

MUNICIPALITY OF THE COUNTY OF RICHMOND

BY-LAW 20

TAXIS

1. This By-law shall be referred to as the "Taxi By-law" and replaces and repeals the previous Taxi Bylaw .

INTERPRETATION

2. In this by-law, the following words have the meanings provided hereunder:
 - (1) "Council" means the Council for the Municipality of the County of Richmond;
 - (2) "Clerk" means the Clerk of the Municipality of the County of Richmond;
 - (3) "disqualifying conviction" means a conviction which disqualifies an individual from applying or holding a Taxi License or Taxi Driver's License pursuant to this bylaw and shall include:
 - (a) an order prohibiting the possession of any firearm, ammunition or explosive substance pursuant to the Criminal Code of Canada;
 - (b) a conviction for an indictable offence in which the commission of violence against a person was used, threatened or attempted;
 - (c) conviction for an offence involving the illegal sale of liquor or narcotics or the illegal possession of liquor or narcotics for the purpose of sale or trafficking while holding a driver's license or within a period of 5 years immediately preceding the date of the application for a driver's license;
 - (d) conviction for any offence involving the possession, control or use of an automobile and the unlawful possession or use of liquor or narcotics;

- (e) convictions for three or more driving offences, or two or more convictions for such offences within any 12 month period unless, in the reasonable opinion of the Council, the convictions were for offences unrelated to the possible safety of passengers or other persons using streets or highways, irrespective of whether persons were actually endangered at the time of the infractions;
 - (f) convictions in another country or jurisdiction similar in nature to those described in the preceding paragraphs of this subsection;
 - (g) such other convictions as in the opinion of Council reasonably disqualify an individual from being licensed pursuant to this By-law.
- (4) "Municipality" means the Municipality of the County of Richmond;
 - (5) "owner" means a person who directly or indirectly holds the legal title to a motor vehicle or has possession or control of a motor vehicle under any lease, rental agreement, hire, purchase agreement or agreement of sale;
 - (6) "Taxi Driver" means any person who drives a taxicab;
 - (7) "Taxi License" means a license granted by the Council permitting the owning of a taxicab for operation in the Municipality;
 - (8) "Taxi Driver's License" means a license granted by the Council permitting the holder thereof to drive a licensed taxicab within the Municipality.
 - (9) "Taxicab" means every motor vehicle used to transport passengers for compensation except for a bus as defined in the *Motor Vehicle Act, RSNS 1989, c.293, as am*, or a vehicle used and operated by a public utility or motor carrier in accordance with the *Public Utilities Act* or *Motor Carrier Act*;

- (10) "Taxicab Owner" means any person who owns a taxicab or person who has possession or control of a taxicab as legal owner or under any lease, rental agreement, hire, purchase agreement, or agreement of sale;
- (11) "vehicle" has the meaning given to it by the *Motor Vehicle Act*.

LICENSE REQUIRED

3. The owner of a motor vehicle shall not use that vehicle or permit its use as a taxicab within the Municipality unless a Taxi License is in force in respect of the said vehicle.
4. No person shall drive a taxicab within the Municipality unless he/she has and has in his/her possession a valid Taxi Driver's License which is in force.
5. No person shall drive a taxicab within the Municipality unless there is a Taxi License in force in respect of the said taxicab.
6. A Taxi License or Taxi Driver's License issued hereunder shall be in force for 12 calendar months from the date of issue unless sooner suspended or revoked.
7. Licenses issued pursuant to this by-law shall be in the forms provided in **Schedule "A"** hereto.

LICENSE DISPLAY

8. Every Taxi License shall be conspicuously displayed on the inside of the doorpost or on the rear portion of the front seat of the vehicle for which it is issued.
9. Every Taxi Driver's License shall be conspicuously displayed along with the Taxi License on the inside door post or on the rear portion of the front seat of the taxicab while the taxicab is being operated.

APPLICATION FOR LICENSE

10. Every application for a Taxi License or Taxi Driver's License shall be made in writing and filed with the Clerk.

11. Every application for a Taxi License shall be made by the owner of the vehicle for which the license is sought.
12. It shall be an offence for any person to make a false statement of fact in any application for a Taxi License or Taxi Driver's License.
13. No application shall be considered or accepted for a Taxi or Taxi Driver's License where the applicant has a disqualifying conviction pursuant hereto.

TAXI LICENSE

14. Every application for a Taxi License shall include the following information:
 - (1) full name and address of the applicant;
 - (2) the taxi business name if any under which the taxicab will be operated;
 - (3) vehicle type, model, colour, year, license plate number, registration number, and serial number;
 - (4) particulars of insurance coverage on the vehicle, including name of Insurer, policy number, name of insured, amount of coverage, name of Insurer, term of coverage, expiry date of coverage;
 - (5) two character references respecting the applicant taxicab owner.
15. Every application for a Taxi License must be accompanied by the following:
 - (1) a certificate signed by a qualified mechanic testifying that the vehicle sought to be licensed is in good mechanical condition at the time the application is made;
 - (2) an automobile insurance policy or certified copy thereof providing on the vehicle sought to be licensed public liability, property damage and cargo or passenger hazard insurance coverage in the following amounts:
 - (a) at least \$1,000,000 (exclusive of interest and costs) for loss or damage resulting from bodily injury or death to any one person in any one accident; and

- (b) at least \$1,000,000 (exclusive of interest and costs) for loss or damage resulting from bodily injury or death to two or more persons in any one accident; and
 - (c) at least \$20,000 (exclusive of interest and costs) for loss or damage to property carried in or on the taxicab resulting from any one accident.
- (3) proof by production of a valid Nova Scotia vehicle permit registered in the applicant's name for the motor vehicle sought to be licensed and a copy of the permit for the file.
 - (4) certified copy of current record of convictions of the applicant taxicab owner;
 - (5) a fee of twenty dollars (\$20.00) payable to the Municipality of the County of Richmond;
 - (6) a copy of driver's abstract issued by the relevant Provincial authority.

TAXI DRIVER'S LICENSE

- 16. Every application for a Taxi Driver's License shall include the following information :
 - (1) full name and address of the applicant;
 - (2) age of applicant;
 - (3) number of years applicant has been driving;
 - (4) chauffeur's license number for current year;
 - (5) two character references in respect of the applicant taxicab driver;
- 17. Every application for a Taxi Driver's License must be accompanied by:
 - 1) two passport size photographs of the applicant, unretouched, one to be filed with the application and the other to be affixed to the license if and when granted;

- (2) certified copy of current record of convictions in respect of the applicant taxicab driver;
- (3) proof by production of a valid Nova Scotia driver's license in the applicant's name with signature and photo identification.
- (4) a fee of ten dollars (\$10.00) payable to the Municipality of the County of Richmond;
- (5) a copy of driver's abstract issued by the relevant Provincial authority.

VEHICLE CONDITIONS AND OWNER AND DRIVER OBLIGATIONS

18. Every Taxicab Owner licensed pursuant to this by-law shall ensure that the licensed vehicle is at all times maintained in good repair and in sanitary, clean condition.
19. Every Taxicab Owner licensed pursuant to this by-law shall ensure that the licensed vehicle operates only under the business name , if any, recorded in the Taxicab Owner's License and is not operated as a taxicab under any other name.
20. Every Taxicab Owner licensed pursuant to this by-law shall ensure that the licensed vehicle is operated as a taxicab only by a person with a valid driver's license and valid Taxi Driver's License pursuant to this by-law.
21. A Taxicab Owner licensed pursuant to this by-law shall not change the taxi business name during the term of the vehicle's license unless with prior notice in writing to the Clerk.
22. A Taxicab Owner licensed pursuant to this by-law shall notify the Clerk forthwith of any change in the Provincial Registration of the taxicab during the term of the vehicle's license.
23. Every Taxicab Owner and Taxi Driver licensed pursuant to this by-law shall ensure that the licensed taxicab is at all times while operating under license also under valid Province of Nova Scotia motor vehicle safety inspection and bearing a sticker confirming same;

24. Every Taxicab Owner and Taxi Driver licensed pursuant to this by-law shall ensure that the licensed taxicab, at all times while operating under license, has functioning seatbelts for each passenger for which the vehicle is designed;
25. Every Taxi Driver licensed pursuant to this by-law should, at all times while operating as a taxi driver maintain a neat and clean personal appearance.
26. Every Taxi Driver licensed pursuant to this by-law shall, at all times while operating as a taxi driver, conduct himself / herself in an orderly manner and refrain from using abusive or insulting language.
27. Every Taxicab Owner and Driver licensed pursuant to this by-law shall be required to notify the Clerk immediately of any disqualifying conviction incurred during the term of the Taxi License or Taxi Driver's License.

LICENSING AUTHORITY

28. The Council shall have exclusive authority to issue, suspend or revoke licenses under this by-law.

SUSPENSION AND RENEWAL

29. A Taxi License shall be suspended during such time as the vehicle to which it refers is not in good mechanical condition or during such time as the insurance policy required by this by-law in respect of the vehicle is not in force.
30. A Taxi License suspended for reason that the vehicle is mechanically unfit may be reinstated when a new certificate of good mechanical condition is produced and provided to the Clerk.
31. A Taxi License suspended for reason that the required insurance policy is not in force may be reinstated when satisfactory proof of insurance policy renewal and coverage is produced and provided to the Clerk.

REVOCATION

32. A Taxi Driver's License shall be revoked if during the term of the license the Taxi Driver is convicted of any disqualifying offence.
33. A Taxi License shall be revoked if during the term of the license the Taxi Owner is convicted of any disqualifying offence.

SUPERVISION AND ENFORCEMENT

34. Under the direction of Council, the Clerk shall be responsible for general supervision over Taxicabs, Taxicab Owners and Taxi Drivers and for the enforcement of the provisions of this by-law.
35. Under the direction of Council, the Clerk may examine or cause to be examined by a qualified mechanic any taxicab and may make inquiries or cause inquiries to be made in respect of Taxicab Owners and Taxi Drivers.

TAXICAB RECORDS

36. Every Taxicab Owner shall maintain for each taxicab a record book containing a written record of all trips made for hire. Such record shall state in ink or indelible pencil the date, time and destination of each trip made, and the name and license number of the Taxi Driver making the trip.
37. Every Taxicab Owner shall retain the record book and written record described at #36 above for at least 12 months.
38. The Clerk , or any person acting on the specific direction of the Clerk, shall at any reasonable time be permitted immediate access to the record book and records described at #36 above.

PLACE OF BUSINESS

39. Every Taxicab Owner shall have an established place of business within the Municipality and a telephone number listed in the telephone directory for that area in which his / her place of business is located.
40. Every Taxicab Owner licensed under this by-law shall give the Clerk written notice of any change of the location of the Taxicab Owner's place of business or telephone number.

PENALTIES

41. Any person who violates any provision of this by-law shall be guilty of an offence and shall be liable to a penalty of not more than two hundred dollars (\$200.00) and in default of payment to imprisonment for not longer than 30 days.

SCHEDULE "A"

TAXI LICENSE

License to Owner of a vehicle to operate the same as a Taxicab within the Municipality of the County of Richmond.

Vehicle Type: _____ Vehicle Year: _____
Vehicle Model: _____
License Plate No: _____
Registration No: _____
Serial No. _____
Taxi Business Name: _____

A TAXI LICENSE IS HEREBY GRANTED to _____
of _____ in the Municipality of the County of Richmond
to operate the above mentioned vehicle for the transportation of passengers for hire in
the said County of Richmond, under the provisions of the by-laws of the said
Municipality. **THIS IS A 12-MONTH LICENSE.**

DATED at Arichat, Nova Scotia, this ____ day of _____, _____

Municipal Clerk

EXPIRY DATE: _____
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TAXI DRIVER'S LICENSE

License to drive a taxicab within the Municipality of the County of Richmond.

A TAXI DRIVER'S LICENSE IS HEREBY GRANTED to _____
of _____ in the Municipality of the County of Richmond,
to drive a licensed taxicab in the County of Richmond pursuant to and in accordance
with the provisions of the Taxi By-law of the Municipality of the County of Richmond.
THIS IS A 12-MONTH LICENSE.

DATED at Arichat, Nova Scotia, this ____ day of _____, _____

Municipal Clerk

EXPIRY DATE: _____