pursuant to this by-law;
- 2.14. **“Highway Traffic Act”** means the Highway Traffic Act, R.S.O. 1990, c. H. 8, as amended, and the regulations thereunder;
- 2.15. **“License”** shall mean a permit issued under the provisions of this by-law to own or drive a specific vehicle for use as a Taxicab, Accessible Taxicab, Limousine, or Group Transportation Vehicle for conveyance service.
- 2.16. **“Licensee”** means any Person to whom a current License is issued under this by-law;
- 2.17. **“Licensing Officer”** shall mean the Clerk or designate for the Township of North Huron;

- 2.18. **“Limousine”** shall mean an executive or stretch luxury motor vehicle that carries up to fourteen passengers which is kept or used for hire for the conveyance of passengers on an hourly basis or for a fixed fee between given locations;
- 2.19. **“Limousine Driver”** means a person who hold a Limousine Driver License;
- 2.20. **“Limousine Driver’s License”** means a Limousine Driver’s License as issued by the Licensing Officer to any individual to drive or act as a driver of Limousine licensed pursuant to this by-law;
- 2.21. **“Operate”** means to drive a Taxicab, Accessible Taxicab, Group Transportation Vehicle or Limousine while it is available for or providing a Conveyance Service;
- 2.22. **“Owner”** means a person who holds the Ontario license plate, as issued by the Ministry of Transportation for a Taxicab, Accessible Taxicab, Group Transportation Vehicle, or Limousine;
- 2.23. **“Passenger”** means any individual, not including the Driver, seated in a Taxicab, Accessible Taxicab, Group Transportation Vehicle or Limousine and includes a person engaging or attempting to engage a Taxicab, Accessible Taxicab, Group Transportation Vehicle or Limousine to provide a Conveyance Service;
- 2.24. **“Permit”** shall mean a permit granted by the Licensing Officer under the provisions of this By-law to drive or operate a Taxicab, Accessible Taxicab, Group Transportation Vehicle or Limousine to provide a Conveyance Service in the Township of North Huron;
- 2.25. **“Persons with Disabilities”** means individuals with any degree of physical disability, infirmity, malformation or disfigurement caused by bodily injury, birth defect or illness and includes, but is not limited to:
- diabetes mellitus;
 - epilepsy;
 - a brain injury;
 - any degree of paralysis;
 - amputation;
 - lack of physical co-ordination;
 - blindness or visual impediment;
 - deafness or hearing impediment;
 - muteness or speech impediment;
 - physical reliance on a guide dog or other animal, or on a wheelchair or other remedial appliance or device;
 - a condition of mental impairment or a developmental disability;
 - a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
 - a mental disorder; or
 - an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997, or any successor legislation;
- 2.26. **“Police or Police Officer”** shall mean a member of the Ontario Provincial Police;
- 2.27. **“Seating Capacity”** means the number of passengers limited to the seating capacity of the vehicle as rated by the manufacturer.
- 2.28. **“Service Animal”** means an animal that is a service animal for a person with a disability,
- a) if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or

- b) if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability; and shall include a guide dog as defined in section 1 of the *Blind Persons Rights' Act*.
- 2.29. **“Tariff Card”** shall mean the card in an accessible format prescribed in Schedule “B” attached to this by-law and shall contain the schedule of fares to be charged for providing a Taxicab Service;
- 2.30. **“Taxicab”** means a motor vehicle, other than a carpool vehicle, having a seating capacity of not less than five adult persons and not more than seven adult persons, including the driver, which vehicle is for hire, kept or used for the conveyance of Passengers wholly or partly within the Township of North Huron but does not include vehicles operated by non-profit organizations for the purpose of transporting disabled persons, or public vehicles as defined under the Public Vehicles Act, or successor legislation;
- 2.31. **“Taxicab Driver”** means a person who holds a Taxicab Driver License;
- 2.32. **“Taxicab Driver’s License”** means a Taxicab Driver’s License as issued by the Licensing Officer to any individual to drive or act as a driver of any taxicab licensed pursuant to this by-law;
- 2.33. **“Trip”** means the distance and time traveled, measured from the place and time at which a Passenger first enters a Taxicab or when a Taxicab Meter is first engaged, whichever comes first, to the place and time at which the Passenger finally leaves the Taxicab or the Taxicab Meter is disengaged, whichever comes last;
- 2.34. **“Township”** shall mean the Township of North Huron.
- 2.35. **“Vehicle for Hire”** means a motor vehicle that is conveying or available for conveying one or more persons in exchange for a fee or other consideration. Includes taxicab, accessible taxicab, group transportation vehicle, and limousine.

3. PROHIBITIONS

3.1. No person shall:

- a) own or operate a Vehicle for Hire without being licensed under this By-law;
- b) operate a Vehicle for Hire while their license issued under this By-law is under suspension;
- c) advertise the use of a Vehicle for Hire without an Owner license issued under this By-law; or
- d) publish or cause to be published any representation that they are licensed under this By-law or hold themselves out as being licensed under this By-law if they are not.

4. EXEMPTIONS

4.1. This by-law shall not apply to:

- a) Pursuant to Section 156 (2) of the *Municipal Act*, a taxicab that meets both of the following criteria:
 - i. The purpose of conveyance is to transport persons with physical, emotional or mental disabilities from any point in the municipality to any point outside the municipality; and

- ii. The conveyance is made pursuant to a written contract for the use of a taxicab which can legally operate in the municipality in which the conveyance begins or ends.
- b) An ambulance or funeral hearse;
- c) A commercial bus contracted from a local travel agency or local travel excursion company and used for the purposes of a travel excursion relating to leisure or education;
- d) A school bus as defined under the *Highway Traffic Act* that is licensed under the *Public Vehicles Act*;
- e) A motor vehicle used by not for profit organizations registered in the Province of Ontario for the purposes of transporting senior citizens or persons with disabilities;
- f) A motor vehicle used by local churches, local schools, local non-profit health agencies and local service club events for the purposes of transporting passengers free of charge;
- g) A motor vehicle used as courtesy shuttle transportation for a local car dealership for the purposes of transporting one of their customers who is having a vehicle serviced.

5. ADMINISTRATION OF BY-LAW

- 5.1. The Clerk, as the Licensing Officer, shall oversee the administration of this by-law on behalf of Council.
- 5.2. The Clerk is hereby authorized to issue taxicab licenses and taxi driver's licenses.
- 5.3. All licenses issued pursuant to this by-law expire on the 31st day of January of each year unless properly renewed.
- 5.4. Any license issued pursuant to the provisions of this by-law may be revoked or cancelled with cause at any time by the Clerk.
- 5.5. Written notice of and reasons for the revocation of any license issued pursuant to the provisions of this By-law shall be hand delivered to the holder thereof or sent by ordinary mail.
- 5.6. The Clerk shall refuse to grant a license or renew a license if the applicant has not satisfied all of the requirements of this by-law and the Clerk shall provide notice of refusal in writing.
- 5.7. Any act done by, or by authority of the Clerk under any provisions of this by-law is subject to an appeal to the Council in writing by any person aggrieved thereby.

6. DUTIES OF THE LICENSING OFFICER/MUNICIPALITY

- 6.1. The Licensing Officer shall have the responsibility of supervision of all persons licensed under this by-law and over all vehicles for hire together with the equipment used by them in connection with the provisions of this by-law and such responsibilities include compliance with the following requirements:
 - a) To make necessary inquiries concerning applications for licenses or transfers thereof as may be required to secure due observance of the law and of this By-law;
 - b) To grant all licenses or transfer of licenses where the applicant or transferee has satisfied all of the requirements of this By-law;

- c) To keep a record of all licenses and transfers of licenses. Such record shall contain the name or names of the applicant, the number Taxicabs kept by each applicant for a license, the amount paid for the same and the date of the license. They shall keep such further particulars and such other books as needed;
- d) To furnish each person taking out a license with one copy of this By-law and each holder of a Vehicle License with a tariff card setting out the tariff of charges pursuant to Schedule "B" of this By-law, and each holder of a Driver's License pursuant to Schedule "D" with an identification card with the number of the license shown thereon;
- e) To ascertain by inspection and inquiry from time to time whether or not licensees continue to comply with the provisions of this By-law;
- f) To permit the By-law Enforcement Officer to examine and approve every Taxicab and the necessary equipment thereof of every applicant for a license or renewal of same, under this by-law;
- g) To refuse to grant a license or the transfer of a license, to temporarily suspend a license, and to revoke or suspend a license where an applicant or licensee fails to satisfy all of the requirements of the By-law, or is in contravention of this By-law.

6.2. The Municipality shall:

- a) Review fares for Conveyance Services as may be submitted from time to time;
- b) Review all requests by owners of a Conveyance Service. Approval must be by resolution of Council;
- c) Consult with the Accessibility Advisory Committee, the public and persons with disabilities to determine the proportion of on-demand accessible taxicabs required in the Township;
- d) Identify progress made toward meeting the need for on-demand accessible taxicabs including any steps that will be taken to meet the need, in its accessibility plan.

7. LICENSING REQUIREMENTS AND GENERAL APPLICATIONS REQUIREMENTS

7.1. All applicants for any license under this by-law shall:

- a) Be at least eighteen (18) years of age;
- b) Be either a citizen of Canada or a permanent resident or hold a work permit to work as a driver issued by the Government of Canada;
- c) Hold, in their name, a current, valid Class A, B, C, D, E, F or G driver's license issued by the Province of Ontario, which is in good standing according to the records of the Ministry of Transportation;
- d) Be familiar with the provisions of this by-law, the laws and regulations relating to traffic, and the geography of that portion of the Township in which they intend to provide a conveyance service;
- e) Intend to carry on a regular business under authority of the license applied for; and
- f) Satisfy the Licensing Officer that, if licensed, he/she will operate a conveyance service solely in compliance with the terms of this by-law.

7.2. No person shall drive, or act as a driver of any Accessible Taxicab without first having completed a Wheelchair and Occupant Restraint System Training Program with respect to the handling, safety restraint, transportation, care and safety of disabled passengers, written proof of which shall be provided prior to the issuance of any Accessible Taxicab License pursuant to Schedule "C".

8. LICENSES FOR DRIVERS OF TAXICABS, ACCESSIBLE TAXICABS, GROUP TRANSPORTATION VEHICLES AND LIMOUSINES

8.1. No person shall operate or permit the use or operation of any taxicab, accessible taxicab, group transportation vehicle or limousine within the Township of North Huron unless such person holds the valid License issued by the Licensing Officer of the Township for the current year and shall produce it upon demand to the police, Municipal Law Enforcement Officer or passenger of the taxicab, accessible taxicab, group transportation vehicle, or limousine.

8.2. Prior to being licensed as a taxicab, accessible taxicab, group transportation vehicle, or limousine driver, every applicant shall provide to the Licensing Officer:

- a) A completed application form as set out in Schedule "C" as prescribed by the Licensing Officer;
- b) The license fee as per the Township's Fees and Charges By-law, as amended from time to time;
- c) A copy of a valid driver's license as referred to in 7(1)(c) of this by-law;
- d) His or her original Criminal Records Check by the Ontario Provincial Police dated within thirty (30) days of the application for a license;
- e) His or her original 3-Year Driving Abstract from the Ministry of Transportation dated within thirty (30) days of the date of application for a license;
- f) A medical certificate stating that he/she is medically fit to drive a conveyance service vehicle;
- g) A certified true copy of either a Canadian birth certificate or valid Canadian passport, or proof of permanent resident status or a work permit approved by the Government of Canada;
- h) Two (2) identical passport photos taken no more than thirty (30) days prior to the application;
- i) In respect of an application for an Accessible Taxicab Driver's license only, proof of completion of a Wheelchair and Occupant Restraint System Training Program referred to in section 7.2.

8.3. The following eligibility criteria must be satisfied at the time of application:

- a) The applicant shall not have accumulated more than four (4) demerit points in his or her driving record at the time of application;
- b) The person shall not have been convicted or found guilty within the preceding twelve months of an offence under the *Highway Traffic Act* in regards to moving violations;
- c) The person shall not have been convicted or found guilty within the preceding three (3) years of more than two (2) offences committed on different dates under the *Highway Traffic Act* in regards to moving violations;

- d) The applicant shall not have been convicted or found guilty within the preceding five (5) years of an offence under the *Criminal Code* (Canada) or of the *Narcotics Control Act* (Canada) or *Controlled Drugs and Substances Act*;
- e) The applicant shall not have been convicted or found guilty within the preceding ten (10) years of more than two (2) offences under the *Criminal Code* (Canada), *Narcotics Control Act* (Canada), *Controlled Drugs and Substances Act*;
- f) An applicant for a taxi, accessible taxi, group transportation vehicle, or limousine driver's license must not have been convicted or found guilty of an offence for conduct against minors or that in the opinion of the Licensing Officer affords reasonable grounds for believing that the person will not properly perform his or her duties with passengers under the legal age (minors) while having control of a conveyance vehicle;
- g) The applicant shall not have been convicted or 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 (3) years.

8.4. Any violation by the licensee of any of the requirements outlined in Section 8 of this by-law during the period after a license is issued may result in a revocation or cancellation of license.

8.5. No person licensed under this by-law shall transfer from one taxi operator or company to another without first having successfully completed a new license application to the Licensing Officer.

8.6. Every person licensed under this by-law shall notify the Licensing Officer within ten (10) business days of any change of personal contact information.

8.7. Every taxicab, accessible taxicab, group transportation vehicle, or limousine driver's license issued under this by-law, unless sooner revoked or cancelled, shall expire on January 31st in each year. It is the driver's responsibility to ensure that he or she has valid license.

9. LICENSES FOR TAXICABS, ACCESSIBLE TAXICABS, GROUP TRANSPORTATION VEHICLES AND LIMOUSINES (OWNER/VEHICLE LICENSES)

9.1. The owner of any taxicab, accessible taxicab, group transportation vehicle, or limousine shall not use or operate the same or allow the same to be used or operated without a valid owner/vehicle license issued by the Corporation.

9.2. Prior to being granted an owner/vehicle license for a taxicab, accessible taxicab, group transportation vehicle, or limousine every applicant shall provide to the Licensing Officer:

- a) A completed application form as set out in Schedule "E" as prescribed by the Licensing Officer;
- b) The license fee as per the Township's Fees and Charges By-law, as amended from time to time;
- c) A copy of a valid motor vehicle permit in the Applicant's name for each vehicle as issued by the Ministry of Transportation;
- d) A copy of proof of insurance confirming that each vehicle for which a Owner/Vehicle License is being applied, is insured for public liability property damage and passenger hazard, with a minimum of two (\$2,000,000.00) million dollars in coverage per incident or occurrence and written confirmation from the insurer that the Licensing Officer will receive at least ten (10) days written notice prior to any cancellation, expiration or variation thereof;

- e) The original of a valid Province of Ontario Safety Standards Certificate dated within thirty (30) days of the application for a license, for each vehicle greater than one (1) year of age, based on the year appearing on the motor vehicle permit, showing that the vehicle has passed the applicable safety inspection. Where the vehicle is more than ten (10) years old the applicant shall provide the Licensing Officer with a valid Province of Ontario Safety Standards Certificate every six (6) months;
 - f) Two (2) pieces of photo I.D.;
 - g) In the case of a leased motor vehicle, in addition to all other licensing requirements, the applicant must provide the Licensing Officer with a true copy of the lease agreement and advise the Licensing Officer of any change, extension or cancellation of the lease agreement prior to such change, extension or cancellation.
- 9.3. Every taxicab, accessible taxicab, group transportation vehicle, or limousine owner/vehicle license issued under this by-law, unless sooner revoked or cancelled, shall expire on January 31st in each year. It is the owner's responsibility to ensure that he or she has valid vehicle license.
- 9.4. The taxi, accessible taxicab, group transportation vehicle, or limousine company shall retain all records of repairs and certifications and provide them to the police or Municipal Law Enforcement Officer or Clerk upon demand.
- 9.5. A taxicab, accessible taxicab, group transportation vehicle, and limousine shall not be operated in the absence of a current Safety Standards Certificate and the license shall be deemed to be revoked should the owner of the taxicab, accessible taxicab, group transportation vehicle, and limousine fail to file in accordance with section 9.2(e) of this by-law.
- 9.6. The owner of a taxicab, accessible taxicab, group transportation vehicle, or limousine shall ensure that the requirements of the *Highway Traffic Act* for such vehicle are met.
- 9.7. A copy of the owner/vehicle license card in Schedule "F" shall be retained in each individual vehicle and shall be presented to the police, Municipal Law Enforcement Officer or passenger upon demand.
- 9.8. Every taxicab, accessible taxicab, group transportation vehicle, and limousine shall be available at all times for inspection by a police officer or a Municipal Law Enforcement Officer.
- 9.9. Every owner of more than one taxicab, accessible taxicab, group transportation vehicle, or limousine required to be licensed under this by-law shall take out a license for each individual taxicab, accessible taxicab, group transportation vehicle, or limousine.
- 9.10. A conveyance service company shall obtain a license for the delivery of liquor in accordance with the *Liquor Licence Act*. The company shall abide by the terms and conditions and shall retain a copy of every current license. No driver shall deliver liquor without the appropriate license.
- 9.11. No vehicle licensed under this by-law shall be transferred from one company to another without first having submitted a new license application to the Licensing Officer and satisfying the requirements of this By-Law.
- 9.12. The person in whose name a vehicle license is taken out for a vehicle shall be considered as the owner of the same for the purpose of this by-law and shall be liable for the penalties therein described.

10. RENEWAL OF LICENSES

- 10.1. Every license issued under this by-law must be renewed annually on or before the 31st day of January.
- 10.2. Every applicant who applies for a license under this by-law shall provide the Licensing Officer with such information and documentation as required under Sections 7, 8, and 9 of this by-law.
- 10.3. The fee for each license issued under this by-law shall be in accordance with the North Huron Fees and Charges By-law.

11. TRANSFERS OF LICENSES

- 11.1. In the event an Owner replaces a taxicab, accessible taxicab, group transportation vehicle, or limousine under this By-law with another, the license may be transferred to the replacement vehicle provided:
 - a) The Owner applies to the Licensing Officer and meets the criteria as set out in Section 9 of this by-law, with necessary modifications as determined by the Licensing Officer;
 - b) The Owner pays the fee set out in the Township's Fees and Charges by-law.

12. DUTIES OF DRIVERS AND OWNERS

- 12.1. Every taxicab, accessible taxicab, group transportation vehicle, or limousine Driver licensed under this by-law shall:
 - a) Place a Driver's Identification Card (Schedule "D") in such a manner in the vehicle so as to be conveniently seen and read by Passengers, and advise any person of the number on such card upon request;
 - b) Place a Tariff Card (Schedule "B") in a location within the vehicle so as to be conveniently seen and read by Passengers;
 - c) Upon request of any Passenger, give in writing his/her name, Driver's Licence number as issued to him/her under the provisions of this by-law, and license number of his/her vehicle; such information is to be provided in an accessible format for persons with disabilities;
 - d) Take due care of all property delivered or entrusted to him/her and accepted by him/her for conveyance or safe keeping and immediately upon termination of any hiring or engagement, shall search his/her vehicle for any property lost or left therein and all property or money left in the vehicle shall be forthwith delivered over to the person owning the same, or if the person cannot be found at once, then to a Police Officer on duty at the Ontario Provincial Police, Huron Detachment with all information in his/her possession regarding same;
 - e) Travel by the most direct route to the point of destination unless otherwise directed by the person engaging the conveyance service;
 - f) Not solicit any person to take or use the vehicle he/she is driving by calling out or shouting while in charge of a vehicle for hire;
 - g) Not obstruct the use of any sidewalk;
 - h) Not use any abusive language, molest, annoy or insult any person whatsoever;
 - i) If a person with a disability is accompanied by a guide dog or service animal, permit the person to use the vehicle for hire he/she is driving with the service animal and to keep the service animal with him or her;

- j) Not charge a higher fare or an additional fee for persons with disabilities than for persons without disabilities for the same trip; and
 - k) Not charge a fee for the storage of mobility aids or mobility assistive devices.
 - l) When answering a call, shall not blow the horn of the vehicle for hire more than once when arriving at any building or place in order to announce arrival. If the customer does not appear, the driver will personally go to the building and knock on the door. Notwithstanding the above, horns shall not be blown between 9:00p.m. and 7:00a.m. inclusive.
- 12.2. Every person issued a taxicab, accessible taxicab, group transportation vehicle, or limousine owner/vehicle license under this by-law shall:
- a) Submit each vehicle owned by him/her for examination at any time as required by the Licensing Officer;
 - b) Provide the Licensing Officer, on license application with a valid Province of Ontario Safety Standards Certificate by an independent Ontario licensed mechanic, for every vehicle, greater than one (1) year in age based on the year appearing on the motor vehicle permit;
 - c) Attend at the Township of North Huron Clerk's Office as directed forthwith to surrender any Vehicle License no longer being used;
 - d) Ensure that all persons providing a Conveyance Service with the Owner's taxicab, accessible taxicab, group transportation vehicle, or limousine are properly licensed under this by-law;
 - e) Comply at all times with the provisions of the *Highway Traffic Act* and the *Accessibility for Ontarians with Disability Act*;
 - f) Ensure that all vehicles have vehicle registration and identification information displayed on the rear bumper and available in an accessible format to passengers;
 - g) Keep all vehicles owned by him/her, licensed under this by-law:
 - i. In good repair;
 - ii. Clean on the interior and exterior;
 - iii. Painted in a professional manner on the exterior; and
 - iv. Mechanically safe so as to meet the standard required for the issuance of a Province of Ontario Safety Standards Certificate.
 - h) Not employ any person other than a licensed driver to drive his/her taxicab, accessible taxicab, group transportation vehicle, or limousine.
 - i) Keep a record of the date, time, origin and destination of each trip and the name of the driver. Such records shall be retained for at least six (6) months from the making thereof and shall be made available to the Licensing Officer upon request.
 - j) Incur any penalties provided for under this By-law, unless at the time of the infraction, the vehicle for hire was in the possession of a person without the owner's consent. The driver of any taxicab, accessible taxicab, group transportation vehicle, or limousine not being the owner, may similarly incur the penalties provided for under this By-Law.

13. GENERAL PROVISIONS AND DUTIES

- 13.1. Every licensed owner or driver shall, to the best of their knowledge and ability, give full information to any police officer or Municipal Law Enforcement Officer on being requested to do so with respect to the address of the house or place to or from which any passenger was driven, with the description, name and address of any such passenger.
- 13.2. No person licensed pursuant to this By-law shall discriminate against any member of the public on account of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or handicap.
- 13.3. No person licensed under this By-law shall carry or permit to be carried in any vehicle used for hire a greater number of persons than the manufacturer's rating or seating capacity for such vehicle, exclusive of the operator.
- 13.4. No person licensed under this By-law shall take, consume, have in his or her possession or be under the influence of any liquor or any other drug while operating a vehicle for hire.
- 13.5. No owner or driver under this By-law shall knowingly permit a taxicab, accessible taxicab, group transportation vehicle, or limousine to be used by any person in the commission of or in aid of the commission of any offence under the Criminal Code of Canada, any Provincial Statute or Township By-Law.
- 13.6. No person licensed under this By-law shall permit or allow any person to be on any exterior portion of a taxi cab while it is in motion.
- 13.7. Every person licensed under this By-Law shall, while on duty, unless the vehicle for hire has been previously engaged, serve at any specified time whether by day or night any person who may require a taxicab, and shall not purposely neglect or refuse to fulfill any lawful appointment or engagement.
- 13.8. No person licensed under this By-law shall permit the vehicle for hire to remain standing on any highway other than in designated parking area, unless for the immediate purpose of:
 - a) Taking on a person who has already engaged the vehicle;
 - b) Discharging a passenger from the vehicle;
 - c) Remaining under the direction of a passenger by whom the vehicle is already engaged and in the continuance of such engagement;
 - d) Notwithstanding the foregoing, nothing in this By-law shall be construed as permitting any parking, standing or standing in contravention of any applicable Township By-law or *Highway Traffic Act* provision.
- 13.9. Any person employing a vehicle for hire may require the driver to furnish a receipt for charges made and paid, indicating the distance traveled. The driver shall promptly furnish such receipt upon request.
- 13.10. While on duty no owner or driver shall use any type of radio scanning device.
- 13.11. Smoking is prohibited in all taxicabs, accessible taxicabs, group transportation vehicles, and limousines.
- 13.12. Council may impose such further and additional conditions on the issuance of any license or group of licenses hereunder as it sees fit by way of resolution from time to time, and the Licensing Officer is hereby instructed to communicate such conditions to any and all applicants thereof prior to issuing the said license or licenses. The Licensing Officer is hereby further instructed to take all steps necessary to ensure

compliance with the said conditions, including, without limiting the generality of the foregoing, collection of all necessary information from applicants prior to the issuance or renewal of the said license of licenses.

13.13. The fees established in the North Huron Fees and Charges By-law may be amended by Resolution of Council.

14. SCOPE

14.1. This by-law shall apply to all land within the geographic limits of the Township of North Huron.

15. ENFORCEMENT

15.1. The provisions of this by-law may be enforced by any Police Officer of the Ontario Provincial Police or By-law Enforcement Officer appointed by the Township of North Huron for the administration and enforcement of this bylaw.

15.2. Any person who hinders or obstructs a person lawfully carrying out the enforcement of this by-law is guilty of an offence.

16. OFFENCE AND PENALTIES

16.1. Every person who contravenes any of the provisions of this by-law is guilty of an offence.

16.2. Every person who is convicted of an offence under this by-law is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c.33, as amended, or as otherwise imposed by the presiding Justice.

17. VALIDITY AND SEVERABILITY

17.1. Should any section of this by-law be declared by a court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining part shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

18. EFFECTIVE DATE AND REPEAL

18.1. By-law No. 24-2009 of the Corporation of the Township of North Huron is hereby repealed.

18.2. This by-law shall come into force and effect on the date of its final passing.

READ A FIRST AND SECOND TIME THIS XX DAY OF XXXXXXXX, 2019.

READ A THIRD TIME AND PASSED THIS XX DAY OF XXXXXXXX, 2019.

Bernie Bailey, Reeve

CORPORATE SEAL

Carson Lamb, Clerk



SCHEDULE "A" TO BY-LAW NO. -2019
TOWNSHIP OF NORTH HURON

VEHICLE AND DRIVER LICENSE FEES

Vehicle License Fees and Driver License Fees are reviewed annually and are reflected in the Township of North Huron Fees and Charges By-law.

DRAFT



**SCHEDULE "B" TO BY-LAW NO. -2019
TOWNSHIP OF NORTH HURON**

TARIFF OF CHARGES

For the conveyance of passengers within the limits of the Wingham Ward in the Township of North Huron:

Per trip	\$10.00 (HST included)
Each additional stop	\$3.00 (HST included)
Return Trips	calculated at 2 trips
Waiting Time per hour	\$50.00 (HST included)

Flat Rates:

To the Wingham Motel	\$10.00 (HST included)
To Braemar Nursing Home	\$10.00 (HST included)
Within the Wingham Ward	\$10.00 (HST included)

Other Rates:

Outside of Wingham Ward	per kilometre	\$2.00 (HST included)
Waiting Time	per hour	\$50.00 (HST included)

Senior Citizens and High School Students any place within Wingham Ward	\$8.00 (HST included)
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**SCHEDULE "C" TO BY-LAW NO. -2019
TOWNSHIP OF NORTH HURON**

DRIVER'S LICENSE APPLICATION FORM

Type of License (please check off):

- Accessible Taxicab Driver's License
- Taxicab Driver's License
- Group Transportation Vehicle Driver's License
- Limousine Driver's License

DRIVER'S LICENSE APPLICATION:

Name (in full): _____

Address: _____

Telephone: _____ Date of Birth: _____

Driver's License #: _____ Expiry Date: _____

Promise of Employment With: _____
Taxi Company (Owner)

Required Documentation (to be attached with application form):

- Copy of Driver's License
- Criminal Records Check
- Medical Certificate
- Driving Abstract from the Ministry of Transportation
- Letter signed by Taxi Owner or appropriate official of the company for whom the licensee will drive
- Proof of Ontario Residency
- Two (2) Passport Photos
- Required Driver Licensing Fee
- Proof of Completion of Wheelchair and Occupant Restraint System Training Program
(this is required ONLY for Accessible Taxicab Driver's License)

I hereby apply for a driver's license under the Taxi By-law of the Township of North Huron and any amendments that may be made thereto from time to time to operate as a "_____DRIVER" within the meaning of the By-law governing taxi, group transportation vehicles, and limousine licensing.

Signature of Applicant

Signature of Licensing Officer



**SCHEDULE "D" TO BY-LAW NO. -2019
TOWNSHIP OF NORTH HURON**

DRIVER LICENSE IDENTIFICATION CARD



**The Corporation of the Township of North Huron
By-law No. XX-2019
(Vehicle Type) Driver Identification Card**

Driver License Number: # _____ is hereby granted to
Name: _____
Height: _____
Company: _____
Expiry Date: _____

Given under the authority of the Municipal Council this
_____ day of _____, 20_____.

Driver Photo

*This card is the property of the
Township of North Huron*

Licensing Officer



SCHEDULE "E" TO BY-LAW NO. -2019
TOWNSHIP OF NORTH HURON

COMPANY OWNER/VEHICLE LICENSE APPLICATION FORM

Type of License (please check off):

- Accessible Taxicab Vehicle License
- Taxicab Vehicle License
- Group Transportation Vehicle License
- Limousine Vehicle License

OWNER/VEHICLE LICENSE APPLICATION:

Applicant Name: _____

Company Name: _____

Company Address: _____

Home Phone: _____ Business Phone: _____

Insurance Company: _____

Agent: _____ Address: _____

Required Documentation (to be attached with application form):

- Motor Vehicle Permit
- Copy of Insurance Policy stating liability limit for the policy
- Ontario Safety Standards Certificate for each vehicle to be licensed
- Two (2) Pieces of Photo I.D.
- Required Vehicle Licensing Fee
- A True Copy of Lease Agreement (this is only required for motor vehicles that are leased)

VEHICLE 1:

MAKE AND MODEL: _____ SERIAL NO.: _____

YEAR: _____ COLOUR: _____ LICENCE PLATE #: _____

VEHICLE SAFETY CERTIFICATE: _____ DATE: _____

ACCESSIBLE VEHICLE: YES / NO ANNUAL FEE PAID PER VEHICLE: _____

VEHICLE 2:

MAKE AND MODEL: _____ SERIAL NO.: _____

YEAR: _____ COLOUR: _____ LICENCE PLATE #: _____

VEHICLE SAFETY CERTIFICATE: _____ DATE: _____

ACCESSIBLE VEHICLE: YES / NO ANNUAL FEE PAID PER VEHICLE: _____

I hereby apply for a vehicle license under the Taxi By-law of the Township of North Huron and any amendments that may be made thereto from time to time to operate as a " _____ OWNER" within the meaning of the By-law governing taxi, group transportation vehicles, and limousine licensing.

Signature of applicant

Signature of Licensing Officer



**SCHEDULE "F" TO BY-LAW NO. -2019
TOWNSHIP OF NORTH HURON**

OWNER/VEHICLE LICENSE CARD



**The Corporation of the Township of North Huron
By-law No. XX-2019
(Vehicle Type) License Card**

A License to operate a _____ is hereby granted to
Vehicle Type

Company name and address

to operate a _____, being a:

Year, Make, Model, Colour

to be used for the carriage of passengers for hire within the Township of North Huron until the

Date

Given under the authority of the Municipal Council this _____ day of _____, 20_____.

Licensing Officer

DRAFT