



The Corporation of the Town of New Tecumseth

By-law 2005-010 (Consolidated – as amended)

TAXICAB AND LIMOUSINE BY-LAW

**A by-law to licence, regulate and govern Owners
and Drivers of Taxicab Service and Owners of
Limousine Service in the Town of New Tecumseth**

Consolidation		
Amendment No. 5	By-law No. 2013-017	February 11, 2013
Amendment No. 4	By-law No. 2012-141	November 12, 2012
Amendment No. 3	By-law No. 2012-066	May 14, 2012
Amendment No. 2	By-law No. 2008-147	September 29, 2008
Amendment No. 1	By-law No. 2008-025	February 11, 2008

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**THE CORPORATION OF THE TOWN OF
NEW TECUMSETH**

BY-LAW

Number 2005-010

"TAXICAB AND LIMOUSINE BY-LAW"

**A By-Law to licence, regulate and govern Owners
and Drivers of Taxicab service and Owners of
Limousine Service in the Town of New Tecumseth**

WHEREAS Section 150 (1) of the *Municipal Act 2001*, Chapter 25, as amended, provides that a local municipality may license, regulate and govern any business, wholly or partly carried on within the municipality, even if the business is being carried on from a location outside the municipality;

AND WHEREAS Section 155 (1) (a) of the Municipal Act, 2001, Chapter 25, as amended, provides that a local municipality may establish the rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality;

AND WHEREAS Section 155 (1) (b) of the Municipal Act, 2002, Chapter 25, as amended, provides for the collection of the rates or fares charged for the conveyance ;

AND WHEREAS Section 155 (1)(c) provides that a By-Law under Section 150 for licensing and governing the Owners and Drivers of Taxicabs may limit the number of Taxicabs or any class of them;

AND WHEREAS the Council of The Corporation of the Town of New Tecumseth deems it necessary and expedient to regulate, license and govern Owners and Drivers of Taxicabs and Owners of other vehicles used for hire in the Town of New Tecumseth;

NOW THEREFORE the Council of The Corporation of the Town of New Tecumseth enacts as follows:

1 DEFINITIONS

In this By-Law the following definitions shall apply:

- 1.1 "Accessible Taxicab"** means a motor vehicle to be used as a Taxicab for the transportation of passengers unable to board regular vehicles due to a physical disability, which is originally constructed or subsequently modified to permit the loading, transportation and off-loading of persons utilizing a wheelchair in compliance with the requirements of Ontario Regulation 529, as amended, and Ontario Regulation 611, as amended, and Canadian Standards Association standard as amended and all other relevant federal and provincial regulations.
- 1.2 "Applicant"** means a person applying for a Licence under this By-Law;
- 1.3 "Clerk"** means the Clerk of the Town of New Tecumseth;
- 1.4 "Conveyance"** includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle if operated only within the premises of a person;

- 1.5 "**Council**" means the Council of The Corporation of the Town of New Tecumseth;
- 1.6 "**Licence**" means a Licence issued under this By-Law;
- 1.7 "**Licensee**" means any person licensed under this By-Law;
- 1.8 "**Limousine**" means a motor vehicle which does not bear any identification other than the Provincial license which is kept for use for hire for the conveyance of passengers solely on an hourly basis but does not include a Taxicab in respect of which a Licence has been issued under the provisions of this By-Law, a bus, an ambulance or a funeral hearse;
- 1.9 "**Limousine Broker**" mean any person who accepts calls in any manner for Limousines that are used for hire and that are not owned by that person or that person's immediate family or employer'
- 1.10 "**Limousine Driver**" means a Driver of a Limousine who is licensed as such under this By-Law;
- 1.11 "**Motor Vehicle**" includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine;
- 1.12 "**Owner**" means any person owning a Taxicab or Limousine having possession or control thereof under an instalment purchase agreement or by way of rental, who is licensed as an owner under this By-Law;
- 1.13 "**Passenger**" means any person in a Taxicab other than the Driver while the Taxicab is being used for hire;
- 1.14 "**Person**" includes an individual, sole proprietorship, partnership, unincorporated cessation, unincorporated syndicate, unincorporated organization, trust, body corporate, and a natural person in his capacity as trustee, executor, administrator, or other legal representative;
- 1.15 "**Police**" means the Ontario Provincial Police detachment serving the Town of New Tecumseth;
- 1.16 "**Police Officer**" means any authorized member of the Ontario Provincial Police serving the Town of New Tecumseth;
- 1.17 "**Provincial Offences Officer**" shall mean any person appointed by Council as such pursuant to the provisions of the *Provincial Offences Act*;
- 1.18 "**Taxicab**" means a motor vehicle kept or used for hire for the conveyance of passengers, but does not include a bus of a municipal transit system, or a bus licensed under the Public Commercial Vehicles Act, or an ambulance or funeral hearse;
- 1.19 "**Taxicab Broker**" means any person who accepts calls in any manner for Taxicabs that are used for hire and that are not owned by that person or that person's immediate family or employer; and
- 1.20 "**Taxicab Driver**" means a Driver of a Taxicab who is licensed as such under this By-Law;
- 1.21 "**Town**" means the Corporation of the Town of New Tecumseth.

2 GENERAL PROVISIONS

- 2.1 A word interpreted in the singular number has a corresponding meaning when used in the plural.
- 2.2 Any reference in this By-Law to "he" and "she" or "his" or "her" or "they" shall be interpreted to be gender neutral and the provisions of this By-Law shall be interpreted to apply equally to both male and female persons.
- 2.3 No person shall keep one or more Taxicabs for hire in the Town of New Tecumseth without having a current valid Licence authorizing him so to do, issued under the provisions of this By-Law and herein referred to as a Taxicab Owner's Licence.
- 2.4 No person shall drive a Taxicab in the Town of New Tecumseth without having a current valid Licence authorizing him so to do, issued under the provisions of this By-Law and herein referred to as a Taxicab Driver's Licence except a person whose sole purpose is dropping off a fare originating outside the Town.
- 2.5 No person shall keep one or more Limousines for hire in the Town of New Tecumseth without having a current valid Licence authorizing him so to do, issued under the provisions of this By-Law and herein referred to as a Limousine Service Licence.
- 2.6 All taxicab and Limousine companies in the Town of New Tecumseth shall provide smoke-free Taxicab and Limousines.
- 2.7 That all Taxicab and Limousine companies must operate a dispatch office within the Town of New Tecumseth and that the existing taxicab company with a dispatch office located outside the New Tecumseth boundary be grandfathered and permitted to continue operating within New Tecumseth.
- 2.8 That all Taxicab and Limousine owners and drivers licensed in the Town of New Tecumseth are required to meet all the legislated requirements of the *Accessibility for Ontarians with Disabilities Act*.

3 TAXICAB OWNER

- 3.1 Every owner of a Taxicab shall for each vehicle licensed under this By-Law provide and maintain a sign permanently and securely affixed indicating that the vehicle is a Taxicab and the trade name under which it operates or the name of the Taxicab Owner or Taxicab Broker.
- 3.2 No Taxicab Owner shall permit any vehicle to be driven under the authority of a Licence issued to him except that vehicle in respect of which the Licence has been issued.
- 3.3 No Taxicab Owner shall permit or allow any person, other than a licensed Driver employed by him and licensed by the Town under the provisions of this By-Law to operate his Taxicab, or lease any of his vehicles to any person under a hire purchase scheme.
- 3.4 Every Taxicab Owner shall keep an orderly record of all calls answered by Taxicabs owned by him, showing date, time origin, destination, Taxicab Vehicle License Number and the Driver. The records are to be retained for a period of twelve (12) months and are to be open for inspection by any Police Officer. Such records may be removed and retained for a reasonable time by such Police Officer.
- 3.5 Every Taxicab Owner shall acquaint each of his Drivers of the provisions of this By-Law and shall post one copy of this By-Law in a conspicuous place in their business office.

- 3.6** Every Taxicab Owner shall advise the Clerk of the Town of New Tecumseth of any change of a business address within five (5) working days of changing location.

4 TAXICAB DRIVER

- 4.1** No Driver of any Taxicab shall carry passengers in excess of the number of seats and seat belts provided in his Taxicab.
- 4.2** The Driver of any Taxicab shall, upon the request of any passenger give in writing their name and Taxicab Driver Licence Number and also the business name and address of the said Taxicab business.
- 4.3** Every Taxicab Driver licensed under this By-Law shall notify the Clerk in writing within six (6) days of any change of personal address.
- 4.4** No Taxicab Driver shall take, consume or have in his possession any intoxicant while engaged in the business of driving passengers, provided that this provision shall not be intended to exclude the carrying of the liquor, wine or beer of any passenger who is legitimately a passenger in the Taxicab.

5 LICENCES

- 5.1** No person shall use or operate, or permit the use of operation, or offer any Taxicab or Limousine for hire to the public within the Town without a Licence to do so issued by the Town of New Tecumseth.
- 5.2** Prior to being licensed as an Taxicab Owner or Limousine Owner, every applicant shall:
- 5.2.1** complete and submit to the Clerk an application in the form provided, along with the appropriate documentation and annual fee as set out in the Fees and Charges By-law;
 - 5.2.2** in the case of a lease vehicle the vehicle portion of the permit shall bear the name of the lessor of the motor vehicle and the plate portion of the permit shall bear the name of the lessee of the motor vehicle;
 - 5.2.3** complete and submit to the Clerk a current list of drivers hired to drive on their behalf and verify that each of such drivers are licensed by the Town of New Tecumseth.
- 5.3** Applications for Taxicab Owner and Limousine Service Licences received after June 30th, will be required to pay one half of the annual amount of the Owners Licence Fee shown on Schedule "A" of this By-Law and the said Licence will expire on December 31st of the same year and renewable thereafter at the full amount as set out in the Fees and Charges By-law.
- 5.4** No applicant who is under eighteen (18) years of age shall be granted any Licence under this By-Law.
- 5.5** The Clerk may refuse to issue or renew a licence or may revoke or suspend a licence on the following grounds:
- 5.5.1** the past conduct of the Applicant or Licensee, or where a corporation, an officer and/or director, affords reasonable grounds for the belief that the Applicant or Licensee will not carry on the activity for which he is to be licensed in accordance with the By-Law and with integrity and honesty;

- 5.5.2** there are reasonable grounds to believe that an application or other documents provided to the Clerk by or on behalf of the applicant or licensee contains a false statement; or
- 5.5.3** the Applicant or Licensee has failed to provide all of the information or documentation required by this By-Law, or has failed to meet and comply with all other licensing prerequisites as set forth in this By-Law.
- 5.6** Any Licence issued under this By-Law shall be for the calendar year for which it is issued and any such Licence shall expire on the 31st day of May.
- 5.7** Any Applicant or Licensee applying for any Licence under this By-Law must provide to the Clerk a current criminal record check by the Ontario Provincial Police at the expense of the applicant.
- 5.8** Any Applicant or Licensee applying for a renewal of any Licence under this By-Law must produce to the Clerk on a bi-annual basis a current criminal record check by the Ontario Provincial Police at the expense of the applicant.
- 5.9** No licensee shall enjoy a vested right in the continuance of a Licence.
- 5.10** There may be issued not more than one Taxicab Licence for each one thousand (1,000) persons residing in the Town.
- 5.11 Appeal Process:**

5.11.1 Recommendation – Council Hearing Committee– Refuse to issue, refuse to renew, suspension, place conditions, revocation – notice – hearing request

Where the Clerk intends to recommend to the Council Hearing Committee that it refuse to issue, refuse to renew, place conditions, revoke or suspend a licence, she/he shall give notice of her/his intended recommendation to the applicant or licence holder, together with the reason for her/his intended recommendation, as well as to such other persons, civic departments, boards, commissions, authorities or agencies as appear to have an interest in the recommendation.

5.11.2 Suspension - interim - pending - during meeting

The Clerk, without holding a hearing, may suspend a licence for not more than two weeks if the licensee has been convicted of a criminal offence, provided that the suspension is made within thirty days of the conviction, and notwithstanding that an appeal has been taken from the conviction.

5.11.3 Refusal - suspension - revocation – notice of hearing – content

- (1) Where the Clerk has recommended to the Council Hearing Committee that a licence not be issued or renewed or that a licence be suspended, revoked or conditions imposed on the licence, the Clerk shall refer the application and his/her reasons for his recommendation to the Council Hearing Committee and shall give the applicant notice, in writing, of such action, said notice to be served personally or by registered mail to the applicant at the address shown on the application.

- (2) The notice of the hearing shall:
- (a) contain a reference to section 150 of the *Municipal Act*, under which the hearing will be held;
 - (b) contain a reason or reasons for the proposed refusal, suspension or revocation;
 - (c) specify the time, place and purpose of the hearing at which the proposed refusal, suspension or revocation will be considered;
 - (d) inform the affected applicant or the affected holder of the licence that he is entitled to attend the hearing and make submissions regarding the proposal and that, in his absence, the Council Hearing Committee may proceed to consider the proposal, and the applicant or affected holder of the licence will not be entitled to any further notice in the proceeding;
 - (e) afford the affected applicant or the affected holder of the licence a reasonable opportunity, before the hearing, to show or achieve compliance with all lawful requirements for the retention of the licence; and
 - (f) be given at least 7 days notice prior to the date of the Hearing.

5.11.4 Refusal - suspension - revocation - by Council Hearing Committee – hearing

- (1) At the hearing, the Council Hearing Committee may suspend, revoke or refuse to issue any licence under this by-law:
- (a) for any reason that would disentitle the holder to a licence if he/she were an applicant;
 - (b) where the holder of the licence or applicant is in breach of a condition of the licence or of this by-law;
 - (c) if there are reasonable grounds to believe that the statements on the licence application are false;
 - (d) if a report is filed subsequent to the date of the issuance of the licence by any department or agency which provided its approval originally to the issuance of the licence which indicates that a licensed premises no longer complies with any of the provisions of this by-law;
 - (e) upon such grounds as are set out in this by-law;
 - (f) if the applicant has outstanding fines or penalties owing to the municipality or has not paid the required licence application fee;
 - (g) if the conduct or character of the applicant or licensee affords reasonable cause to believe that the applicant or licensee will not carry on or engage in the business in accordance with the law or with honesty and integrity;

- (h) if the geographic location of the business does not meet land use requirements;
- (i) if, in the case of a corporate applicant or licensee, the conduct of its officers, directors, employees or agents affords reasonable cause to believe that the business will not be engaged in or carried on in accordance with the law or with honesty and integrity; or
- (j) if issuing a licence is not in the public interest.

5.11.5 Council Hearing Committee - proceedings

- (1) At a hearing, the Council Hearing Committee:
 - (a) shall afford the affected applicant or the holder of the licence an opportunity to make submissions in respect of the matter that is the subject of the Council Hearing Committee's proceedings;
 - (b) shall afford any person, civic department, board, commission, authority or agency given notice under this by-law and in attendance at the hearing, or any other person in the discretion of the Council Hearing Committee an opportunity to make submissions in respect of the matter that is the subject of the Council's proceedings;
 - (c) the hearing shall be open to the public but the Council Hearing Committee may close a portion of the hearing for the purposes of receiving confidential legal information pertaining to the affected applicant or licence holder;
 - (d) the hearing shall be open to the public but the Council Hearing Committee may close all or a portion of the hearing to the public if the Committee is of the opinion that intimate financial or personal matters may be disclosed of such a nature, having regards to the circumstances, that the desirability of avoiding disclosure thereof in the interests of any person affected or in the public interest, outweighs the desirability of adhering to the principle that the hearing be open to the public;
 - (e) shall give due consideration to the submissions made to it;
 - (f) shall take such action to refuse, suspend or revoke the application or licence, or not to refuse, suspend or revoke the application or licence, as the Council Hearing Committee considers proper in the circumstances; and
 - (g) the Hearing Committee's decision shall be delivered by the Clerk to the applicant or to the licence holder, and to any person, civic department, board, commission, authority or agency in attendance at the hearing, together with the reasons for its decision.

5.11.6 Council Hearing Committee- decision - immediate effect – notice of decision

- (1) A decision of the Council Hearing Committee refusing, suspending or revoking an application or licence takes effect upon the rendering of such decision by the Council Hearing Committee. No licensee shall operate or carry on the activity for which the licence was issued while his licence is under suspension.
- (2) The decision of the Council Hearing Committee shall be given within seven (7) days of the hearing.
- (3) The Clerk shall forthwith notify the applicant in writing of such decision by serving a copy personally or by registered mail to the applicant at his/her address as shown on his application. Where a notice is sent by registered mail, the date of service upon the person to whom it is sent will be deemed to be the day next following the date of mailing.
- (4) Upon receipt of a notice of the decision of the Council Hearing Committee suspending or revoking a licence, the licensee shall, within twenty-four (24) hours of service of notice by certified mail or immediately if the notice is personally served, return the licence to the Clerk and any plates issued with a reference to the licence and the Clerk shall have access to any premises, vehicles or other property of the licensee for the purpose of receiving or taking the same.
- (5) No person shall refuse to deliver the licence and any plates relative to a suspended or revoked licence to the Clerk or her/designate designate or shall in any way prevent or hinder the Clerk or designate from receiving or taking the same.
- (6) Where a licence is revoked, the licensee is entitled to a refund of a part of the licence fee proportionate to the unexpired part of the term for which it was granted, such refund to be prorated on a monthly basis.

5.11.7 Council Hearing Committee - Decision – Complete Licensing

Where the Council Hearing Committee renders a decision granting the applicant the licence applied for, the licence shall be issued upon the applicant complying with the terms of this by-law and the conditions of the licence, if any, and the applicant shall, within fourteen (14) days of the service upon him/her of a copy of the decision of the Council Hearing Committee complete his application.

5.11.8 Hearing Committee

That the Hearing Committee of Council be comprised of:

Deputy Mayor Milne
Councillor Haire
Councillor Smith
Councillor Whiteside

- 5.12** That a Priority List system be established for the issuance of new or additional taxicab licences when a licence becomes available.

6. TAXICAB OWNER

- 6.1** Every Applicant or Licensee shall, in respect of each Taxicab for which he applies for a Licence, procure and maintain during the term of the Licence, a policy of insurance from a recognized insurance company, insuring him for property damage, personal injury or death to any person in the sum of two million dollars (\$2,000,000.00) and such policy shall make provision for passenger hazard in the amount of not less than the foregoing. Such policy shall also be endorsed to the effect that the Town will be given fifteen (15) days written notice of any cancellation, expiration or variation in the amount of the policy. A certified copy of such policy shall be deposited with the Town Clerk.
- 6.2** No Taxicab Owner's Licence shall be transferred without such transfer first having been approved by the Clerk and any transferee must apply for and obtain a Taxicab Owner's Licence in accordance with the provisions of this By-Law.

7 TAXICAB DRIVER

- 7.1** No Taxicab Driver's Licence shall be issued to any Applicant or Licensee who does not possess a valid Driver's Licence issued pursuant to the provisions of the *Highway Traffic Act*.
- 7.2** No Taxicab Driver's License shall be issued to any Applicant or Licensee who does not provide the Clerk with a copy of their driving abstract from the Ministry of Transportation.
- 7.3** The Applicant shall ensure that every Driver is familiar with the provision of this By-Law, the laws and regulations relating to traffic and be fluent in the English language.
- 7.4** A Taxicab Driver's Licence is non-transferable.

8 LIMOUSINE SERVICE

- 8.1** No person shall own, operate or provide a Limousine service within the Town of New Tecumseth without first obtaining a Licence to do so.
- 8.2** Every Limousine Owner shall advise the Clerk of the Town of New Tecumseth of any change of a business address within five (5) working days of changing location.
- 8.3** Every Applicant or Licensee when he applies for a Limousine Service Licence shall, in respect of each Limousine, procure and maintain during the term of the Licence, a policy of insurance from a recognized insurance company, insuring him for property damage, personal injury or death to any person in the sum of two million dollars (\$2,000,000.00) and such policy shall make provision for passenger hazard in the amount of not less than the foregoing. Such policy shall also be endorsed to the effect that the Town will be given fifteen (15) days written notice of any cancellation, expiration or variation in the amount of the policy. A certified copy of such policy shall be deposited with the Town Clerk .
- 8.4** The Applicant shall ensure that every Driver is familiar with the provision of this By-Law, the laws and regulations relating to traffic and be fluent in the English language.

- 8.5** Every Limousine Owner shall keep an orderly record of all calls answered by Limousines owned by him, showing date, time origin, destination, Limousine Vehicle Licence number and the Driver. The records are to be retained for a period of twelve (12) months and are to be open for inspection by any Police Officer. Such records may be removed and retained for a reasonable time by such Police Officer .
- 8.6** No Limousine Driver's Licence shall be issued to any Applicant or Licensee who does not possess a valid Driver's Licence issued pursuant to the provisions of the *Highway Traffic Act*.
- 8.7** No Limousine Driver's Licence shall be issued to any applicant licensee who does not provide the Clerk with a copy of their driving abstract from the Ministry of Transportation.
- 8.8** Every Limousine Driver licensed under this By-Law shall notify the Clerk in writing within six (6) days of any change of personal address.
- 8.9** A Limousine Driver's Licence is non-transferable.

9 TARIFFS AND TARIFF CARDS

- 9.1** The rates of fares to be charged by the Owner, Broker, or Drivers of Taxicabs or Limousines to which this By-Law applies, for the conveyance of persons or goods, wholly Schedule "A" within the Town of New Tecumseth, shall be exactly as shown in to this By-Law. No higher amount than that contained in Schedule "A" shall be charged or payable except as provided by this By-Law a may be amended from time to time.
- 9.2** The rate or fares to be charged may be varied from time to time by By-Law of the Town of New Tecumseth.
- 9.3** No Owner, Broker or Driver licensed under this By-Law shall be entitled to recover or receive any fare or charge from any person or persons from whom they shall have demanded any fare or charge greater than those authorized by this By-Law, or to whom they had refused to show their card of tariff as provided by this By-Law.

10 TAXICAB METER REQUIREMENTS

- 10.1** Every Taxicab meter required by this By-Law shall:
- 10.1.1** register distance traveled, record trips and units and compute the fare to be paid;
 - 10.1.2** be submitted for testing, inspection and sealing by the Clerk at such time and such place as may be directed by the Clerk and in any event shall be submitted for testing each time the meter is removed from the vehicle for any reason;
 - 10.1.3** be illuminated between sunset and sunrise;
 - 10.1.4** be adjusted and resealed in accordance with the rates and fares prescribed in Schedule "A" to this By-Law;
 - 10.1.5** be kept in good working condition; and,
 - 10.1.6** be immediately repaired, when necessary and be resealed in accordance with the requirements of the By-Law.

11 VEHICLE INSPECTION AND MAINTENANCE

- 11.1** No Taxicab or Limousine Owner shall permit to be driven and no Taxicab or Limousine Driver shall drive a Taxicab or Limousine for hire with mechanical defects such as to render it an unsafe or unfit motor vehicle under the provisions of the *Highway Traffic Act*.
- 11.2** The Owner of each Taxicab or Limousine shall:
- 11.2.1** once in each calendar year, save only in the year of the purchase of a current years vehicle, obtain a certificate of mechanical fitness certifying as to the safety of the Taxicab, such certificate to be provided by a garage authorized to certify vehicles under the mechanical fitness regulation of the *Highway Traffic Act*, and
- 11.2.2** upon application for any Licence or renewal thereof provide the Clerk with a copy of said certificate certifying as to the safety of the Taxicab or Limousine.
- 11.3** All costs resulting from the undertaking of subsection 11.2.1 and 11.2.2 shall be done at the owner's expense.
- 11.4** Every Taxicab or Limousine Owner shall at anytime submit, upon request of the Town Clerk, his Taxicab or Limousine to the Municipal By-Law Enforcement Officer or Police for examination and inspection and upon failure to comply with such request the Clerk may suspend the Owner's Licence with respect to said Taxicab or Limousine until such time as the Taxicab or Limousine has been examined and inspected.
- 11.5** The Owner or Driver of any Taxicab or Limousine shall make certain that the interior of his vehicle is in clean condition and good repair so that the comforts and safety of the travelling public may be assured.

12 ACCESSIBLE TAXI CAB REQUIREMENTS

- 12.1** Every Accessible Taxicab shall meet the current regulations pursuant to the Highway Traffic Act in respect to vehicles for the transportation of physically disabled passengers.
- 12.2** Every Driver of an Accessible Taxicab shall securely fasten all wheelchairs so that they are prevented from moving when the Taxicab is in motion.
- 12.3** Every applicant for an Accessible Taxicab Driver's license shall:
- 12.3.1** where the applicant is an individual, be licensed under this By-Law as a Taxicab Owner or Driver;
- 12.3.2** submit to the Clerk a certificate indicating successful completion of a training program by the applicant or by designated employees of the applicant, dealing with the transportation of physically challenged individuals;
- 12.3.3** where the applicant is a Driver, produce to the Clerk his or her Taxicab Driver's License issued hereunder for endorsement as licensed accessible Taxicab Driver.

12.4 Where a Taxicab Owner offers wheelchair Accessible Service and such service is requested by a physically challenged person, the Owner shall provide priority service for such request. In the event the Accessible Taxicab has been dispatched to a customer not requiring the services of an Accessible Taxicab, but the Accessible Taxicab has not been engaged, the owner shall ensure that another Taxicab is dispatched to respond to the customer not requiring the Accessible Taxicab and shall ensure that the Accessible Taxicab is dispatched to the customer requiring the service.

13 PENALTY

13.1 That every person who contravenes any of the provisions of this By-Law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*.

14 VOLUNTARY PAYMENT

14.1 Notwithstanding all other provisions of this By-Law in respect of penalties for violations, any person may, upon presentation of a violation tag issued alleging commission of such an offence under this By-Law, pay out of Court at the Administration Centre of the Town of New Tecumseth, in person or by mail, within fifteen (15) days from the date of said violation tag, a penalty of a set fine of one hundred and fifty dollars (\$150.00), and upon such payment no further proceedings shall be taken under this By-Law in respect of the said offence alleged in the violation tag.

15 SEVERABILITY

15.1 Should any section, subsection, clause, paragraph or provision of this By-Law, including any part of schedules be declared by a court of competent jurisdiction to be ultra vires, invalid or illegal for any reason, the same shall not affect the validity of the By-Law as a whole.

16 CITING

16.1 That this By-Law shall be cited as the "Taxicab and Limousine By-Law".

17 ENACTMENT

17.1 That this By-Law shall come into force and take effect on June 1, 2005.

17.2 By-Law 2002-180 is hereby repealed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24TH DAY
OF January, 2005.**

MAYOR

CLERK

Office Consolidation

THE CORPORATION OF THE TOWN OF NEW TECUMSETH

**Schedule "A" to By-Law 2005-010
as amended by By-law No. 2008-025 and 2008-147**

TARIFF FEES

For the first 100 metres or part thereof	\$3.00
For each additional 100 metres or part thereof	\$.20
Waiting time while under engagement at appointments after 15 minutes	\$ 7.50
Waiting time for railway crossings or other emergencies after 2 minutes	\$ 0.25 per minute = (equals \$3.25 for first 15 minutes stopped)