

OFFICE CONSOLIDATION

This is a consolidation of the Town's by-law to license and regulate the owners and drivers of taxicabs and limousine being By-law 2006-24 as amended by By-law 2011-105. This is prepared for reference and information purposes only. The following consolidation is an electronic reproduction made available for information only. It is not an official version of the by-law. Official versions of all by-laws can be obtained from the Legislative Services section by calling (905) 584-2272. If there are any discrepancies between this consolidation and By-laws 2006-24 and 2011-105 the By-laws shall prevail.

THE CORPORATION OF THE TOWN CALEDON

BY-LAW No. 2006-24

A by-law to license and regulate the owners and drivers of taxicabs and limousines, and to repeal By-Law No. 2006-17

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 taxicab and limousine businesses for the following reasons:

- (a) it is in the interest of consumer protection to establish performance standards for owners and drivers of taxicabs and limousines and for brokers of taxis; and
- (b) it is in the interest of public health and safety to establish criteria for vehicles to be used as taxicabs and limousines.

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

PART 1 – ADMINISTRATION

DEFINITIONS

1. For the purposes of this By-law:

"accessible taxicab" means a motor vehicle which can be used for the transportation of passengers unable to board regular vehicles due to a physical disability, for hire or reward and which complies with the applicable law;

"applicant" means a person applying for a licence under this By-law;

"broker" means a person who accepts calls in any manner for taxicabs or limousines that are used for hire and that are owned by persons other than the broker;

"driver" means a person who drives or operates any taxicab or limousine under the control of this By-law;

"licence" means a licence issued by the licensing officer;

"licensing officer" means the person or persons appointed by Council, or his or her designate;

"limousine" means any vehicle, other than a taxicab, ambulance, hearse, or rental vehicle without a driver, which is kept or used for hire for the conveyance of passengers, and is not equipped with a taximeter, a top light or a roof sign of any kind;

"owner" means a person who owns, keeps, leases or uses any taxicab or limousine and does not include a driver;

"owner's plate" means the licence plate issued to an owner by the licensing officer;

"passenger" includes a person waiting for a taxicab or limousine, or for whom the driver is waiting, or a person in a taxicab or limousine other than the driver;

“person” includes a partnership or corporation;

“tariff” means the rates authorized by this By-law as outlined in Schedule A attached hereto and forming part of this By-law;

“tariff card” means a card issued by the Licensing Officer that sets out in full the rates authorized by this By-law;

“taximeter” means a meter, instrument or device attached to a taxicab which mechanically or electronically measures the distance driven and waiting time upon which fares are based, and which computes the amount of a fare chargeable for any trip;

“taxicab” shall mean a motor vehicle kept or used for hire for the conveyance of passenger(s) and goods when accompanied by passenger(s), within the Town of Caledon or from any point within the Town of Caledon to any point outside the municipality, but shall not include a limousine, bus, ambulance, hearse, or rental vehicle without a driver;

“Town” means the Town of Caledon;

“trip” shall mean the distance and time travelled or the distance and time to be travelled, measured from the time and point at which the passenger first enters the taxicab or limousine or when the taximeter is first engaged, whichever comes first, to the time and point at which the passenger finally leaves the taxicab or limousine, or the taximeter is disengaged, whichever comes last;

“trip record” shall mean the written record of the details of each trip;

“vehicle” shall mean a taxicab or limousine;

LICENSING OFFICER

2. The licensing officer shall:

- (1) receive and process all applications for licences and for renewal of licences to be issued;
- (2) issue licences to and renew licences for persons who meet the requirements of this By-law; and
- (3) generally perform all the administrative functions conferred upon the licensing officer by this By-law.

LICENCE REQUIRED

3. No person shall

- (1) drive or operate a taxicab or limousine in the Town of Caledon unless he is licensed as a driver;
- (2) act as or be an owner of a taxicab or limousine in the Town of Caledon unless he is licensed as an owner under this By-law;
- (3) act as, or be a broker in the Town of Caledon unless he is licensed as a broker under this By-law; or
- (4) hold ownership or part ownership of a taxicab or limousine, or operate a taxicab or limousine, advertise or promote in any manner a taxicab or limousine operation, under any name other than that name under which the taxicab or limousine operation is licensed or the name of the licensed broker in association with whom, the licensing officer has been duly notified that he or she will be operating.

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

LICENSING REQUIREMENTS

5. An applicant for a driver's 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) hold a permit to work as a driver, issued by the Government of Canada;
 - (5) hold, in his name, a current, valid Class "G" driver's license issued by the Province of Ontario, which is in good standing according to the records of the Ministry of Transportation;
 - (6) provide the licensing officer with two (2) copies of a current 6.35 cm x 6.35 cm (2.5" x 2.5") photograph of himself of passport quality;
 - (7) demonstrate knowledge of the geography of the Town to the satisfaction of the licensing officer by successfully writing the driver test;
 - (8) provide to the licensing officer the original of a criminal records check issued by the Caledon Detachment of the Ontario Provincial Police, or by the police service located in the municipality in which the driver resides, such check being dated within sixty (60) days of the date of the application for a driver's licence under this By-law;
 - (9) provide to the licensing officer his original current driver's abstract from the Ministry of Transportation, dated within sixty (60) days of the date of the application for a driver's licence under this By-law;
 - (10) present the original of either his Canadian birth certificate or valid Canadian passport to the licensing officer, or proof of landed immigrant status or a work permit approved by the Government of Canada;
 - (11) provide a completed employee information form, signed by the licensed owner or broker for whom he or she proposes to drive; and
 - (12) complete the prescribed application form and pay the fee set out in the Municipal Act Fees By-law, as amended.
6. An applicant for an owner's 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) hold a permit to work as a driver, issued by the Government of Canada;
 - (5) hold a current Ontario driver's license which is in good standing and was issued in the applicant's name by the Ministry of Transportation for the motor vehicle(s) for which he is the owner;
 - (6) produce and file with the licensing officer a valid copy of a current Ontario Standard Automobile Insurance Policy, which insurance policy shall be endorsed to the effect that notice in writing at least ten (10) days prior to cancellation, expiration or variation thereof will be given to the licensing officer and which certifies that the owner and any driver are insured in the case of bodily injury or death, to a limit of at least \$2,000,000 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$2,000,000;
 - (7) meet the requirements of this By-law relating to the vehicle(s);

- (8) complete the prescribed application form and pay the fee set out in the Municipal Act Fees By-law, as amended;
 - (9) provide proof of ownership of the vehicle(s) to be plated and in the case of a leased vehicle(s), the owner shall provide the licensing officer with an original copy of a lease agreement between himself and the vehicle's owner;
 - (10) provide a 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;
 - (11) obtain a passing inspection of the vehicle(s) by a Licensing Officer; and
 - (12) provide the licensing officer with a copy of his business documents, including incorporation and business registration. This subsection only applies on the initial application for an owner's licence or if the information initially provided changes or expires.
7. An applicant for a broker's 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) hold a permit to work, issued by the Government of Canada;
 - (5) provide adequate telephone and radio facilities in a suitable office for the carrying on of the business;
 - (6) provide confirmation from the Town that the location of the office and all facilities comply with the Town's Zoning By-law if they are located within the Town;
 - (7) provide for off-street parking within the Town for every vehicle serviced by the broker and for each on-duty vehicle operating from the dispatch;
 - (8) provide the licensing officer with a list of all vehicles in respect of which the broker has any arrangement or agreement for the accepting of calls for services, identifying such vehicle by the name of the owner, and the number of the owner's plate;
 - (9) provide the licensing officer with a list, showing in numerical order by owner's plate number, the name of every driver operating any vehicle with which the broker has entered into any arrangement for the provision of brokerage services;
 - (10) complete the prescribed application form and pays the fee set out in the Town's Municipal Act Fee By-law, as amended;
 - (11) provide the licensing officer with a copy of his business documents, including incorporation and business registration. This subsection only applies on the initial application for a broker's licence or if the information initially provided changes or expires; and
 - (12) produce and file with the licensing officer a valid copy of general liability insurance applying to all operations of the broker, to a limit of at least \$2,000,000 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$2,000,000.

DRIVER TEST

8. An applicant for a driver's licence, at the time of the initial application, shall pass with a grade of 75% or higher, a written test in English demonstrating his knowledge of the streets of the Town, the location of major points of origin and destination of trips within the Town, and the most effective routes to travel by motor vehicle to reach those points.
9. (1) An applicant who fails the first test may rewrite a second version of the test no earlier than the day following the first test, and no later than fourteen (14) days following the first test.

(2) An applicant who fails both tests, or who fails the first test and does not write the second test within fourteen days of taking the first test, may not write the test again for one hundred and eighty (180) days following the date of the first test.

AUTOMOBILE INSURANCE

10. A licensed owner, broker or driver shall file the renewal insurance policy with the licensing officer five days prior to the expiry date of the current insurance policy.
11. When a licensed owner ceases to have a current and valid Ontario Standard Automobile Insurance Policy 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 owner or broker, written proof of insurance in accordance with the provisions of this By-law.
12. When a licensed owner cancels his or her current insurance policy before the expiry date of the policy, the owner must produce a copy of the newly acquired insurance policy, properly endorsed in accordance with the provisions of this By-law, or return the owner's plate to the licensing officer on the date and time of the cancellation.

ISSUE OF LICENCE

13. (1) When the applicant for a driver's licence, for an owner's licence or for a broker's licence meets all of the applicable requirements under this by-law, the licensing officer shall issue to the applicant:
 - (a) a driver's licence, or
 - (b) an owner's licence and an owner's plate for each vehicle licensed, or
 - (c) a broker's licence.
- (2) A person who is the owner of more than one vehicle shall apply for, and obtain, a separate owner's licence for each vehicle he owns.

CONDITIONS OF A LICENCE

14. The licensing officer may impose conditions as a requirement of obtaining, continuing to hold or renewing a licence under this By-law.

RENEWAL OF LICENCE

15. The applicant for a renewal of a driver's licence, an owner's licence or a broker's licence shall deliver the renewal application in person to the licensing officer before the expiry date of the current licence.
16. The applicant for a renewal of a driver's licence, an owner's licence or a broker's licence shall comply with the requirements for obtaining a renewal licence as if the renewal application were an original application, unless specified otherwise.
17. The licensing officer shall issue a renewal licence to the applicant where the applicant has met all of the applicable requirements of this By-law.

18. On an application for renewal of an owner's licence, the owner's plate shall be returned to the licensing officer prior to the issuance of a new owner's plate by the licensing officer.

SUSPENSION OR REVOCATION OF LICENCE

19. In addition to any other penalty imposed pursuant to this by-law, the licensing officer may suspend or revoke a licence upon any of the grounds set out in section 26, or when three substantiated complaints have been received by the licensing officer in one licensing year regarding the licensed owner or driver or broker.
20.
 - (1) When a licence has been suspended or revoked, the holder of the licence shall return the licence, and owner's plate, where applicable, to the licensing officer 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 owner or broker for the purpose of receiving or taking the suspended or revoked licence and owner's plate, where applicable.
 - (3) No person shall refuse to deliver or in any way obstruct or prevent the licensing officer from obtaining the suspended or revoked licence and owner's plate.
21. A suspension shall be, and shall remain in force until such time as the licensee has satisfied the licensing officer as to the licensee's compliance with this By-law.
22. The licensing officer shall revoke any licence that has been under suspension for a period in excess of 120 days.
23. The decision of the licensing officer to suspend or revoke a licence may be appealed to the Council in accordance with the provisions of this By-law.
24. Where a licence has been revoked or suspended, the Licensing Officer shall not refund of any fee paid under this By-law.
25. When a licensed driver has had his Province of Ontario driver's license cancelled, suspended or revoked, or where the license has expired, the licence issued under this By-law shall be deemed to be suspended as of the date of cancellation, suspension or revocation of the Province of Ontario driver's license, and the driver shall immediately return the licence issued under this By-law to the licensing officer.

GROUND FOR DENIAL OF LICENCE

26. The licensing officer 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 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 have been received by the licensing officer in one licensing year regarding the owner or driver or broker applying for a licence or licence renewal.

OPPORTUNITY TO BE HEARD

- 27. If the licensing officer refuses to issue or renew any licence, or revokes or suspends any licence, or imposes conditions on a licence, the licensing officer shall notify the applicant or licensee that he may request that the licensing officer's decision be reviewed by the Council.
- 28. The licensing officer's notice shall state that:
 - (1) the applicant/licensee may appeal the decision of the licensing officer to the Council and shall pay the required fee pursuant to the Municipal Act Fees By-law, as amended,
 - (2) if the applicant/licensee does not notify the licensing officer that the applicant/licensee requests a hearing, the application for a licence or renewal of a licence may not be granted, conditions may be imposed, or the licence may be suspended or revoked and the applicant/licensee will not be entitled to any further notice with respect to the matter.
- 29. If the applicant/licensee wishes to request an opportunity to be heard before the Council, the applicant/licensee shall serve a notice in writing to that effect upon the licensing officer within fifteen (15) days of being served with the licensing officer's notice, and shall pay the appropriate fee.
- 30. (1) Where the licensing officer receives notice from the applicant/licensee requesting a hearing before Council, the licensing officer shall refer the matter to the Council and give the applicant/licensee notice of the date and time when the applicant/licensee will have the opportunity to be heard on the matter by the Council.
 - (2) Where the licensing officer does not receive notice from the applicant/licensee requesting an opportunity to be heard before Council, the licensing officer shall

not process the appeal further and no further notice is required to be delivered to the applicant/licensee.

31. The provisions of the *Statutory Powers Procedure Act* shall apply to any hearing before Council under this By-law.

TERM OF LICENCE

32. Every driver's licence shall be valid for one (1) year, and shall expire on January 31st of the following year.
33. Every owner's licence shall be valid for one (1) year, and shall expire by July 31st of the following year.
34. Every broker's licence shall be valid for one (1) year, and shall expire by July 31st of the following year.
35. The licence issued to a driver or broker or to an owner under this By-law is not transferable to any other person.
36. Where a controlling interest in any corporation holding an owner's licence under this By-law is being transferred, it shall be deemed that the licensed vehicle is being transferred and the purchaser of the shares of the corporation shall apply to the licensing officer for the issuance of an owner's licence at the time of the purchase of the shares.
37. Where the owner of an owner's licence(s) dies, the owner's licence(s) shall expire and the owner's plate(s) shall be removed from the vehicle and returned to the licensing officer.
38. Where the estate of an owner intends to transfer a vehicle or vehicles to another person, both the estate and the said person shall apply to the licensing officer for the issuance of an owner's licence with respect to the vehicle within 90 days of the date of the former owner's death.
39. Notwithstanding the provisions of this By-law, any licence validly in effect on 7 March 2006 shall be deemed to expire on 31 March 2006.
40. The licensing officer shall prorate the fee for any licence where the applicant submits an application in the period 1 April to 30 April 2006.

LICENCE PRODUCTION

41. Every person licensed under this By-law, when requested by the licensing officer, or a Police Officer, shall immediately produce his Ontario driver's licence, the licence issued under this By-law, and other relevant documents required under this By-law.
42. A broker shall display the broker's licence in a conspicuous place at his dispatch office that is open for viewing by the public.

NOTIFICATION OF CHANGE OF INFORMATION

43. Every licence issued 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.
44. (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.

REPHOTOGRAPHING OF DRIVERS

45. If at any time the driver's photograph required on the application for a driver's licence is no longer a reasonable likeness of the driver, because of physical changes, the passage of time or poor quality photography, the licensing officer may require that the driver supply another photograph at the driver's expense.

OWNER LEAVES TAXICAB OR LIMOUSINE BROKER

46. Every licensed owner who ceases to deal through a broker shall:
- (1) remove from his or her vehicle the roof light, radio crystals and telephone number of the broker he or she is leaving;
 - (2) change and remove from the vehicle the colour scheme and all decals or other Brokerage markings on the vehicle;
 - (3) return to the broker he or she is leaving all business cards and other equipment belonging to that broker.

REPLACEMENT OF LICENCE OR PLATE

47. (1) When a licence or owner's plate is damaged or lost, the licensee shall:
- (a) apply to the licensing officer for a replacement,
 - (b) pay the required fee as set out in the Municipal Act Fees By-law, as amended, and
 - (c) return his damaged owner's licence or plate, to the licensing officer, if applicable.
- (2) The licensing officer shall issue a replacement plate or licence when the licensing officer has first received the damaged plate or licence.

PART 2 – DUTIES AND PROHIBITIONS

DRIVER'S DUTIES

48. No person shall drive or act as a driver of any taxicab or limousine unless the owner of such vehicle is licensed under this By-law as an owner with respect to such vehicle.
49. A driver licensed under this By-law shall:
- (1) at all times while operating a vehicle or working as a driver affix the driver's and the owner's licence issued under this By-law in a position in the vehicle so that they are plainly visible to and readable by passengers in the back seat of the vehicle;
 - (2) prior to driving on each shift, examine the vehicle for mechanical or other defects and similarly examine it at the end of each shift, and if the driver is not the owner, report any mechanical defects forthwith to the owner and shall enter such defects into a mechanical defect repair log.
 - (3) make the mechanical defect repair log available for inspection by the licensing officer immediately upon request, during business hours;
 - (4) at the expiration of the driver's shift, return the vehicle to the owner, if the driver is not the owner, and shall not at any time abandon the vehicle or permit any other person, not licensed with respect to the vehicle, to drive the vehicle;

- (5) at all times while operating a vehicle or working as a driver, have available and produce on the request of the licensing officer, or a passenger, a current driver's licence issued by the licensing officer;
- (6) report forthwith to the owner, if the driver is not the owner, any accident or collision connected with the operation of the vehicle in which the driver or a passenger was involved;
- (7) keep a daily trip record showing:
 - (a) the name of the driver, the date, and the owner's plate number;
 - (b) the location and the time of the origin and destination of every trip made;
 - (c) the taximeter reading at the beginning and end of each work period; and
 - (d) the amount of the fare collected for each trip.
- (8) be civil, courteous, refrain from using profanity, and offer to assist a passenger when it is evident that the passenger is a disabled person, is elderly, or is in need of enhanced service;
- (9) be properly dressed, well groomed, neat and clean in personal appearance;
- (10) give a passenger a receipt, showing the driver's name and licence number and owner's plate number for the vehicle, when requested;
- (11) serve the first person requiring the service of his or her vehicle at any place within the Town, at any time by day or night, except when the person:
 - (a) is disorderly; or
 - (b) refuses to give his or her destination; or
 - (c) has not paid a previous fare or cancellation fee; or
 - (d) is, in the reasonable opinion of the driver, unable or unwilling to pay the fare and has been unable or unwilling to satisfy the driver that he or she has the funds to pay the fare;
- (12) take due care of all property delivered or entrusted to the driver for conveyance or safekeeping, and immediately on the termination of any hiring engagement, examine the interior of the driver's vehicle for any property lost or left therein, and all property or money left in the vehicle shall be forthwith delivered to the person owning the property or money, and if the owner of the property or money cannot be found, the driver shall deliver the property or money to the nearest police station with all information in the driver's possession regarding the property or money;
- (13) when a passenger enters the vehicle and gives the driver the desired destination, take the shortest possible route to the destination desired, unless the passenger designates otherwise;
- (14) ensure that the vehicle's seat belts are plainly visible to or may be conveniently used by the passenger;
- (15) ensure that the passenger uses the vehicle's seatbelts;
- (16) engage the taximeter at the commencement of the trip and keep it engaged throughout the trip, except where a flat rate has been negotiated with the passenger or except where the vehicle is a limousine;
- (17) engage the taximeter before the passenger enters the vehicle, only after the driver has notified the passenger of his or her arrival and has waited five minutes after the pick-up time requested through dispatch, except where the vehicle is a limousine;
- (18) at the conclusion of the trip, place the taximeter in the time-off position and after payment, place in the vacant position except where the vehicle is a limousine;

- (19) keep in his or her vehicle a current street guide or map of the Town and surrounding area;
- (20) give his or her name and the name of the owner of the taxicab (if other than the driver) upon the request of any passenger or of any person who has been injured or whose property has been damaged as a result of the actions of the driver;
- (21) agree to transport a passenger and his or her guide dog, provided that the driver is not allergic to the dog;
- (22) affix and display a tariff card in the vehicle in such a manner that it is visible to passengers in the back seat and readable by them;
- (23) comply with the request(s) of the licensing officer when such request(s) are made in accordance with this By-law.

DRIVER'S PROHIBITIONS

50. No driver shall:

- (1) carry in any vehicle a greater number of passengers than is set out in the manufacturer's rating of seating capacity for such vehicle;
- (2) drive a taxicab or a limousine with luggage or other material therein obstructing the driver's view;
- (3) take, consume or have in the driver's possession any alcohol, drugs or intoxicants while operating a vehicle or working as a driver under this By-law, including prescription or non-prescription drugs that may inhibit the driver's ability to operate the vehicle safely;
- (4) use any tariff card, other than a tariff card issued by the licensing officer, or remove, exchange, lend or otherwise dispose of the tariff card;
- (5) take on additional passengers after the vehicle has departed with one or more passengers from any one starting point, except under the following circumstances:
 - (a) when done at the request or permission of a passenger who is sixteen years of age or older and who is already in the vehicle;
 - (b) in an emergency situation;
 - (c) when operating a vehicle which is being used for the transportation of children to and from school in accordance with the requirements of the Peel District School Board and/or the Dufferin-Peel Catholic School Board.
- (6) drive a vehicle which does not have an owner's plate issued under this By-law affixed thereto;
- (7) drive a vehicle belonging to an owner who is not an owner licensed under this By-law;
- (8) permit a passenger to stand in a taxicab or limousine while the vehicle is in motion;
- (9) be required to accept any order when the expenditure of money by the licensed driver is required on behalf of the passenger;
- (10) recommend hotels, restaurants or other like facilities unless asked to do so by the passenger;
- (11) smoke while operating the vehicle or while driving a passenger;
- (12) operate a taxicab when the taximeter has not been adjusted in accordance with the tariff, or when the operation has not been approved by the licensing officer;
- (13) operate a taxicab when the taximeter does not operate properly;

- (14) operate a taxicab without an owner's plate, side numbers and roof light affixed to the vehicle;
- (15) obstruct traffic while writing up his trip record, but each trip shall be completely recorded prior to the commencement of the next following trip;
- (16) induce any person to engage his or her vehicle by any misleading or deceiving statement or representation to that person about the location or distance of any destination named by that person;
- (17) receive any fare from any passenger which is greater or less than the fare authorized by this By-law, subject to an agreed flat rate as provided in this By-law and except for a tip, gratuity or credit card service charge;
- (18) receive any fare from any person where the driver has failed to display the tariff card;
- (19) make any charge for time lost through defects or inefficiency of the vehicle or the incompetence of the driver;
- (20) make any charge for the time elapsed due to early arrival of the vehicle in response to a call for the vehicle to arrive at a fixed time;
- (21) charge a tariff not in accordance with this By-law;
- (22) use or permit to be used a two-way radio or monitoring device in the vehicle that enables the driver to transmit or receive any frequency of an individual other than the licensed owner by whom he is employed or other than the licensed broker with whom he has a contract;
- (23) be actively affiliated with more than one licensed broker at any one time;
- (24) use or accept cellular telephone calls when engaged by a passenger, except in emergency situations;
- (25) fail to provide exact change to the passenger;
- (26) accept orders from the public directly via telephone or two-way communication system from the taxicab or limousine.

OWNER'S DUTIES

51. An owner licensed under this By-law shall keep the original or a photocopy of the original of each of the following documents at all times in the vehicle of which he or she is the owner:
 - (1) the current owner's licence issued under this By-law;
 - (2) a current Ministry of Transportation Passenger motor vehicle permit issued for that licensed vehicle; and
 - (3) the certificate of insurance for the vehicle, obtained in accordance with the requirements of this By-law.

52. An owner licensed under this By-law shall have, in or on the owner's vehicle:
 - (1) where the vehicle is a taxicab or a limousine, the owner's plate affixed to the left rear trunk, or at a location and in a manner approved by the licensing officer;
 - (2) where the vehicle is a taxicab, the owner's plate number for that vehicle displayed on both sides of the vehicle on the outside, in figures at least 20 centimetres (8") in height and of a contrasting colour to the vehicle, all to the approval of the licensing officer;
 - (3) a holder for the photograph and name of the driver with the photograph and name inserted and the holder affixed in such a manner that it is visible to passengers in the back seat and approved by the licensing officer;

- (4) a tariff card, where the vehicle is a taxicab, issued by the Licensing Officer, affixed in such a manner that it is visible to passengers in the back seat and approved by the licensing officer;
- (5) where the vehicle is a taxicab, a taximeter of a type approved by the licensing officer, and mounted in a position approved by the licensing officer, so that it is clearly visible to the passengers in the front and rear seats of the taxicab;
- (6) where the vehicle is a taxicab, an electrically illuminated roof sign displaying the name of the owner and telephone number of the dispatcher that is securely attached to the top of the taxicab in a manner approved by the licensing officer, wired to the taximeter and working in conjunction with the taximeter so that it is illuminated when the taximeter is in the vacant position.

53. An owner licensed under this By-law shall:

- (1) employ or use only the services of drivers who are licensed by the Town under this By-law;
- (2) maintain knowledge at all times of the identity of any person having custody or control of the owner's vehicle;
- (3) provide to the licensing officer and, where applicable, to any licensed broker with whom the owner may be associated, the name of the licensed driver operating the vehicle, within seventy-two (72) hours of the time when the licensed driver has commenced to operate said vehicle;
- (4) maintain an up-to-date list of all drivers operating vehicles for the owner, which list shall show the name, address, telephone number and current Town licence number of each driver which list shall be furnished to the licensing officer on request;
- (5) ensure that every person the owner 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 vehicle safely;
- (6) keep the interior and exterior of his or her vehicle clean, dry and in good repair, and whenever the owner is informed by either the driver, the licensing officer or a Police Officer that a vehicle is not in a fit or proper condition for use, forthwith remove the vehicle from service, and put the vehicle in a fit and proper condition;
- (7) retain trip records for each vehicle licensed showing the date, time, origin and destination of each trip, the name of the driver and licence number of the vehicle, for the current year and the previous year.
- (8) produce the trip record for inspection upon the request of the licensing officer, or a Police Officer, and give full information to the licensing officer, or Police Officer upon being requested to do so as to the place to or from which a driver has driven any passenger, with the description, name, address, if known, and every matter within the owner's knowledge relating to the passenger or the trip;
- (9) carry in the vehicle a full size spare tire, wheel and jack, which are ready for use;
- (10) ensure that the vehicle has seatbelts which are plainly visible to a passenger and in good working order;
- (11) ensure that the vehicle has a heater in good working order;
- (12) ensure that the vehicle has an emergency first aid kit and an emergency road kit;
- (13) provide on his own, or in conjunction with a licensed broker, a suitable office for the carrying on of the owner's business under this By-law;

- (14) provide, if the owner owns more than one vehicle licensed under this By-law, on his own, or in conjunction with a licensed broker, public telephone facilities and radio dispatching facilities maintained in proper working condition;
- (15) accept calls only in the name under which the owner holds a licence or in the name of the broker if the owner operates out of a Brokerage licensed under this By-law;
- (16) ensure that the taximeter seal required under this By-law is not removed or tampered with in any fashion;
- (17) comply with the request(s) of the licensing officer when such request(s) are made in accordance with this By-law.

OWNER'S PROHIBITIONS

54. No owner licensed under this By-law, shall:

- (1) permit his owner's plate to be used with respect to any other motor vehicle or vehicle, other than the vehicle for which the owner's plate was issued;
- (2) require or permit a driver of the owner's vehicle, to work when that person's ability to perform his or her duties is impaired by fatigue, illness or otherwise;
- (3) permit a vehicle of which he or she is the owner, to be operated with mechanical defects of which the owner is aware;
- (4) operate a vehicle or permit the owner's vehicle to be operated, without the issuance of an owner's plate for that vehicle under this By-law;
- (5) exhibit on, or about the vehicle any number, sign or card except one authorized under this By-law and his Provincial motor vehicle license plate;
- (6) put any name, address or telephone number or identification other than that of the owner or the broker with whom the owner is affiliated, on the vehicle roof sign;
- (7) operate or permit the vehicle to be operated in affiliation with a broker who is not licensed under this By-law;
- (8) display or permit the display of any advertisement on or in the vehicle except:
 - (a) one permanently attached exterior advertising sign not exceeding 36 cm x 51 cm (14" X 20") in size on each of the side panels of the front doors of the vehicle and on the rear trunk lid of the vehicle, such sign relating solely to the taxicab and/or limousine business of the owner, or affiliated broker;
 - (b) the roof sign as required under the By-law;
 - (c) one exterior advertising poster only, not exceeding 41 cm x 122 cm (16" X 48") in size placed at the rear end of the vehicle in such a way as not to obscure the vehicle's license plate or owner's plate, vision of the driver, such poster to be carried in a suitable rust and corrosion resistant frame;
 - (d) no advertisement shall be displayed on or about any vehicle until it has first been submitted to and approved by the licensing officer;
- (9) permit any person to drive a taxicab or limousine unless that person is licensed as a driver under this By-law;
- (10) operate a taxicab with missing hubcaps.

BROKER'S DUTIES

55. A broker licensed under this By-law shall:

- (1) provide and maintain in good condition telephone communications between the brokerage office and the public, and two-way communications between the brokerage office and the driver;
- (2) carry on business in a suitable office;
- (3) mount any two-way communications device used for dispatch purposes on the dashboard of the taxicab, within easy access of the driver;
- (4) provide for off-street parking for every vehicle for which the broker provides services and for each on-duty vehicle operating from the broker's dispatch;
- (5) require every owner who has entered into arrangements with the broker for the provision of brokerage services to use the same design, shape and colour scheme of roof sign, and to attach to each front door of the vehicle an identifying decal which shall include the name of the broker, in a form approved by the licensing officer, and shall produce and file a sample of the roof sign and identifying decal with the licensing officer;
- (6) give to the licensing officer a list of all vehicles in respect of which the broker has any arrangement or agreement for the accepting of calls for service, identifying such vehicle by the name of the owner and the number of the owner's plate and shall, within forty-eight (48) hours of any addition to or deletion from such list, advise the licensing officer in writing thereof;
- (7) provide the licensing officer with a list, showing in numerical order by owner's plate number, the name of every driver operating any vehicle with which the broker has entered into any arrangement for the provision of brokerage services;
- (8) in the case where a driver ceases to drive a vehicle due to the termination of any contract, agreement or arrangement, the broker and the owner shall notify the licensing officer within seventy-two (72) hours of the said termination;
- (9) keep a trip record for each vehicle dispatched, showing the date, time, origin, destination of each trip, the name of the driver and licence number of the vehicle;
- (10) retain the trip record for the current year and the previous year and produce trip record for inspection upon request by the licensing officer or a Police Officer;
- (11) give full information to the licensing officer or any Police Officer upon being requested to do so as to the place from which any person was driven and every matter within the broker's knowledge relating to the passenger or the trip;
- (12) upon request, inform any customer of the anticipated length of time required for a vehicle to arrive at the pick-up location;
- (13) when volume of business is such that service will be delayed to a prospective passenger, the broker shall inform the passenger of the approximate length of the delay before accepting the order;
- (14) dispatch a vehicle to any person requesting service within the Town, unless the person requesting service has not paid for a previous trip and these facts are verified by the broker;
- (15) file a list of the brokerage rules and procedures, including the terms and conditions of payment of drivers, with the licensing officer, and abide by them, and display the same list prominently in the brokerage office;
- (16) carry on business only in the name in which the broker is licensed;

- (17) maintain a log of all complaints and compliments received concerning taxicab and/or limousine service provided through that broker including, with respect to each complaint or compliment, the following information:
 - (a) name and driver's licence number of the driver involved;
 - (b) name of the person from whom it was received; and
 - (c) a brief description of the complaint or compliment made.
- (18) comply with the request(s) of the licensing officer when such request(s) are made in accordance with this By-law.

BROKER'S PROHIBITIONS

56. No broker licensed under this By-law shall:
 - (1) charge fees, or increase his fees to the driver unless the broker has first:
 - (a) submitted a notice of intent, in writing, to the licensing officer, at least one (1) month prior to the proposed effective date of any fees or increase in fees; and
 - (b) prominently displayed a copy of the notice of intent in the brokerage office for at least one (1) month prior to the proposed effective date of any fee or fee increase.
 - (2) implement any changes in the brokerage fees, rules and procedures displayed in the brokerage office until the change is first filed with the licensing officer;
 - (3) accept orders for, or in any way dispatch or direct orders to a vehicle licensed under this By-law when the activity would be illegal under another municipal by-law or other legislation;
 - (4) accept orders for, or in any way dispatch or direct orders to a vehicle, the owner of which is not licensed under this By-law, for a pick-up location within the boundaries of the Town;
 - (5) dispatch or direct orders for a parcel delivery to a driver unless the driver first consents to make the parcel delivery;
 - (6) enter into an agreement for the provision of brokerage services with a driver or owner who is already affiliated with another broker; and
 - (7) permit any person to drive a taxicab unless that person is licensed as a driver under this By-law.

PART 3 – VEHICLES

SEATING CAPACITY & NUMBER OF DOORS

57. A taxicab under this By-law shall have a manufacturer's rated seating capacity of not less than five (5) adult persons, and a minimum of four doors.
58. A limousine under this By-law shall have a manufacturer's rated seating capacity of not less than six (6) adult persons, shall have a minimum of four doors and a wheelbase of not less than 2.92 metres (114 inches).

MODEL YEAR RESTRICTION

59. An owner may use motor vehicles more than five (5) years old (calculated from the first day of January of the vehicle's model year) as a taxicab or limousine for an additional one (1) year period up to a maximum of eight (8) model years, provided that the licensing officer, after inspecting the said vehicle, is satisfied that the vehicle's interior is neat, clean and dry and in good repair, and that its exterior is

clean and in good repair, free from body damage and has a well maintained paint finish, and further that:

- (1) the motor vehicle has been submitted for semi-annual safety inspections by a licensed, qualified automobile mechanic and a valid safety standards certificate has been submitted to the licensing officer along with verification annually that the motor vehicle has passed a vehicle emissions test conducted pursuant to the Ontario Drive Clean program or any subsequent program;
 - (2) a written request giving a reasonable explanation for the extension; and
 - (3) payment of the appropriate fee as set in the Municipal Act Fees By-law, as amended.
60. No person may use a motor vehicle more than eight (8) years old, as calculated from the 1st day of January of the vehicle's model year, as a taxicab or limousine.
61. Notwithstanding any other provisions of this By-law, an owner may use a motor vehicle holding a valid Town of Caledon licence plate on 7 February 2006 as a taxicab or limousine for an additional one (1) year period up to a maximum of twelve (12) model years, provided that the licensing officer, after inspecting the said vehicle, is satisfied that the vehicle's interior is neat, clean and dry and in good repair, and that its exterior is clean and in good repair, free from body damage and has a well maintained paint finish, and further that:
- (1) the motor vehicle has been submitted for semi-annual safety inspections by a licensed, qualified automobile mechanic and a valid safety standards certificate has been submitted to the licensing officer along with verification annually that the motor vehicle has passed a vehicle emissions test conducted pursuant to the Ontario Drive Clean program or any subsequent program;
 - (2) a written request giving a reasonable explanation for the extension; and
 - (3) payment of the appropriate fee as set in the Municipal Act Fees By-law, as amended.

INSPECTION OF VEHICLES

62. 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 person 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 to the licensee and the documents are returned to the licensee within forty-eight (48) hours of removal.
63. A licensee shall, immediately on request of the licensing officer, produce the licensee's licence issued under this By-law and such other documentation required to be maintained under this By-law.
64. The licensing officer shall give notice to the licensed owner of one mandatory inspection a year for each vehicle that is licenced 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.
65. The licensing officer may require that the owner or driver submit the vehicle for a random inspection at a time and place specified by the licensing officer to verify compliance with the requirements of this By-law.
66. (1) If the owner or driver does not attend a mandatory inspection, or a random inspection, the owner or driver 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 owner's licence or driver's licence until the fee is paid and the vehicle has passed the mandatory inspection or random inspection.

67. For the purpose of an inspection required under this By-law, the owner of the vehicle shall submit the vehicle for inspection by the licensing officer during normal business hours.

TAXIMETER

68. An owner shall have affixed to each taxicab in respect of which such owner is licensed, a taximeter which shall register distances travelled, record trips and compute fares to be paid, and each taximeter shall be:
- (1) identified with a serial number;
 - (2) inspected and tested over a measured distance when required by the licensing officer;
 - (3) sealed by the licensing officer;
 - (4) illuminated between dusk and dawn;
 - (5) supported in a raised position on the dashboard and in plain view of the passengers;
 - (6) adjusted in accordance with the tariff to an accuracy within 100 meters on a measured kilometre and within 10 seconds over 3 minutes on waiting time charges and approved by the licensing officer; and
 - (7) kept in good working condition at all times and not used when defective in any way.
69. (1) The owner shall ensure that the licensing officer can seal the taximeter in any new vehicle that he intends to license as a taxicab.
- (2) No owner or driver shall operate a taxicab without a taximeter that has been sealed by the licensing officer.

DISPOSAL OF VEHICLE

70. When the licensed owner disposes of, or otherwise ceases to use a licensed vehicle as a taxicab or limousine, the owner shall immediately remove from the vehicle being disposed of:
- (1) the roof light;
 - (2) the taximeter;
 - (3) all identifying decals or markings;
 - (4) the owner's plate and any corresponding numbers related thereto that are displayed on the vehicle which plate shall be returned to the licensing officer; and
 - (5) all other items that make the vehicle appear to the public to be a taxicab and/or limousine.

TARIFF

71. A driver and owner shall charge a passenger only the rates as shown on the tariff card issued by the licensing officer.
72. Notwithstanding any other provisions of this By-law, when a taxicab driver picks up a passenger in a taxicab within the Town with a destination beyond the limits of the Town, the driver and the passenger may agree on a flat rate before the commencement of the trip, but the driver shall otherwise engage the taximeter while the taxicab is within the boundaries of the Town and charge the meter rate.

73. When the licensing officer has received three or more complaints stating that an owner or a driver has charged a passenger a fare other than the rates shown on the tariff card and the licensing officer has verified the complaints, the licensing officer may suspend or revoke the owner's licence or the driver's licence or both the owner's and driver's licences.

PART 4 – ACCESSIBLE TAXICABS

74. The licensing officer may issue accessible taxicab owner's licences to any person who meets the requirements of an owner under this By-law.
75. An applicant for an accessible taxicab owner's licence shall:
- (1) meet the requirements for an owner's licence under this By-law, and
 - (2) have received approval from the Ministry of Transportation under the *Highway Traffic Act*.
76. A driver of an accessible taxicab shall apply for and obtain a driver's licence. The licensing officer may issue accessible taxicab driver's licence to any person who meets the requirements of a driver under this By-law.
77. A licensed driver of an accessible taxicab shall:
- (1) serve the first person unable to board regular vehicles due to a physical disability requesting the service of his or her vehicle at any place within the Town, at any time of day or night;
 - (2) offer such assistance as required to facilitate the entry or exit of a physically disabled person into or out of an accessible taxicab;
 - (3) where a wheelchair is being used by a passenger, secure the wheelchair in the area so provided so that the wheelchair is prevented from moving when the accessible taxicab is in motion; and
 - (4) ensure that the seatbelt is properly secured.

PART 5 - LIMOUSINES

78. A limousine driver or owner shall provide limousine service only on a prearranged basis.
79. No owner or driver of a limousine shall:
- (1) solicit fares or hold himself out as being available to service fares in any public place;
 - (2) affix a taximeter to his limousine or permit a taximeter to remain in his limousine while it is available for service or otherwise in use as a limousine;
 - (3) drive or operate a limousine which is equipped with a taximeter;
 - (4) drive operate a limousine which is equipped with radio dispatching equipment;
 - (5) display or permit the display of any advertisement on or in his limousine;
 - (6) display or permit the display of, on or in his limousine any light, sign, notice, writing, other advertisement or thing which indicates to the public that the limousine is other than a private automobile; and
 - (7) in any advertisement made or permitted to be made by him, use or permit the use of the words "taxi", "taxicab" or any other word or words which indicate that the limousine is a taxicab or is available for use as a taxicab.
80. The rate, fare, fee or charge for the conveyance of passengers by a limousine shall be as agreed upon at the time of hiring of the limousine.

PART 6 – GENERAL PROVISIONS

81. (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 or she 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.
82. (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.
83. (1) Notwithstanding the fees as set out in Schedule E of the Municipal Act Fees By-law, effective 21 February 2006, the applicant for the renewal of an owner's licence who holds a valid owner's licence on 7 March 2006 shall pay a fee of \$173.00 for the renewal of the licence.
- (2) Section 84(1) shall be effective only in 2006.
- (3) Section 84 (3) does not relieve the applicant from paying any other applicable charge or charges other than the licence renewal fee.
84. This by-law shall be known as the Taxicab and Limousine Licensing By-law.
85. 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.
86. By-law 2006-17 be and the same is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME

AND PASSED IN OPEN COUNCIL

THIS 7TH DAY OF MARCH 2006

Marolyn Morrison, Mayor

Cheri Cowan, Clerk

Schedule A
To the Taxicab and Limousine Licensing By-law

HST is included in all rates.

Distance - Effective August 16, 2011

Drop Rate: \$4.00
For each additional kilometer: \$2.00

Waiting Time - Effective August 16, 2011

For each minute of waiting time while engaged: 0.40
For each hour of waiting time while engaged: 24.00

Reduction for Senior Citizens – Effective August 16, 2011

10% upon proof of age (60 years of age or older) on fares over \$6.00. Flat rate trips not included.

Wheelchairs, walkers, etc. accompanying passengers No charge