

## THE CORPORATION OF THE TOWN CALEDON

### BY-LAW No. 2006-110

A by-law to license and regulate and govern the operation of buses within the Town of Caledon

**WHEREAS** section 150 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended authorizes councils of municipalities to license and regulate certain businesses wholly or partly carried on within the municipality;

**AND WHEREAS** the Council of the Town of Caledon deems it desirable to enact a by-law to license and regulate the operation of local scheduled bus services for the following reasons:

- (a) it is in the interest of consumer protection to establish performance standards for owners and drivers of buses used as part of a local scheduled bus service, and
- (b) it is in the interest of public health and safety to establish criteria for busses to be used as part of a local scheduled bus service.

**NOW THEREFORE** the Council of The Corporation of the Town of Caledon hereby enacts as follows:

#### DEFINITIONS

1. For the purposes of this By-law:

"bus" means a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons;

"car pool vehicle" means a motor vehicle as defined in the *Highway Traffic Act*,

- (a) with a seating capacity of not more than twelve (12) persons,
- (b) while it is operated transporting no more than twelve (12) commuters including the driver, none of whom pay for the transportation more frequently than on a weekly basis,
- (c) that is not used by any one driver to transport commuters for more than one round trip per day, and
- (d) the owner, or if the vehicle is subject to a lease, the lessee, of which does not own or lease another car pool vehicle unless the owner or lessee is the employer of a majority of the commuters transported in the vehicles,

but does not include a motor vehicle while being operated by or under contract with a school board or other authority in charge of a school for the transportation of children to or from school;

"compensation" includes any rate, remuneration, reimbursement or reward of any kind paid, payable or promised, or received or demanded, directly or indirectly;

"highway" includes a common and public highway, road, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

"local scheduled bus service" includes the operation of a bus

- (a) on a highway located within the Town of Caledon,
- (b) by, for or on behalf of any person or corporation
- (c) for the transportation of passengers that might be carried in a passenger vehicle,
- (d) for compensation paid to the operator,
- (e) travelling a specific route by bus in accordance with a publicly advertised schedule,

- (f) where the operator takes on passengers within the limits of the Town and discharges such passengers within the limits of the Town;

“operator” means a person who operates a local scheduled bus service;

“Region” means the Corporation of the Regional Municipality of Peel

“Town” means the Corporation of the Town of Caledon

## **PART 1 – ADMINISTRATION**

### **APPLICABILITY**

2. The provisions of this by-law to obtain a licence issued by the Town Council do not apply to
- (1) any person operating a bus service
    - (a) who is not providing a local scheduled bus service, and
    - (b) to whom the Ontario Highway Transport Board has issued an operating licence,
  - (2) any person operating a car pool vehicle,
  - (3) to Brampton Transit where Brampton Transit is operating a bus service to the Brampton Fall Fair,
  - (4) to Go Transit where Go Transit is operating a commuter bus service through the Town of Caledon,
  - (5) to Caledon Community Services where Caledon Community Services is operating a bus for the benefit of eligible seniors and persons with disabilities,
  - (6) any person operating buses solely for the purpose of picking up and discharging passengers as part of a busing contract with a local school board,
  - (7) any other public transit authorities, commissions or agencies of other municipalities which enter into or have entered into a formal agreement with Caledon, for the provision of transit services into or through Caledon.

### **LICENCE REQUIRED**

3. No person shall operate a local scheduled bus service
- (1) except under a licence issued therefor by the Council of the Town, and
  - (2) in contravention of the terms and conditions of the licence issued by the Council, and
  - (3) except on highways maintained by the Town where the Council has approved the route by the enactment of a by-law and where the Minister of Transportation has approved a by-law so enacted, and
  - (4) except on highways maintained by the Region where Regional Council has approved the route by the enactment of a by-law and where the Minister of Transportation has approved a by-law so enacted.

## LICENSING REQUIREMENTS

4. An applicant for a local scheduled bus service licence shall
  - (1) attend in person at the Town Hall;
  - (2) be at least eighteen (18) years of age;
  - (3) be either a citizen of Canada or a landed immigrant;
  - (4) complete all parts and every question and provide requested documentation set out in the prescribed application form attached hereto and marked as Schedule "A" to this by-law;
  - (5) pay the fee set out in the Municipal Act Fees By-law, as amended;
  - (6) provide a certificate of insurance evidencing coverage as would normally be carried by a prudent owner or operator of a transit system similar to the system described by the applicant including but not necessarily restricted to the following coverages:
    - (a) the limit of at least \$200,000, exclusive of interest and costs, against liability resulting from bodily injury to or the death of one or more persons and loss of or damage to property;
    - (b) a minimum insurance coverage in the amount of \$5,000.00 for damage to property of all passengers;
    - (c) a minimum liability coverage against loss or damage resulting from bodily injury in the amount of Eight Million (\$8,000,000);
    - (d) an endorsement that the insurance company will undertake to notify the Town in writing of the cancellation or expiry of the insurance policy at least 30 days before the effective date or cancellation or expiry;
    - (e) an endorsement that the Town and the Region are each named as an additional insured,
  - (7) provide a copy of the CVOR certificate and a copy of the Carrier CVOR Abstract (Level II) issued by the Ministry of Transportation, issued within the previous 60 days of the application, or any other similar abstract;
  - (8) provide a timetable showing scheduled times of arrival and departure of buses operated by the operation and number of trips the buses will make over each route;
  - (9) provide a map showing the route or routes on Town and Regional highways over which the bus or buses will travel, including the stops on these highways;
  - (10) provide a copy of the owner's preventative maintenance program and schedule;
  - (11) provide a record of all offences under any by-law, provincial statute or federal statute, for which no pardon has been granted, of which the applicant, if the applicant is an individual, any of the partners, if the applicant is a partnership, or any of the directors, shareholders and officers of a corporation, if the applicant is a corporation, has or have been convicted; such record issued within the previous 60 days of the application to the licensing officer,
  - (12) provide a business plan;
  - (13) provide the proposed tariff of tolls to be charged to passengers.

## INSURANCE

5. A licensed operator shall file the renewal insurance policy with the licensing officer five days prior to the expiry date of the current insurance policy.

6. When a licensed operator ceases to have a current and valid Ontario Standard Automobile Insurance Policy or any other policy required by this by-law in good standing and properly endorsed in accordance with the provisions of this by-law, the licence shall be deemed to be suspended as of the date of the expiry of the insurance policy, and the licence shall only be reinstated upon delivery to the licensing officer by the licensed operator written proof of insurance in accordance with the provisions of this by-law.
7. When a licensed operator cancels any of his or her or its current insurance policies before the expiry date of the policies, the operator must produce a copy of the newly acquired insurance policy, properly endorsed in accordance with the provisions of this by-law, or return the licence to the licensing officer on the date and time of the cancellation.

#### **ISSUE OF LICENCE**

8. When the applicant for a licence meets all of the applicable requirements under this by-law, the licensing officer shall refer the application to the Council for a hearing whether
  - (1) to issue or to deny the licence, or
  - (2) to issue the licence with conditions, or
  - (3) to renew the licence, or
  - (4) to renew the licence with conditions.

#### **CONDITIONS OF A LICENCE**

9. The Council may impose conditions as a requirement of obtaining, continuing to hold or renewing a licence under this by-law.

#### **RENEWAL OF LICENCE**

10. The applicant for a renewal of a licence shall deliver the renewal application in person to the licensing officer before the expiry date of the current licence.
11. The applicant for a renewal of a licence shall comply with the requirements for obtaining a renewal licence as if the renewal application were an original application, unless specified otherwise.
12. The licensing officer shall refer the renewal application for hearing at Council where the applicant has met all of the applicable requirements of this by-law.
13. On an application for renewal of a licence, the operator shall return the previous licence to the licensing officer prior to the issuance of a new licence by the licensing officer in accordance with the decision of the Council.

#### **SUSPENSION OR REVOCATION OF LICENCE**

14. In addition to any other penalty imposed pursuant to this by-law, the Council may suspend or revoke a licence upon any of the grounds set out in section 18 of this by-law.
15.
  - (1) When a licence has been suspended or revoked, the operator shall return the licence, within twenty-four (24) hours of receipt of written notification of the suspension or revocation.
  - (2) The licensing officer may enter upon the premises of the operator for the purpose of receiving or taking the suspended or revoked licence.

- (3) No person shall refuse to deliver or in any way obstruct or prevent the licensing officer from obtaining the suspended or revoked licence.
16. A suspension shall be, and shall remain in force until such time as the operator has satisfied the Council as to the operator's compliance with this by-law.
17. Where a licence has been revoked or suspended, the licensing officer shall not refund any fee paid under this by-law.

#### **GROUNDS FOR DENIAL OF LICENCE**

18. The Council may refuse to grant a licence or, to grant a renewal of a licence, or may suspend or revoke a licence upon one or more of the following grounds:
  - (1) there are reasonable grounds for belief that an application or other document provided to the licensing officer by or on behalf of an applicant contains a false statement or provides false information; or
  - (2) the past or present conduct of the applicant, or of any partner, in the case of an applicant which is a partnership, or of any director, shareholder or officer of the corporation, if the applicant is a corporation, affords reasonable grounds for belief that the business in respect of which the application is made will not be carried on in accordance with the law and with integrity and honesty; or
  - (3) there are reasonable grounds for belief that the carrying on of the said business will result in a breach of this by-law or any other law, including any applicable zoning by-law requirements; or
  - (4) the financial position or history of the applicant or any one or more of the persons referred to in paragraph (2) of this subsection affords reasonable grounds to believe that the business will not be carried on in a financially responsible manner; or
  - (5) there are reasonable grounds for belief that the application does not meet all the requirements of this by-law, or that the business is carried on or intended to be carried on in an area of Town where such business is prohibited by law from being carried on, or in respect of which the issuing of a licence in respect of the business is not permitted by this by-law; or
  - (6) there are reasonable grounds for belief that the building, premises or place in which the business is carried on or intended to be carried on does not comply with the provisions of this by-law, or with any other law, including any applicable building requirements, or is dangerous or unsafe; or
  - (7) the past or present conduct of the applicant or of any one or more of the persons referred to in paragraph (2) of this subsection affords reasonable grounds for belief that the carrying on of the business in respect of which the licence is sought would infringe the rights, or endanger the health or safety, of one or more members of the public; or
  - (8) the fee payable in respect of the licence applied for has not been paid; or
  - (9) where information provided to the Town by or on behalf of the applicant or licensee, whether oral or in writing, has ceased to be accurate, and the applicant or licensee has not provided up-to-date accurate information to the licensing officer sufficient to allow the Council to conclude that the licence should be granted or maintained as valid and subsisting; or
  - (10) the applicant does not comply or ensure compliance with any condition imposed under this by-law upon the business or upon the licensee, as a requirement of obtaining, continuing to hold or renewing a licence; or

- (11) three substantiated complaints regarding the local scheduled bus service have been received by the licensing officer during the twelve month period following the issuance of the licence; or
  - (12) the operator has failed to comply with the provisions of sections 28 and 29 of this by-law and has represented, or has permitted the representation to occur, that the local scheduled bus service operated by him is operated by the Town or the Region or on behalf of the Town or the Region.
19. The licensing officer's notice in respect of the application for a licence to operate a local scheduled bus service shall state the date and time when the applicant or licensee will have the opportunity to be heard on the matter by the Council.
  20. The provisions of the *Statutory Powers Procedure Act* shall apply to any hearing before Council under this by-law.

#### **TERM OF LICENCE**

21. Every licence to an operator shall expire on the 31<sup>st</sup> day of July in the calendar year following the year in which the licence was issued.
22. The licence issued to an operator under this by-law is not transferable to any other person.
23. Where a controlling interest in any corporation holding an operator's licence under this by-law is being transferred, it shall be deemed that the licence is being transferred and the purchaser of the shares of the corporation shall apply to the licensing officer for the issuance of an operator's licence at the time of the purchase of the shares.
24. Where the licensed operator dies, the operator's licence shall be deemed to expire.

#### **LICENCE PRODUCTION**

25. Every person licensed under this by-law, when requested by the licensing officer, or a Police Officer, shall immediately produce the licence issued under this by-law, and other relevant documents required under this by-law.

#### **NOTIFICATION OF CHANGE OF INFORMATION**

26. Every operator who has been issued a licence under this by-law shall, upon changing his name, address, or any information relating to the licence, produce his licence at the office of the licensing officer within seven working days for a new licence to be issued by the licensing officer containing the new information, upon payment of the applicable fee required pursuant to the *Municipal Act Fees By-law*, as amended.
27. (1) When the licensee is a corporation and there is any change in the relevant information relating to the licence including the names or addresses of officers or directors, the location of the corporate head office or the ownership of shares, the licensee shall report the change to the licensing officer, in writing, within seven working days of the change.  
  
(2) The licensing officer may require the immediate return of any licence in order that the licensing officer may issue a new licence containing the new information, upon payment of the applicable fee required pursuant to the *Municipal Act Fees By-law*, as amended.

#### **REPRESENTATION**

28. No person shall publish or cause to be published any representation that

- (1) he is licensed under this by-law if he is not,
  - (2) he is operating a bus service for or on behalf of the Town or Region.
29. Where the Town or the Region has advised in writing the operator of a local scheduled bus service that a representation has been made by him or by a person under his legal control that can be reasonably understood to mean that the bus service is being operated by, or on behalf of the Town or the Region, the operator shall immediately cease to make such a representation and/or shall take the corrective action set out in the written notice.
30. At the place of business of the local scheduled bus service, and on the curb side near the passenger door of each bus, in letters clearly visible to passengers boarding the bus, the operator of the local scheduled bus service shall display the full legal name, address and phone number of the operator.

### **BUS ROUTES**

31. Prior to passing a by-law approving a bus route for a local scheduled bus service, the Council shall hold a public hearing, notice of which is published once in a newspaper of local circulation at least two weeks prior the meeting during which Council will consider the proposed by-law.

## **PART 2 – DUTIES AND PROHIBITIONS**

### **OPERATOR'S DUTIES**

32. An operator licensed under this by-law shall keep each of the following documents at all times in the bus of which he is the owner:
- (1) a legible photocopy of the licence issued under this by-law, and
  - (2) a legible photocopy of a current Ministry of Transportation passenger motor vehicle permit issued for that bus, and
  - (3) the original of the certificate of insurance for the bus, obtained in accordance with the requirements of this by-law, and
  - (4) a legible photocopy of the CVOR certificate, and
  - (5) annual and bi-annual safety inspection certificates, and
  - (6) Drive Clean documentation.
33. An operator licensed under this by-law shall have, in or on each bus owned by him as part of the local scheduled bus service the licence plate issued under this by-law affixed to the bus in a location and in a manner approved by the licensing officer.
34. An operator licensed under this by-law shall:
- (1) employ or use only the services of drivers who hold a current, valid Class "B" driver's licence issued by the Province of Ontario, which is in good standing according to the records of the Ministry of Transportation;
  - (2) ensure that every person the operator employs as a driver provides an original criminal record search, including a vulnerable sector search, issued by the Caledon Detachment of the Ontario Provincial Police, or by the police service located in the municipality in which the driver resides, at least once a year, which search shall be furnished to the licensing officer on request;
  - (3) ensure that every person the operator employs as a driver provides an original driver abstract from the Ministry of Transportation at least every six (6) months, which abstract shall be furnished to the licensing officer on request;

- (4) maintain knowledge at all times of the identity of any person having custody or control of the buses forming part of the local scheduled bus services licensed under this by-law;
- (5) provide to the licensing officer and, where applicable, the name of the driver operating the bus, within seventy-two (72) hours of the time when the driver has commenced to operate said bus;
- (6) maintain an up-to-date list of all drivers operating buses for the operator, which list shall show the name, address, and telephone number of each driver which list shall be furnished to the licensing officer on request;
- (7) ensure that every person the operator employs as a driver is, during working hours, properly dressed, neat and clean in his or her person, courteous and provides such reasonable assistance to all passengers as is needed to enter or leave the bus safely;
- (8) ensure that every driver is at all times in compliance with the Hours of Work Regulation as set out in the *Highway Traffic Act*;
- (9) ensure that every driver maintains a daily log or, if the driver is not required to maintain a daily log, the operator keeps the records of the times each driver goes on and off duty as set out in the *Highway Traffic Act*; keep a record of the operation of each bus, showing each trip on which it is operated;
- (10) produce the records for inspection upon the request of the licensing officer, a police officer, or a Ministry of Transportation enforcement officer, and give full information to the licensing officer, police officer or MTO enforcement officer upon being requested to do so,
- (11) provide a suitable office and location for the parking and the maintenance of buses for the carrying on of the operator's business under this by-law;
- (12) comply with the request(s) of the licensing officer when such request(s) are made in accordance with this by-law;
- (13) enter into an agreement satisfactory to the Town and the Region regarding the location, installation, maintenance, signage and insurance of bus stops and bus shelters on the bus route;
- (14) enter into an agreement satisfactory to the Town and the Region providing an indemnity to the Town and the Region regarding the operation of the local scheduled bus service on roads maintained by the Town and the Region;
- (15) employ, or contract with, a licensed mechanic qualified to perform work on buses in regard to the maintenance of the bus or buses used in the local scheduled bus service,
- (16) implement and carry out a maintenance programme for the bus or buses used in the local scheduled bus service which is consistent with the standard practice in the industry;
- (17) only charge, and permit the drivers to collect, only the toll for scheduled services as set out in the tariff of tolls as filed by the operator with the licensing officer;
- (18) keep the interior and exterior of each bus clean, dry and in good repair, and whenever the owner is informed by either the driver, the licensing officer, a Police Officer or a Ministry of Transportation Enforcement Officer that a bus is not in a fit or proper condition for use, forthwith remove the bus from service, and put the bus in a fit and proper condition;
- (19) provide a copy of the Commercial Vehicle Operator's Registration (CVOR) certificate and Carrier CVOR Abstract (Level II), issued within the previous 60

days at the time of submission of the application if available, or, if not available, prior to the issuance of a licence;

- (20) provide, in respect of each bus, a copy of the Annual Inspection Certificate and the semi-annual Safety Inspection Certificate, issued by a motor vehicle inspection station licensed by the Ministry of Transportation at the time of submission of the application if available, or, if not available, prior to the issuance of a licence;
- (21) hold a minimum Carrier Safety Rating of "satisfactory" or "satisfactory-unaudited" issued by the Ministry of Transportation;
- (22) provide a copy of a current and positive Clean Air Emissions Report; and
- (23) provide a copy of a valid emergency on road maintenance contract providing emergency response to a bus disabled while operating on the highway.

### **OWNER'S PROHIBITIONS**

35. No operator licensed under this by-law shall:
- (1) permit his operator's plate to be used with respect to any other bus than the bus for which the operator's plate was issued;
  - (2) require or permit a driver of the operator's bus, to work when that person's ability to perform his or her duties is impaired by fatigue, illness or otherwise;
  - (3) permit a bus of which he or she is the owner, to be operated with mechanical defects of which the owner is aware,
  - (4) operate a bus or permit the owner's bus to be operated, without the issuance of an operator's plate for that bus under this by-law;
  - (5) exhibit on, or about the bus any number, sign or card except one authorized under this by-law and his Provincial motor vehicle licence plate;
  - (6) discontinue or reduce any scheduled service authorized by this by-law without giving prior notice to the public affected; notice to the public shall be given in a newspaper published in the area affected and on signs posted at the scheduled bus stops where the service is to be discontinued or reduced, at least 30 days prior to the discontinuance or reduction of service.

### **PART 3 - VEHICLES**

36. As part of the local scheduled bus service, the operator shall only use a bus which
- (1) has a minimum seating capacity of 20 passengers
  - (2) is equipped with
    - (a) chassis requirement of
      - i. Dual Rear Wheels
      - ii. Ford E350/450, GMC610,
      - iii. or equivalent
    - (b) body type/style of
      - i. Champion, Challenger model, 20 passenger
      - ii. World Trans, MB Commuter model
      - iii. Goshen Coach, GC11 model
      - iv. or equivalent
  - (3) adequate and functioning driver and passenger heating and air conditioning, 2 separate units controlled independently by the driver;

- (4) a lighted device on the exterior front of the bus and a lighted device on exterior right side in the forward part of the bus, for displaying the route number and a brief description of the destination of the bus, in a clear, legible manner;
- (5) an emergency first aid kit that, at a minimum, meets the requirements of Canadian Standards Association Standard D250-98;
- (6) an adequate fire extinguisher which is kept in effective working order and securely mounted in a bracket provided therefor at a place readily accessible to the driver in the forward part of the bus near the entrance;
- (7) one or more lights within the bus that are so arranged as to provide adequate lighting for the whole of the interior of the bus, and the light or lights shall be kept constantly lit between sunset and sunrise when there are passengers in the bus;
- (8) the emergency equipment and tools likely to be required for replacement or use on a trip secured in a manner and place that it is readily accessible in an emergency, including but not limited to a fire axe and road flares or triangles;
- (9) at least three push-out windows on each side of the passenger compartment of the bus;
- (10) radio equipment and/or an onboard computer to allow for real-time communication between the driver and the operator's dispatcher and emergency services accessibility features for the disabled and senior citizens;
- (11) is not more than fifteen (15) years old, as calculated from the 1<sup>st</sup> day of January of the bus's model year.

## **INSPECTION OF VEHICLES**

- 37. The licensing officer has the authority to request and to have produced all relevant licenses and permits and to have access to all invoices, vouchers, appointment books and trip records or like documents of the operator or driver being inspected, provided such documents are relevant for the purposes of the inspection. The licensing officer may remove any of these documents for the purpose of photocopying, provided a receipt is given and the documents are returned within forty-eight (48) hours of removal.
- 38. An operator shall, immediately on request of the licensing officer, produce the operator's licence issued under this by-law and such other documentation required to be maintained under this by-law.
- 39. The licensing officer shall give notice to the licensed operator of one mandatory inspection a year for each bus that is licensed to ensure that the provisions of this by-law have been complied with, and, on completion of such inspection, shall complete and file a written report on the inspection.
- 40. The licensing officer may require that the owner or driver submit the bus for a random inspection at a time and place specified by the licensing officer to verify compliance with the requirements of this by-law.
- 41.
  - (1) If the operator does not attend a mandatory inspection, or a random inspection, the operator shall pay the late inspection fee as set out in the Municipal Act Fees By-law, as amended.
  - (2) The licensing officer shall suspend the operator's licence until the fee is paid and the bus has passed the mandatory inspection or random inspection.
- 42. For the purpose of an inspection required under this by-law, the operator shall submit the bus for inspection by the licensing officer during normal business hours.

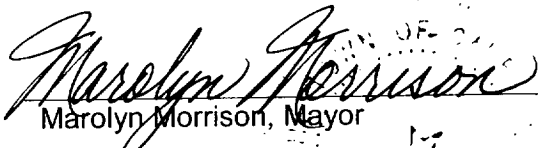
**PART 4 - GENERAL PROVISIONS**

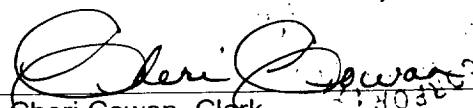
43. (1) The licensing officer who finds a contravention of this by-law may make an order directing compliance with this by-law and may require the order to be carried out immediately or within such time as he specifies.
- (2) The order to comply shall be served on the person whom the licensing officer believes is contravening this by-law.
- (3) The order to comply shall contain sufficient information to specify the nature of the contravention.
- (4) The contravenor shall comply with the order immediately or within the time period specified in the order.
44. (1) Any order required under this by-law to be served may be served personally or by registered mail sent to the last known address of the person to whom the order is to be given or to that person's agent for service.
- (2) If an order is served by registered mail, the service shall be deemed to have been made on the fifth day after the day of mailing unless the person to whom the order is given or that person's agent for service establishes that, acting in good faith, through absence, accident, illness or other unintentional cause, the notice was not received until a later date.
45. The licensing officer may amend the application attached in Schedule A and forming part of this by-law, providing the purpose and intent of the by-law is maintained.
46. This by-law shall be known as the Bus Licensing By-law.
47. Every person who contravenes any provision of this by-law is guilty of an offence and, on conviction, is liable to a fine not exceeding \$5,000.00.

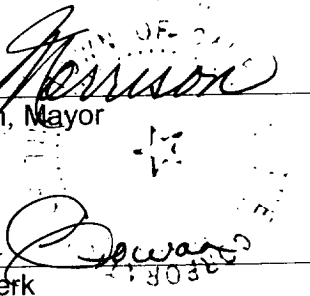
READ A FIRST, SECOND AND THIRD TIME

AND PASSED IN OPEN COUNCIL


THIS 1<sup>ST</sup> DAY OF AUGUST 2006

  
Marilyn Morrison, Mayor

  
Cheri Cowan, Clerk



SCHEDULE A TO BY-LAW 2006-110

 <p><b>TOWN OF CALEDON</b></p>	<p>The Corporation of the Town of Caledon                  Legal Services                  6311 Old Church Road, Caledon, ON L7C 1J6                  (Phone) 905-584-2272 (Fax) 905-584-4325</p>
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APPLICATION FOR LOCAL SCHEDULED BUS SERVICE OPERATOR

New Application
  Renewal
 Year \_\_\_\_\_

Personal information contained on this form is collected under the authority of the *Municipal Act* and Town of Caledon Bus Licensing By-law and will be used for the purpose of issuing an operator's licence. Questions about this collection should be forwarded to the Town of Caledon, Legal Services Department, 6311 Old Church Road, Caledon, ON L7C 1J6. Tel. 905-584-2272 Fax 905-584-4325

**PART A – Individual or Partnership**

If the applicant is an individual or a partnership, please complete the following information.

(last name)		(first name)		(initial)	
Address:					Apt./Unit
City	Postal Code	Tel:	Fax:		
E-Mail		Date of Birth	Height	Weight	
Names of all partners:					

**PART B – Corporations only**

If the applicant is a corporation, please complete the following information.

1.	Name of Corporation			
	Name under which will be operated – if different from above			
	Head Office Address:	<input type="checkbox"/> Mailing address, if different from head office:		
	Business Phone		Fax Number	

**SCHEDULE A TO BY-LAW 2006-110**

	E-Mail Address:		
	Date of Incorporation & Incorporating jurisdiction		
	Public or Private		
<b>2.</b>	<b>Authorized individual acting from the Corporation with respect to this application:</b>		
	Name of Individual		
	Position with respect to the Corporation		
	Address: <input type="checkbox"/> same as business address in Part A or		
	Business Phone		Fax Number
<b>3.</b>	<b>Legal Description/Municipal Address of</b>		
(i)	Land and premises to be used for purposes of bus operation:		
(ii)	Land and premises to be used for the purpose of parking or storing buses:		
<b>4.</b>	<b>Corporate Officers –</b>		
	<i>Add names of other officers to a separate sheet if necessary</i>		
(i)	Name		
	Residence Address		
	Phone		Fax Number
	Date of Birth		Position <b>President</b>
(ii)	Name		
	Residence Address		
	Phone		Fax Number
	Date of Birth		Position <b>Vice-President</b>
(iii)	Name		
	Residence Address		
	Phone		Fax Number
	Date of Birth		Position <b>Secretary</b>
(iv)	Name		
	Residence Address		
	Phone		Fax Number
	Date of Birth		Position <b>Other -</b>



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**PART D – BUSINESS PLAN**

1. Please attach a separate sheet addressing each of the following points:

- a) Describe the proposed operation/goals.
- b) If currently licensed, describe how the proposed operation will be incorporated into the overall operation.
- c) Describe the type of market/communities to be served.
- d) The population growth within the area applied for.
- e) The uniqueness or specialized service.
- f) The market research.
- g) Additional employment.
- h) Any other factors that may enlighten the Council on your proposed operation.

2. Please attach a separate sheet to describe:

- a) An up to date equipment list, i.e. the number and type of vehicles.
- b) Indicate what additional equipment you propose for this operation.
- c) If this is a new operation, describe the type of vehicles to be used.

3. Please attach the following:

- a) Proof of ownership of the vehicle(s) of the vehicles you propose for this operation.
- b) Safety Standards Certificate of mechanical fitness issued under the *Highway Traffic Act* dated within 30 days of the date the vehicle is produced for inspection for each vehicle

4. What would the rates be for the proposed service? (How much will you charge for the proposed service?)

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5. If a corporation, please attach most current financial statement. If a sole proprietor or partnership, please provide a balance sheet, i.e. a statement of your current assets and liabilities (this information is confidential and for Council's use only).

6. On a separate sheet please provide the Council with a projected operating statement for the first year of proposed operation, i.e. (a) the total revenue expected; (b) the total expenses; (c) the net profit.

*Please ensure that you take the following into consideration when estimating your total expenses:*

- wages and benefits
- repairs and maintenance
- rent/lease
- office administration (telephone, stationary, etc.)

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- licences
- insurance
- interest and bank charges
- fuel
- depreciation
- advertising
- any other income or expenditure

7. Provide details of insurance, i.e. amount of liability to be covered, name of insurance company, etc. A letter or a certificate of insurance from the insurance company must accompany this application.

**PART E – Public Vehicle Safety Fitness**

**The Applicant hereby commits**

- To comply with highway safety; and
- To acquire knowledge with respect to safety standards, practices and procedures as required by legislation and the Town of Caledon Bus Licensing By-law

1. If a Commercial Vehicle Operating Registration (CVOR) (Ontario, or other number has been issued by a jurisdiction to identify your company (carrier) – *please provide a copy*

What is the date of issue: \_\_\_\_\_

What jurisdiction issued it: \_\_\_\_\_

What is your CVOR number: \_\_\_\_\_

2. If a safety rating has been issued:

Which jurisdiction issued it? \_\_\_\_\_

(provide a copy of all safety ratings)

**QUALIFIED DRIVER SELECTION**

1. What driver selection criteria do/would you obtain and review before a driver is hired? *Attach a separate sheet, if necessary.*

\_\_\_\_\_

\_\_\_\_\_

2. Do you obtain and review a driver record before a driver is hired? Yes  No

3. Do you require a road test before hiring a driver? Yes  No

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4. How do you ensure driver licence medical standards are met and maintained?

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5. How do you ensure that a driver licence for the appropriate category is maintained?

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DRIVER PERFORMANCE

1. Describe the method and frequency used to systematically review accidents, moving violations and criminal code offences of your drivers.

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2. How often do you update and review your driver's records?

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3. (a) Describe the record keeping requirements of the Hours of Service Regulations.

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(b) Describe the methods used to ensure compliance with the Hours of Service Regulations.

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4. Are your drivers required to inform you of all convictions, accidents and vehicle safety detentions incurred while operating commercial vehicles for you? Yes  No

5. Provide an original criminal record search dated within 30 days of the date of the application for each person who will be driving on the Caledon routes.

6. Provide an original driver's abstract from the Ministry of Transportation, dated within 30 days of the date of the application for each person who will be driving on the Caledon routes.

VEHICLE SAFETY

1. Do you have a vehicle preventative maintenance program? Yes  No

Describe your vehicle maintenance and inspection program including the frequency, methods and records retained.

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2. What action is taken if a safety defect is identified?

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3. Describe your vehicle repair program and record retention schedule.

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**OPERATIONAL SAFETY**

1. Do you ensure that training/refresher training is provided for or, if you are an individual, are you trained in the following areas:

- |                         |     |                          |    |                          |
|-------------------------|-----|--------------------------|----|--------------------------|
| (a) Hours of service    | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| (b) Vehicle maintenance | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| (c) Trip inspection     | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| (d) First aid           | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

2. Do you record hours of employee training and who performed it? Yes  No

**SAFETY COMPLIANCE**

1. Are you aware that if a commercial vehicle operator's safety performance becomes unsatisfactory, the CVOR certificate and vehicle plates/permits may be suspended, cancelled or a limit may be imposed on the number of vehicles you may operate? Yes  No

2. How do you intend to ensure you maintain a satisfactory rating?

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- |  |     |                          |    |                          |
|--|-----|--------------------------|----|--------------------------|
| 3. Are you aware of the legislated requirements under the:         | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| <i>Public Vehicles Act</i> and Regulations                         | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| <i>Highway Traffic Act</i> and Regulations                         | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| <i>Motor Vehicle Transport Act</i> and Regulations (if applicable) | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| All other applicable Acts and by-laws                              | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

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CERTIFICATION

I/We do hereby certify that the information given in this application and documents attached are true, correct and complete in every respect.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

If you are a corporation, this application must be signed by an authorized signing officer.

I am the applicant herein and am aware that a search will be made to process my application for a licence and I consent to the Town of Caledon making enquiries to the Ontario Provincial Police, or any other police force, regarding any criminal record for which a pardon has not been granted, and to the Ministry of Transportation, regarding registration of commercial vehicles, and driving record history.  
Dated: \_\_\_\_\_ Signature: \_\_\_\_\_

*AFFIDAVIT – to be completed by one of the partners, an officer or a director of the corporation or an individual in the presence of a Justice of the Peace, a Commissioner of Oaths, Notary Public, etc.*  
The Applicant declares that:  
I, \_\_\_\_\_, of the \_\_\_\_\_,  
in the \_\_\_\_\_, do solemnly declare:  
1. I am the  Applicant;  Authorized Agent; or  \_\_\_\_\_  
2. To the best of my knowledge, information and belief, the information in the application is true.  
3. The business will not commence until a licence has been issued by the Town of Caledon.

SWORN before me at the Town of Caledon, in the Regional Municipality of Peel, this _____ day of _____, 2006.  _____ A Commissioner, etc.	_____ (Signature of Applicant/Corporate Officer)  _____ (corporate position)
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