



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING OUEST

BY-LAW 2016/63

BEING A BY-LAW TO PROVIDE FOR LICENSING, REGULATING AND GOVERNING TAXICAB BROKERS, TAXICAB OWNERS, TAXICAB DRIVERS, LIMOUSINE OWNERS AND DRIVERS OF MOTOR VEHICLES USED FOR HIRE, AND FOR LIMITING THE NUMBER OF TAXICAB OWNER LICENCES

WHEREAS Section 151 (1) of the *Municipal Act* RSO 1990, as amended from time to time, states that a municipality may provide for a system of licensing with respect to a business and may prohibit the carrying on or engaging in the business without a licence;

WHEREAS Section 156 (1) of the *Municipal Act* RSO 1990, as amended from time to time, states that a municipality may pass by-laws pertaining to the licensing of Taxicabs;

BE IT THEREFORE ENACTED by the Municipal Council of the Corporation of the Municipality of West Nipissing as a by-law as follows:

1. **DEFINITIONS IN THIS BY-LAW,**

- (a) **“BOARD”** means the West Nipissing Police Services Board.
- (b) **“MUNICIPALITY”** means the Corporation of the Municipality of West Nipissing.
- (c) **“COUNCIL”** means the Council of the Corporation of the Municipality of West Nipissing.
- (d) **“CHIEF OF POLICE”** means the Chief of Police of the West Nipissing Police Services.
- (e) **“CORPORATION”** means the Corporation of the Municipality of West Nipissing.
- (f) **“CERTIFICATE”** means a Safety Standards Certificate issued by a licensed mechanic, pursuant to the *Highway Traffic Act*.
- (g) **“DISPATCHER”** means a person who dispatches Taxicabs.
- (h) **“DRIVER”** or **“TAXI DRIVER”** means any person who is licensed or required to be licensed under Part 1 of this by-law to drive Taxicabs.
- (i) **“LICENCE”** means a licence issued by the Municipality under the provisions of Part 1 of this by-law to own a Taxi (Taxi Owner’s licence), to dispatch Taxicabs (Dispatcher’s Licence), to drive Taxicabs (Taxicab Driver’s licence), or to act as a Taxi Broker (Taxi Broker’s licence).
- (j) **“LIMOUSINES”** means
 - (i) a luxury Vehicle For Hire that provides transportation services of passengers, and is usually driven by a professional driver (chauffeur); or
 - (ii) a Vehicle For Hire (such as a bus or van) that carries passengers to and from an airport.
- (k) **“MUNICIPAL CLERK”** means the Clerk of the Municipality of West Nipissing.
- (l) **“PARAVAN”** means a Taxi, Vehicle for Hire that is designed or has been modified to transport persons with physical disabilities and which meets industry standards.
- (m) **“POLICE SERVICE”** means the West Nipissing Police Service.
- (n) **“POLICE OFFICER”** means a Municipal Police Officer or Special Constable, and includes a sworn member of the Ontario Provincial Police or Royal Canadian Mounted Police.

- (o) **“PRESCRIBED FORMS”** means the form set out in Schedules “C, D, E and F” of this by-law.
- (p) **“PRIVATE TRANSPORTATION VEHICLES”** means a vehicle that is not a licensed Taxi or Taxicab used for hire that provides transportation services to passengers, in return for a fee.
- q) **“PRESCRIBED TARIFF”** means the tariff set out in Schedule “B” of this by-law.
- r) **“TAXI OR TAXICAB(S)”** means all motor vehicles hired for revenue generating purposes, including Paravans, that are used for hire for the transportation of goods only or persons, with or without goods, hired for one or more than one specific trip for the transportation exclusively of one passenger, or a group of passengers, with the prior consent of the first passenger, which contains or is dispatched by radio or any other telecommunications device within the Municipality, and includes all Taxicabs licensed or required to be licensed under Part 1 of this by-law.
- s) **“TAXI BROKER”** means an individual who owns and operates his or her personal vehicle, under the authority of a Taxi Owner’s Licence, as herein defined.
- t) **“TAXI OWNER”** means the person or company that owns a Taxi and includes any driver who leases a Taxi from a legal owner.
- u) **“TAXI STAND”** means any place designed to accept calls for Taxicabs and includes a public waiting area, and remains open to the public 24 hours a day, 365 days a year.
- v) **“VEHICLE FOR HIRE”** means a vehicle, including a licensed Taxicab, used or offered for the transportation of a passenger and/or goods, in return for a fee.
- w) **“YEAR DATE”** means the year printed on the heading “year” on a Motor Vehicle Permit issued by the Ontario Ministry of Transportation.

PART I - ADMINISTRATION AND LICENSING

- 2. Every Vehicle For Hire, Limousine or Taxicab originating in the Municipality of West Nipissing shall be licensed pursuant to the provisions of this by-law. The Council shall retain the right to issue, suspend, transfer or revoke licences in accordance with the provisions of this by-law.
- 3. The Chief of Police shall:
 - (a) furnish applications and transfer of licence forms, photo identification/licence cards, and licence forms required by this by-law;
 - (b) make all necessary inquiries and investigations concerning licence applications, suspensions, transfers and revocations;
 - (c) arrange and conduct testing if required, of all new licence applicants to ensure compliance with the provisions of this by-law;
 - (d) cause motor vehicles intended to be used as Taxis, to be inspected by a licensed mechanic to ensure compliance with the provisions of this by-law;
 - (e) recommend the issuance of licence applications;
 - (f) ensure that persons licensed under this by-law receive a tariff card and in the case of Taxi Drivers, and Dispatchers, (1) one photo identification/licence card;
 - (g) enforce the provisions of this by-law and prosecute offenders;
 - (h) submit reports to the Council, as required;
 - (i) The Chief of Police may authorize any Police Officer of the Police Services to exercise any power or perform any duty of the Chief of Police referred to in this by-law.
- 4. Tariff cards, photo identification/licence cards which are lost, stolen, defaced or destroyed may be replaced by the Chief of Police, upon verification of the existence of a valid licence, and in the case of Photo I.D. card replacement, payment of the replacement fee set out in Schedule “A” of this by-law.

5. In addition to any grounds set out in this by-law for the suspension, revocation or refusal of licences, the Council may, upon recommendation of the Chief of Police, suspend, revoke or refuse a licence, in the public interest, subject to the "*Statutory Powers Procedures Act*".
6. Any act done by or by authority of the Chief of Police under any of the provisions of this By-Law shall be subject to an appeal to the Council by the person feeling aggrieved. Any such hearing is to be held on at least seven days notice. Notice of the Hearing is to be mailed to the licensee by Registered Mail.
7. The remainder of this Part is intended to provide for:
 - (a) regulating and governing the licensing of Taxis used for hire and the conveyance of goods and passengers,
 - (b) protecting the health and safety of members of the public, and
 - (c) ensuring that the privilege of providing Taxi service is granted to and retained by only those who demonstrate that they are likely to adhere to the provisions of this By-Law.
8. The Chief of Police, upon reasonable grounds, may require any person licensed under this by-law to produce a medical certificate from a physician, which states that the person is fit to drive a Taxi, in compliance with this by-law.
9. Every Taxi Owner or Taxi Broker licence applicant shall comply with respect to any Taxi Stand to the Zoning requirements of the Municipality of West Nipissing.
10. Any person wishing to obtain or renew a licence shall submit an application in the prescribed form to the Chief of Police, furnish information, submit to any required testing, and provide payment of the prescribed fee as outlined in Schedule "A" attached.
11. Every person licensed under this by-law shall, upon changing their residential address, notify the Chief of Police, in writing within seven days of such change of address.
12. The Chief of Police may suspend any licence until the next meeting of the Council where there has been a contravention of the *Criminal Code* or *Liquor Licence Act*, a conviction under the *Highway Traffic Act* resulting in the accumulation of (7) seven demerit points or more, or a contravention of this by-law, that in the Chief's opinion, warrants suspension, or when a Taxi Driver has been charged with the *Highway Traffic Act* offences of Driving Under Suspension, Fail to Remain, Fail to Stop for Police, or Owner Operate or Permit Operation of Motor Vehicle with no Insurance, contrary to the *Compulsory Automobile Insurance Act*.
13. Council shall within 45 days, hear and determine the matter and may revoke, suspend, issue, or renew a licence subject to such conditions, as it deems fit.
14. No person shall drive a Taxi in the Municipality unless the person holds a valid licence to drive, issued under this Part.

TAXI DRIVER'S LICENCE

15. No person shall be issued a Taxi Driver's licence under this part unless he or she;
 - (a) is at least 18 years of age,
 - (b) possesses a valid Ontario Driver's Licence void of any restriction that would prohibit operation of a Taxi, and is not a probationary driver, nor a Class G1 or G2 driver,
 - (c) has a demonstrated knowledge of the landmarks and geography of the Municipality, and
 - (d) obtains a Taxi Owner's endorsement on the application form that he/she will be employed as a Taxi Driver.
16. Every Taxi Driver shall keep a photo identification/licence card in plain view by affixing it to the front of the left shoulder of their exterior clothing while on duty.
17. Every Taxi Driver who is operating a Taxi, upon request, shall produce their photo identification/licence card to a Police Officer.

TAXI OWNER'S LICENCE

18. No person shall operate or permit the operation of a Taxi within the Municipality, except under the authority of a valid Taxi Owner's licence issued in relation to that Taxi, under this Part.
19. A Taxi Owner's licence shall only be issued when the Taxi Owner has submitted the motor vehicle intended to be used as a Taxi, for visual inspection by the Chief of Police or his/her designate and produced satisfactory proof that:
 - (a) the motor vehicle is less than 10 years of age (by subtracting model year from current licence year),
 - (b) the maximum seating capacity of the Taxi is (9) nine persons, including the driver,
 - (c) seatbelt assemblies exist for all seating positions within the motor vehicle,
 - (d) the motor vehicle possesses no less than (3) three doors,
 - (e) a valid Certificate has been issued for the motor vehicle,
 - (f) the motor vehicle is affixed with a taximeter in accordance with Section 36, and
 - (g) the motor vehicle is insured in accordance with Sections 38, 39, 40 and 41
20. Taxi Owners shall be required to prove ownership of the motor vehicle which is the subject of a licence, and where the owner of a motor vehicle is a company or corporation; the applicant shall be required to provide an affidavit disclosing the owner or the person owning the said company or corporation.
21. In the event of the death of a Taxi Owner or a Taxi Broker, the estate of the deceased may apply to the Chief of Police or his/her designate, to transfer the licence(s) of the deceased to one or more immediate family member of the deceased, who are either a spouse, sibling, or child of the deceased.
22. No Taxi Owners' licences shall be transferred to a different motor vehicle owned by the same owner, without the approval of the Chief of Police.
23. Taxi Owners' licences, issued under this Part, unless sooner revoked, shall expire on **February 15th**, of the year following the date of issue, and shall only be considered valid after the annual licence fee as illustrated in Schedule "A" attached, has been paid to the Corporation.

TAXI DISPATCHER'S LICENCE

24. (a) No Taxi Stand shall be permitted to operate without a valid Taxi Dispatcher's Licence issued under the provisions of this By-Law .
 - (b) No person shall be employed as a Taxi Dispatcher unless he or she :
 - is at least 18 years of age,
 - has a demonstrated knowledge of the landmarks and geography of the Municipality.
 - (c) Every Taxi Owner shall, as a condition of the licence, display said Taxi Dispatcher Licence in a prominent location in the Taxi Stand location.

TAXI BROKER'S LICENCE

25. No Taxi Broker shall operate a Taxicab without a valid Taxi Broker's Licence, issued under this Part.
26. Taxi Drivers, Brokers and Dispatchers licences, issued under this Part, unless sooner revoked, shall expire on **February 15th** of the year following the date of issue.
27. Taxi Brokers and Owners, shall upon request, and no more than two (2) times a year, submit to the Chief of Police, in prescribed form, a list of licensed persons in their employ including their names, addresses, and licence numbers.

DUTIES OF TAXI CAB DRIVER

28. Each Taxicab driver shall:

- (a) notify the Taxi Owner/Broker, immediately in writing, of any change in status of his/her Ontario Driver's Licence which prohibits him/her from carrying out the duties of a Taxicab driver (i.e. suspended licence, revoked licence, etc.);
 - (b) place the tariff card in the holder provided in the Taxicab for this purpose;
 - (c) be neat and clean in person on duty;
 - (d) punctually keep all appointments and engagements;
 - (e) unless his Taxicab has been previously engaged, serve at any place within the Municipality and at any specified time, whether by day or night, any person who may lawfully require the Taxicab; however, have the right to refuse a customer on the basis that the driver is concerned for his/her personal safety or that the driver has reasonable belief that the customer may not be able to pay the fare;
 - (f) upon request of any passenger, provide a receipt for the fare, or charge made and paid, indicating Taxicab thereon and stating:
 - (i) the place of pick up and discharge of any person;
 - (ii) the mileage traveled;
 - (iii) his name;
 - (iv) the number of his Taxicab Driver licence;
 - (v) the number of the Taxicab Owner licence for the vehicle; and
 - (vi) the Provincial Motor Vehicle Permit Number for the Taxicab;
 - (g) take due care of all property delivered or entrusted to him and accepted by him for conveyance or safe keeping, and immediately upon termination of any hiring or engagement, search his vehicle for any property left therein and deliver to the person owning the same all money or property left in his Taxicab; or if the owner cannot be found, deliver the said property to the West Nipissing Police Service and report all information pertaining thereto in his possession;
 - (h) maintain the interior and exterior of the Taxicab within his control in a clean and tidy condition;
 - (i) daily, keep a trip record of all trips made by him containing the following information:
 - (i) the number of the Taxicab Owner licence issued pursuant to the provisions of this by-law;
 - (ii) his name, address and Taxicab Driver licence number;
 - (iii) the meter readings at the start and finish of each working period;
 - (iv) the date, time and location of the beginning and termination of each trip and the number of passengers carried; and
 - (v) the amount of the fare collected for each trip;
 - (j) make his trip record and all information as to passengers carried available to any Police Officer and to the Clerk when requested to do so;
 - (k) notify the Chief of Police in writing within 7 (seven) days of a change of address; and
 - (l) take the shortest and quickest possible route to the destination of the passenger, unless the passenger directs the Taxicab Driver to take another route.
29. A Taxicab Driver shall not:
- 1. solicit any person to take or use his Taxicab by calling out or shouting. (The person wishing to use or engage a Taxicab or Limousine shall be left to choose without interruption or solicitation);
 - 2. be under the influence of any intoxicant or take, consume or have in his/her possession any intoxicant or illicit drug while in charge of a Taxicab, nor shall the use thereof by him/her be apparent while he is in charge of such vehicle;
 - 3. permit smoking in the Taxicabs or Limousines, either by the Taxi Drivers or by clientele;
 - 4. carry more than five passengers in any Taxicab used for hire or more than a number equal to the maximum insured capacity of the Taxicab;
 - 5. carry any passenger who is under the influence of any intoxicant while his Taxicab is occupied by a person who is not accompanying the person so under the influence;

DUTIES OF TAXICAB OWNER

30. Each licensed Taxicab Owner shall:
- (a) hold a Taxi Stand Licence for the taxi business

- (b) hold a separate Taxicab Owner licence for each vehicle used or kept for hire as a Taxicab; which shall include any vehicle owned and operated by a Taxi Broker.
 - (c) maintain insurance on each vehicle;
 - (d) ensure that each vehicle for which he/she is licensed is, in its interior, neat, clean, dry and in good repair, and on its exterior, clean and in good repair, free from exterior body damage and has a well-maintained paint finish;
 - (e) submit each licensed Taxicab for safety inspection by a qualified and licensed automobile mechanic annually, and at such other time or times when requested to do so by a Police Officer or by the Clerk, and submit to the Police Officer a valid Safety Standards Certificate issued in accordance with the *Highway Traffic Act* of Ontario at the time of the Taxicab licence renewal or transfer;
 - (f) submit each licensed Taxicab for general inspection by a Police Officer annually, and at such other time or times when requested to do so by either of them;
 - (g) provide and maintain therein or thereon, for each vehicle licensed pursuant to this by-law, the following
 - (i) a holder for the tariff card of the Taxi Driver on the sun visor of the vehicle and clearly visible to the passenger, and
 - (ii) securely affixed on the top of the Taxicab an illuminated electric sign, indicating that the vehicle is a Taxicab, and the name of the fleet in which it operates; such sign to be connected to the meter so as to be illuminated between dusk and dawn when the vehicle is not engaged;
 - (h) ensure that Taxicab Drivers in his employ retain the daily trip records referred to in this by-law for a period of time not less than twelve months, that such records shall be open to inspection by any person authorized by the Chief of Police and that such records may be removed and retained by the Chief of Police for a reasonable time;
 - (i) notify the Chief of Police in writing within seven (7) days of a change of address;
 - (j) ensure that a Taxicab is within eleven model years of the current year;
31. In addition to complying with all other requirements of this by-law with respect to Taxicab owners, every licensed Taxicab owner shall:
- (a) keep accurate records of the number of trips made monthly for disabled passengers and for non-disabled passengers;
 - (b) ensure that the accessible Taxicab he is operating:
 - (i) is equipped with an extra tire, wheel and jack ready for use for that vehicle;
 - (ii) has approved wheelchair tie-downs;
 - (c) in addition to all of the other general Taxicab owner responsibilities prescribed by this by-law, ensure that only a person licensed under the provisions of this by-law as an accessible Taxicab driver, whose licence has been endorsed by the Clerk, is permitted to drive an accessible Taxicab under his or her control;
 - (d) ensure that before using, or permitting to be used, any vehicle that is licensed under the provisions of this by-law as a Paravan, that the said vehicle complies with all other pertinent federal and provincial regulations as established from time to time; and
 - (e) ensure that priority is given to the use of the Paravan Taxicab by disabled passengers, and thereafter permit the Taxicab to be used for non-disabled passengers;
 - (f) ensure to obtain a transfer to the Taxi Owners' licence to cover a newly acquired motor vehicle which will replace another Taxi .
32. A Taxicab Owner shall not:
- (a) employ any person to operate his Taxicab who does not hold a valid Taxicab Driver Licence issued pursuant to this by-law;
 - (b) use or permit to be used any Taxicab licence issued to him/her pursuant to this by-law for any vehicle other than the vehicle for which the licence was issued;
 - (c) permit a Taxicab to be operated when the taximeter is out of order or defective in any way.

DUTIES OF TAXI BROKER

33. Each licensed Taxi Broker shall:

- (a) hold a separate Taxicab Broker Licence for each vehicle used or kept for hire as a Taxicab operated under the authorization of a Taxicab Owner Licence.
- (b) maintain insurance on each vehicle;
- (c) ensure that each vehicle for which he/she is brokered is, in its interior, neat, clean, dry and in good repair, and on its exterior, clean and in good repair, free from exterior body damage and has a well-maintained paint finish;
- (d) submit each brokered Taxicab for safety inspection by a qualified and licensed automobile mechanic annually, and at such other time or times when requested to do so by a Police Officer or by the Clerk, and submit to the Police Officer a valid Safety Standards Certificate issued in accordance with the *Highway Traffic Act* of Ontario at the time of the Taxi Broker renewal or transfer;
- (e) submit each brokered Taxicab for general inspection by a Police Officer annually, and at such other time or times when requested to do so by either of them;
- (f) provide and maintain therein or thereon, for each vehicle brokered pursuant to this by-law, the following
 - (i) a holder for the tariff card of the Taxi Driver on the sun visor of the vehicle and clearly visible to the passenger, and
 - (ii) securely affixed on the top of the Taxicab an illuminated electric sign, indicating that the vehicle is a Taxicab, and the name of the fleet in which it operates; such sign to be connected to the meter so as to be illuminated between dusk and dawn when the vehicle is not engaged;
- (g) ensure that Taxicab Drivers in his employ retain the daily trip records referred to in this by-law for a period of time not less than twelve months, that such records shall be open to inspection by any person authorized by the Chief of Police and that such records may be removed and retained by the Chief of Police for a reasonable time;
- (h) notify the Chief of Police in writing within seven (7) days of a change of address;
- (i) ensure that a Taxicab is within eleven model years of the current year;

PART II - EQUIPMENT

34. No Taxi Owner, Broker or Driver shall operate, permit to be operated, or assist in the operation of any Taxi unless the Taxi is:
- (a) equipped with an extra tire and wheel ready for use;
 - (b) clean and in good repair as to its exterior;
 - (c) clean, dry, and in good repair as to its interior, and has sound and fit upholstery;
 - (d) free from mechanical defects;
 - (e) The Chief of Police, or designate, shall not be prevented from inspecting a Taxi that is not engaged, for the purpose of ensuring compliance with these requirements;
 - (f) The Police Chief and Police Officers may also check Taxicabs from time to time to ensure compliance with Photo I.D. card and tariff card requirements under this by-Law.
35. No Taxi Stand shall be operated by way of a cellular telephone, citizen's band radio, radio scanner or any other two-way radio, other than the taxi dispatch radio, to be installed in or operated from or near such Taxicab or Taxi Stand.
36. Every Taxi Owner or Broker shall have affixed to each Taxicab in respect to which they are licensed, a taximeter which shall register distances traveled and compute fares to be paid, and upon request of the Chief of Police, shall submit any taximeter to which they are licensed for inspection, approval, and sealing by the Chief of Police, and every taximeter shall be:
- (a) illuminated between dusk and dawn;
 - (b) attached to the Taxi in a location and manner approved by the Chief of Police;
 - (c) adjusted in accordance with the tariff prescribed by Schedule "B" of this By-Law;
 - (d) tested by running the Taxi to which it is attached over a measured track or distance before being sealed;
 - (e) used only when the seal therein is intact or after due notice has been given by the Chief of Police and authority has been obtained to operate until the taximeter has been resealed;
 - (f) used for not longer than twelve (12) months without re-testing and re-sealing;

- (g) kept in good working condition at all times and not used when defective in any way;
 - (h) any subsequent re-sealing of taximeter in a licence year will be subject to a fee as set out in Schedule "A" of this By-Law.
37. Every Taxi Owner or Broker shall, as a condition of the licence, display on the roof of every Taxi belonging to them, an illuminated sign that:
- (a) bears the name of the Taxi Stand from which the Taxi operates.
 - (b) is connected to the Taxicab meter whereby the light which is on the roof sign, shall be caused to go out when the taximeter is in the recording position.

PART III - INSURANCE

38. Every Taxi Owner or Broker shall produce a policy of insurance endorsed to the effect that Council shall be given at least two days notice, in writing, of any cancellation, expiry or change in the amount of the policy, and deposit a copy or certificate thereof with the Clerk.
39. Insurance Policies shall insure the Taxi Owner, Broker and Driver of such taxi against loss or damage resulting from bodily injury or death to passengers as well as others and against damage to property to an aggregate maximum limit or not less than (\$1,000,000.00) one million dollars, for all claims in any (1) one accident, exclusive of interest and costs.
40. Insurance policies and certificates referred to in Section 38 and 40 of this By-law shall be deposited with Council before the Taxi Owner commences operation of the insured motor vehicle as Taxi , and shall be kept in force by such owner during the period for which the licence was issued to them. The Chief of Police, upon notice to the said Taxi Owner, may suspend the licence and seize the number plate, in the event that the owner has not complied with this Article.
41. Every Owner or Broker, who cancels, suspends, or fails to renew their insurance, shall notify the Chief of Police, in person, forthwith.. The Taxi will not be put back in service until all insurance criteria as out in Sections 38, 39, and 40 have been met. Upon providing satisfactory proof of insurance, the taxi plate will be returned to the owner.

PART IV - INSPECTION

42. For the purpose of this Part, "**MAJOR MECHANICAL DEFECT**" means mechanical defects directly or indirectly related to any part or parts of the motor vehicle involving or affecting the:
- (a) brakes or braking system
 - (b) steering system
 - (c) suspension system
 - (d) underbody
 - (e) exhaust system
 - (f) tires
43. The Chief of Police or designate, who has reasonable grounds to believe a Taxi is unfit, may give a Taxi Owner or Taxi Broker written notice requiring such Taxi Owner or Taxi Broker at their own expense, to submit the Taxi for examination by an approved mechanic within (24) twenty-four hours. If reasonable grounds exist that indicate that the Taxi is unsafe or dangerous, such examination can be demanded forthwith and can issue a notice to have the Taxi taken out of service, by the Chief of Police or designate.
44. 1) Every Taxi Owner or Taxi Broker who receives notice from the Chief of Police, either verbally or in writing, that a Taxicab is not in fit and in proper condition for use, shall within a reasonable time frame as allowed by the Chief of Police, correct the identified deficiencies to the satisfaction of the Chief of Police.
- 2) If deficiencies are not corrected in time, the Taxi Owner or Taxi Broker shall take the said vehicle out of service until repairs are made or deficiencies are corrected. .

45.
 - 1) Every Taxi Owner or Taxi Broker who fails to submit Taxicabs for examination by a mechanic, as required by this By-law, is guilty of an offence.
 - 2) The Chief of Police may suspend the Taxicab licence and can issue a notice to have the Taxicab taken out of service, until the Taxicab is tested, inspected, and approved.
46. Subject to Section 42 of this By-law, when a licensed mechanic reports that a Taxicab is mechanically or otherwise defective or due to a major mechanical defect has failed an examination, the licence shall be suspended by the Chief of Police or designate, who can issue a notice to have the Taxicab taken out of service, and the Taxicab shall remain in their possession until such time as an approved and licensed mechanic certifies that all defects are corrected, and the Taxicab is issued a certificate.
47. Where a report is made under Section 46 of this By-law, the Taxi Owner or Taxi Broker shall be required to attend before Council to determine whether or not his licence should be suspended.
48. A copy of any deficiency notice given to a Taxi Owner or Taxi Broker, may be sent by ordinary prepaid mail, and shall be deemed to have been received (5) five days after being mailed.

PART V - FARES

49. Every Taxi Driver shall charge the rate or fare indicated in Schedule "B" of this By-law. The Taxi Driver shall ensure that the Tariff Card is visible to passengers within the Taxi.
50. The tariff in Schedule "B" shall not apply where the Taxi Owner or Taxi Broker is operating under a valid contract between the Taxi Owner or Taxi Broker and a recognized School Board which has been approved by the Chief of Police.
51. Limousines, as defined in 1 j(i), that are not operated under radio dispatch and Limousines engaged for service of a minimum of (4) four hours prior to the start of the trip, are exempt from this By-law.
52. When a passenger first enters a Taxicab, Taxi Drivers shall immediately place the taximeter in a recording position and the taximeter shall remain so throughout the trip. At time and place of discharge, the fare charged shall be as indicated on the taximeter and the taximeter placed in a non-recording position.
53. A Taxi Driver and passenger may, prior to the commencement of a trip, agree to a flat rate in the event a trip extends beyond the limits of the Municipality. In such cases however, the taximeter must be in the recording position for the duration of the trip. The agreed upon flat rate may be collected by the driver prior to the commencement of the trip.
54. No Taxi Owner or Taxi Driver shall make any charge under this By-law for:
 - (a) lost time through defect or inefficiency of the Taxicab, or
 - (b) the incompetence of the Taxi Driver thereof, or
 - (c) standing time at a call, when the Taxicab attends in advance of the time requested by the caller.

PART VI - LIMITATIONS

55.
 - 1) A limitation is imposed on the issuance of Taxicab Owner licences in the Municipality of West Nipissing:
 - (a) at the ratio of one (1) licence for each 1365 residents of the Municipality; and
 - (b) in addition to the number determined in part (a) above, there shall be an additional 5 Taxicab Owner licences issued for vehicles that are wheelchair accessible, on the understanding that the said licences shall be issued to only an individual or to a corporation who is licensed in accordance with the provisions of this By-law, and who is approved by the Ontario Ministry of Transportation under the Wheelchair Accessible Taxi Demonstration Project.

- 2) The number of Taxicab Vehicle Owner licences shall be determined by the Clerk every four (4) years when official population statistics are provided by the Ontario Property Assessment Corporation during the year of a regular municipal election; and that when such a determination reveals that additional Taxicab Owner licences shall be issued based on the ratio of one licence for every 1365 residents of the Municipality, such additional licences shall be issued by the Clerk.
- 3) In order to regulate the distribution of available Taxicab Owner licences, the Clerk shall issue new Taxicab Owner licences only at such time as the formula referred to in Section 55 (1) permits the issuance of Taxicab Owners licences.
- 4) The Clerk shall maintain a Priority List of applications for Taxicab Owner licences, updated on a regular basis, in the order of the date on which they are received by him/her, and subject to Sub-Section (3), this list shall be used in determining the priorities for the issuance of all new Taxicab Owner licences.
- 5) (a) Only currently licensed Taxicab Owners, Brokers or Drivers may have their names included on the Taxicab Priority List, and they must maintain their qualifications as an owner, broker or driver at all times in order to have their name remain on the priority list and, effective September 30th of the same year, to remain on the Taxicab Owner Priority List:
 - (i) licensed Taxicab Drivers must annually complete and file with the Clerk, a Statutory Declaration stating that they were active in the West Nipissing Taxicab industry (i.e. driver, dispatcher, trainer) for an average or at least 35 hours per week during at least 40 weeks of the previous twelve month period;
 - (ii) licensed Taxicab Owners or Brokers must annually complete and file with the Clerk, a Statutory Declaration stating that they personally managed all of their licensed vehicles and did not give up custody or control of any of their vehicles throughout the previous twelve-month period except to drivers engaged by them on an individual shift basis;

except in those cases where a Taxicab Owner, Broker or Driver or has on account of illness, injury or other medical reasons, been unable to fulfill the obligations in above sub-sections (i) and (ii), in which case the Owner, Broker or Driver shall complete and file with the Clerk, a Statutory Declaration so stating;
- (b) The Clerk shall remove the name of a Taxicab Owner, Broker or Driver from the Taxicab Priority List immediately upon his or her death.
- 6) (a) Each newly licensed Taxicab Owner shall be required to place his or her Taxicab into operation within 30 days from the date of notification from the Clerk that the said licence has been granted.
- (b) Each newly licensed Taxicab Owner shall not lease or give up possession, custody or control of his Taxicab for a period of five years from the date of issuance from the Taxicab Priority List except to drivers engaged by him on an individual shift basis.
- 7) (a) Each and every Taxicab Owner shall maintain his or her Taxicab in operation on a permanent full-time basis.
- (b) Should any Taxicab Owner fail to maintain in operation any Taxicab under his ownership for a period in excess of 120 successive days, such Taxicab Owner licence shall be suspended or revoked by the Clerk.
- 8) Each Taxicab Owner or his designated agent shall maintain his Taxicab in operation for a period of not less than 120 days prior to offering the said Taxicab for transfer, except in the case of the death of a licensed Taxicab owner, in which case his or her Estate may immediately dispose of the Taxicab.
- 9) (a) Subject to the provisions of 9(b) below, in the case of the death of a licensed Taxicab Owner, the Taxicab Owner licence may continue in force under the control of the executors, legatee or residuary beneficiary of the deceased;

- (b) In the case of a death of a Taxicab Owner licensed under Class **B** in sub-section 10(b) of this by-law, the Taxicab Owner licence may not continue in force under the control of the executors, legatee or residuary beneficiary of the deceased without the approval of the municipal Council and then only on compassionate grounds.
- 10) The transfer of Taxicab Owner licences is restricted in accordance with the following to any person who qualifies to hold such licence pursuant to the provisions of this by-law:
- (a) Taxicab Owner - Class A Licence, being an accessible Taxicab owner licence shall be subject to the following conditions:
 - (i) Accessible Taxicab Owner licences shall not be transferable for a period of five years from the date of issuance, and then only to another accessible Taxicab Owner, provided he/she uses the licence for the operation of another accessible Taxicab;
 - (ii) During the five year non-transferable period referred to in sub-section (i) above, the accessible Taxicab Owner shall personally manage the accessible Taxicab on a regular shift basis, and notwithstanding any other provision of this by-law, shall not lease, transfer or sell the said Taxicab, or give up possession, custody or control of the said accessible Taxicab except to drivers engaged by him on an individual shift basis, or allow any person to manage such Taxicab without the consent of the Clerk, which consent shall be granted only for compassionate reasons satisfactory to the Clerk.
 - (iii) Should the Council of the Municipality of West Nipissing, in the future, authorize the issuance of an additional accessible Taxicab Owner licence or licences, the said licences shall be issued in accordance with the Taxicab Owner Priority List referred to in Section 55 (4) of this by-law.
 - (b) Taxicab Owner - Class B Licence, being a Taxicab Owner licence which shall be totally transferrable after a period of five years from the date of issuance of the licence, and shall be subject to the following conditions:
 - i) such licence will be transferred to a person on the Taxicab Priority List on a probationary basis for one (1) year, during which period the licensee:
 - (1) in the case of an individual person, shall personally manage the Taxicab in respect of which the licence is issued on a regular shift basis;
 - (2) in the case of a partnership or corporation, shall manage the Taxicab in respect of which the licence is issued on a regular shift basis; and
 - (3) shall not lease, transfer or sell the said Taxicab, or give up possession, custody or control of such Taxicab except to drivers engaged by him on an individual shift basis, or allow any person to manage such Taxicab without the consent of the Clerk, which consent shall be granted only for compassionate reasons satisfactory to the Clerk.
 - ii) failure to comply with any of the terms of probation as set out in part (i) above shall, in the discretion of the Clerk, be sufficient cause for the revocation or the refusal to renew such licence, and any such licence which has been revoked or has been refused renewal shall be returned to the Clerk and be distributed to the next eligible person on the Taxicab Priority List from within the category from which the licence was originally issued.

PART VII - RENEWAL, SUSPENSION and REVOCATION

56. 1) Each licence unless previously suspended or revoked, shall be renewed upon payment of the appropriate fee.

- 2) In addition to any other penalty which may be imposed pursuant to this by-law, the Clerk:
 - (a) may suspend a licence for failure to comply with any of the provisions of this by-law, and;
 - (b) shall suspend each Taxicab Owner licence upon failure to maintain on file proof of insurance in accordance with Sections 38, 39, 40 and 41 of this by-law;
 - (c) shall suspend any owners or driver's licence, as appropriate, upon failure to comply with Sections 30 (c) or 35.
- 3) A suspension shall be and remain in force until such time as the licensee has satisfied the Clerk as to his compliance with the by-law.
- 4) Upon notification of suspension the licensee shall surrender such licence to the Clerk.
- 5) Any licence which has been under suspension for a period in excess of 120 days shall be revoked by the Clerk.
- 6) The decision of the Clerk may be appealed to Council.

PART VIII - LICENCE FEES

57. The annual licence fees to be paid to the Municipality of West Nipissing for those licences referred to in this by-law shall be as outlined in Schedule "A" (Licence Fees), attached hereto and forming part of this by-law.

PART IX - SCOPE

58.
 - 1) This by-law shall apply to Taxicab Owners, Taxicab Brokers or their designated agents, and drivers of Taxicabs and Limousines, Vehicles for Hire including Paravans; which vehicles are kept or used for hire in the Municipality of West Nipissing and are licensed pursuant to the provisions of this by-law.
 - 2) The tariff schedules attached hereto and forming part of this by-law shall apply respectively for use of Taxicabs wholly within the Municipality of West Nipissing or to any point not more than 5 kilometers beyond its limits.
 - 3) No person shall be required to be licensed under the provisions of this by-law for the operation of an ambulance or a funeral hearse.
 - 4) No person shall be required to be licensed under the provisions of this by-law for the operation of a Limousine, as defined in 1 j(i), which shall not include airport transportation services.
 - 5) No person shall be required to be licensed under the provisions of this by-law for any non-revenue generating Private Transportation Vehicle service; which shall include but not be limited to carpools, ride shares or other privately arranged transportation.

PART X - PENALTIES

59.
 - 1) **Fine for contravention**

Every person who contravenes any provision of this by-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine under Section 61 to the *Provincial Offences Act*.
 - 2) **Fine - for contravention - corporation**

The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

3) **Integrity of by-law - severability**

Notwithstanding that any section or sections of this by-law, or any part or parts thereof, may be found by any court of law to be bad or illegal or beyond the power of Council to enact, such section or sections or part or parts thereof shall be deemed to be severable, and all other sections of this by-law, or parts thereof, are separate and independent therefrom and enacted as such.

4) **Notice - unpaid fine**

If a fine for a contravention of this by-law remains unpaid after the fine becomes due and payable under Section 66 of the *Provincial Offences Act*, including any extension of time for payment ordered under that section, the Clerk may give the person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice, by delivering the notice or causing it to be delivered to that person at the person's residence or place of business.

5) **Distress - unpaid fine**

If the fine referred to in Section 59 (4) of this by-law remains unpaid after the final date on which it is payable as specified in the notice, the Clerk may alone or by an agent, subject to the exemptions provided for in Sub-Section 400 (d) of the *Municipal Act*, as amended, levy the unpaid fine with costs by distress:

- (a) upon the goods and chattels, wherever found, belonging to or in the possession of the person fined;
- (b) upon the interest of the person fined in any goods to the possession of which the person is entitled under a contract for purchase, or a contract by which the person may or is to become the owner thereof upon performance of any condition;
- (c) upon any goods and chattels in the possession of the person fined where title to them is claimed;
 - i) by virtue of an execution against the person fined;
 - ii) by purchase, gift, transfer or assignment from the person fined, whether absolute or in trust, or by way of mortgage or otherwise;
 - iii) by the spouse, daughter, son, daughter-in-law of the person fined, or any of his or her relatives, in case such relative lives as a member of the family; or
 - iv) upon goods and chattels that at the time the fine was imposed were the property and on the premises of the person fined and are still on the same premises, even if such goods are no longer the property of the person fined.

6) **Levy of fines under warrant**

If at any time after the notice referred to in Section 59 (4) of this by-law is given and before the final date on which the fine is payable as specified in the said notice, the Clerk has good reason to believe that any person in whose hands goods and chattels are subject to distress under Section 59 (5) of this by-law is about to remove such goods and chattels out of the province and makes affidavit to that effect before any justice of the peace, the justice shall issue a warrant to the Clerk, authorizing him/her to levy for the fines and costs in the manner provided by Section 59 (1) of this by-law.

7) **Defect in notice - not invalidate subsequent proceedings**

No defect, error or omission in the form or substance of the notice required by Section 59 (4) of this by-law invalidates any subsequent proceedings for the recovery of a fine.

PART XI - REPEAL

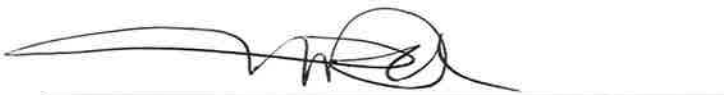
60. All previous by-laws and amendments regulating and governing Taxicabs, Limousines and Vehicles For Hire are hereby repealed but all licences issued thereunder shall, during the period for which the same have been issued, remain in force unless or until the same are forfeited or revoked, and all such licences heretofore issued shall be deemed to have been issued under the subject to the provisions of this by-law.

ENACTED AND PASSED THIS 21st DAY OF JUNE, 2016 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

JOANNE SAVAGE
MAYOR



MELANIE DUCHARME
CLERK



SCHEDULE "A" FOR THE TAXI BY-LAW NO. 2016/63

FEES TO BE PAID

Fees to be paid by Taxi Owners, Brokers and Drivers under this by-law are as follows:		
1 (a)	Taxi Stand Licence	\$150.00
2 (a)	Taxi Owner's Licence (per vehicle) / Renewal (per vehicle) / Transfer (per vehicle)	\$50.00
2 (b)	Change by Taxi Owner of vehicle during the term of a Licence	\$50.00
3 (a)	Taxi Broker Licence / Renewal / Transfer	\$50.00
4 (a)	Taxi Dispatcher's Licence / Renewal	\$50.00
5 (a)	Taxi Driver Licence / Renewal	\$10.00
5 (b)	Taxi Driver Photo Identification Card / Replacement	\$10.00
6 (a)	Change place of business (stand)	\$35.00
6 (b)	Re-sealing of Taximeter by Chief of Police	\$10.00
<p>NOTE:</p> <p>a) The fee payable by a Taxi Broker does not cover the licence fee for any Taxicab vehicle owned by such broker. If they are also an owner, they must pay the Licence Fee indicated for the vehicles owned by them.</p> <p>b) The fee payable for an Owner's Licence does not include the fee charged for a Taxicab mechanical fitness inspection where specifically ordered by the Chief of Police.</p>		

SCHEDULE “**B**” FOR THE TAXI BY-LAW 2016/63

TARIFF OR RATES TO BE CHARGED FOR USE OF TAXICAB OPERATING IN THE MUNICIPALITY

1. For trips originating and ending within the Urban Zone, to be known as the area bordered by:
 1. Golf Course Road to the East
 2. Levert Dr. and Stewart Rd. to the North
 3. Levac Rd. and Highway 17 to the West
 4. Lake Nipissing to the South

a FARE of \$3.50 for the first 100 meters and an additional \$0.23 for each additional 100 meters **(equivalent to \$2.30 per kilometer)**.
2. For each period of waiting requested by a passenger, they shall be charged an amount of twenty-nine dollars and twenty cents (\$29.20) not including applicable taxes, per hour computed by the taximeter at the rate of twenty cents (\$.20) for each successive interval of twenty-one point eighty-three (21.83) seconds.
3. Seniors’ (65 or over) and persons with physical disabilities shall be afforded the following flat rates:
 - (a) \$5.00 for trips within an area bordered by Front Street, Holditch Street, Ethel Street and Michaud Street,
 - (b) \$6.00 for trips within (a) above and an area bordered by
 - i. Front Street, Michaud Street, Ethel Street and Coursol Street,
 - ii. North of Ethel to the Sturgeon River
 - iii. Front Street, Holditch Street, Lisgar Street and Dovercourt,
 - iv. Pembroke Street, Spring Street, Bay Street to Villeneuve Court
 - v. Railway Street , Holditch Street, Third Street to Belanger, and Salter to Coursol,
 - (c) \$7.00 for trips within (a) and (b) above and the area formerly known as Sturgeon Falls, except:
 - i. Riverfront Drive, Demers Street, Roy Street south of Mageau and Nipissing Street south of Aubrey where an additional \$1.00 will apply,

subject to the flat rate being less than the metered rate.
4. Where two or more passengers are carried from a common starting point to two or more destinations, the fares to be paid by each passenger shall be as follows:
 - (a) The passenger first disembarking shall pay the tariff shown on the taximeter at the point subject to any legitimate extras.
 - (b) The taximeter shall be then reset. The passenger next disembarking shall pay the tariff shown on the meter at their destination, subject to any extras and so on in a like manner until all passengers have been discharged.
 - (c) Whenever two or more passengers disembark at the same place, each shall pay their proportionate share of the charge registered at the point where they disembark.
5. Where a passenger enters a cab, which is already engaged in carrying one or more passengers, the occupants of such Taxicab shall pay the fare to the point where such subsequent passenger

or passengers embark. The taximeter shall then be reset and the person or persons so embarking shall be responsible for the fare to the common destination or to a point where one or more additional passengers embark, whereupon the taximeter shall be reset. This procedure shall be carried on until parties have reached their common destinations.

6. A Taxicab engaged in carrying a passenger shall not depart from its direct route to its engaged destination without the consent of the passenger being so carried. If the Taxicab, with such consent, deviates from its route to pick up a passenger otherwise than at the direction of the passenger then engaging the Taxicab, the taximeter shall forthwith be turned off and the passenger being so carried shall be liable to pay their fare only up to that point.
7. The following will apply to Flat Rate charges:
 - (a) Flat rate fees may be collected at the point of origin. Additional fees shall be collected upon arrival at the destination.
 - (b) The meter shall be engaged for the duration of the flat rate portion of any trip and reset when required.
 - (c) Notwithstanding, for trips originating within the Rural Zone and terminating within the Rural Zone without entering the Urban Zone, the Taxi Driver and passenger may, prior to the commencement of a trip, agree to a flat rate. In such instances, the meter shall be engaged and the flat rate shall not exceed the metered rate upon arrival at the destination.
 - (d) For trips originating within the Urban Zone, a flat rate to the destination indicated plus the metered rate (Urban Zone) to the final destination, subject to an additional metered charge from the point of origin to the Urban Zone.

RURAL ZONE	Flat Rate
Dokis Rd at Hwy 64	\$ 75.00
Camp Laplage	\$ 35.00
Pake's Campground	\$ 30.00
Jocko Point at Hwy 17	\$ 25.00
Beaucage Rd at Hwy 17	\$ 30.00
Field (Val des Arbres)	\$ 35.00
Field (Hwy 64 at Hwy 575)	\$ 40.00
Lavigne (at Caron Road)	\$ 50.00
River Valley (Hwy 539A at Forget Rd)	\$ 50.00
Desaulniers (Hwy 539 &at Giroux Vezina Rd)	\$ 45.00
Levac Rd at Richie St	\$ 14.00
Levac Rd at Beaudry Rd	\$ 20.00
Leclair Rd at Hwy 64	\$ 33.00
Ted Commanda Drive	\$ 17.00
Verner (Hwy 17 at Hwy 575)	\$ 30.00
North Monteville	\$ 70.00
Crystal Falls (at Hwy 64)	\$ 18.00
Deer Lake Rd at Hwy 17	\$40.00



SCHEDULE "C" TO TAXI BY-LAW 2016/63

APPLICATION FOR TAXICAB VEHICLE LICENCE
(Transfer Licence)

Date: _____

_____ owns and operates the following vehicle(s) under the name

of : _____
(Name of Taxi Stand)

	YEAR	MAKE	LICENCE PLATE NO.
1.			
2.			
3.			
4.			
5.			

	YEAR	MAKE	LICENCE PLATE NO.
6.			
7.			
8.			
9.			
10.			

The applicant has produced a copy of a policy issued by _____
(Name of Insurance Company)

insuring the applicant in the amount of \$ _____ , against liability for damages resulting from injuries or death occasioned by an accident arising out the operation of the Taxicab in respect of which a licence is applied for and against claims for damages to the property of others arising out of the operating of such Taxicab.

CHIEF'S DECISION	
<input type="checkbox"/>	Taxicab vehicle licence(s) approved.
<input type="checkbox"/>	Total licence fee - \$ _____

R.C.J. Séguin
Chief of Police



SCHEDULE "D" TO TAXI BY-LAW 2016/63

APPLICATION FOR TAXI DRIVER'S LICENCE

Date: _____

I, _____, wish to apply for a Taxicab Driver's Licence for the Municipality of West Nipissing.

I am supplying the following particulars so that a record check can be made to determine whether or not I have a criminal record, convictions under the *Liquor Licence Act* or a driver's record: (please print)

NAME:		
D.O.B.:		
MAILING ADDRESS:		
DRIVER'S LICENCE NUMBER:		
TELEPHONE NUMBER:		
CRIMINAL RECORD:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
LIQUOR ACT RECORD:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DRIVER'S RECORD	<input type="checkbox"/> YES	<input type="checkbox"/> NO

I authorize the West Nipissing Police Services to make the necessary record checks for the purpose of assessing my suitability to possess a Taxicab Driver's licence.

I further authorize the release of this information to the Municipality of West Nipissing Council for their consideration when assessing my suitability to possess a Taxicab licence.

Applicant's Signature

NOTICE :	The personal information on this form is being collected under the authority of the Municipality of West Nipissing By-Law No. 2016-63 for the purpose of assessing your suitability for a Taxicab driver's licence. Questions about this collection should be directed to: Chief R.C.J. Seguin, West Nipissing Police Service, 106-225 Holditch Street, Sturgeon Falls, ON, P2B 1T1
	Section 29 (2) Municipal Freedom of Information and Protection to Individual Privacy.



SCHEDULE “E” TO TAXI BY-LAW 2016/63

POLICE REPORT **re: TAXI DRIVER’S LICENCE APPLICATION**

I have received an application for a Taxi Driver’s licence from _____ and I submit the following report as required under Section 2 of By-Law 2016/63

- The applicant has no record or conviction under the *Criminal Act*, the *Highway Traffic Act* or the *Liquor Licence Act*.
- The applicant meets the requirements under the By-Law and I recommend that a Taxi Driver’s licence be issued.
- The applicant has a criminal record {____}, a driving record {____}, and/or a *Liquor Licence Act* conviction(s) {____}.
- The applicant does not meet the requirements of the By-Law because of the above mentioned record/conviction(s), but upon review, I recommend that the record/conviction(s) not deter the issuance of a Taxi Driver’s Licence.

Furthermore, I have advised the applicant that under **Section 6 of the By-Law**, he/she can appeal to Council.

I have also advised the applicant that under **Section 12 of the By-Law**, any licence may be suspended until the next meeting of Council where there has been an apparent contravention of the Criminal Code, a conviction under the *Highway Traffic Act* resulting in the loss of (7 seven) demerit points or more, a breach of the *Liquor Licence Act*, or this by-law, that in the Chief’s opinion, warrants suspension, or when a Driver has been charged with the *Highway Traffic Act* offences of Careless Driving, Drive Under Suspension, Fail to Remain, Fail to Stop for Police, or Owner Operate or Permit Operation of Motor Vehicle with no Insurance, *Compulsory Automobile Insurance Act*.

The applicant has been advised that under **Section 13 of the By-Law**, Council shall hear and determine the matter and may revoke, suspend, issue or renew a licence subject to such conditions, as it deems fit.

Respectfully submitted,

CHIEF’S DECISION	
<input type="checkbox"/>	Issue licence.
<input type="checkbox"/>	Don’t issue licence.

R.C.J. Séguin
Chief of Police



SCHEDULE "F" TO BY-LAW 2016/63

APPLICATION FOR TAXI BROKER'S LICENCE (TRANSFER LICENCE)

Date: _____

_____, has this date made application for a Taxi Broker's Licence.

The applicant has the following vehicles in use as Taxicabs:

Table with 3 columns: YEAR, MAKE, LICENCE PLATE NO. and 3 rows for vehicle details.

The applicant has produced a copy of a policy issued by _____ (Name of Insurance Company)

insuring the applicant in the amount of \$ _____, against liability for damages resulting from injuries or death occasioned by an accident arising out of the operation of the Taxicab in respect of which a licence is applied for and against claims for damages to the property of others arising out of the operating of such Taxicab.

The Owner of Taxi Licence # _____ hereby acknowledges and agrees to the issuance of the within Broker's Licence.

Signature of Owner of Taxi Licence

This Broker's Licence shall be authorized to operate under Taxi Owner Licence # _____; which shall be amended to reduce the number of vehicles by the same number of vehicles as authorized under this Broker's Licence.

CHIEF'S DECISION
[] Broker's Licence approved.
[] Broker's Licence fee - \$ _____

R.C.J. Séguin
Chief of Police



SCHEDULE "G" TO TAXI BY-LAW 2016/63

APPLICATION FOR TAXI STAND LICENCE

Date: _____

I, _____, wish to apply for a Taxi Stand Licence for the Municipality of West Nipissing.

I am supplying the following particulars in order to determine the feasibility of my application:

Owner's Name:	
Mailing Address:	
Telephone Number(s):	(Home) _____ (Cellular) _____
E-mail Address:	
TAXI STAND NAME:	
TAXI STAND STREET ADDRESS:	
REGISTERED PROPERTY OWNER'S NAME:	
TAXI STAND PHONE NUMBER:	

I further authorize the release of this information to the Municipality of West Nipissing Council for their consideration when assessing my suitability to possess a Taxi Stand Licence.

Applicant's Signature

As Registered Property Owner of the above identified Taxi Stand premises, I authorize the herein application for a Taxi Stand Licence.

Registered Property Owner's Signature

NOTICE :	The personal information on this form is being collected under the authority of the Municipality of West Nipissing By-Law No. 2016-63 for the purpose of assessing your suitability for a Taxicab driver's licence. Questions about this collection should be directed to: Chief R.C.J. Seguin, West Nipissing Police Service, 106-225 Holditch Street, Sturgeon Falls, ON, P2B 1T1
	Section 29 (2) Municipal Freedom of Information and Protection to Individual Privacy

TAXI TARIFF

The rates below include
all taxes (Revised: June 21, 2016)



West Nipissing Ouest

Joie de vivre

The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest
101-225, rue Holditch Street, Sturgeon Falls, ON P2B 1T1

P/T (705) 753-2250 (1-800-263-5359)
F/TC (705) 753-3950

URBAN ZONE

For trips originating and ending within the area bordered by:

1. Golf Course Road to the East
2. Levert Drive and Stewart Road to the North
3. Levac Road and Highway 17 to the West
4. Lake Nipissing to the South

a Fare of \$3.50 for the first 100 meters and an additional \$0.23 for each additional 100 meters (**equivalent to \$2.30 per kilometer**)

FLAT RATES

The following will apply to Flat Rate charges:

- a. Flat rate fees may be collected at the point of origin. Additional fees shall be collected upon arrival at the destination.
- b. The meter shall be engaged for the duration of the flat rate portion of any trip and reset when required.
- c. Notwithstanding, for trips originating within the Rural Zone and terminating within the Rural Zone without entering the Urban Zone, the Taxi Driver and passenger may, prior to the commencement of a trip, agree to a flat rate. In such instances, the meter shall be engaged and the flat rate shall not exceed the metered rate upon arrival at the destination.
- d. For trips originating within the Urban Zone, a flat rate to the destination indicated plus the metered rate (Urban Zone) to the final destination, subject to an additional metered charge from the point of origin to the Urban Zone.

RURAL ZONE	Flat Rate
Dokis Rd at Hwy 64	\$ 75.00
Camp Laplage	\$ 35.00
Pake's Campground	\$ 30.00
Jocko Point at Hwy 17	\$ 25.00
Beaucage Rd at Hwy 17	\$ 30.00
Field (Val des Arbres)	\$ 35.00
Field (Hwy 64 at Hwy 575)	\$ 40.00
Lavigne (at Caron Road)	\$ 50.00
River Valley (Hwy 539A at Forget Rd)	\$ 50.00
Desaulniers (Hwy 539 &at Giroux Vezina Rd)	\$ 45.00
Levac Rd at Richie St	\$ 14.00
Levac Rd at Beaudry Rd	\$ 20.00
Leclair Rd at Hwy 64	\$ 33.00
Ted Commanda Drive	\$ 17.00
Verner (Hwy 17 at Hwy 575)	\$ 30.00
North Monteville	\$ 70.00
Crystal Falls (at Hwy 64)	\$ 18.00
Deer Lake Rd at Hwy 17	\$40.00



TAXI TARIFF

The rates below include
all taxes (Revised: June 21, 2016)



West Nipissing Ouest

Joie de vivre

The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest
101-225, rue Holditch Street, Sturgeon Falls, ON P2B 1T1

P/T (705) 753-2250 (1-800-263-5359)
F/TC (705) 753-3950

GENERAL

1. Where two more passengers are carried from a common starting point to two or more destinations, the fares to be paid by each passenger shall be as follows:
 - a. The passenger first disembarking shall pay the tariff shown on the taximeter at that point subject to any legitimate extras, and
 - b. The taximeter shall be then reset. The passenger next disembarking shall pay the tariff shown on the meter at their destination, subject to any extras and so on in a like manner until all passengers have been discharged.
 - c. Whenever two or more passengers disembark at the same place, each shall pay their proportionate share of the charge registered at the point where they disembark.
2. Where a passenger enters a cab which is already engaged in carrying one or more passengers, the occupants of such Taxicab shall pay the fare to the point where such subsequent passenger or passengers embark. The taximeter shall then be reset and the person or persons so embarking shall be responsible for the fare to the common destination or to a point where one or more additional passengers embark, whereupon the taximeter shall be reset. This procedure shall be carried on until parties have reached their common destinations.
3. A Taxi engaged in carrying a passenger shall not depart from its direct route to its engaged destination without the consent of a passenger being so carried. If the Taxicab, with such consent, deviates from its route to pick up a passenger otherwise than at the direction of the passenger then engaging the Taxicab, the taximeter shall forthwith be turned off and the passenger being so carried shall be liable to pay their fare only up to that point.

SENIORS AND DISABLED PERSONS

Seniors' (65 or over) and persons with physical disabilities shall be afforded the following flat rates subject to the flat rate being less than the metered rate:

- a. \$5.00 for trips within an area bordered by Front Street, Holditch Street, Ethel Street and Michaud Street.
- b. \$6.00 for trips within (a) above and an area bordered by
 - vi. Front Street, Michaud Street, Ethel Street and Coursol Street,
 - vii. North of Ethel to the Sturgeon River
 - viii. Front Street, Holditch Street, Lisgar Street and Dovercourt,
 - ix. Pembroke Street, Spring Street, Bay Street to Villeneuve Court
 - x. Railway Street, Holditch Street, Third Street to Belanger, and Salter to Coursol.
- c. \$7.00 for trips within (a) and (b) above and the area formerly known as Sturgeon Falls, except:
 - xi. Riverfront Drive, Demers Street, Roy Street south of Mageau and Nipissing Street south of Aubrey where an additional \$1.00 will apply,

DELIVERY SERVICES

Fees for the delivery of anything other than persons shall be negotiated and agreed upon prior to providing such service. This will include the delivery of parcels, pickup and delivery of grocery items or other commodities subject to any legislative restrictions or prohibitions.



BY-LAW 2019/45

BEING A BY-LAW TO AMEND BY-LAW 2016/63, BEING A BY-LAW TO PROVIDE FOR LICENSING, REGULATING AND GOVERNING TAXICAB BROKERS, TAXICAB OWNERS, TAXICAB DRIVERS, LIMOUSINE OWNERS AND DRIVERS OF MOTOR VEHICLES USED FOR HIRE, AND FOR LIMITING THE NUMBER OF TAXICAB OWNER LICENCES IN THE MUNICIPALITY OF WEST NIPISSING

WHEREAS Section 156 (1) of the *Municipal Act* RSO 1990, as amended from time to time, states that a municipality may pass by-laws pertaining to the licensing of Taxicabs;

AND WHEREAS Council deems it expedient to amend the municipal Taxi By-Law **2016/63**; to ensure the continuity of services as it relates to the administration and enforcement thereof;

NOW THEREFORE the Council of the Corporation of the Municipality of West Nipissing amends by-law **2016/63**, as follows:

- (1) That the following definitions be **DELETED** from Section 1:
 - 1(d) "Chief of Police"
 - 1(m) "Police Service"
 - 1(n) "Police Officer"

- (2) That the following definitions be **ADDED** to Section 1:
 - 1(x) "**By-Law Enforcement Officer**" means any officer appointed by the Municipality of West Nipissing, from time to time, for the enforcement of by-laws.
 - 1(y) "**Licensing Issuer**" means municipal staff which shall include the Municipal Clerk, Deputy Clerk and any By-Law Enforcement Officer appointed by the Municipality of West Nipissing, from time to time.

- (3) That all references in By-Law 2016/63, including all amending by-laws thereof, wherein the term "**Chief of Police**" or "**Police Service**" or "**Police Officer**" is used shall be replaced with the term "**Licensing Issuer**".

- (4) Any grammatical changes shall be incorporated in order to give effect to Item (3), above; and

- (5) That this by-law shall take effect on the date it is enacted.

ENACTED AND PASSED THIS 21ST DAY OF MAY, 2019 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.



JOANNE SAVAGE
MAYOR



JANICE DUPUIS
DEPUTY CLERK

BY-LAW 2019/70

BEING A BY-LAW TO AMEND BY-LAW 2016/63, BEING A BY-LAW TO PROVIDE FOR LICENSING, REGULATING AND GOVERNING TAXICAB BROKERS, TAXICAB OWNERS, TAXICAB DRIVERS, LIMOUSINE OWNERS AND DRIVERS OF MOTOR VEHICLES USED FOR HIRE, AND FOR LIMITING THE NUMBER OF TAXICAB OWNER LICENCES IN THE MUNICIPALITY OF WEST NIPISSING

WHEREAS Section 156 (1) of the *Municipal Act* RSO 1990, as amended from time to time, states that a municipality may pass by-laws pertaining to the licensing of Taxicabs;

AND WHEREAS Council deems it expedient to amend the municipal Taxi By-Law **2016/63**; to ensure the continuity of services as it relates to the administration and enforcement thereof;

NOW THEREFORE the Council of the Corporation of the Municipality of West Nipissing amends by-law **2016/63**, including all amending by-laws thereof, as follows:

- (1) That By-Law 2018/83 be repealed in its entirety;
- (2) That **SCHEDULE "B"** - Tariff or Rates to be Charged for Use of Taxicab Operating in the Municipality of By-Law 2016/63 be repealed and replaced with the attached hereto which shall form part of the by-law;
- (3) That **SCHEDULE "H"** – Tariff Card of By-Law 2016/63 be repealed and replaced with the attached hereto which shall form part of the by-law;
- (4) That Item 19(a) be deleted and replaced with the following :
 - 19(a)(i) the motor vehicle is less than 10 years of age (by subtracting model year from current licence year),
 - 19(a)(ii) the paravan taxicab is less than 12 years of age (by subtracting model year from current licence year),
- (5) That this by-law shall take effect on the date it is enacted.

ENACTED AND PASSED THIS 13th DAY OF AUGUST, 2019 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.



JOANNE SAVAGE
MAYOR



MELANIE DUCHARME
CLERK

Municipality of West Nipissing

TAXI BY-LAW**SCHEDULE "B" to BY-LAW 2019/70****AMENDING BY-LAW 2016/63**

**TARIFF OR RATES TO BE CHARGED
FOR USE OF TAXICAB OPERATING IN THE MUNICIPALITY**

1. For Taxi trips anticipated to be less than 10 kilometers, the Taximeter rate will be a FARE of **\$3.90** for the first 100 meters and an additional \$0.23 for each additional 100 meters (**equivalent to \$2.30 per kilometer**).
2. When a Taxi trip is anticipated to be longer than 10 kilometers one-way, the Driver and passenger may agree to a negotiated fee before the start of the trip in question. In each such instance, the Taxi Driver shall:
 - (a) place the Taximeter in the Taxi in operation when the trip commences and keep the Taximeter in operations until such time as the Taxi reaches the destination; and
 - (b) charge the passenger the fee which is the lower of the agreed upon fixed fee (flat rate) and the fee determined in accordance with the Taxi Tariff, as shown on the Taximeter.
 - (c) fixed fees (flat rate) may be collected at the point of origin. Additional fees shall be collected upon arrival at the destination
3. For each period of waiting requested by a passenger, they shall be charged an amount of twenty-nine dollars and twenty cents (\$29.20) not including applicable taxes, per hour computed by the taximeter at the rate of twenty cents (\$.20) for each successive interval of twenty-one point eighty-three (21.83) seconds.
4. Seniors' (65 or over) and persons with physical disabilities shall be afforded the following flat rates:
 - (a) \$5.00 for trips within an area bordered by Front Street, Holditch Street, Ethel Street and Michaud Street,
 - (b) \$6.00 for trips within (a) above and an area bordered by
 - i. Front Street, Michaud Street, Ethel Street and Coursol Street,
 - ii. North of Ethel to the Sturgeon River
 - iii. Front Street, Holditch Street, Lisgar Street and Dovercourt,
 - iv. Pembroke Street, Spring Street, Bay Street to Villeneuve Court
 - v. Railway Street , Holditch Street, Third Street to Belanger, and Salter to Coursol,
 - (c) \$7.00 for trips within (a) and (b) above and the area formerly known as Sturgeon Falls, except:
 - i. Riverfront Drive, Demers Street, Roy Street south of Mageau and Nipissing Street south of Aubrey where an additional \$1.00 will apply,

subject to the flat rate being less than the metered rate.
5. Where two or more passengers are carried from a common starting point to two or more destinations, the fares to be paid by each passenger shall be as follows:
 - (a) The passenger first disembarking shall pay the tariff shown on the taximeter at the point subject to any legitimate extras.
 - (b) The taximeter shall be then reset. The passenger next disembarking shall pay the tariff shown on the meter at their destination, subject to any extras and so on in a like manner until all passengers have been discharged.
 - (c) Whenever two or more passengers disembark at the same place, each shall pay their proportionate share of the charge registered at the point where they disembark.
6. Where a passenger enters a cab, which is already engaged in carrying one or more passengers, the occupants of such Taxicab shall pay the fare to the point where such subsequent passenger or passengers embark. The taximeter shall then be reset and the person or persons so embarking shall be responsible for the fare to the common destination or to a point where one or more additional passengers embark, whereupon the taximeter shall be reset. This procedure shall be carried on until parties have reached their common destinations.
7. A Taxicab engaged in carrying a passenger shall not depart from its direct route to its engaged destination without the consent of the passenger being so carried. If the Taxicab, with such consent, deviates from its route to pick up a passenger otherwise than at the direction of the passenger then engaging the Taxicab, the taximeter shall forthwith be turned off and the passenger being so carried shall be liable to pay their fare only up to that point.

TAXI TARIFF

The rates below include
all taxes (Revised: Aug-13-2019)



West Nipissing Ovest

Joie de vivre

The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ovest
101-225, rue Holditch Street, Sturgeon Falls, ON P2B 1T1

P/T (705) 753-2250 (1-800-263-5359)
F/TC (705) 753-3950

1. For Taxi trips anticipated to be less than 10 kilometers, the Taximeter rate will be a FARE of \$3.90 for the first 100 meters and an additional \$0.23 for each additional 100 meters (equivalent to \$2.30 per kilometer).
2. When a Taxi trip is anticipated to be longer than 10 kilometers one-way, the Driver and passenger may agree to a fixed fee (flat rate) before the start of the trip concerned. In each such instance, the Taxi Driver shall:
 - (a) place the Taximeter in the Taxi in operation when the trip commences and keep the Taximeter in operations until such time as the Taxi reaches the destination; and
 - (b) charge the passenger the fee which is the lower of the agreed upon fixed fee (flat rate) and the fee determined in accordance with the Taxi Tariff, as shown on the Taximeter.
 - (c) fixed fee (flat rate) may be collected at the point of origin. Additional fees shall be collected upon arrival at the destination.

