

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO. 1757-2006

A BY-LAW TO LICENCE, REGULATE AND GOVERN TAXICAB, LIMOUSINE BUSINESSES AND DELIVERY BUSINESSES REGULARLY USED FOR HIRE, THEIR OWNERS AND OPERATORS IN THE COUNTY OF PRINCE EDWARD.

WHEREAS Section 150 of the Municipal Act, 2001, S.O. 2001, c.25, as amended provides that a municipality may licence, regulate and govern any business wholly or partly carried on within the municipality; and

WHEREAS Section 155(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, states that a by-law passed under Section 150 for licencing, regulating and governing owners and operators of Taxicabs and limousines may establish the rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality, provide for the collection of the rates or fares, charged for the conveyance and limit the number of Taxicabs or any class of them; and

WHEREAS Council deems it necessary and appropriate to licence, regulate and govern Taxicabs, Limousine Businesses and other vehicles used for hire to ensure they are operated and maintained in a safe, equitable and sanitary fashion;

NOW THEREFORE the Council of the Corporation of the County of Prince Edward enacts as follows:

1. **Title of By-law**

This By-law may be cited as the "Taxicab By-law for the Corporation of The County of Prince Edward."

2. **Purpose of this By-law**

The purpose of this By-law is:

- (a) to ensure that taxicabs used to transport members of the public in the County of Prince Edward are mechanically fit and that they operate in a safe and efficient manner;
- (b) to enhance public safety by ensuring that only experienced and competent operators of good character are licenced as taxicab operators; and
- (c) to provide that the fares and rates are being regulated to protect the consumers by ensuring that fares and rates charged are fair to the public yet making it possible for the owners of taxicabs to properly operate and maintain their vehicles.

3. **Definitions and Interpretation**

"**APPLICANT**" includes a person seeking a licence, or renewal of a licence or a person whose licence is being considered for revocation or suspension.

"**ACCESSIBLE TAXICAB**" shall mean any taxicab equipped so that it may be used as a means of transportation for people with physical disabilities.

"**BUSINESS**" means a trade that requires a licence pursuant to the by-law, whether or not a licence has been issued or maintained for that business.

"BY-LAW" means this by-law, as it may be amended from time to time. The schedules attached to the by-law are considered integral parts of it.

"BY-LAW ENFORCEMENT OFFICER" shall mean the By-Law Enforcement Officer / Provincial Offences Officer appointed by by-law by the Council of the Corporation of the County of Prince Edward.

"CALL" within this meaning of the by-law shall include a request or direction for the use of a taxicab or delivery vehicle, transmitted by radio or radio-phone, or by personal request of a prospective passenger, or in any other manner.

"CHIEF BY-LAW ENFORCEMENT OFFICER" shall mean the Chief By-Law Enforcement Officer appointed by Council of the Corporation of the County of Prince Edward.

"COUNCIL" means the elected municipal council for the Corporation of the County of Prince Edward.

"DELIVERIES" (see goods)

"FARES / RATES" shall mean the cost of any employment or engagement of taxicab operator, taxicab, or combination thereof, for profit or gain or any fee charged through a dispatch brokerage.

"GOODS" shall be defined as consumable goods delivered by vehicles and persons for hire in response to a call.

"HIGHWAY" includes a common or public highway, 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.

"LICENCE" shall mean a licence to operate a business issued pursuant to this by-law.

"LIMOUSINE" means a motor vehicle kept or used for hire for the conveyance of passengers by reservation only and solely on an hourly basis, which has seating for no more than the manufacturer's specified number of passengers and a sufficient number of seatbelts for each operator and passenger, and shall not include a taxicab.

"MECHANICAL FITNESS CERTIFICATE" means a certificate as defined in the regulations of the Highway Traffic Act, R.S.O. 1990, c.H.8.

"MUNICIPALITY" shall mean the Corporation of the County of Prince Edward.

"OPERATOR" is a person with care and control of a business at any given point of time, with authorization of the owner of the business. The terms "Operate", "Operation" and words of like import or intent have corresponding meanings.

"OWNER" is a person with legal title to real or personal property of a taxicab or limousine business, including a motor vehicle. The terms "Own", "Ownership", "Operation" and words of like import or intent have corresponding meanings.

"PASSENGER" means any person in a taxicab or limousine except a taxicab operator.

"PERSON" shall mean any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and any heirs, executors, successors, assigns or other legal representatives of a person to whom a contract can apply according to law.

"POLICE" means the Chief of Police or other designated officer in charge of a police service within the County of Prince Edward, or his or her delegate.

"ROOF SIGN" shall mean a light affixed to the roof of the taxicab vehicle indicating taxi business and number.

"SCHEDULE" means a schedule in this by-law.

"TAXICAB" means a motor vehicle kept or used for hire for the conveyance of passengers or goods which has seating for no more than the manufacturers specified number of passengers and a sufficient number of seatbelts for each taxicab operator and passenger and shall not include a limousine.

"TAXICAB OPERATOR" means a operator of a taxicab, limousine or other vehicle used for hire licenced under this by-law and shall include owners, operators and brokers.

"TAXICAB FARE RATE SCHEDULE" shall mean a flat rate charged by a taxicab operator pursuant to the provisions of the by-law.

"TAXICAB METER" means a device or instrument affixed to a taxicab which measures mechanically or electronically, the distance driven and the time waiting upon which a fare is based, and which computes the amount of the fare chargeable for any trip for which a fare is chargeable.

"TAXICAB OPERATOR" shall mean any person of a taxicab who is licenced as such under this by-law, and includes an owner who drives a taxicab.

"TAXICAB OPERATOR'S IDENTIFICATION CARD" shall mean a photo identification worn by all licenced taxicab operators in a visible manner to all passengers stating their name and the owner who owns the taxicab.

"TAXICAB OPERATOR'S LICENCE" shall mean a licence issued pursuant to the provisions of this by-law which permits a person to operate a taxicab in the County of Prince Edward.

"TAXICAB OWNER" shall mean any person who is registered with the Ministry of Transportation for the Province of Ontario as the owner of a motor vehicle which may be used as a taxicab.

"TAXICAB OWNER'S LICENCE" shall mean a licence authorized pursuant to the provisions of this by-law for a taxicab owner.

"TAXI PLATE" means a metal plate issued by the County of Prince Edward to each taxicab and limousine or other vehicle used for hire.

"TRADE" includes a business, calling or occupation and "carrying on a trade" includes any act of:

- (a) selling any goods or services; or
- (b) soliciting business or offering or exposing goods or services for sale or hire.

"VEHICLE" means a taxicab or limousine or other vehicle used for hire as defined by this by-law.

APPLICATION OF BY-LAW

4. Licencing Requirements

- (a) No person shall use or permit the use of a motor vehicle in the County of Prince Edward for the purpose of providing transportation to the public or for delivery of goods to the public, for financial gain, reward or compensation unless a licence has been issued for the vehicle pursuant to the provisions of this by-law.
- (b) No person shall drive a taxicab or limousine unless a licence herein referred to as a taxicab operator's licence has been issued to that person pursuant to the provisions of this by-law.
- (c) No person shall permit a taxicab, limousine or any other motor vehicle owned or leased by that person to be operated as a taxicab or limousine unless the person operating the vehicle has a current valid taxicab operator's licence issued pursuant to the provisions of this by-law.
- (d) No person shall drive or operate a vehicle marked or identified as a taxicab without a current valid taxicab licence.
- (e) No licences pursuant to this by-law shall be required for the operation of a taxicab, limousine or accessible taxicab used for hire within the County of Prince Edward provided such taxicab, limousine or other vehicle used for hire and their operators are licenced by another municipality, and are operating for the sole purpose of discharging a passenger who was picked up outside the County of Prince Edward.

5. Duties of the Chief By-Law Enforcement Officer

The Chief By-Law Enforcement Officer is responsible for the administration and enforcement of the provisions of this by-law and his or her duties include, but are not limited to:

- (a) receiving, reviewing and issuing all applications for taxicab owners licences, taxicab operators licences, limousine owners licences and applications to transfer licences;
- (b) keeping and maintaining a register of all taxicab owners licences, limousine owners licences, taxicab operators licences and any transfer of any taxicab owners licence which shall include the name of the owners of taxicabs, the vehicle make and the vehicle identification number of the vehicle for which the taxicab owners licence or limousine owners licence is issued;
- (c) receiving and reviewing any complaint from any person regarding a taxicab, taxicab operator, or taxicab or limousine owner and, at the request of Council, to prepare a report regarding any such complaint for the consideration of Council;
- (d) issuing all licences as may be authorized;
- (e) enforcing the provisions of this by-law in such a manner as the Chief By-Law Enforcement Officer considers advisable.

6. Liability Insurance

- (a) Every taxicab owner who makes an application for a taxicab owner's licence pursuant to the provisions of this by-law or who receives a taxicab licence from the Chief By-Law Enforcement Official pursuant to this by-

law shall carry liability insurance with a company authorized to issue indemnity policies in the Province of Ontario. Such insurance shall:

- (i) be valid for a period of time that extends to or beyond the expiry of the current taxicab owners licence;
 - (ii) insure the taxicab licensee in the amount of \$2,000,000.00 against liability in respect of any accident arising out of the operation of the vehicle for which the application is being made or for which the taxicab licence has been issued;
 - (iii) cover loss or damage resulting from bodily injury to or death of one or more persons and loss or damage to property regardless of the number of claims arising from any one accident and including passenger hazard;
 - (iv) contain a clause specifying that the insurer which is insuring the taxicab licensee shall, fifteen (15) days prior to the cancellation of any policy issued by it, notify the Chief By-Law Enforcement Officer by registered mail of its intention to cancel or not renew the said policy.
- (b) Every taxicab owner who makes an application for a taxicab owners licence or transfer of such licence pursuant to the provisions of this by-law or who receives a taxicab owners licence from the Chief By-Law Enforcement Officer pursuant to this by-law shall file proof of such insurance with the Chief By-Law Enforcement Officer.
- (c) Every taxicab owner who receives a taxicab owners licence from the Chief By-Law Enforcement Officer pursuant to this by-law shall ensure that such insurance policy is kept in force during the periods for which it or any renewal thereof is in effect and should the policy not be kept in force for any reason whatsoever, the Council may cancel the taxicab licence forthwith.
- (d) Every limousine owner who makes an application for a limousine owners licence pursuant to the provisions of this by-law or who receives a limousine licence from the Chief By-Law Enforcement Official pursuant to this by-law shall carry liability insurance with a company authorized to issue indemnity policies in the Province of Ontario. Such insurance shall:
- (i) be valid for a period of time that extends to or beyond the expiry of the current limousine owners licence;
 - (ii) insure the limousine licensee in the amount of \$2,000,000.00 against liability in respect of any accident arising out of the operation of the vehicle for which the application is being made or for which the limousine licence has been issued;
 - (iii) cover loss or damage resulting from bodily injury to or death of one or more persons and loss or damage to property regardless of the number of claims arising from any one accident and including passenger hazard;
 - (iv) contain a clause specifying that the insurer which is insuring the limousine licensee shall, fifteen (15) days prior to the cancellation of any policy issued by it, notify the Chief By-Law Enforcement Officer by registered mail of its intention to cancel or not renew the said policy.
- (e) Every limousine owner who makes an application for a limousine owners licence or transfer of such licence pursuant to the provisions of this by-law

or who receives a limousine owners licence from the Chief By-Law Enforcement Officer pursuant to this by-law shall file proof of such insurance with the Chief By-Law Enforcement Officer.

- (f) Every limousine owner who receives a limousine owners licence from the Chief By-Law Enforcement Officer pursuant to this by-law shall ensure that such insurance policy is kept in force during the periods for which it or any renewal thereof is in effect and should the policy not be kept in force for any reason whatsoever, the Council may cancel the limousine licence forthwith.
- (g) Every delivery vehicle owner who makes an application for a delivery owner vehicle licence pursuant to the provisions of this by-law or who receives a delivery vehicle owners licence from the Chief By-Law Enforcement Officer pursuant to this by-law shall carry commercial liability insurance with a company authorized to issue indemnity policies in the province of Ontario. Such insurance shall:
 - (i) be valid for a period of time that extends to or beyond the expiry of the current delivery vehicle owners licence;
 - (ii) insure the delivery vehicle licensee against liability in respect of any accident arising out of the operation of the vehicle for which the application is being made or for which the delivery vehicle licence has been issued;
 - (iii) cover loss or damage resulting from bodily injury to or death of one or more persons and loss or damage to property regardless of the number of claims arising from any one accident and including passenger hazard;
 - (iv) contain a clause specifying that the insurer which is insuring the delivery vehicle licensee shall, fifteen (15) days prior to the cancellation of any policy issued by it, notify the Chief By-Law Enforcement Officer by registered mail of its intention to cancel or not renew the said policy.
- (h) Every delivery vehicle owner who makes an application for a delivery vehicle owners licence or transfer of such licence pursuant to the provisions of this by-law or who receives a delivery vehicle owners licence from the Chief By-Law Enforcement Officer pursuant to this by-law shall file proof of such insurance with the Chief By-Law Enforcement Officer.
- (i) Every delivery vehicle owner who receives a delivery vehicle owners licence from the Chief By-Law Enforcement Officer pursuant to this by-law shall ensure that such insurance policy is kept in force during the periods for which it or any renewal thereof is in effect and should the policy not be kept in force for any reason whatsoever, the Council may cancel the delivery vehicle licence forthwith.

7. **Number of Taxi Plates Issued**

Not more than thirty (30) taxicab licences shall be issued for the County of Prince Edward. Not more than ten (10) licences shall be granted to any one company.

8. **Taxicab Owner, Limousine Owner and Taxicab Operator Licence Expiration:**

- (a) Every licence for a taxicab owner, limousine owner or taxicab operator issued under the provisions of this by-law shall, unless sooner revoked or cancelled, expire on the 30th day of September next date of issue thereof.

- (b) A separate taxicab owner's licence is to be obtained for each taxicab. The licence fees are to be paid as follows:
- (i) for each taxicab, created or added to the business, an entry fee for a new licence as per Schedule 'E' shall be paid and a renewal fee shall be paid annually thereafter as per Schedule 'E' attached;
 - (ii) An owner who sells, exchanges or otherwise disposes of a taxicab shall ensure that replacement vehicles meet all taxicab criteria contained in this by-law before operating the vehicles. The replacement fee for transfer from one motor vehicle to a replacement motor vehicle as outlined in Schedule 'E' attached hereto shall be paid before operation of the vehicle is permitted. The criteria to be met for a licence transfer from one motor vehicle to a replacement motor vehicle shall include all the items listed in Section 12 of this by-law with the exception of Sections 12(a) vii, viii, and x.
- (c) Every person licenced under this by-law shall upon changing his or her address, notify the Chief By-Law Enforcement Officer within (30) days and provide a new address.

9. **Photograph**

The Licencing Officer or designate shall take a photograph of every applicant, which shall be filed with the Licencing Office and upon application for renewal of licence, the applicant shall attend for a new photograph if so required to do so by the Municipality.

10. **Taxi Operators Identification**

No person shall operate a vehicle or permit a vehicle to be operated without displaying a current taxicab operator information card contained in a holder provided by the County of Prince Edward in the interior of the vehicle and in such a position as to be fully visible to all passengers at all times.

11. **Disclosure of Private Information**

It shall be a condition of every licence that an owner or operator shall consent to the disclosure of all records and personal information with respect to any licence application, approval, refusal or revocation to any law enforcement agency, provincial ministry, federal department, agency, board or commission thereof or any other municipality, pursuant to the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.m.56,s.32.

12. **Application for Taxicab or Limousine Owner's Licence**

- (a) Any person who desires to obtain a taxicab owner's licence or limousine owner's licence shall submit an application form as set out on Schedule 'A' attached to this by-law together with the following information:
- (i) The name, address and telephone number of the owner and / or lessor of the vehicle, if not the applicant.
 - (ii) A copy of a current permit issued pursuant to the provisions of Section 7 of the Highway Traffic Act R.S.O. 1990, Chap. H8 as amended.
 - (iii) The licence plate number of the vehicle.

- (iv) A Certificate of Mechanical Fitness issued by a duly qualified and licenced mechanic certifying that the vehicle is mechanically fit. This certificate must be dated within fifteen (15) days of the date of the application.
- (v) Proof of Insurance and details of insurance in accordance with this by-law.
- (vi) The make, model, year and seating capacity of the motor vehicle for which the licence is sought.
- (vii) A criminal records check from a Police Service Board.
- (viii) A pardon or a completed application for a pardon with applicable fees if the applicant has a prior criminal record.
- (ix) The manufacturer's vehicle identification number that is permanently affixed to the vehicle.
- (x) The licence fee as set out on Schedule 'E' in cash or certified cheque payable to the Corporation of the County of Prince Edward, which shall be a non-refundable fee for the application.
- (xi) A Taxi/Limousine Inspection Report compiled by the By-Law Enforcement / Provincial Offences Officer(s), verifying compliance of the vehicle within the parameters of this by-law.

13. Application for Taxicab Operator's Licence

- (a) Any person who desires to obtain a taxicab operator's licence to operate a motor vehicle as a taxicab or limousine within the County of Prince Edward shall submit an application form as set out on Schedule "B" attached to this by-law, together with the following information:
 - (i) Proof of work status (birth certificate, work permit, passport or Canadian citizenship).
 - (ii) A photocopy of his/her valid Ontario Operator's licence.
 - (iii) A Criminal Records Check from a Police Service Board.
 - (iv) A pardon or a completed application for a pardon with applicable fees if the applicant has a prior criminal record.
 - (v) A Ministry of Transportation Driver's Abstract.
 - (vi) Two (2) recent color photographs of themselves, two inches by two inches.
 - (vii) The licence fee as set out on Schedule 'E' in cash or certified cheque payable to the Corporation of the County of Prince Edward, which shall be a non-refundable fee for the application.
- (b) All applications for licences, transfers of licences, or renewal of licences shall be addressed to the Chief By-Law Enforcement Officer and delivered upon such forms as may be prescribed in this by-law together with payment of the appropriate licence fees and proof of a valid insurance policy where requested by the by-law.

14. **Licencing Provisions**

An applicant is entitled to be licenced and a licensee is entitled to have such licence renewed, except where:

- (a) the past conduct of the applicant or licensee affords reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which the applicant is licenced in accordance with law and with integrity and honesty; or
- (b) the issuance of the licence or renewal of the licence would be contrary to the public interest; or
- (c) the applicant or licensee is carrying on activities that are, or will be, if the applicant is licenced, in contravention of this by-law; or
- (d) there are reasonable grounds for belief that the premises, accommodation, equipment, vehicles or facilities in respect of which the licence is required do not comply with the provisions of this by-law or other applicable law; or
- (e) where the applicant or licensee is a corporation;
- (f) the past conduct of the officers or directors affords reasonable grounds for the belief that the applicant or licensee will not carry on the activity for which the applicant is to be licenced in accordance with law and with integrity and honesty; or
- (g) the issuance of the licence or renewal of the licence would be contrary to the public interest.

15. **Refusal to Issue or Revocation/Suspension of a Licence**

- (a)
 - (i) Where the Chief By-Law Enforcement Officer believes that the applicant or licensee, would be disentitled to a licence or a renewal thereof for any of the reasons set out in this by-law, the Chief By-Law Enforcement Officer shall not issue the licence.
 - (ii) Where, pursuant to s.(i) above, a licence has not been issued, the Chief By-Law Enforcement Officer shall recommend to Council that Council shall refuse to issue or refuse to renew the licence, or that Council suspend or revoke the licence, or recommend that a licence be issued subject to terms and conditions.
- (b) Council may revoke, suspend or refuse to renew a licence:
 - (i) where the licensee would not qualify for a licence or would be disentitled to a renewal of a licence on the grounds set out in this by-law; or
 - (ii) where the licensee has been the subject of repeated, established complaints regarding the operation of the business; or
 - (iii) where the licensee has been found by the Chief By-Law Enforcement Officer to be operating more vehicles than the licensee has plates for; or
 - (iv) where the licensee has been found by the Chief By-Law Enforcement Officer to have failed to comply with any of the provisions of this by-law; or

- (v) where information provided in an application is found to be incorrect or in error; or
 - (vi) where an applicant is found to have lied or have been misleading about a material aspect or their application; or
 - (vii) where insurance coverage is cancelled or not available for a taxicab; or
 - (viii) where a taxicab owner goes bankrupt; or
 - (ix) where a taxicab owner or operator is convicted of an indictable offence under the Criminal Code; or
 - (x) where a taxicab owner or operator ceases to be in operation for more than sixty (60) days; or
 - (xi) where the taxicab owner has failed to submit a taxicab for inspection as required from time to time; or
 - (xii) where the taxicab or limousine has been found to be in an unsafe or hazardous condition following an inspection.
- (c) Before Council refuses to issue or refuses to renew a licence, or revokes or suspends or cancels a licence, a written notice advising the applicant or licensee of the recommendation being made by the Chief By-Law Enforcement Officer to Council with respect to the licence shall be given to the applicant or licensee by the Chief By-Law Enforcement Officer.
- (d) The written notice shall:
- (i) set out the grounds for the recommendation;
 - (ii) give reasonable particulars of the grounds for the recommendation;
 - (iii) be signed by the Chief By-Law Enforcement Officer; and
 - (iv) inform the applicant or licensee that they are entitled to a hearing before Council, if they deliver, within ten (10) days after the date of service of the written notice, or the date of personal service of the written notice, whichever is later, a written request for a hearing before Council.
- (e) On receipt of a written request for a hearing from an applicant or licensee, the Chief By-Law Enforcement Officer shall advise Council and request that Council convene a meeting and shall give the applicant or licensee reasonable written notice thereof.
- (f)
- (i) The applicant or licensee shall have the right to make submissions in support of an application or renewal or retention of a licence at such hearing.
 - (ii) When the applicant does not attend at the proper time and place, Council may proceed with the hearing in the applicant or licensee's absence and the applicant or licensee shall not be entitled to any further notice of the proceedings.
- (g) At the conclusion of the hearing the Chief By-Law Enforcement Officer shall, as soon as practicable, prepare a written report of the hearing, which shall summarize the evidence and the arguments presented by the parties to the hearing, set out the findings of fact and the decisions made by Council and set out the reasons for the decision.

16. **Transfer of Licences**

- (a) No taxicab operator's licence shall be transferred.
- (b) No taxicab owner's licence that has been issued pursuant to the provisions of this by-law shall be transferred to any other person, corporation, business or association without approval of Council.
- (c) Any person to whom an existing taxicab owner's licence is being transferred shall make an application for such licence and comply with all requirements as set out in this by-law.
- (d) No person shall enjoy a vested right in the continuance of a taxicab licence plate, or taxicab operator's licence, and upon the issue, renewal, transfer, cancellation or suspension thereof the value of a licence shall be the property of the Corporation of the County of Prince Edward. Upon revocation or suspension of a licence, the Corporation of the County of Prince Edward has no obligation to refund the value of the licence or any portion thereof.

17. **Taxicab Operator**

Every person licenced as a taxicab operator under this by-law shall:

- (a) Place their current taxicab operator's identification card in the holder provided by the taxicab owner so that it may be conveniently seen and read by passengers.
- (b) Travel by the most direct route to the point of destination, unless otherwise directed by the person engaging the taxicab.
- (c) While driving his or her cab, shall be properly dressed, neat and clean in his or her person, and be civil and well behaved.
- (d) Ensure that his or her vehicle is clean, neat and tidy and suitable for carrying passengers according to this by-law.
- (e) Not carry in any taxicab or limousine used for hire a greater number of occupants or persons than the manufacturer's rating of seating capacity of such vehicle.

18. **Inspections**

The Licencing Officer, or By-Law Enforcement Officer, Municipal Law Enforcement Officer, Chief By-Law Enforcement Officer, Police, MTO Inspectors or any other persons acting under those persons or any person authorized by Council may at reasonable times during business hours and upon producing proper identification, inspect any vehicle licenced or submitted for licencing under this by-law.

If any inspection, at any time, results in a taxicab or limousine or accessibility taxicab used for hire being found to be in an unsafe or hazardous condition, the inspector shall immediately remove the taxi plate from the vehicle and inform the owner that the vehicle has been found to be unsafe or hazardous.

19. **No Obstructions**

No person shall obstruct, hinder or interfere in any way with any person designated to enforce this by-law.

20. **Posting of Taxi Plates**

Where a licensee is issued a taxi plate obtained under this by-law, the licensee shall securely affix the taxi plate to the right rear end of the designated taxicab or affix it to the licence plate at a location clearly visible to any person located behind the taxicab.

21. **Vehicle Requirements**

- (a) No owner or operator shall permit any vehicle to be used as a taxicab or limousine within the County limits unless the vehicle is in proper working order, meets all provincial safety certification standards and has a current licence issued by the Province of Ontario.
- (b) No owner or operator shall permit any vehicle to be used as a taxicab or limousine within the County limits unless the vehicle has had a Mechanical Fitness Certificate issued for the vehicle within the previous six (6) month period.
- (c) No owner or operator shall permit a taxicab to operate within the County of Prince Edward without being equipped with a roof sign in place on the roof of the taxicab, which shall:
 - (i) display the taxicab business's identification with lettering which is visible to the public;
 - (ii) be connected in such manner as to be extinguished when the taxicab is in service.

TAXICAB FARE RATES

22. **Tariff of Fees**

- (a) No owner or operator shall permit a taxicab to operate within the County without being equipped with a current tariff of fees, issued by the County of Prince Edward, with rates as set out in Schedule E, affixed to the interior of the vehicle so as to be visible to all passengers.
- (b) Limousine owners and delivery vehicle owners shall set their own tariff of fees and shall post these in the vehicles.
- (c) No owner or operator licenced under this by-law shall publish or use a tariff or demand or receive rates and charges greater than those authorized by this by-law.
- (d) No taxicab owner or operator licenced under this by-law shall be entitled to receive or recover any fare or charge from any person that is greater than the fares authorized by this by-law.
- (e) No licenced person shall make any charge under this by-law for time lost for defects or efficiency of the taxicab, or the competency of the operator thereof, or for lost time consumed by the arrival of the taxicab in response to a call in advance of the time such taxicab has been requested.
- (f) Every taxicab owner shall ensure that each taxicab licenced under this by-law shall contain an approved first aid kit and fire extinguisher, as well as a child safety seat that meets CAN standards.

23. **Alternative Rate Fares**

- (a) A taxi cab owner or taxi cab operator may charge a flat rate in certain circumstances. This rate is to be determined by the specific cab owner for

the trip traveled and revealed to or negotiated with the person intending to hire the taxi before use.

- (b) The flat rate shall only be charged in the following cases:
 - (i) transportation of physically challenged persons in taxis equipped with accessibility equipment;
 - (ii) contracts with service agencies and school boards;
 - (iii) for transportation to and from outside the County of Prince Edward;
 - (iv) Tariff of Fees shall be posted in accessibility equipped vehicles.

24. **Enforcement / Applicability – General**

- (a) If any provision or requirement of this by-law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this by-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable shall not be affected thereby and it is hereby declared to be the intention of the Council that each provision and requirement of this by-law shall be separately valid and enforceable to the fullest extent permitted by law.
- (b) Every taxicab licensee or taxicab operator licensee shall, prior to being issued a taxicab licence or taxicab operator's licence pursuant to the provision of this by-law, execute and agreement whereby the said taxicab licensee or taxicab operator licensee agrees to indemnify and save harmless the Corporation of the County of Prince Edward from any loss, damage, injury or claim whatsoever that may arise out of the operation of the cab in the form as set out on Schedule 'D' to this bylaw.
- (c) That Schedules 'A,' 'B', 'C', 'D' and 'E' shall form part of this by-law, entitled as follows:
 - (i) Schedule 'A' - Taxi Cab Owner's Licence Application
 - (ii) Schedule 'B' - Taxi Cab Operator's Licence Application
 - (iii) Schedule 'C' - Waiver of Liability
 - (iv) Schedule 'D' - Licence and Other Fees
 - (v) Schedule 'E' - Tariff of Fees

25. **Offences/Penalties**

Any person who contravenes any portion of this by-law is guilty of an offence and upon conviction is liable to such fines and other penalties as provided for under the Provincial Offences Act, R.S.O. 1990, c.P-33, as amended.

26. **Repeal**

The following by-laws are here by rescinded:

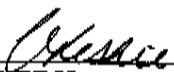
- (a) Corporation of the County of Prince Edward By-Law 1612-2005;
- (b) Corporation of the County of Prince Edward By-Law 1386-2004;
- (c) Corporation of the County of Prince Edward By-Law 1310-2004;

(d) Corporation of the County of Prince Edward By-Law 1168-2003

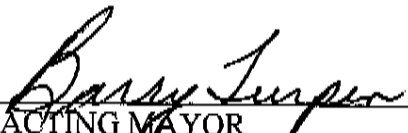
27. **Effective Date**

This By-law shall come into force and take effect on the date of its passing.

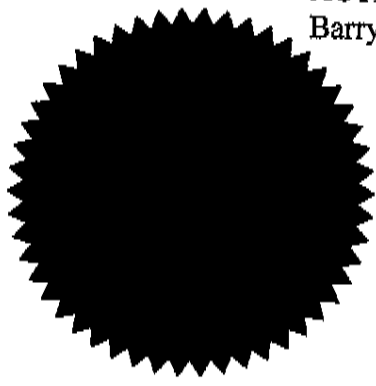
Read a first, second and third time and finally passed this 26th day of June, 2006.



CLERK
Victoria Leskie



ACTING MAYOR
Barry Turpin



**THE CORPORATION OF
THE COUNTY OF PRINCE EDWARD
TAXI CAB, LIMOUSINE, AND DELIVERY VEHICLE OWNER'S
LICENCE APPLICATION**

SCHEDULE "A" TO BY-LAW NUMBER 1757-2006

NEW RENEWAL (Circle One) Date: _____

Applicant Name: _____

Name of all other owners and interest of each:

Name and style of Applicant's Business: _____

Business Address: _____
_____ Business Licence No. _____

Insurance on listed cars fully covered as required and set out in the bylaw governing taxicabs for hire within the County of Prince Edward.

Name of Insurance Company: _____

Agent: _____

Policy Number: _____ Expiry Date: _____

I, We _____ hereby certify that the above information is correct.

Applicant: _____

Applicant: _____

Vehicle Owner (if necessary): _____

Description of Vehicle				Cab Licence No.	
MAKE	YEAR	MODEL	COLOUR	PLATE NO.	VIN

Seating Capacity: _____ Accessible Vehicle: Yes / No

Replacement Vehicle				Cab Licence No.	
MAKE	YEAR	MODEL	COLOUR	PLATE NO.	VIN

Seating Capacity: _____ Accessible Vehicle: Yes / No

If vehicle not owned by applicant, please provide the following:

Owner's Name: _____ Telephone: _____

Address: _____

Criminal Record Declaration or Charges Pending.

**THE CORPORATION OF
THE COUNTY OF PRINCE EDWARD
APPLICATION FOR TAXI OPERATOR'S LICENCE FOR _____**

SCHEDULE "B" TO BY-LAW NUMBER 1757-2006

NEW RENEWAL (Circle One) Date: _____

NOTE: In order to submit this application you must provide copies of:

- * Proof of work status (i.e. Social Insurance Card, Birth Certificate, work permit, Passport or Canadian Citizenship)
- * Valid Ontario Driver's Licence
- * Criminal Records Check or Federal Pardon (No more than thirty (30) days old)
- * Ontario Ministry of Transportation Driver's Abstract (No more than thirty (30) days old)
- * Two passport type photos two (2) inches by two (2) inches
- * All applications must be properly commissioned prior to submission.

Name of Applicant: _____

Address of Applicant: _____

SIN No.: _____ Driver's Licence No.: _____

Date of Birth: _____ Telephone No.: _____

For Office Use Only

Criminal Records	MTO Driver's Abstract

Taxi Operator's Licence No.: _____

Criminal Record Declaration and Charges Pending

**THE CORPORATION OF
THE COUNTY OF PRINCE EDWARD**

WAIVER OF LIABILITY

SCHEDULE "C" TO BY-LAW NUMBER 1757-2006

The undersigned taxicab licensee or taxicab operator licensee, limousine licensee or delivery vehicle licensee hereby covenants and agrees to indemnify and save harmless the Corporation of the County of Prince Edward from and against all actions, causes of action, losses, liens, damages, suits, judgments, orders, awards, claims and demands whatsoever, whether the same shall be with or without merit, and from all costs to which the Corporation of the County of Prince Edward may be put in defending or settling any such action causes of actions, suits, claims or demands which may arise either directly or indirectly by reason of or as a consequence of or in anyway related to the operation of the taxicab for which this taxicab licence or taxicab operator's licence shall be issued.

Date: _____ Signature: _____

Name (please print): _____

Date: _____ Witness: _____

Name (please print): _____

**THE CORPORATION OF
THE COUNTY OF PRINCE EDWARD**

LICENCE AND OTHER FEES

SCHEDULE "D" TO BY-LAW NUMBER 1757-2006

ITEM	LICENCE / FEE TYPE	FEE PAYABLE
1.	TAXICAB OWNER LICENCE FEES For each new taxicab owner's vehicle licence For first year or each renewal taxicab owner's vehicle licence * new taxicab vehicle licence six (6) months or less	\$300.00 per annum \$200.00 per annum \$100.00
2.	OPERATOR'S LICENCE FEES New taxicab operator's licence application Renewal taxicab operator's licence application	\$50.00 per annum \$25.00 per annum
3.	MISCELLANEOUS For transfer of a taxicab owner's licence from one motor vehicle to a replacement motor vehicle: For replacement of taxicab owner's licence or taxicab operator's licence, if either are lost or destroyed: Operator and owner transfer fee: Parking levy for parking space in front of the Royal Hotel (each taxicab company is permitted parking space): Replacement of taxicab owner's licence plate: Maximum number of taxicab owner's licences to be issued at any one time within the County of Prince Edward. Maximum number of taxicab owner's licences per company or owner is:	\$10.00 \$20.00 \$5.00 \$150.00 \$35.00 30 10
4.	Taxicab owner and taxicab operator licences fees may be applied on a 50% descending rate within six (6) months of the determined renewal date. * This does not apply to new or additional taxicab owners licence applications or new taxicab operators licence applications.	
5.	Delivery vehicles Limousines not used as taxicabs	\$200.00 per annum \$200.00 per annum

**THE CORPORATION OF
THE COUNTY OF PRINCE EDWARD**

TAXICAB FARE RATE SCHEDULE

SCHEDULE "E" TO BY-LAW NUMBER 1757-2006

Maximum Taxicab Rates for Fares Originating in Picton

From Picton to:

Big Island N. Centre Road	\$20.00
Black Creek Cheese Factory	\$16.00
Bloomfield – far Village limits	\$11.00
Carrying Place	\$38.00
Cement Plant	\$11.00
Cherry Valley (stop sign)	\$12.00
Crofton (Grumpies)	\$21.00
Demorestville	\$16.00
Fawcettville	\$ 7.50
Fish Lake Road at Hwy 49 end	\$19.00
Four Corners – County Rd 1 & 2	\$20.00
Glenora Ferry	\$12.00
Hallowell House	\$ 8.00
Hayloft	\$19.00
Isaiah Tubbs Resort	\$16.00
Kozy Corners – County Rd 1 & Hwy 49 intersection	\$16.00
Lake on the Mountain	\$13.00
Long Point area	\$39.00
Macaulay Village (Prince Edward Heights)	\$ 7.50
McFarland's and Quinte Manor Nursing Homes	\$ 7.50
Milford	\$16.00
Northport	\$20.00
Outlet	\$20.00
Picton – Town Rates	\$ 6.50
Point Petre (Simpson's Crossroad)	\$20.00
Prinyers Cove	\$39.00
Roses Crossroad (N & S) Cressy/Waupooos area	\$20.00
Rossmore	\$28.00
Sandbanks Provincial Park – Store a/o camp sites	\$24.00
Sandbanks Provincial Park – Gates	\$19.00
Salmon Point Church	\$16.00
Sandy Hook	\$ 8.00
Shelter Valley Trailer Park	\$ 9.00
Upper Lake Street	\$ 7.50
Waupooos Marina	\$16.00
Wellington	\$20.00
West Lake Nursing Home	\$16.00
Belleville – to Front Street	\$34.00
Belleville – past Front Street	\$36.00
Consecon	\$34.00
Deseronto	\$29.00
Kingston	\$80.00
Marysville	\$29.00
Napanee	\$40.00
Toronto – Airport	\$250.00
Trenton	\$45.00
All stops, up to fine minutes waiting	\$ 4.00
All deliveries, Town of Picton	\$ 6.00
All deliveries, MacCauley Village (Prince Edward Heights)	\$ 6.00
All prices out of Picton beyond reference points (per km)	\$ 1.00
All fares include GST	

Maximum Taxicab Rates for Fares Originating in Wellington

Bloomfield	\$13.00
Carrying Place	\$26.00
Cer-A-Met Mfg.	\$ 8.00
Consecon	\$22.00
Craig Complex	\$22.00
Glenora Ferry	\$29.00
Hallowell House	\$16.00
Hillier	\$16.00
Martin's Gate & Provincial Park	\$19.00
Mushroom Factory	\$ 8.50
North Beach Road	\$16.00
Picton	\$20.00
Rosehall	\$11.00
Rossmore	\$26.00
Town Line Processing	\$ 7.50
Wellington Town Limits	\$ 7.00
West Lake Nursing Home	\$16.00
Belleville Bus Station	\$36.50
Belleville Train Station	\$36.50
Kingston	\$100.00
Napanee	\$69.00
Toronto - Airport	\$225.00
Trenton	\$30.00
Trenton (Westerly Limits)	\$40.00
All deliveries, Wellington Village	\$ 6.00
Seniors (in Wellington)	\$ 6.00
All Stops (up to 5 minutes waiting)	\$ 4.00
One Hour Waiting	\$24.00
All prices out of Wellington beyond reference points (per km)	\$ 1.00
All fares include GST	

For Fares Originating from a Location other than Picton or Wellington:

The fare charged shall be a maximum of \$2.50 pick-up plus a maximum of \$1.00 per kilometer traveled from and to any point in the County of Prince Edward and beyond the County of Prince Edward.

For waiting time while under engagement \$0.70 per minute totaling a maximum hourly rate of \$42.00.

Taxicabs may be rented by one passenger or passengers traveling as one group at the following hourly rate for a minimum period of one hour:

The charge for renting a Taxicab for one hour within the County of Prince Edward and to any point beyond the County of Prince Edward shall be a maximum sixty dollars (\$60.00). For each additional 15 minute period or portion thereof the rental charge shall be a maximum fifteen dollars (\$15.00).