

CHAPTER 11 TAXI BY-LAW

1.0 DEFINITIONS

In this by-law,

- 1.1 **“Chief of Police”** means the Chief of Police of the Bridgewater Police Department;
- 1.2 **“Commission”** means the Bridgewater Board of Police Commissioners;
- 1.3 **“Driver”** means a person who has been granted a Taxi or Limousine Drivers License by the Licensing Authority of the Town;
- 1.4 **“Licensing Authority”** means the Human Resources/Administration Officer.
- 1.5 **“Limousine”** means any four-door full size luxury class vehicle, having a standard seating capacity for at least five persons, exclusive of the driver, and equipped with a minimum of four of the following special features:
- (a) Glass partition separating the front and rear seats;
 - (b) Top quality interior appointments, being either leather or other plush upholstery;
 - (c) Power windows;
 - (d) Air conditioning;
 - (e) Television;
 - (f) Stereo system;
 - (g) Cellular telephone
- or any other vehicle which is of a comparable limousine quality.
- 1.6 **“Motor Vehicle”** means a motor vehicle as defined in the *Motor Vehicle Act*.
- 1.7 **“Operate”** means to operate or drive or have the care and control of a taxi or limousine, when such vehicle is involved in the transportation of passengers.
- 1.8 **“Owner”** means the owner of a motor vehicle for which a license to operate the same as a taxi or limousine has been granted.
- 1.9 **“Taxi”** includes any motor vehicle of any description whatsoever, used for the transport of passengers for hire, saving and excepting buses, limousines, and

any vehicle required to be licensed under the *Motor Carrier Act*.

1.10 “**Town**” means the Town of Bridgewater.

1.11 This by-law applies only to transportation wholly within the boundaries of the Town.

Sec. 1.11
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Oct.
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2.0 TAXI OR LIMOUSINE OWNER’S LICENSE

2.1 No person shall operate a taxi or limousine within the town which is not the subject of the taxi or limousine owner’s license, which license shall contain the serial number and the provincial registration plate number of such vehicle.

2.2 No person being the owner of a vehicle shall operate such vehicle, or permit it to be operated, as a taxi or limousine in the town unless he holds a valid taxi or limousine owner’s license for such vehicle.

2.3 No taxi or limousine owner’s license shall be granted unless and until:

- a) An application and statutory declaration in the form as shown in Schedule A attached hereto and forming a part of this by-law, has been completed by the applicant and delivered to the Town Office;
- b) Payment to the Town of the fee for a taxi or limousine owner’s license has been received by the Town Office;
- c) The applicant satisfies the Licensing Authority that each vehicle or vehicles for which the license is applied for is:
 - i) the property of and registered in the name of the person so applying;
 - ii) insured for public liability, passenger hazard and property damage in the amount of not less than \$1,000,000 for the use of the vehicle as a taxi or as a limousine without any limit on any particular claim, regardless of the number of persons involved or the nature of the claim and the applicant shall provide the Licensing Authority with a copy of proof of insurance which is currently in force, and provide said proof of insurance to the Licensing Authority at any time upon request.
 - iii) has passed the inspection required by this by-law within the preceding twelve months or, if not previously licensed, has passed a motor vehicle inspection not more than thirty days prior to the date of the application.

Sec.
2.3(c)(iii)
added Oct
14/08

- 2.4 a) Taxi owners shall apply to the Licensing Authority for license renewals during the period March 1 - 15 to allow sufficient time for vehicle inspections and processing of applications.
- b) All licenses shall terminate on the thirty-first day of March next after the date of the license unless sooner cancelled or revoked.
- c) an owner's license may be transferred from one vehicle to another vehicle which complies with the requirements of this by-law, upon application and upon payment of a transfer fee of \$15.00. An owner's license shall not be transferable from one owner to another.
- 2.5 Every taxi or limousine when licensed shall, at all times, have a decal located above the motor vehicle inspection decal. The said decal shall be supplied by the Licensing Authority and reference the year for which the license was issued.
- 2.6 a) The fee for a taxi license shall be the sum of Twenty-five Dollars (\$25.00) for each automobile so licensed.
- b) The fee for a limousine license shall be the sum of Twenty-five Dollars (\$25.00) for each limousine so licensed.
- 2.7 A taxi or limousine owner shall not change the business name under which the taxi or limousine is operated without notifying the Licensing Authority of such change in writing not less than seven (7) clear days before such change.
- 2.8 A taxi or limousine owner shall not permit any person to operate his taxi or limousine to transport passengers or goods, or to seek employment as a taxi or limousine driver, unless such person is in possession of a valid taxi or limousine driver's license.
- 2.9 When the taxi or limousine is not for hire the owner shall cover the roof sign/light or have same removed.
- 2.10 Every Taxi or limousine shall be annually inspected as required by the Licensing Authority at the cost of the owner thereof.

Sec. 2.10
added Oct
14/08

3.0 TAXI OR LIMOUSINE DRIVER'S LICENSE

- 3.1 Unless such person is in possession of a valid taxi or limousine driver's license under this by-law which is conspicuously displayed in the motor vehicle and is readily visible to any passengers who may be in the vehicle no person shall:
- a) Transport passengers for compensation in or through any highway, street, road, lane, alley, taxi or limousine stand or other public place of the town in any taxi or limousine;

- b) Be on any highway, streets, road, lane, alley, taxi or limousine stand or other public place in the town in control of a motor vehicle seeking employment as a taxi or limousine driver; or
- c) Wait at any location in the town, whether in a public place or a private place, in the control of a motor vehicle for the purpose of obtaining employment as a taxi or limousine driver by way of radio messages or any other means.

3.2 Any person in control of a motor vehicle which displays a taxi or limousine roof Sign/Light which is not covered, and is on any highway, street, road, lane, alley, taxi or limousine stand or at any other public place in the town, or who is found waiting with any such motor vehicle at any location in the town, is deemed to be seeking employment as a taxi or limousine driver.

3.2.1 No taxi or limousine driver's license shall be granted to any person who:

- a) does not have a valid Nova Scotia Driver's License Class 4 or higher (1, 2, 3);
- b) who is not of the full age of majority (19).

3.3 No taxi or limousine driver's license shall be granted unless and until:

- a) an application and statutory declaration in the form as shown in Schedule "A" attached to and forming part of this by-law has been completed by the applicant and the applicant has provided such further information about himself as the Licensing Authority may determine to be necessary to establish his qualifications for the license.
- b) the applicant has submitted with his application two current copies of his passport photograph, 1-1/2" square in size, which shall not be retouched, one copy to be retained by the Licensing Authority with the applicant's file and the other to be placed on the identification card to be supplied by the Licensing Authority. New photographs are not required more often than every five years for previously licensed taxi or limousine drivers.
- c) the applicant has supplied to the Licensing Authority a current abstract of his driving record from the Registry of Motor Vehicles, and submits for examination a valid Class 4 license for the Province of Nova Scotia, which has been granted to him under the provisions of the *Motor Vehicle Act*.
- d) the applicant pays to the Town the fee for a taxi or limousine driver's license at the time of application.

3.4 The fee for a taxi or limousine driver's license shall be the sum of Twenty-Five

Sec. 3.2.1
added Oct.
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Sec. 3.3(b)
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Dollars (\$25.00).

- 3.5 No license fee is refundable for any reason.
- 3.6 A taxi or limousine driver's license is not transferrable.
- 3.7
- a) Taxi drivers shall apply to the Licensing Authority for licensing renewals during the period March 1 - 15 to allow sufficient time for processing of applications.
 - b) All licenses shall terminate on the thirty-first day of March next after the date of the license, unless sooner cancelled or revoked.
- 3.8
- a) The Licensing Authority shall refer every application for a taxi or limousine owner's or driver's license to the Chief of Police.
 - b) The Chief of Police shall conduct a criminal records check with respect to the applicant.
 - c) The Chief of Police shall advise the Licensing Authority of any error or omission in the application and statutory declaration, and if the Licensing Authority determines that the errors or omissions are material, the Licensing Authority shall refuse the application.
 - d) If the Chief of Police finds that an applicant has been convicted of a violation of the *Criminal Code of Canada*, the *Controlled Drugs and Substances Act (Canada)*, the *Liquor Control Act* or the *Motor Vehicle Act*, and in the opinion of the Chief of Police the violation renders the applicant an unfit or improper person to hold a license, the Licensing Authority shall refuse the application.
 - e) If the Chief of Police determines that the applicant has been convicted of an offence against any statute or by-law, or has committed such an offence in or around a taxi or limousine, in such a manner as to link the taxi or limousine to the commission of the offence, the Licensing Authority shall refuse the application.
 - f) In the event that charges have been laid but not resolved under clauses d) or e) of this Section, the Licensing Authority shall issue a licence on the condition that if a conviction is entered, the license shall be revoked immediately.
- 3.9
- a) An identification card shall be supplied to every taxi driver by the Licensing Authority.
 - b) When a taxi driver's license is suspended, is cancelled or expires without

being renewed the identification card shall be returned to the Licensing Authority.

- c) A card having printed upon it the fares set out in this by-law shall be furnished by the Licensing Authority with each driver's and vehicle license.

4.0 SUSPENSION, REVOCATION OR REFUSAL OF LICENSES

- 4.1 a) the Licensing Authority may suspend or revoke the license of any owner or driver of a taxi or limousine who has been convicted of a violation of any provision of the *Criminal Code of Canada*, the *Controlled Drugs and Substances Act (Canada)*, the *Liquor Control Act*, the *Motor Vehicle Act* or this by-law where the violation, in the opinion of the Licensing Authority, renders the owner or driver of the taxi or limousine an unfit or improper person to hold the license.

- b) The Licensing Authority shall suspend the license of any taxi or limousine driver upon receipt of a report from a police officer to the effect that the driver had been charged with an offence that if repeated, would endanger the safety of the driver's passengers, and the suspension shall remain in effect until the charge is dismissed or the driver is found not guilty.

- c) The Licensing Authority shall revoke the license of any taxi or limousine owner or driver on a recommendation from the Chief of Police that the owner or driver, as the result of a conviction for a violation of the *Criminal Code of Canada*, the *Controlled Drugs and Substances Act (Canada)*, the *Liquor Control Act* or the *Motor Vehicle Act*, has ceased to be a fit and proper person to hold a license.

- d) The Licensing Authority shall suspend the license of any taxi or limousine owner or driver if a police officer reports that the owner or driver has, or appears to have used a taxi or limousine in the commission of an offense against any statute or by-law, or that the owner or driver has, or appears to have committed such an offense in or around a taxi or limousine in such a manner as to link the taxi or limousine to the commission of the offense, and if the taxi or limousine owner or driver is subsequently convicted of such an offense the Licensing Authority shall revoke the license.

- 4.2 If at any time a person holding a taxi or limousine driver's license under this by-law ceases to hold a valid Class 4 license for the Province of Nova Scotia, the taxi or limousine driver's license is suspended and shall be surrendered forthwith to the Licensing Authority.

- 4.3 A person whose taxi or limousine driver's license, or taxi or limousine owner's license is suspended pursuant to this section may apply for reinstatement when:

- a) the period of his suspension has expired; or
- b) in the case of a person who had at any time ceased to hold a valid Class 4 license, his Class 4 license has been renewed or reinstated.

4.4 The Licensing Authority shall suspend a taxi or limousine owner's license forthwith upon having reasonable and probable grounds to believe that such taxi or limousine is not covered by insurance as required by this by-law, or that an insurance policy has expired and proof of renewal has not been provided to the Licensing Authority and the suspension shall remain in force until it is proven to the Licensing Authority that the taxi or limousine is insured as required by the by-law.

4.5 The Licensing Authority shall revoke or suspend a taxi or limousine owner's license or a taxi or limousine driver's license if the holder ceases to be qualified to hold the license or has made a false statement in an application or statutory declaration for the license.

Sec. 4.5
amended
Oct. 14/08

4.6 The Licensing Authority shall suspend a taxi or limousine owner's license or a taxi or limousine driver's license if the Chief of Police advises the Licensing Authority that by reason of probable criminal activity or other cause the holder of the license has ceased to be a fit and proper person to hold a license.

4.6.1 The Licensing Authority shall suspend a taxi or limousine owner's license with respect to any taxi or limousine that is not inspected as required by this by-law or that fails such inspection, and the suspension shall remain in effect until the taxi or limousine passes the inspection.

Sec. 4.6.1
added Oct.
14/08

4.7 Notice of suspension, revocation or refusal is deemed to have been served if sent by registered mail to the license holder or applicant at the address of the place of business shown on the application, or personally served.

5.0 APPEAL PROCESS

5.1 Any person whose application for a license under this by-law is refused by the Licensing Authority, or any person whose license under this by-law is suspended or revoked by the Licensing Authority, may appeal from the refusal, suspension or revocation to the Commission.

5.2 No appeal shall be taken from any decision of the Licensing Authority except upon written notice of appeal being served upon the Licensing Authority, within 15 days from the decision appealed from.

5.3 The Commission shall hear the Appellant and may:

- a) confirm or vary the decision of the Licensing Authority;

- b) order that a license be revoked and surrendered, or
- c) order that a license be granted or reinstated.

5.4 The Commission may order that a license be granted or reinstated subject to the Appellant passing any tests provided for in this by-law or proving that he meets all qualifications or requirements of this by-law.

6.0 RATES

6.1 The rates for the transportation of passengers by taxi shall be as follows:

In Town Only	6:00 a.m. - Midnight	Midnight - 6:00 a.m.
1 passenger	\$6.00	\$6.50
2 passengers	\$6.50	\$8.00
3 passengers	\$7.00	\$9.00
4 passengers	\$7.50	\$10.00
5 passengers	\$8.00	\$11.00

Note: Number of passengers allowed coincides with number of seatbelts available.
Return Trip double above.

- 6.2 Additional charge for pick-up and delivery of goods or parcels \$2.50
- 6.3 Charge for each or any stop en route to destination, up to 5 minutes \$1.50
- 6.4 Waiting instructions of a customer at the rate \$30.00 per hour
\$.50 per minute
- 6.5 Children under twelve years of age not considered additional passengers

NOTE: All rates include Harmonized Sales Tax (H.S.T.)

7.0 GENERAL

- 7.1 Every driver or owner who takes a fare less than or demands a fare greater than specified by this by-law is guilty of an offence against this by-law and shall be liable to the penalty as set forth in Section 10 of this by-law.
- 7.2 Notwithstanding subsection (1), this by-law does not prohibit private contractual arrangements between owners and businesses or institutions for the transportation of goods or passengers on behalf of the contractor with costs to be paid by the contractor.
- 7.3 a) The rate card provided by the Licensing Authority shall be openly displayed in each vehicle used as a taxi or limousine so as to be readily

Sec. 6.1 and 6.4 amended Feb. 28/05

Sec. 6.1 amended Aug. 11/08

visible to all passengers.

- b) Each driver shall display the identification card provided by the Licensing Authority in the taxi or limousine so as to be easily visible to all passengers.

7.4 A driver shall convey only the person or persons engaging his vehicle and shall not pick up other passengers while so engaged unless requested to do so by the person or persons who engaged his services, or unless the driver receives the permission of the person or persons who engaged his services to do so.

7.5 Every driver shall transport any personal luggage accompanying any passenger, and shall place the luggage in and out of the taxi for the passenger, if requested to do so.

7.6 A driver, while engaged in the operation of a taxi and transporting a passenger, shall not smoke except with the consent of the passenger.

7.7 A driver shall not, while in control of a taxi, use abusive or insulting language.

7.8 A driver shall at all times, while in control of a taxi, conduct himself in an orderly manner and shall be respectful of passengers.

7.9 A driver shall not consume any alcoholic beverage or other substance that could impair the driver's ability to drive, while in control of a taxi.

7.10 Every driver, while in control of a taxi, shall be in a clean and tidy condition.

Sec. 7.8
amended
Oct 14/08

8.0 INSPECTIONS

8.1 The owner or driver of a taxi or limousine shall not operate or permit to be operated any taxi or limousine that does not meet the following standards of repair and cleanliness:

- a) The body of the taxi or limousine shall not be damaged or unsightly.
- b) The vehicle shall have first class repairs with no visible body fill, rust, primer paint, accident damage or similar defects. The vehicle shall be of a uniform colour in appearance.
- c) The vehicle shall be clean and in good repair as to its exterior;

8.2 Every owner or driver shall submit a vehicle(s) for examination by the Licensing Authority or his/her designate when requested by the Licensing Authority, and neither the owner nor the driver shall, at any time, prevent or hinder the Licensing Authority or his/her designate from entering the vehicle for the purpose of

Sec. 8.0 -
Inspections
amended
Oct. 14/08

inspecting the vehicle.

- 8.3 Should a taxi or a limousine fail to meet the requirements of this Section, the Licensing Authority may notify the owner or driver of the vehicle to cease operating the vehicle as a taxi or as a limousine until the vehicle complies with this Section, and is approved for operating by the Licensing Authority or his/her designate.

9.0 REPORT OF ACCIDENT

- 9.1 The owner of any taxi or limousine which has been involved in an accident or collision shall forthwith notify the Licensing Authority of such accident or collision and shall, not later than three o'clock in the afternoon of the working day following the accident, deliver or cause the taxi or limousine to be delivered to the Licensing Authority, who shall determine whether the taxi or limousine continues to meet the requirements of this by-law, and who shall suspend the taxi or limousine owner's license for such taxi or limousine in the event that it does not meet the requirements of this by-law.

10.0 OFFENCES AND PENALTIES

- 10.1 Every person who contravenes or fails to comply with any of the foregoing provisions of this by-law shall be liable to the penalty prescribed by Section 299 of the *Motor Vehicles Act* R.S.N.S. 1989, c. 293 as amended.
- 10.2 Any person who makes a false or misleading statement in any application for a license or in any other document which an applicant or license holder is required to file with the Licensing Authority is guilty of an offence and is liable on conviction to the penalty prescribed by Section 505 of the *Municipal Government Act*, R.S.N.S. 1998, c. 18.

11.0 REPEAL

- 11.1 Chapter 11, entitled "Taxi By-law" as approved by the Minister of Municipal Affairs on the 25th day of April, A.D., 1991, is hereby repealed.