

NORTH BAY POLICE SERVICES BOARD

BY-LAW NO. 05/2010

TAXI BY-LAW

WHEREAS Section 151 and 156 of the *Municipal Act, 2001* authorizes a municipality to licence, govern and regulate the owners and drivers of taxi cabs;

AND WHEREAS Section 23.1 and section 23.2 of the *Municipal Act, 2001* allows a municipality, to delegate its powers and duties;

AND WHEREAS the City of North Bay has passed a by-law adopting a Policy for the Delegating of Power and Duties and said policy delegates the power to licence and regulate the business of taxi cabs to the North Bay Police Services Board;

NOW THEREFORE the North Bay Police Services Board hereby enacts as follows:

1. In this By-Law,

- (a) "Board" means the North Bay Police Services Board.
- (b) "City" means the City of North Bay.
- (c) "Chief of Police" means the Chief of Police of the North Bay Police Service or his designate.
- (d) "Corporation" means the Corporation of the City of North Bay.
- (e) "Certificate" means a Safety Standards Certificate issued by a Licensed Mechanic.
- (f) "Dispatcher" means a person who dispatches taxis.
- (g) "Door" means an entry and exit point for the driver or passengers of a vehicle and does not include a trunk, hatchback door or rear door of a van.
- (h) "Driver" means any person who is licenced or required to be licenced under Part I of this By-Law to drive a taxi.
- (i) "Licence" means a licence issued by the Board, under the provisions of Part I of this By-Law to own a taxi (Owner's Licence or Wheelchair Accessible Vehicle Owner's Licence); drive taxis (Taxi Driver's Licence); or to act as a Taxi Broker (Broker's Licence).
- (j) "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.
- (k) "Police Service" means the North Bay Police Service.
- (l) "Prescribed Tariff" means the tariff set out in Schedule "B" of this By-Law.
- (m) "Taxi(s)" means all motor vehicles including wheelchair accessible vehicles that are used for hire for the carriage 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, which contains or is dispatched by radio or any other telecommunications device within the City, and includes all taxis licenced or required to be licenced under Part I of this By-Law.

- (n) "Taxi Broker" means a person or company that accepts calls in any manner for taxis that are used for hire and are owned by persons other than that person or company, their immediate family, or their employer.
- (o) "Taxi Owner" means the person or company that owns a taxi and includes any driver who leases a taxi from a legal owner.
- (p) "Taxi Stand" means any place designed to accept calls for taxis and includes a public waiting area.
- (q) "Wheelchair Accessible Vehicle" means a van or a bus used for the purpose of transporting, for compensation, physically disabled or mentally disabled persons, which contains or is dispatched by radio or any other telecommunications device within the City.
- (r) "Year Date" means the year printed on the heading "year" on a Motor Vehicle Permit issued by the Ontario Ministry of Transportation.

<p>PART I</p> <p>ADMINISTRATION AND LICENCING</p>

- 2. The Board 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 have supervision over all persons and vehicles licenced under this By-Law and all equipment used by such persons or in such vehicles.
- 4. 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 inquires and investigations concerning licence applications, suspensions, transfers and revocations,
 - (c) arrange and conduct testing of all new licence applications to ensure compliance with the provisions of this By-Law,
 - (d) cause taxis to be inspected by a licenced mechanic to ensure compliance with the provisions of this By-Law,
 - (e) provide the Board with investigative results in relation to applications, transfers, revocations, suspensions, and recommendations on licencing in accordance with Part I of this By-Law,
 - (f) issue and sign licences as authorized by the Board and ensure licencees receive a copy of this By-Law, a tariff card, and in the case of taxi drivers, one (1) photo identification/licence card,
 - (g) maintain a register of all licences and transfers,
 - (h) enforce the provisions of this By-Law, and
 - (i) submit reports to the Board, as required.
- 5. The Board will limit the number of Owner's Licences to eighty-five (85) and the number of Wheel-Chair Accessible Vehicles Owner's Licence to six (6).
- 6. The Chief of Police may refuse to accept certificates from garages or mechanics in relation to this By-Law for just cause.

7. Tariff cards or 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 identification/licence replacement, payment of the replacement fee set out in Schedule "A", of this By-Law.
8. The Chief of Police may authorize any member of the Police Service to exercise any power or perform any duty of the Chief of Police referred to in this By-Law.
9.
 - (a) In addition to any grounds set out in this By-Law for the suspension, revocation, or refusal of licences, the Board may, upon application of the Chief of Police, suspend, revoke or refuse a licence, in the public interest, at its discretion, subject to the *Statutory Powers Procedure Act*.
 - (b) Any hearing held by the Board in relation to section 9(a) of this By-Law shall be held after giving the licensee at least seven (7) days notice of said hearing and such notice shall be given by regular mail or personally.
10.
 - (a) Any act done by the Chief of Police under any of the provisions of this By-Law shall be subject to an appeal to the Board by the person affected by the said act. Such appeal shall be governed by the *Statutory Powers Procedure Act*.
 - (b) Any hearing held by the Board in relation to section 10(a) of this By-Law shall be held after giving the licensee at least seven (7) days notice of said hearing and such notice shall be given by regular mail or personally.
11. The Chief of Police, upon reasonable grounds, may require any person licenced under this By-Law to produce a medical certificate from a physician which states that the person is fit to operate a taxi in compliance with this By-Law.
12. No person shall be issued a licence under this Part unless he or she:
 - (a) is of good moral character and habits, and
 - (b) has no convictions pursuant to Federal or Provincial Statutes or Municipal By-Laws and is not currently charged with any such offences.
13. The Board may issue a licence to a person who has convictions or is facing charges as referred to in section 121(b) if the Board believes that it is not against the public interest to issue such licence.
14. Every Taxi Owner and Taxi Broker licence applicant shall provide sufficient proof that any Taxi Stand referred to in their application conforms to City zoning requirements.
15. Licence applicants and persons requesting renewal of licences shall:
 - (a) submit an application in the prescribed form to the Chief of Police,
 - (b) furnish information, as required,
 - (c) submit to any required testing, and
 - (d) provide payment of the prescribed fee as outlined in Schedule "A".
16. Every person licenced under this By-Law shall, upon changing their residential address, notify the Chief of Police, in writing within two (2) days of such change of address.
17. The Chief of Police may suspend any licence until the next meeting of the Board where the licensee has:

- (a) apparently contravened the *Criminal Code of Canada*;
 - (b) obtained a conviction pursuant to the *Highway Traffic Act* resulting in the loss of seven (7) demerit points or more;
 - (c) contravened the *Liquor Licence Act*;
 - (d) been charged pursuant to the *Highway Traffic Act* with any of the following offences:
 - (i) careless driving;
 - (ii) drive under suspension;
 - (ii) fail to remain; or
 - (iv) fail to stop for police;
 - (e) been charged pursuant to the *Compulsory Automobile Insurance Act* with owner operate or permit operation of motor vehicle with no insurance; or
 - (f) contravened the provisions of this By-Law.
18. a) The Board shall hear and determine the matter of a suspension pursuant to section 17 and may revoke, suspend, issue or renew a licence subject to such conditions as it deems fit. Such hearing shall be governed by the *Statutory Powers Procedure Act*.
- (b) Any hearing held by the Board pursuant to section 18(a) of this By-Law shall be held after giving the licensee at least seven (7) days notice of said hearing and such notice shall be given by regular mail or personally.
19. No person shall drive a taxi in the City unless the person holds a valid Taxi Driver's Licence issued under this Part.
20. Upon a date six months after this By-law comes into force and effect, Wheelchair Accessible Vehicle Owner plates that remain unaffixed will be remitted to the Board and the Wheelchair Accessible Vehicle Owner's Licence shall be revoked by the Board.

TAXI DRIVER'S LICENCE

21. (1) No person shall be issued a Taxi Driver's Licence under this Part unless he or she meets the requirements of Section 12, and
- (a) is at least 19 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 City, and
 - (d) obtains a taxi owner's endorsement on the application form that he/she will be employed as a taxi driver.
- (2) A taxi driver, who for any reason during the term of their current Taxi Driver's Licence, fails to maintain a valid Ontario Driver's Licence, shall forthwith report the loss of such licence to the Chief of Police or designate and surrender his/her Taxi Driver's Licence.

- (3) A taxi driver who has surrendered his/her Taxi Driver's Licence may apply for a new Taxi Driver's Licence upon reinstatement of their valid Ontario Driver's Licence and their ability to satisfy all conditions of this By-Law.
 - (4) A taxi driver who fails to report the loss of their valid Ontario Driver's Licence pursuant to Section 21.1 is guilty of an offence.
22. 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.
23. (1) Every taxi driver who is operating a taxi, shall upon request, produce their photo identification/licence card to a Police Officer.
- (2) Photo Identification/Licence cards are the property of the North Bay Police Services Board and every taxi driver who is suspended or surrenders his/her Taxi Driver's Licence pursuant to Section 21(2) of this By-Law shall forthwith surrender such card to the Chief of Police or designate.
24. No person shall drive a Wheelchair Accessible Vehicle unless:
- (a) they have obtained a Taxi Driver's Licence in accordance with this By-Law, and
 - (b) they have provided satisfactory proof to the Chief of Police that they have successfully completed a course in CPR (Cardio Pulmonary Resuscitation) and First Aid.

OWNER'S LICENCE

25. No person shall operate or permit the operation of a taxi within the City, except under the authority of a valid Owner's Licence or Wheelchair Accessible Vehicle Owner's Licence, issued in relation to that taxi under this Part.
26. (1) An Owner's Licence shall only be issued when the Taxi Owner meets the requirements of Section 12, has submitted the taxi for visual inspection by the Chief of Police and produced satisfactory proof that:
- (a) the taxi is less than ten (10) years of age (by subtracting the "year date" from the current licence year);
 - (b) the taxi possesses no less than four (4) doors, unless the taxi is a van which must have no less than three(3) doors;
 - (c) the taxi has a minimum of 100 cubic feet of interior cabin space and be the sedan model, according to the manufacturer's specifications;
 - (d) the minimum seating capacity of the taxi is five (5), including the driver;
 - (e) seatbelt assemblies exist for all seating positions within the taxi;
 - (f) the taxi is affixed with a taximeter in accordance with Section 61; and
 - (g) the taxi is insured in accordance with Sections 68, 69 and 70.
27. A Wheelchair Accessible Vehicle Owner's Licence shall only be issued when the Wheelchair Accessible Vehicle Owner meets the requirements of Section 12, has submitted the Wheelchair Accessible Vehicle for visual inspection by the Chief of Police and produced satisfactory proof that the Wheelchair Accessible Vehicle:
- (a) complies with R.R.O. 1990, Reg. 629, entitled Vehicles for the Transportation of Physically Disabled Passengers, pursuant to the *Highway Traffic Act*,

- (b) complies with Canadian Standards Association Standard D409-M84 (Motor Vehicles for the Transportation of Physically Disabled Persons), or D409-92 (Motor Vehicles for the Transportation of Persons with Physical Disabilities), as amended,
 - (c) has been issued a valid Certificate,
 - (d) the taxi is less than eight (8) years of age (by subtracting “year date” from current licence year),
 - (e) is insured in accordance with sections 68, 69 and 70.
28. Taxi owners shall be required to prove ownership of the taxi which is the subject of a licence. Where the owner of a taxi is a company or corporation, the applicant shall be required to provide an affidavit disclosing the officers and directors of the said company or corporation.
29. 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 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 children of the deceased.
30. (a) No Owner’s Licence or Wheelchair Accessible Vehicle Owner’s Licence shall be transferred to a different motor vehicle owned by the same Taxi Owner, without the approval of the Chief of Police.
- (b) An Owner’s Licence or Wheelchair Accessible Vehicle Owner’s Licence shall not be transferred or sold to another taxi owner without the consent of the Chief of Police.
31. An Owner’s Licence or Wheelchair Accessible Vehicle Owner’s Licence issued under this Part, unless sooner revoked shall expire the last day of February 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 North Bay Police Service.
32. (1) Taxi owners shall submit a Certificate for each vehicle based on the year of the vehicle as set out below:
- (a) 2 years of age or less – 1 inspection certificate per year
 - (b) 3 to 4 years of age or less – 2 inspection certificates per year
 - (c) 5 to 8 years of age or less – 3 inspection certificates per year
 - (d) 9 to 10 years of age or less – 4 inspection certificates per year
- (2) The age of the vehicle as referred to in Section 32(1) is calculated by subtracting the year date of the vehicle from the current licence year.
- (3) Such Certificates must be issued as a result of a safety inspection done no more than two (2) weeks prior to the date the Certificate is provided to the Chief of Police.

BROKER’S LICENCE

33. No Taxi Broker shall operate a taxi stand without a valid Broker’s Licence, issued under this Part.
34. Taxi Drivers’, and Brokers’ Licences, issued under this Part, unless sooner revoked, shall expire on MARCH 31 of the year following the date of issue.

35. Taxi Brokers and Taxi 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 licenced persons in their employ including their names, addresses and licence numbers.
36. Taxi Brokers, shall upon request, and no more than two (2) times per year, submit to the Chief of Police, in prescribed form, a list of properties used as Taxi Stands by that brokerage.

PART II RULES

37. No taxi driver shall consume or be under the influence of liquor or illicit drugs while in charge of a taxi.
38. No taxi driver shall take or possess liquor, except in accordance with the *Liquor Licence Act*, while operating a taxi.
39.
 - (a) No taxi driver shall smoke in a taxi, and
 - (b) No taxi driver shall permit any person to smoke in a taxi.
40.
 - (a) No taxi driver shall use a cellular phone while they are driving a taxi unless the cellular phone is being used by means of a hands free device.
 - (b) No taxi driver, owner or broker shall use a cellular phone to receive calls from the public for taxi service.
41. No taxi driver, while on duty, shall refuse service to any person at any time prior to or during a trip, unless:
 - (a) the person refuses to give their destination;
 - (b) the driver has reason to believe the person poses a danger;
 - (c) the person is in possession of an animal other than a medical assistance animal;
 - (d) the driver has knowledge that the person has not paid a previous fare or appears to be unable or unwilling to pay the fare and has been unable or unwilling to satisfy the driver that he/she has the funds to pay the fare; or
 - (e) the person is unruly, obnoxious or abusive.
42. A taxi driver shall only convey as many passengers as there are properly installed seatbelts in the taxi.
43. A taxi driver shall not permit a taxi to be hired for more than one specific trip for the transportation exclusively of one passenger or group of passengers, except with the prior consent of the first passenger, or group of passengers.
44. A taxi driver, upon termination of any trip, shall immediately search their taxi to determine if any property may have been left therein, and all property or money recovered shall be delivered forthwith to the rightful owner, if known, or immediately turned over to the Police Service as found property.
45. No taxi driver shall possess or operate a Citizen's Band radio, radio scanner, or any other two-way radio, other than the taxi dispatch radio, in or near a taxi or taxi stand.
46. Every taxi driver shall be properly dressed, neat and clean in their person, and be civil and well behaved when operating a taxi.

47.
 - (a) Every taxi owner who disposes of a taxi and acquires another in its stead, shall, before using the taxi apply for and obtain a transfer to the Owner's Licence or Wheelchair Accessible Vehicle Owner's Licence to apply to the newly acquired taxi.
 - (b) Every taxi owner who applies for a transfer of an Owner's Licence must comply with section 26.
 - (c) Every taxi owner who applies for a transfer of a Wheelchair Accessible Vehicle Owner's Licence must comply with section 27.
48. No taxi broker, taxi owner, or taxi driver shall change the place of their stand or business without prior notification to the Chief of Police and payment of the fee outlined in Schedule "A" attached.
49. No taxi owner or taxi broker shall employ a person to provide the services of a taxi driver who has not:
 - (a) obtained a licence under this By-Law, and
 - (b) complied with section 48 of this By-Law.
50. No taxi broker shall permit a taxi owner to operate a taxi in respect of which a deficiency notice has been sent if the deficiencies have not been repaired within the time allowed by the Chief of Police.
51. No taxi owner, taxi driver or taxi broker shall publish or use a tariff or demand or receive rates and charges other than those authorized by this By-Law, whether such rates and changes are determined by distance or by time.
52. A taxi driver shall conspicuously display a tariff card on the left sidewall of the interior of the taxi above the taxi driver's seat.
53. No taxi owner or taxi broker shall permit a 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 a taxi or taxi stand.
54. No person, who is licenced under this By-Law, shall use deceit or falsehood, or mislead any person in an attempt to induce that person to engage the services of a taxi.
55. No person shall park or stand a taxi on property owned by the Corporation or on a highway in the City for the purpose of soliciting a ride or fare unless such driver is:
 - (a) taking on a passenger who has already engaged the taxi;
 - (b) discharging a passenger from a taxi;
 - (c) under the direction to remain by a passenger by whom the taxi is already engaged and in the continuance of such trip; or
 - (d) in a loading zone, in the 100 block of Main Street East and Main Street West, between 9:00 p.m. and 6:00 a.m.
56. No taxi owner or taxi driver shall operate, permit to be operated, or assist in the operation of any Wheelchair Accessible Vehicle unless the Wheelchair Accessible Vehicle:
 - (a) complies with R.R.O. 1990, Reg. 629, entitled Vehicles for the Transportation of Physically Disabled Passengers, pursuant to the *Highway Traffic Act*,

- (b) complies with Canadian Standards Association Standards D409-M84 (Motor Vehicles for the Transportation of Physically Disabled Persons) or D409-92 (Motor Vehicles for the Transportation of Persons with Physical Disabilities,
- (c) has been issued a valid Certificate, and
- (d) is insured in accordance with sections 68, 69 and 70.

PART III EQUIPMENT

57. (1) No taxi owner or taxi 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, and
 - (d) is free from mechanical defects.
58. A Police Officer shall not be prevented from inspecting a taxi that is not engaged for the purpose of ensuring compliance with these requirements.
59. A Police Officer may check taxis from time to time to ensure compliance with photo identification/licence card and tariff card requirements under this By-Law.
60. Every taxi owner shall have affixed to each taxi in respect to which they are licenced, a taximeter which shall register distances traveled and compute fares to be paid.
61. Upon request of the Chief of Police, every taxi owner shall submit any taximeter for inspection, approval, and sealing by the Chief of Police.
62. Upon a change to the power train of the taxi, which may effect the taximeter, every taxi owner shall advise the Chief of Police who may cause an inspection of the taximeter
63. 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 retesting and resealing,

- (g) kept in good working condition at all times and not used when defective in any way, and
 - (h) any subsequent re-sealing in a licence year will be subject to a fee as set out in Schedule "A" of this By-Law.
64. Every taxi owner 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, and
 - (b) is connected to the taxi meter whereby the light on the roof sign shall be caused to go out when the taximeter is in the recording position.
65. (a) Every taxi owner shall, as a condition of their licence, display a number plate issued by the Chief of Police, bearing the number of the licence for the current year in a manner to be clearly visible.
- (b) Such number plate shall not be sold, given or transferred to a different taxi or taxi owner, without the prior approval of the Chief of Police.
 - (c) If a taxi owner no longer operates a particular motor vehicle as a taxi then the number plate issued by the Chief of Police in relation to that taxi shall be returned to the Chief of Police.
66. Every taxi owner shall procure a policy of insurance and a certificate of insurance endorsed to the effect that the Board shall be given at least five (5) days notice, in writing, of any cancellation, expiry or change in the amount of the policy and deposit a copy of the policy and certificate of insurance thereof with the Board.
67. Insurance policies shall insure the taxi owner and taxi 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 in an aggregate maximum of not less than two million dollars (\$2,000,000.00) for all claims in any one (1) accident, exclusive of interest and costs.
68. Insurance policies and certificates referred to in sections 68 and 69 of this By-Law shall be deposited with the Board before the taxi owner commences operation of the insured vehicle as a taxi and shall be kept in force by such taxi 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 section.
69. Each taxi owner, who cancels, suspends or fails to renew their insurance, shall notify the Chief of Police, *in person, forthwith*, when they do so and shall turn in the number plate for said vehicle to the Chief of Police. The taxi will not be put back in service until all insurance criteria as set out in sections 68, 69 and 70 have been met. Upon providing satisfactory proof of insurance, the number plate will be returned to the owner.

<p>PART IV INSPECTION</p>

70. For the purposes of this Part "MAJOR MECHANICAL DEFECT" means a mechanical defect or defects 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; or
 - (f) tires.
71. The Chief of Police, if he has reasonable grounds to believe a taxi is unfit, may give a taxi owner or taxi driver written notice requiring such owner or driver at their own expense, to submit the taxi for examination by an approved mechanic within twenty-four (24) hours. If reasonable grounds exist that indicate that the taxi is unsafe or dangerous, such examination can be demanded forthwith and the number plate may be seized by the Chief of Police.
72. (1) Every taxi owner or taxi driver who receives notice from the Chief of Police, either verbally or in writing, that a taxi is not in fit and 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 within the time allowed by the Chief of Police, the taxi owner or taxi driver shall take the said vehicle out of service until repairs are made or deficiencies corrected. The number plate will be removed, given to the Chief of Police, and returned to the owner once repairs are made or deficiencies corrected.
73. (1) Every taxi owner, or taxi driver, who fails to submit taxis for examination by a mechanic, as required by this By-Law is guilty of an offence.
- (2) The Chief of Police may suspend the taxi owner's licence and seize the number plate, until the taxi is tested, inspected and approved.
74. When a licenced mechanic reports that a taxi is mechanically or otherwise defective or due to a major mechanical defect has failed an examination, the taxi owner's licence and number plate shall be seized by the Chief of Police, and shall remain in their possession until such time as an approved and licenced mechanic certifies that all defects are corrected and the taxi is issued a certificate.
75. Where a report is made under section 76, of this By-Law, the taxi owner shall be required to attend before the Board to determine whether or not his licence should be suspended.
76. 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 three (3) days after being mailed.

<p>PART V RECORDS</p>

77. Every taxi owner and taxi broker shall keep a record of the date, time, origin and destination of each trip, the name of the driver and the number of the taxi. Such information shall be maintained for twelve (12) months and surrendered for examination on request of any Police Officer.
78. Every taxi owner and taxi driver, when requested, shall provide any Police Officer with full information on the address of any house or place to or from which they have driven any passenger and the description, name and address of the passenger, if known.

PART VI FARES

79. Every taxi driver shall charge the rate or fare indicated in Schedule "B" of this By-Law. That rate or fare is to be indicated on the taximeter. A taxi driver shall not be entitled to payment if the rate or fare is not as indicated on the taximeter or if the taxi driver has refused to show the tariff card.
80. 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 or an organization which handles the transportation of the physically or mentally disabled, which contract has been approved by the Chief of Police.
81. Limousines that are not operated under radio dispatch and limousines engaged for services of a minimum of four (4) hours prior to the start of the trip are exempt from this By-Law.
82. When a passenger first enters a taxi, 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.
83. Every taxi driver shall take the shortest possible route to the destination desired unless the passenger designates another route.
84. 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 City. In such case however, the taximeter must be in the recording position at all times that the taxi is within the limits of the City.
85. No taxi owner or taxi driver shall charge any fee to any passenger for:
 - (a) lost time through defect or inefficiency of the taxi;
 - (b) the incompetency of the taxi driver thereof; or
 - (c) standing time at a call, when the taxi attends in advance of the time requested by the caller.

PART VII ENFORCEMENT AND PENALTY

86. Any person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to the penalties as provided by the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, or any successor thereto and the *Municipal Act*, 2001, S.O. 2001, c. P.25, as amended, or any successor thereto.
87. A director or officer of a corporation who knowingly concurs in contravention of any provision of this by-law by the corporation is guilty of an offence and on conviction is liable to the penalties as provided by the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, or any successor thereto and the *Municipal Act*, 2001, S.O. 2001, c. P.25, as amended, or any successor thereto.
88. Any police officer, provincial offences officer, or employee of the City whose duties include the enforcement of this by-law, is authorized to enforce this by-law pursuant to the provisions hereof, the *Municipal Act*, 2001, S.O. 2001, c. P.25, as amended or any successor thereof, and the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, or any successor thereof.

89. (1) Any person who is authorized to enforce this by-law pursuant to Section 87 may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not this by-law is being complied with or a condition of a licence issued under this by-law is being complied with or to determine if an Order by any court of competent jurisdiction prohibiting the continuation or repetition of an offence has been complied with.
- (2) For the purposes of the above-noted inspections, the person authorized to enforce this by-law may:
- (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) acquire information from any person concerning a matter relating to the inspection; and
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
90. Any person authorized to enforce this by-law has the power to undertake inspections pursuant to Orders made by a provincial Judge or Justice of the Peace pursuant to Section 438 of the *Municipal Act, 2001*, S.O. 2001, c. P.25, as amended, or any successor thereto.
91. By-Law Numbers 06-2002, 06-2005, 04-2006, 02-2007 and 01-2010 of the North Bay Police Services Board are hereby repealed.

READ a first time this 11th day of May, 2010 .

READ a second time this 11th day of May, 2010 .

READ a third time and passed this 11th day of May, 2010 .

This By-Law is in force and effect on the 1st day of July 2010.

Peter Chirico
Chair

Carol Miller
Secretary

THIS IS SCHEDULE "A" TO BY-LAW NO. 05/2010 OF
THE NORTH BAY POLICE SERVICES BOARD

Fees to be paid by taxi brokers, owners and drivers under the within By-Law are as follows:			
1.	a.	Taxi Broker – Original Licence	\$1,614.28
	b.	Taxi Broker – Renewal of Licence	\$ 285.19
	c.	Taxi Broker – Transfer of Broker's Licence	\$ 242.15
2.	a.	Taxi Owner's Licence for each vehicle	\$ 645.72
	b.	Renewal of Taxi Owner's Licence per vehicle	\$ 263.66
	c.	Change by Taxi Owner of vehicle during the term of a licence	\$ 80.72
	d.	Taxi Owner – Transfer of Owner's Licence	\$ 215.24
3.	a.	Wheelchair Accessible Vehicle Owner's Licence for each vehicle	\$ 645.72
	b.	Renewal of Wheelchair Accessible Vehicle Owner's Licence per vehicle	\$ 263.66
	c.	Change by Wheelchair Accessible Vehicle Owner of vehicle during the term of a licence	\$ 80.72
	d.	Wheelchair Accessible Vehicle Owner – Transfer of Owner's Licence	\$ 215.24
4.	a.	Taxi Driver –Licence (includes photo)	\$ 96.85
	b.	Taxi Driver – Renewal of Licence (includes photo)	\$ 59.19
	c.	New Licence Applicant Test	\$ 26.91
5.	a.	Change of Stand By Taxi Owner/Broker	\$ 37.66
	b.	Change of Stand by Driver/Dispatcher	\$ 5.38
6.	a.	Replacement of photo identification/licence card (loss, theft or change of stand or name) Driver/Dispatch	\$ 16.15
	b.	Replacement of number plate	\$ 107.62
	c.	Resealing of Taximeter in a licence year	\$ 10.76
<p>Note:. All fees include HST</p> <p>The fee payable for a Taxi Owner's Licence does not include the fee charged for a taxi mechanical fitness inspection where specifically ordered by the Chief of Police.</p> <p>The fee payable by a Taxi Broker does not cover the licence fee for any taxi 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>			

THIS IS SCHEDULE "B" TO BY LAW NO. 05/2010
OF THE
NORTH BAY POLICE SERVICES BOARD

THE FOLLOWING TARIFF OF RATES SHALL BE CHARGED FOR USE OF EVERY TAXI OPERATING UNDER THE WITHIN BY-LAW. ALL RATES HAVE H.S.T. INCLUDED.

1. For each trip originating within the City of North Bay there shall be a charge for the first 100 meters or part thereof of actual transportation traveled a fare of \$4.19 and for each 55.2 meters or part thereof of actual passenger transportation travel, a fare of \$0.10, which is equivalent to \$1.81 per km.
2. For each period of waiting, while the vehicle is fully stopped there shall be a charged amount of \$25.29 per hour, prorated per second.
3. Where two or more passengers are carried from a common starting point to two or more destinations, the fare 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.
4. Where a passenger enters a taxi, which is already engaged in carrying one or more passengers, the occupants of such taxi 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.
5. 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 taxi, 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 so carried shall be liable to pay their fare only up to that point.
6. The per km transportation rates which are set out in paragraph 1 shall be increased each year by a percentage increase equal to the rate of inflation as set out in the Consumer Price Index as published by Statistics Canada on December 31.
7. The increase as indicated in paragraph 6 shall take effect on February 1 of the following year.
8. Taxi owners shall have 15 business days from February 1 to have their taxi meter inspected and re-sealed to comply with the increase in rates as set out in paragraph 6 in order to conform with the increase in rates and the date of effectiveness as set out in paragraphs 6 and 7.