

CORPORATION OF THE TOWN OF PETAWAWA

BY-LAW # 314/04

BEING A BY-LAW TO LICENCE, REGULATE AND GOVERN OWNERS AND DRIVERS OF TAXICAB AND LIMOUSINES

WHEREAS Section 150(2) of the Municipal Act, 2001, S.O. 2001, c. 25 provides that a local municipality may licence a business for the purpose of health and safety, nuisance control and /or consumer protection;

AND WHEREAS Section 155 of the Municipal Act, 2001, S.O. 2001, c. 25 authorizes Municipal Councils to pass by-laws for licencing, regulating and governing any business carried on within the municipality;

AND WHEREAS the Corporation of the Town of Petawawa deems is expedient to enact such a by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PETAWAWA ENACTS AS FOLLOWS:

**SHORT TITLE
TAXI BY-LAW**

1. DEFINITIONS

For the purpose of this by-law, the following terms, phrases, words and their derivation shall have the meaning defined herein, unless the context clearly indicates that another meaning is intended. Words used in the present tense include the future and past tense, words in the plural number include the singular number, words in the singular number include the plural number, and words in the masculine gender include the feminine gender. In addition, the term "May" shall be construed as permissive and "Shall" shall be construed as imperative.

In this by-law:

"applicant" means a person applying for a licence under this by-law and includes the person renewing a licence;

"Canadian Police Certificate" means a certificate issued by a police office showing the applicant's police record;

"Clerk" means the Clerk of the Corporation of the Town of Petawawa or his her designate;

"Council" means the Council of the Corporation of the Town of Petawawa;

"driver" means any person driving or operating a taxicab or limousine for himself or herself or on behalf of any person and shall include an owner who drives or operates his or her own taxicab or limousine;

"Mechanical Fitness Certificate" means a certificate as defined in the regulations of the *Ontario Highway Traffic Act*;

"licence" means a taxicab driver's licence, limousine driver's licence, owner's licence or any of them as defined in this by-law;

"licence plate" means a metal or plastic plate containing the taxicab or limousine number issued pursuant to this by-law;

"limousine" means a full size luxury motor vehicle, having a minimum of four doors, which does not have either a taximeter, a roof sign or a two-way radio and is used for hire on an hourly or flat rate basis. For the

purpose of this by-law, any van seating less than eleven (11) persons including the driver and used for hire on an hourly or flat rate basis shall be regarded as a limousine. Buses or vans regulated or licenced by statute or regulation is exempt from the conditions of this by-law;

“limousine driver’s licence” means a licence granted by the Clerk to any individual to drive or act as a driver of any limousine that is subject to this by-law;

“Municipal Law Enforcement Officer (MLEO)” means the municipal enforcement officer as designated by Council;

“Municipality” means the Corporation of the Town of Petawawa;

“owner” means any person who owning or having control or possession of a vehicle which is licenced as a taxicab or limousine or is required to be licenced as a taxicab or limousine under this by-law;

“owner’s licence” means a licence granted by the Clerk to any person to own or keep or use any taxicab or limousine that is subject to this by-law;

“passenger” means any person in a taxicab or limousine except for the driver;

“person” includes an individual, corporation, firm or agent thereof;

“tariff card” means a card, issued by the Town of Petawawa, to display the rates for a taxicab and limousine as approved by Council;

“taxicab” includes any motor vehicle that is equipped with a taximeter, used for hire for the conveyance of passengers, with a manufacturer’s rated seating capacity of not more than eight (8) persons including the driver;

“taxicab driver’s licence” means a licence granted by the Clerk to any individual to drive or act as a driver of any taxicab that is subject to this by-law;

“taximeter” means a mechanical or electronic device which measures the distance traveled and computes the fare to be charged and further contains an independent timing device to compute the charge for waiting times; and

“to operate” includes to drive a taxicab or limousine, and to make a service available to the public for use as a taxicab or limousine.

2. LICENCE REQUIREMENTS

- (a) No person shall operate or drive a taxicab or limousine for the transportation of passengers or goods from any point within the Municipality except under the authority of a taxicab or limousine driver’s licence;
- (b) No person shall own, keep or permit a motor vehicle to be used as a taxicab or limousine in the transportation of passengers or goods from any point within the Municipality except under the authority of a taxicab or limousine owner’s licence;
- (c) No person who owns, keeps or permits a motor vehicle to be used as a taxicab or limousine shall allow or permit any person to operate or drive said motor vehicle unless licenced as a taxicab or limousine driver in accordance with this by-law; and
- (d) Notwithstanding subsection 2(a), no such licence shall be required of an owner or driver of a taxicab or limousine, duly licenced by another municipality, if the only activity of such owner or driver is the result of a conveyance which originated in the municipality in which said licence was issued.

3. ADMINISTRATION

- (a) Except as expressly stated herein and except as required otherwise by statute, this by-law shall be administered by the Clerk and his or her designate;
- (b) The Clerk shall not be bound to issue a licence to any applicant if that applicant is found to be:
 - (i) in breach of the law;
 - (ii) conducting activities which may be adverse to the public; or
 - (iii) in contravention of this by-law or any other law.
- (c) Any person whose application has been refused by the Clerk may request a hearing of Council;
- (e) Every licence fee paid in accordance with this by-law may be refundable, if the licence applied for is denied for cause; and
- (f) This by-law may be enforced by a Police Officer or the Municipal Law Enforcement Officer for the Town of Petawawa.

4. REQUIREMENT FOR A LICENCE

- (a) Within the Town of Petawawa, no person shall:
 - (i) drive or operate a taxicab or limousine without having a current valid taxicab driver's or limousine driver's licence, issued under the provisions of this by-law; or
 - (ii) keep or own a taxicab or limousine for hire without having a current valid taxicab owner's or limousine owner's licence issued under the provisions of this by-law.

5. TERMS OF LICENCE

- (a) Every licence issued pursuant to this by-law, shall, subject to the provisions hereof, be valid for a period of one (1) year only, being from January 1st to December 31st inclusive;
- (b) Applications for renewals of licences must be completed and submitted to the Clerk no later than fifteen (15) days prior to the expiration of each licence;

6. FALSE INFORMATION

- (a) No person shall provide false, misleading or incorrect information for the purpose of securing a licence issued pursuant to this by-law.

7. NOTICE

- (a) Any notice or order required to be given or served under this by-law is sufficiently given or served if delivered personally or sent by registered mail, addressed to the person to whom delivery or service is required to be made at the last address for service appearing on the application record with the Clerk.

8. CONDITIONS FOR ISSUANCE OF TAXICAB OR LIMOUSINE DRIVER'S LICENCE

- (a) Each applicant for a taxicab or limousine driver's licence shall attend the municipal office in person and make a written application for such licence;

- (b) No licence shall be issued to an applicant for a taxicab or limousine driver's licence unless and until the Clerk has been furnished with:
- (i) satisfactory proof that the applicant is at least eighteen (18) years of age;
 - (ii) the applicant's full name, current address and telephone number for home and business; the name and address of the taxicab or limousine owner;
 - (iii) satisfactory proof that the applicant is a holder of a current driver's licence of the appropriate class issued pursuant to the *Ontario Highway Traffic Act*, and the regulations passed thereunder;
 - (iv) a Canadian Police Certificate issued by a police office within thirty (30) days prior to the licence application;
 - (v) a *Highway Traffic Act* historical check (driver's extract) issued within thirty (30) days prior to the licence application by the *Ministry of Transportation*;
 - (vi) a written warranty by the applicant that there are no outstanding criminal, provincial or regulatory offence charges or warrants against him or her;
 - (vii) two current colour photographs in passport format of the exact image of the applicant; and
 - (viii) the appropriate licence fee in accordance with the attached Schedule "A"

9. TAXICAB AND LIMOUSINE DRIVER REQUIREMENTS

- (a) Every taxicab and limousine driver licenced under this by-law shall:
- (i) carry the driver's licence issued under this by-law and the driver's licence issued under the *Ontario Highway Traffic Act* with him or her at all times when operating a taxicab or limousine;
 - (ii) while operating a taxicab or limousine, display their taxicab or limousine driver's licence where it is clearly visible and can be read by any passenger;
 - (iii) produce for inspection any licence referred to in subsection 9(a)(i) hereof when requested to do so by a police officer or MLEO;
 - (iv) refrain from carrying, having in his or possession or using any radio or cell phone scanning device while operating a taxicab or limousine;
 - (v) upon the request by a passenger refrain from smoking during the operation of a taxicab or limousine;
 - (vi) refrain from consuming alcohol or unlawful drugs prior to or during the operation of a taxicab or limousine;
 - (vii) be dressed, well groomed, neat and clean in personal appearance;
 - (viii) behave civilly and courteously;
 - (ix) give full information to a police officer or MLEO requesting such in regards to any passenger, including names, addresses and other known information;

- (x) punctually keep all his or her appointments and provide service at any location within the Municipality;
- (xi) take proper care of all baggage and other personal property placed in his or her care for conveyance;
- (xii) deliver all property, goods or money left in error by any passenger in the taxicab to such passenger or notify such passenger where such property, goods or money may be recovered, or, if such passenger is unknown, deliver the property, goods or money to the station of a police force operating in the Municipality;
- (xiii) allow a passenger to take with him or her a reasonable amount of baggage or other personal property free of charge, and load and unload the same free of charge;
- (xiv) not demand or receive any higher fare or charge than that specified in the tariff provided by Schedule "B" of this by-law;
- (xv) drive the taxicab in the most direct traveled route from the point of engagement to the point of destination unless otherwise requested by the passenger;
- (xvi) not permit any immoral, indecent or disorderly conduct in the vehicle;
- (xvii) not carry more passengers in his or her taxicab or limousine than is set out in the manufacturer's rating of seating capacity for the motor vehicle;
- (xviii) ensure that each passenger under the age of sixteen years, but not requiring an infant or toddler safety seat, wears a complete seat belt assembly and that it is properly adjusted and securely fastened;
- (xix) while under hire by a passenger, not allow other passengers in the taxicab or limousine without first obtaining the consent of the original passenger;
- (xx) have the right to refuse to serve or refuse any person on the basis that:
 - (1) he is concerned for his personal safety;
 - (2) the person owes him from a previous fare or service; or
 - (3) he has reason to believe that the person is likely to soil or damage the interior of his vehicle;
- (xxi) provide a receipt for the fare when requested by the customer; and
- (xxii) immediately advise the Municipality of any change in the information provided pursuant to Section 8 hereof.

10. CONDITIONS FOR ISSUANCE OF TAXICAB OR LIMOUSINE OWNER'S LICENCE

- (a) A separate taxicab or limousine owner's licence shall be obtained by an owner for each taxicab or limousine in his or her possession pursuant to this by-law;
- (b) Each applicant for a taxicab or limousine owner's licence shall attend the municipal office in person and make a written application for such licence;
- (c) No licence shall be issued to an applicant for a taxicab or limousine owner's licence unless the Clerk has been provided with:

- (i) proof that applicant is at least eighteen (18) years of age;
- (ii) proof of insurance in accordance with the requirements of Section 13 hereof;
- (iii) a copy of the applicant's current Motor Vehicle Permit issued pursuant to the *Ontario Highway Traffic Act*, for the motor vehicle for which the licence is applied, or a signed copy of a leasing agreement for the provision of a motor vehicle in accordance with the requirements set in Section 14 hereof;
- (iv) the make, style, model, vehicle identification number and licence plate number of the vehicle to which the application applies;
- (v) a current certificate of mechanical fitness (issued within thirty (30) days prior to the licence application) as prescribed by the *Ontario Highway Traffic Act*, for the vehicle to which the application applies;
- (vi) proof that the licensee intends to operate as a taxicab or limousine owner and carry on the business thereof within the limits of the Town and will continue to do so throughout the term of his or her licence;
- (vii) in the case of a corporation, the details of the corporate ownership acceptable to the Clerk; and
- (viii) the appropriate licence fee in accordance with the attached Schedule "A".

11. TAXICAB OWNER'S REQUIREMENTS

- (a) A taxicab owner licenced under this by-law shall:
 - (i) hold a separate owner's licence for each vehicle used or kept for hire as a taxicab;
 - (ii) affix the taxicab owner's plate issued by the Municipality securely to the left rear end of his or her taxicab at a location clearly visible to any person located behind the taxicab;
 - (iii) ensure that the taxicab owner's plate remains securely affixed to his or her taxicab during the term of the licence;
 - (iv) keep at all times in his or her taxicab the original or a photocopy of the original of each of the following documents:
 - (1) the current Ontario Motor Vehicle Permit issued for the licenced taxicab;
 - (2) the tariff card issued under this by-law and displayed in such a manner as to be readily visible to passengers;
 - (3) the taxicab owner's licence issued under this by-law and displayed in such a manner as to be readily visible to passengers; and
 - (4) the certificate of liability insurance for the motor vehicle conforming to the requirements for insurance coverage set out in Section 13 of this by-law.
 - (v) ensure that the interior of each vehicle for which he or she is licenced is neat, clean, dry and in good repair;

- (vi) ensure that the exterior of each vehicle for which he or she is licenced is clean and in good repair, free from exterior body damage and rust and has a well-maintained paint finish;
- (vii) ensure that any person operating his or her taxicab for hire is a licenced taxicab driver;
- (viii) not permit any driver employed by him or her to be on duty as a driver for more than twelve (12) consecutive hours;
- (ix) maintain insurance conforming to requirements set out in Section 13 of this by-law, for his or her taxicab;
- (x) not use or possess or allow drivers to use or possess a radio or cell phone scanning device;
- (xi) equip his or her taxicab with a roof sign secured on the roof of the taxicab which is electric and displays the taxicab companies name with lettering which is visible to the public;
- (xii) ensure that while the taxicab is being used for hire, the roof sign on the taxicab is illuminated;
- (xiii) ensure that each taxicab is equipped with a fully operational taximeter, which has been approved and installed in accordance with manufacture's standards and that each taximeter is calibrated, sealed and kept in good working condition at all times;
- (xiv) provide for off street parking for every vehicle which he owns or operates;
- (xv) behave civilly and courteously while carrying on the business of a taxicab owner in any provision of service to the general public; and
- (xvi) immediately advise the Municipality of any change in the information provided.

12. LIMOUSINE OWNER'S REQUIREMENTS

- (a) A limousine owner licenced under this by-law shall:
 - (i) hold a separate owner's licence for each vehicle used or kept for hire as a limousine;
 - (ii) keep at all times in his or her limousine the original or a photocopy of the original of each of the following documents:
 - (1) the current Ontario Motor Vehicle Permit issued for the licenced limousine;
 - (2) the tariff card issued under this by-law;
 - (3) the limousine owner's licence issued under this by-law; and
 - (4) the certificate of liability insurance for the motor vehicle conforming to the requirements for insurance coverage set out in Section 13 of this by-law.
 - (iii) ensure that any person operating his or her limousine for hire is a licenced limousine driver;
 - (iv) not permit any driver employed by him or her to be on duty as a driver for more than twelve (12) consecutive hours;

- (v) ensure that the interior of each vehicle for which he or she is licenced is neat, clean, dry and in good repair;
- (vi) ensure that the exterior of each vehicle for which he or she is licenced is clean and in good repair, free from exterior body damage and rust and has a well-maintained paint finish;
- (vii) maintain insurance conforming to requirements set out in Section 13 of this by-law, for his or her limousine;
- (viii) provide for off street parking for every vehicle which he owns or operates;
- (ix) behave civilly and courteously while carrying on the business of a limousine owner in any provision of service to the general public; and
- (x) immediately advise the Municipality of any change in the information provided.

13. VEHICLE INSURANCE REQUIREMENTS

- (a) Prior to the issuance of an owner's licence, each taxicab and limousine owner shall file with the Clerk, proof of insurance in respect of each vehicle owned or leased by the taxicab or limousine owner in accordance with the following minimum requirements:
 - (i) coverage for public liability in the amount of not less than two million dollars (\$2,000,000.00) in respect to death, bodily injuries and property damage for damage occasioned by an accident arising out of the operation of the vehicle;
 - (ii) an endorsement to provide no-fault benefits set out in the No-Fault Benefits Schedule under the *Insurance Act of Ontario*; and
 - (iii) an endorsement to provide that the Clerk will be given at least ten (10) days notice in writing of any cancellation, expiration or decrease in the amount of coverage provided by the policy below the requirement in subsection 13(a)(i).
- (b) Where a taxicab or limousine owner no longer complies with subsection 13(a)(i) hereof, the owner's licence issued under this by-law shall be deemed to be suspended as of the date of the cessation or decrease of the insurance; and
- (c) An owner's licence shall, subject to this by-law, be re-instated upon production of proof of compliance with section 13(a)(i) hereof to the Clerk.

14. LEASING AGREEMENTS

- (a) A taxicab or limousine owner may, instead of purchasing a motor vehicle for use as a taxicab or limousine, obtain a motor vehicle by a leasing agreement provided that the leasing agreement for the motor vehicle to be used as a taxicab or limousine:
 - (i) specifies that the lessor is the holder of the current motor vehicle permit issued pursuant to the *Ontario Highway Traffic Act*; and
 - (ii) specifies as a minimum requirement:
 - (1) the date of execution of the leasing agreement;
 - (2) the names and addresses of the lessee and lessor;

- (3) the make, model, serial number and year of the motor vehicle;
 - (4) the motor vehicle permit number issued pursuant to the *Ontario Highway Traffic Act*;
 - (5) the term and expiry date of the leasing agreement;
 - (6) the terms and conditions under which the lessee has the right to possession and control of the vehicle, under specified terms and conditions;
 - (7) all of the lessor's and lessee's rights to early termination of the leasing agreement; and
 - (8) the consideration, and the signatures of the lessee, the lessor and the witnesses thereto.
- (b) A taxicab or limousine owner licenced under this by-law who has entered into a leasing agreement under subsection 14(a) hereof shall file with the Clerk, on the later of the date of issuance of the licence or the effective date of the leasing agreement a copy of the leasing agreement containing all the information referred to in subsection 14(a); and
 - (c) Every taxicab or limousine owner shall notify or cause to be notified the Clerk in writing within ten (10) days of the termination of the leasing agreement for the motor vehicle registered in respect of his or her owner's licence with the Municipality.

15. PASSENGER CONDUCT

- (a) No person hiring a taxicab or limousine shall refuse, upon demand by a taxicab or limousine driver, to pay the fare specified in the tariff provided in Schedule "B" of this by-law;
- (b) When a dispute arises between a person hiring a taxicab or limousine and a taxicab or limousine driver respecting the fare to be charged for service, the person hiring the taxicab or limousine may refer the dispute to the Municipality for investigation and appropriate action;
- (c) A passenger in a taxicab or limousine shall refrain from smoking upon request of the taxicab driver or a passenger; and
- (d) The Clerk or MLEO, shall upon receipt of notice of a dispute respecting a fare charged for taxicab or limousine service, make or cause to be made an investigation of the dispute and may order repayment of any excessive charge made by a driver.

16. TRANSFER OF LICENCES

- (a) All licences issued by the Municipality pursuant to this by-law shall remain the sole and exclusive property of the Municipality;
- (b) No driver's licence shall be transferred or otherwise disposed of; and
- (c) Transfer of owner's licences and plates may be done provided that application for the transfer with supporting documentation as per sections 9 and 11 of this by-law are completed to the satisfaction of the Clerk and the required fee as per Schedule A has been paid.

17. VEHICLE INSPECTION

- (a) Every taxicab and limousine owner licenced under this by-law shall submit the motor vehicle for which the licence was issued for inspection when requested by the Clerk, MLEO or a police officer;

- (b) Inspections shall be held at a time and place as notified by the Clerk, MLEO or a police officer. The licenced owner shall comply with this notice and he/she shall attend with the motor vehicle for an inspection at the stated location with proof of all the following:
- (i) the Ontario Ministry of Transportation Safety Standards Certificate showing that the motor vehicle has been accepted;
 - (ii) the current taxicab or limousine owner's licence;
 - (iii) proof of liability insurance coverage; and
 - (iv) the current passenger motor vehicle permit in good standing issued in the owner's name by the *Ontario Ministry of Transportation*.
- (c) If the inspection results in the taxicab or limousine being found to be in an unsafe or hazardous condition, the Clerk:
- (i) shall require the taxicab or limousine to be placed in a safe condition within fourteen (14) days therefrom;
 - (ii) may suspend the licence for a period not exceeding fourteen (14) days; and
 - (iii) shall require the submission of the taxicab or limousine to further inspection to be held within the aforesaid fourteen (14) days.
- (d) If the taxicab or limousine is not submitted as required by this section, or upon the expiration of the time prescribed herein, the Clerk shall suspend the licence of the owner of the taxicab or limousine for fourteen (14) days, or until the next Council meeting of the Municipality, whichever occurs first;
- (e) No person shall obstruct, hinder or otherwise interfere with any inspections carried out in accordance with this by-law; and
- (f) Despite the filing of proof of good repair, this section shall be applicable to each taxicab or limousine operated, provided or used in the trade, calling, business or occupation of each licenced taxicab or limousine owner.

18. LICENCE DENIAL, SUSPENSION AND REVOCATION

- (a) Council may deny an initial application or after a hearing, may revoke any or each of the licences held by a licensee for cause and without limiting the generality of the foregoing for:
- (i) breach of the law;
 - (ii) anything which may be in any way adverse to the public interest;
 - (iii) any other matter which the Municipality is authorized by law to consider;
 - (iv) any violation of the provisions of this by-law; or
 - (v) if the taxicab is not actively being used to pick up passengers.
- (b) Council may suspend a licence for cause for any period that is less than the unexpired part of the period for which it was issued;

- (c) The Clerk may suspend for cause any licence for up to fourteen (14) days or until the next meeting of Council occurring not less than forty-eight hours after the time of the suspension, whichever occurs first, and upon suspending any licence shall notify Council as to the suspension;
- (d) The Clerk may report to council any breaches by the licensee as referred to in subsection 18(a) hereof;
- (e) Upon receipt of the report referred to in subsection 18(a) hereof, the clerk shall determine the time and date of the hearing, which shall be the next meeting of Council, and shall forthwith give notice in writing to the licensee, said notice to:
 - (i) include a statement as to the time, date, place and purpose of the hearing, reasons for the suspension, including reasonable information of any allegations as to the character or propriety of conduct or competence of a licensee if same are in issue; and
 - (ii) be served personally or by registered mail to the licensee at his or her address last known to the Clerk.
- (f) Notwithstanding any of the provisions of this by-law, any proceedings may be disposed of by a decision of Council given:
 - (i) without a hearing; or
 - (ii) without compliance with any other requirement of the *Statutory Powers Procedures Act*, or of this by-law incorporating such requirements;

where the licensee has waived such hearing or compliance;
- (g) Council shall hold the hearing at the time, date and place set out in the notice referred to in section 18(e) hereof;
- (h) The Municipality may be represented at the hearing by counsel who is entitled to produce evidence and submit argument;
- (i) The licensee may, at the hearing:
 - (1) be represented by counsel or an agent;
 - (2) call and examine witnesses and present his or her arguments and submissions; and
 - (3) conduct cross-examination of witnesses reasonably required for a full and fair disclosure.
- (j) Counsel shall give its decision in writing to the Clerk within seven (7) days of the date of the completion of the hearing;
- (k) The Clerk, in receipt of the decision referred to in section 16(j) hereof, shall forthwith notify the licensee of the decision by serving a copy personally or by registered mail to:
 - (i) the licensee at his or her address last known to the Clerk; or
 - (ii) the counsel or agent of the licensee, if any, at his or her address as stated to the Municipality;
- (l) All hearings shall be public hearings unless the licensee requests that the hearing be held in camera and the Council may approve the request by a simple majority; and
- (m) Council's decision shall be final and binding.

19. OFFENCE AND PENALTY

Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine and/or penalty as provided for in the *Provincial Offences Act* as amended, for each offence and such penalty and/or fine shall be recoverable under the *Provincial Offences Act*.

20. SCHEDULES

The schedules attached to this By-law are included in and shall be considered part of this By-law.

21. SEVERABILITY

Should any part, section, subsection or portion of this by-law be repealed or declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or in part thereof, other than for that which was declared to be invalid.

22. REPEAL


The current Town of Petawawa by-laws pertaining to the licencing, regulating and governing owners and drivers of taxicabs and limousines, enacted prior to the passing of this by-law and including the by-laws listed below, are hereby repealed:

- By-law # 70-98
- By-law # 85/99
- By-law 110/99; and
- By-law 147/2000

23. IN FORCE

This By-law shall come into force and take effect upon the date of final passing thereof.

READ A FIRST AND SECOND TIME THIS 20th DAY OF Decembe, 20 04.




 Mayor



 Clerk

READ A THIRD TIME AND PASSED THIS 20th DAY OF Decembe, 20 04.



 Mayor



 Clerk

CORPORATION OF THE TOWN OF PETAWAWA

SCHEDULE "A"

TO BY-LAW /04

SCHEDULE OF FARES

Minimum Fare	\$ 3.50
Each kilometer or part thereof	\$ 1.50
Each minute of waiting time requested by passengers	\$.60

LIMOUSINES:

Minimum Fare (within municipality)	\$30.00
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All rates quoted in this schedule include G.S.T.

No charge shall be made for carrying groceries or luggage in the trunk

CORPORATION OF THE TOWN OF PETAWAWA

SCHEDULE "B"

TO BY-LAW /04

LICENCE FEES

Taxicab or Limousine Driver Licence (Renewal)	\$ 25.00
Taxicab or Limousine Driver Licence (Initial)	
(Full year – obtained 1 Jan through 30 Jun inclusive)	\$ 25.00
(Partial year –obtained 1 Jul through 31 Dec inclusive)	\$ 15.00
Taxicab or Limousine Owner Licence (per vehicle)	\$120.00
Taxicab or Limousine Owner Licence Transfer (per vehicle)	\$ 50.00
Replacement Licence (Vehicle)	\$ 25.00

THE HONOURABLE BRUCE E. MACPHEE
REGIONAL SENIOR JUSTICE
EAST REGION
ONTARIO COURT OF JUSTICE

COURT HOUSE
161 ELGIN STREET, 6TH FLOOR
OTTAWA, ONTARIO
K2P 2L1



L'HONORABLE BRUCE E. MACPHEE
JUGE PRINCIPAL RÉGIONAL
RÉGION DE L'EST
COUR DE JUSTICE DE L'ONTARIO

PALAIS DE JUSTICE
161, RUE ELGIN, 6^E ÉTAGE
OTTAWA (ONTARIO)
K2P 2L1

TELEPHONE / TÉLÉPHONE (613) 239-1520
FAX / TÉLÉCOPIEUR (613) 239-1572

March 1, 2005

Mr. David Newton
Municipal Law Enforcement Officer
Town of Petawawa
1111 Victoria Street
Petawawa, Ontario
K8H 2E6

Dear Mr. Newton,

Re: *Set Fines - Provincial Offences Act – Part I*
Town of Petawawa

Enclosed herewith is a copy of an Order and a copy of the schedule of set fines for By-law No. 314/04, the By-law indicated in the schedule.

The setting of the fines does not constitute my approval of the validity of the By-law or of the short form of wording used to describe the offences.

I have forwarded the original Order and the schedule of the set fines to the Honourable Mr. Justice S.G. Radley-Walters in Pembroke, together with a certified copy of the By-law.

Yours truly,

A handwritten signature in blue ink, appearing to read "Bruce E. MacPhee".

Bruce E. MacPhee
Regional Senior Justice

Enclosures

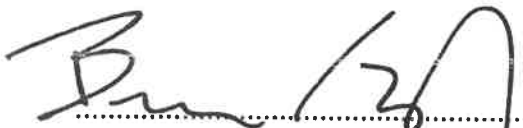


PROVINCIAL OFFENCES ACT

Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedules of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 314/04 of the **Town of Petawawa** attached hereto are the set fines, including costs, for those offences. This Order is to take effect March 1, 2005.

Dated at Ottawa this 1st day of March 2005.


.....
Bruce E. MacPhee, Regional Senior Justice
Ontario Court of Justice
East Region

SET FINE SCHEDULE
TOWN OF PETAWAWA – BY-LAW # 314/04

PART 1 PROVINCIAL OFFENCES ACT
TITLE: TAXI BY-LAW

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINE (INCLUDES COSTS)
1	OPERATE/DRIVE TAXI/LIMO – NO DRIVER'S LICENCE	2(a)	\$250.00
2	KEEP/OWN/USE VEHICLE – NO OWNER'S LICENCE	2(b)	\$500.00
3	OWNER – ALLOW UNLICENCED DRIVER TO OPERATE	2(c)	\$500.00
4	OPERATE/DRIVE TAXI/LIMO – NO LICENCE	4(a)(i)	\$250.00
5	KEEP/OWN TAXI/LIMO – NO LICENCE	4(a)(ii)	\$500.00
6	PROVIDE FALSE INFORMATION	6(a)	\$500.00
7	DRIVER – FAIL TO BE IN POSSESSION OF LICENCE	9(a)(i)	\$125.00
8	DRIVER – FAIL TO DISPLAY LICENCE	9(a)(ii)	\$125.00
9	DRIVER – FAIL TO PRODUCE LICENCE	9(a)(iii)	\$125.00
10	DRIVER – HAVE/USE SCANNING DEVICE	9(a)(iv)	\$250.00
11	DRIVER – FAIL TO REFRAIN FROM SMOKING	9(a)(v)	\$250.00
12	DRIVER – CONSUME ALCOHOL/DRUGS	9(a)(vi)	\$500.00
13	DRIVER – TOO MANY PASSENGERS	9(a)(xvii)	\$500.00
14	DRIVER – FAIL TO PROVIDE RECEIPT	9(a)(xxi)	\$125.00
15	DRIVER – FAIL TO NOTIFY CHANGE OF INFORMATION	9(a)(xxii)	\$250.00
16	OWNER – FAIL TO LICENCE TAXI	11(a)(i)	\$500.00
17	OWNER – TAXI PLATE - FAIL TO AFFIX /NOT VISIBLE	11(a)(ii)	\$125.00
18	OWNER – NO PROOF OF PROVINCIAL PERMIT	11(a)(iv)(1)	\$125.00
19	OWNER – NO TARIFF CARD	11(a)(iv)(2)	\$125.00
20	OWNER – NO PROOF OF OWNER'S LICENCE	11(a)(iv)(3)	\$125.00
21	OWNER – NO PROOF OF INSURANCE	11(a)(iv)(4)	\$125.00
22	OWNER – TAXI INTERIOR – DIRTY/DISREPAIR	11(a)(v)	\$125.00
23	OWNER – TAXI EXTERIOR – DAMAGE/RUST/DIRTY	11(a)(vi)	\$125.00
24	OWNER – IMPROPER INSURANCE	11(a)(ix)	\$500.00
25	OWNER – TAXI – NO ROOF SIGN	11(a)(xi)	\$125.00

SET FINE SCHEDULE
TOWN OF PETAWAWA – BY-LAW # 314/04

PART 1 PROVINCIAL OFFENCES ACT
TITLE: TAXI BY-LAW

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINE (INCLUDES COSTS)
26	OWNER – TAXI - NO/INOPERABLE TAXIMETER	11(a)(xiii)	\$250.00
27	OWNER – TAXI – INSUFFICIENT OFF STREET PARKING	11(a)(xiv)	\$125.00
28	OWNER – TAXI - FAIL TO NOTIFY CHANGE OF INFORMATION	11(a)(xvi)	\$250.00
29	OWNER – FAIL TO LICENCE LIMO	12(a)(i)	\$500.00
30	OWNER – NO PROOF OF PROVINCIAL PERMIT	12(a)(ii)(1)	\$125.00
31	OWNER – NO TARIFF CARD	12(a)(ii)(2)	\$125.00
32	OWNER – NO PROOF OF OWNER'S LICENCE	12(a)(ii)(3)	\$125.00
33	OWNER – NO PROOF OF INSURANCE	12(a)(ii)(4)	\$125.00
34	OWNER – LIMO INTERIOR – DIRTY/DISREPAIR	12(a)(v)	\$125.00
35	OWNER – LIMO EXTERIOR – DAMAGE/RUST/DIRTY	12(a)(vi)	\$125.00
36	OWNER – IMPROPER INSURANCE	12(a)(vii)	\$500.00
37	OWNER – LIMO – INSUFFICIENT OFF STREET PARKING	12(a)(viii)	\$125.00
38	OWNER – LIMO - FAIL TO NOTIFY CHANGE OF INFORMATION	12(a)(x)	\$250.00
39	OWNER – VEHICLE – FAIL TO SUBMIT FOR INSPECTION	17(a)	\$250.00
40	OBS TRUCT/HINDER/INTERFERE WITH INSPECTION	17(e)	\$500.00

NOTE: The penalty provision for the offences indicated above is section 19 of by-law # 314/04, a certified copy of which has been filed.

CORPORATION OF THE TOWN OF PETAWAWA

BY-LAW 568/09

A BY-LAW TO AMEND BY-LAW 314/04, BEING THE TAXI BY-LAW

WHEREAS the Council of the Town of Petawawa deems it expedient to amend the taxi by-law;

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

1. That Para 2(a) be amended by the addition of "issued by this Municipality;" to the end of the paragraph;
2. That Para 2(b) be amended by the addition of "issued by this Municipality;" to the end of the paragraph;
3. That Para 2(c) be amended by deleting it in its entirety and replacing it with:
" (c) No owner or driver of a taxicab, duly licenced by another municipality shall respond to requests or operate within the jurisdiction of the Town of Petawawa."
4. That Para 2(d) be amended by being re-designated 2(e) and the addition of "and 2(c)" be inserted after the words "Notwithstanding subsection 2(a) ..."
5. That a new Para 2 "(d) No person shall apply for a taxicab or limousine licence for any vehicle already licenced by another municipality as a taxicab or limousine." be added;
6. That a new Para 2 "(f) All vehicles licenced by this municipality as taxicabs or limousines shall be based and operate from a location situated within the Town of Petawawa." be added; and
7. That this by-law shall come into force and take effect following third reading.

Read a first and second time this 15th day of June, 2009.

Read a third time and passed this 15th day of June, 2009.



MAYOR



CLERK

CORPORATION OF THE TOWN OF PETAWAWA

BY-LAW 721/11

**BEING A BY-LAW TO AMEND BY-LAW 314/04,
BEING THE TAXI BY-LAW**

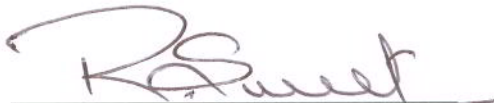
WHEREAS the Council of the Corporation of the Town of Petawawa deems it expedient to amend the Taxi By-law;

NOW THEREFORE BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE TOWN OF PETAWAWA AS FOLLOWS:

1. That Schedule 'A' to By-law 314/04 be deleted and replaced with Schedule 'A' attached hereto and forming part of this by-law.
2. That this by-law shall come into force and take effect following third reading.

By-law read a first and second time this 6th day of September, 2011.

By-law read a third time and passed this 6th day of September, 2011.



Mayor



Clerk

SCHEDULE 'A' TO BY-LAW 721/11

SCHEDULE OF FARES

Taxis

Minimum Fare	\$4.25
Each kilometer or part thereof	\$1.75
Each minute of waiting time requested by the passengers	\$0.75

Limousines

Minimum Fare (within municipality)	\$30.00
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Notes:

1. All rates quoted in this schedule include HST.
2. No charge shall be made for carrying groceries or luggage in the trunk.
3. The By-law Enforcement Officer shall conduct a review of the "Schedule of Fares" every 2 years, or at such time as Council requests, and present his/her recommendations to Council for consideration.