



## GUELPH POLICE SERVICES BOARD

By-law No. 145 (2011)

*Being a By-law to regulate, license and govern the owners, drivers and dispatchers of taxicabs, accessible taxicabs, and limousines; and to repeal By-law No. 143 (2011) and all predecessor bylaws relating thereto.*

**WHEREAS**, pursuant to Section 151 of the *Municipal Act, 2001, S.O. c.25 (Act)* as amended, a local municipality may license, regulate and govern any business wholly or partly carried on within the municipality even if the business is carried on from a location outside the municipality;

**AND WHEREAS**, UNDER SECTION 151 (2) OF THE SAID Act, the municipality may exercise its licensing powers, including imposing conditions for the purpose of Health and Safety;

**AND WHEREAS**, pursuant to Section 156 (1) of the said Act, the municipality may pass a By-law under Section 151 for licensing, regulating and governing the owners and drivers of taxicabs, may establish the rates or fares for this service, provide for the collection of such rates or fares and limit the number of taxicabs or any class of them;

**AND WHEREAS**, pursuant to Section 157 (1) of the said Act, a municipality may, with the consent of a police services board, delegate to that board the power to license, regulate and govern a business such as the taxicab industry;

**AND WHEREAS**, the Council of the Corporation of the City of Guelph by By-law 15120 (1996) did on April 15<sup>th</sup>, 1996, delegate to the Guelph Police Services Board the power to license, regulate and govern owners and drivers of taxicabs;

**AND WHEREAS**, the Guelph Police Services Board on March 24<sup>th</sup>, 2011 passed By-law 143 and now wishes to repeal By-law 143 (2011) and to enact this By-law. **AND WHEREAS**, the Guelph Police Services Board is concerned that the vulnerable sector of the Guelph community (e.g. children, the disabled, and the elderly who would be passengers within taxicabs) and those citizens that use the roads for travel, not be exposed to unnecessary risk from inappropriate behavior or driving;

**AND WHEREAS**, the Guelph Police Services Board wishes to minimize any risk to the public through providing criteria for the issuance of taxicab licenses and the suspension or termination of such licenses in order to ensure the safety of the public;

**AND WHEREAS**, the purpose of this By-law and the imposition of conditions on owners and drivers of taxicabs is for the health and safety of the public;

**NOW THEREFORE**, the Guelph Police Services Board enacts as follows:

**1. DEFINITIONS:**

<b><i>Accessible Taxicab</i></b>	(a)	<b>“Accessible taxicab”</b> shall mean a class of taxicab which is constructed or modified to permit the loading, transporting and unloading of persons in a wheelchair or similar device used to assist disabled persons;
<b><i>Board</i></b>	(b)	<b>“Board”</b> shall mean the Guelph Police Services Board;
<b><i>Chief of Police</i></b>	(c)	<b>“Chief”</b> shall mean the Chief of the Guelph Police Service. The Chief may delegate any act or duty required to be done pursuant to this By-law to any member of the Guelph Police Service;
<b><i>Compensation</i></b>	(d)	<b>“Compensation”</b> shall include any rate, remuneration, reimbursement or reward of any kind paid, payable, promised, received or demanded, directly or indirectly;
<b><i>Disabled Person</i></b>	(e)	<b>“Disabled person”</b> shall mean a person who is restricted in or lacks the ability to perform physical activity in the manner or within the range considered normal for a human being whether such inability is caused by psychological, physiological, or anatomical structural dysfunctions;
<b><i>Dispatcher</i></b>	(f)	<b>“Dispatcher”</b> shall mean any person who receives or dispatches calls for regular taxicab or accessible cab service by way of telephone, radio, mobile data terminals, (dispatch aided computer), or any other means from a taxicab office.
<b><i>Driver</i></b>	(g)	<b>“Driver”</b> shall mean any person who drives any class of taxicab under this By-law including accessible taxicab and limousine;
<b><i>Limousine</i></b>	(h)	<b>“Limousine”</b> shall mean a class of taxicab which is a large luxurious sedan without a meter, chartered on a time basis pursuant to the rates within Schedule “C”;
<b><i>Owner</i></b>	(i)	<b>“Owner”</b> shall mean any person who owns a regular taxicab, accessible taxicab or limousine, and shall include any person who has possession or control of a regular taxicab, accessible taxicab or limousine under an installment-purchase/hire purchase agreement or pursuant to a lease agreement;
<b><i>Person</i></b>	(j)	<b>“Person”</b> includes an individual, a business entity, a partnership and a corporation;

<b>Regular Taxicab</b>	(k)	<b>“Regular Taxicab”</b> means a taxicab that is neither an accessible taxicab nor a limousine;
<b>Spare Taxicabs</b>	(l)	<b>“Spare Taxicab”</b> means an additional regular taxicab that the owner of a regular taxicab owns which meets the criteria of this By-law but cannot be placed on the road until the other regular taxicab is removed. This is also applicable to accessible taxicabs.
<b>Taxicab</b>	(m)	<b>“Taxicab”</b> shall mean any motor vehicle having at the time of manufacture, a normal seating capacity for nine (9) passengers or fewer, used for hire to the public for the conveyance of persons either wholly within the City of Guelph or from any point in Guelph to any point outside of Guelph, but does not include a special transportation vehicle licensed under a By-law of the City of Guelph, a bus, an ambulance, a funeral hearse, or a taxicab conveying passengers from any point within Guelph to an airport situated outside of Guelph and bearing a valid and subsisting plate or permit issued under the <i>Department of Transport Act</i> or by a designated airport authority;
<b>Taxi License Decal</b>	(n)	<b>“Taxi License Decal”</b> shall mean decals which are provided by the Guelph Police Service and renewed on an annual basis to show a vehicle is licensed.
<b>Used for hire</b>	(o)	<b>“Used for hire”</b> shall mean the conveyance of persons for a fee or other compensation.

## **2. DUTIES OF THE CHIEF OF POLICE**

The Chief shall have supervision over all persons and vehicles licensed under this By-law, together with equipment used by them, and shall do the following:

<b>Report</b>	(a)	report to the Board in respect of the performance of their duties when so requested by the Board;
<b>Inquiries</b>	(b)	make all necessary inquiries concerning an application for a license as required, to ensure compliance with the law and with this By-law in order to protect the public. With the consent of the Guelph Police Services Board, the Chief shall be responsible for the issuance, suspension and revocation of all taxi cab licenses and photo identification as outlined in this By-law and shall submit to the Board, for its information, a list of all taxi owner/driver licenses issued or denied by the Chief, pursuant to the criteria reflected in Schedule ‘D’ herein;
<b>Collect Fees</b>	(c)	collect payment of the required license fee upon the application for the issuance of the license or upon the renewal of a license and should the license not be issued to a new applicant, the fee will not be returned;
<b>Submit Report on Appeal</b>	(d)	upon an appeal being filed with the Board by an applicant who had been refused a license or by a former driver or owner who had their license revoked or suspended, the Chief shall submit a report with documentation supporting the decision and the appeal process will be guided by Schedule ‘F’;
<b>Keep Records</b>	(e)	keep records of all licenses issued by the Chief, which shall contain the name and address of each licensee, the number of vehicles of each licensee, the license fee paid, the date of each

license and such further information as the Board may direct;

- Provide Tariff Card & Decal*** (f) provide to each licensed regular taxicab and accessible taxicab owner, a Tariff card setting forth the rates specified in Schedule 'B' of this By-law and a taxi license decal for each licensed vehicle.
- Tariff Card Limousines*** (g) provide each licensed limousine owner a Tariff Card setting forth the rates specified in Schedule 'C' of this By-law;
- Photo License*** (h) provide to each licensed driver a photo license;
- Receipt*** (i) provide to each licensed owner and driver a copy of this By-law and obtain a signed acknowledgement of receipt of same; and
- Inspections & Inquiries*** (j) ascertain by inspection and by inquiry from time to time whether license holders continue to comply with the law and with this By-law.

### **3. LICENSES**

- License for Owners*** (a) No person being the owner of a taxicab, shall use or operate or permit to be used or operated, any taxicab without a current taxicab license issued by the Chief for that vehicle.
- License for Drivers*** (b) No person shall operate any taxicab without possessing a valid Class "G" Ontario driver's license or equivalent and the appropriate class of taxicab driver's license issued by the Chief.
- Approved Accessible Taxicab*** (c) Every owner of an accessible taxicab shall provide a certificate of proof that the vehicle to be used as an accessible taxicab complies with the appropriate Ontario Regulations pursuant to the *Highway Traffic Act* and amendments thereto and with the Canadian Standards Association standard D409-M84, and all other pertinent federal and provincial regulations as may be established and in force from time to time.
- Approved Accessible Taxicab Driver*** (d) No person shall drive, or act as a driver of, any accessible taxicab without first having completed a Wheelchair and Occupant Restraint System Training Program with respect to the handling, safety restraint, transportation, care and safety of disabled passengers, written proof of which shall be provided prior to the issuance of any accessible taxicab driver license.
- Dispatcher*** (e) No person shall act as a dispatcher without a dispatcher's license or taxicab driver's license issued by the Chief.
- Use of Number Plates on Proper Vehicle*** (f) No owner shall use, or permit the use of, any number plate upon any vehicle other than Ontario plates issued by the Ministry of Transportation and the taxi license decal issued by the Chief for such vehicle.
- Transfer of Number Decals with Approval*** (g) No owner shall transfer, or permit the transfer of, any taxicab-number decal from one taxicab to another without the prior written approval of the Chief .
- Regular Taxicab License May Operate Accessible*** (h) An owner of a regular taxicab license may operate either a regular taxicab or an accessible taxicab provided they comply with the provisions of this By-law.

- Transfer of Shares with Approval** (i) No owner, being a corporation incorporated under the laws of Ontario, shall transfer or permit the transfer of shares which would have the effect of changing control of the corporation, without the approval of the Board.
- Limit on Regular Taxicab Decals** (j) The number of license decals issued to owners of regular taxicabs was limited to ninety (90) decals as of Feb. 15<sup>th</sup>, 2006. However, from May 1, 2006 to April 30, 2007 and every twelve months thereafter, the Chief may permit the issuance of an additional two (2) decals provided there is a request for these additional decals. Should there be no such request, these decals will not accumulate and only two decals may be issued in the subsequent twelve-month period.
- Application: First-Day-First Priority** (k) The application for these two regular taxicab decals will be accepted on a "daily" basis commencing on May 1<sup>st</sup> of each year. Should there be more than two requests for the new decals, on any one day and Section (12) below does not apply, there will be a random draw.
- Accessible Taxicab Owners Priority** (l) The owner of an accessible taxicab which has been on the road for the previous twelve months will, on a one-time basis, receive priority for one new regular taxicab decal. Should this owner of an accessible taxicab apply for a regular taxicab license on the same day as other non-accessible taxicab applicants, he or she will receive priority. Should there be more than two such requests from qualified accessible taxicab owners, these priority applicants will participate in a random draw among themselves.
- No Limits on Accessible Decals** (m) There shall be no limit to the number of accessible taxicab license decals that may be issued.

#### **4. EQUIPMENT AND ITS USE**

- Load to be Carried** (a) No person licensed under this By-law shall carry, or permit to be carried in any taxicab, a greater number of occupants or persons than the manufacturer's rating of seating capacity, inclusive of driver, and every taxicab shall not be less than a four-door sedan model or a four-door van. One door on a 4 door van may include the tailgate.
- Seating Capacity** (b) No person licensed under this By-law shall carry or permit to be carried in any accessible taxicab, a greater number of occupants or persons than that recommended by the Ministry of Transportation, inclusive of the driver.
- Inspection of Vehicle** (c) Before a license is issued under this By-law in respect of any vehicle, the applicant shall provide to the Chief a valid Safety Standard Certificate certifying that such vehicle is in a safe condition to be operated on a highway as defined in the *Highway Traffic Act*, R.S.O., 1990, c.H.8. This provision is not applicable to a new motor vehicle purchased from a dealer and which is a first time registration.
- Leased Vehicles** (d) Any vehicle licensed under this By-law which is leased shall be leased for a minimum duration of one (1) year. No license issued under this By-law in respect of a leased vehicle is transferable without the written permission of the Chief.

- Age of Taxicab and Accessible Taxicab** (e) No license shall be renewed under this By-law in respect of a regular taxicab or accessible taxicab which at the time of renewal is more than three (3) years old from the date of manufacture, unless the owner provides at the time of renewal a valid Safety Standard Certificate certifying that such vehicle is in a safe condition to be operated on a highway as defined in the *Highway Traffic Act*, R.S.O., 1990, c.H.8. Every six (6) months thereafter, the owner shall provide to the Chief a valid Safety Standard Certificate.
- Age of Limousines** (f) No license shall be renewed under this By-law in respect of a limousine which at the time of application is more than five (5) years old from the date of manufacture, unless the owner provides at the time of renewal a valid Safety Standard Certificate, certifying that such vehicle is in a safe condition to be operated on a highway as defined in the *Highway Traffic Act*, R.S.O., 1990, c.H.8. Every twelve (12) months thereafter, the owner shall provide to the Chief a valid Safety Standard Certificate.
- Camera Systems** (g) Any taxicab licensed under this By-law which is equipped with a camera system, shall provide notice of same to the public. Said notice shall be clearly visible from both outside the vehicle and within the interior of the vehicle.

## **5. TAXIMETER**

- Taximeter Required** (a) Every owner shall have affixed to every regular taxicab and accessible taxicab licensed under this By-law, a taximeter which shall register distance travelled, record trips and units, and compute fares to be paid for distance and hourly rates.
- Taximeter Conditions** (b) Each taximeter shall be:
- (i) submitted when requested by the Chief for testing, inspection and sealing;
  - (ii) illuminated between dusk and dawn;
  - (iii) attached to the vehicle in a location and manner approved by the Chief so as to be in plain view of the passengers therein;
  - (iv) adjusted in accordance with the tariff prescribed in Schedule 'B' to this By-law as amended;
  - (v) tested by any ways and means prescribed by the Chief; the acceptable level of accuracy within which a taximeter must register shall be five (5) metres more or less per measured kilometre at a tire pressure recommended by the tire manufacturer;
  - (vi) used only when the seal thereon is intact and shall not be used longer than twelve (12) months without retesting and resealing;
  - (vii) kept in good working order at all times and shall not be

used when defective in any way.

- Taximeter Tested, Sealed*** (c) No person shall operate, or allow to be operated, a taxicab equipped with a taximeter unless and until the taximeter has been tested and sealed by the Chief.
- Resealed & Retested*** (d) No person shall operate, or allow to be operated, a taxicab equipped with a taximeter when such taximeter has been changed, repaired, altered, tampered with, adjusted, or transferred to another taxicab unless and until such taximeter has been subsequently retested and resealed by the Chief.
- Exception to Tariff*** (e) Except where a driver of a licensed taxicab equipped with a taximeter transports a person from any point in Guelph to any point outside Guelph pursuant to a written contract, the driver must comply with the By-law tariffs as reflected in Schedule 'B' and as amended.
- Script Program*** (f) Only drivers of accessible taxicabs may accept script coupons or script cards from disabled passengers which have been issued by the City of Guelph.
- Taxi Roof Sign*** (g) Every owner shall have affixed to every regular taxicab on the roof, an electric sign, permanently secured as approved by the Chief. The driver shall ensure that such roof sign will be coordinated with the operation of the taximeter in the manner provided for in subsection 5 (c). Thus, when the taximeter is initiated, the roof sign will be turned off and shall be dark. In the event a driver is attending to pick up a fare or is off duty, the roof sign should be dark to advise people that this cab is not in service.
- Taxi Identification Number*** (h) Every owner of every taxicab, regular taxicab, accessible taxicab and/or limousine shall permanently affix, to the right lower trunk corner of the vehicle, the number of such vehicle in text that is high colour contrasted with its background and with the appearance of solid characters in a size no less than 3 inches by 1.5 inches.

## **6. RIGHT OF INSPECTION:**

- (a) Every owner of a taxicab licensed under this By-law shall submit such taxicab, upon request, to the Chief for examination, and no person shall at any time prevent the Chief from entering into a garage or other premises where such taxicab is kept for the purpose of such inspection.

## **7. TAXI LICENSE DECALS:**

- Change of Vehicle*** (a) Every owner who sells or disposes of a taxicab shall, within six (6) days of such sale or disposal, give notice in writing thereof to the Chief, and may on application to the Chief be authorized to transfer the taxi license decal to another vehicle to replace the vehicle sold or disposed of. If such authorization is not given, the taxi license decal and corresponding license shall be forthwith returned to the Chief.
- Taxi License Decal and Position of*** (b) Every owner of a regular taxicab or accessible taxicab licensed

**Same** under this By-law, shall at the time of issuance of the license, receive a taxi license decal for the current year, and the owner shall display such taxi license decal inside the vehicle on the windshield at the bottom on the driver's side.

**Surrender of Decals** (c) Every taxicab license decal provided by the Chief shall be returned to the Chief upon request.

## **8. ACCESSIBLE TAXICAB LICENSE:**

(a) All licenses issued under this By-law for accessible taxicabs shall include the word "accessible" and shall not be used, or be permitted to be used, for any purpose other than in compliance with the provisions of this By-law in respect of accessible taxicabs.

## **9. GENERAL PROVISIONS:**

**Owner to Notify Re: Drivers** (a) Every taxicab owner shall notify the Chief in writing of the hiring of any taxicab driver and of the termination of any taxicab driver within seven (7) days of the date of such hiring or termination.

**Company to Notify Re: Owners** (b) Where owners are also shareholders in a taxicab company, the Board of Directors of the company shall notify the Chief in writing seven (7) days before the sale, purchase or transfer of any shares.

**Emergency Repairs** (c) No owner or driver of a taxicab shall wash, clean or make repairs to their vehicle on any public street, unless such repairs are immediately required.

**No Smoking in Taxicabs** (d) No owner or driver of a taxicab shall smoke or permit smoking in their taxicab in accordance with section 9 of the Smoke-Free Ontario Act S.O. 1994, Chapter 10,

**Hours of Work** (e) No taxicab driver shall drive a taxicab licensed under this By-law for more than fifteen (15) hours within any consecutive twenty-four (24) hour period.

**Owner Responsible** (f) No taxicab owner shall permit any driver to drive a taxicab licensed under this By-law for more than fifteen (15) hours within any consecutive twenty-four (24) hour period.

**Appearance and Conduct of Drivers** (g) Every taxicab driver shall, while at any cab stand, sit or stand sufficiently close to his or her vehicle so as to have it constantly under close observation, and such driver shall not stand in a group of three or more or in any way obstruct the use of a sidewalk or public street, or make any loud noise or disturbance.

**Photo License to be Carried** (h) Every taxicab driver licensed under this By-law shall carry on their person their current Photo License provided by the Chief and, while driving any licensed taxicab, shall produce such photo license and permit any police officer or passenger to view such license upon request.

**Conduct of Accessible Taxi Owner and Driver** (i) Every owner and every driver of any accessible taxicab shall offer exclusive priority to requests made by or on behalf of, a

disabled person requesting accessible taxicab service, at any time of the day or night and at any place within the City of Guelph.

- Change of Address** (j) (i) Every taxicab owner or taxicab company (when owners have shares), shall keep a current list of every taxicab driver's home address at the employer's office.
- (ii) Every taxicab owner or taxicab company (when owners have shares), shall notify the Chief in writing of any change of office address within seven (7) days of such change.
- Solicitation** (k) No taxicab owner or driver shall solicit any person to use any taxicab, and any person wishing to use or engage such taxicab shall be left to choose without interference or interruption.
- To Accept First Person Right to Refuse Fare** (l) Every taxicab owner and driver shall serve the first person requiring taxicab service within the City. However, such owner or driver shall not be compelled to accept a request from any person who failed to pay the owner or driver their fare from a previous service unless such amount has been paid.
- Care of Property** (m) Every taxicab owner and driver shall take due care of all property delivered or entrusted to them for conveyance or safekeeping.
- Lost Articles Delivered to Police** (n) Every taxicab owner and driver who finds any property lost or left within a taxicab shall forthwith deliver to the Guelph Police Station all such property with all information regarding its recovery.
- Replacement of Photo License or Taxi License Decal** (n) A Photo License or Taxicab License Decal issued pursuant to this By-Law which is defaced, lost or destroyed, may be replaced by the Chief upon a satisfactory account of the reason for defacing, loss or destruction being provided and upon payment of the required replacement fee.
- Appeal** (o) Any act done by or under the authority of the Chief pursuant to any provision of this By-law shall be subject to an appeal to the Board by any person affected thereby.
- Direct Route** (p) Every taxicab driver shall drive by the most direct route to any destination, unless otherwise directed by the passenger.
- Record Kept and Information to Police** (q) Every taxicab owner shall keep a record in the owner's office or within the vehicle of the date, time, origin, and destination of each trip, the name of the driver and the number of the vehicle in respect of every fare, and shall retain such record for at least six (6) months, and shall provide such record to the Chief upon request, together with any other information respecting the fare in the owner's possession.
- Premises and Services** (r) Every owner of a regular or accessible taxicab or the taxicab company (when owners have shares) shall satisfy the Chief that such owner or taxicab company is the owner or lessee of premises within the City of Guelph for the operation of a taxicab business. Such premises shall be equipped with a telephone and these premises shall be staffed 24 hours of every day. The

premises shall have rest-room facilities for the convenience of the customers and employees, and shall employ a staff of licensed drivers and dispatchers sufficient in number to enable service in transporting passengers at all times of the day and night. The premises shall be fully accessible to disabled persons, including persons in wheelchairs. This section is not applicable to owners of limousines.

## **10. VEHICLES FOR HIRE:**

- Taxi Rates*** (a) Except for the circumstances outlined in Section 5 (e) of this By-law, the rates or fares to be charged by the owner or driver of a regular taxicab or an accessible taxicab, operating either wholly within the City of Guelph or from any point in Guelph to any point outside of Guelph, shall be pursuant to Schedule 'B' of this By-law and no higher or lower amount than that contained in the said Schedule shall be charged or payable.
- Limousine Rates*** (b) The rates or fares to be charged by an owner or driver of a limousine operating either wholly within the City of Guelph or to any point beyond its limits, shall be pursuant to Schedule 'C' of this By-law and no lower amount than that contained in the said Schedule shall be charged or payable.
- Tariff Cards*** (c) Every owner shall ensure that the appropriate Tariff Card setting forth the rates specified in Schedule 'B' or 'C' of this By-law, provided by the Chief, is displayed within every taxicab in such a manner that it is clearly visible to any passenger therein.
- Rate to be Charged*** (d) When operating on a meter basis, the rate of fare charged shall be exactly as shown by the taximeter as authorized by Schedule 'B' of this By-law.
- Operation of Taxi Meter*** (e) When a passenger enters or requires the services of the driver to assist in entering the taxicab, the meter shall immediately be activated by the driver and shall remain activated throughout the trip and at the conclusion of the trip, the taxi driver shall upon being paid, deactivate the meter.
- No Additional Charges Permitted*** (f) No owner or driver of any vehicle regulated under this By-law shall be entitled to demand any fare or charge from any person other than those permitted under this By-law.
- Refusing to Pay Authorized Rates*** (g) No person hiring any taxicab regulated under this By-law shall refuse, upon demand, to pay the fare or charge authorized under this By-law.
- When Charges Not to be Made*** (h) No taxicab owner or driver shall make any charge under this By-law for time lost for defects or inefficiency of any vehicle licensed hereunder or the incompetency of the driver thereof or for the time consumed by the arrival of the vehicle licensed hereunder in response to a call in advance of the time such vehicle has been requested by the person calling same.
- Computing Rates*** (i) The Tariff or rates herein authorized for limousines shall be complied with and shall be computed from the time or place when or at which the passenger first enters the vehicle licensed hereunder to the time or place when or at which the passenger

finally discharges such vehicle.

- Fare in Relation*** (j) A taxicab driver may carry in the vehicle two or more “unrelated fares” from a common starting point to two or more destinations subject to the following regulations:
- (i) Each stop to discharge a passenger shall be deemed to be the end of one trip and the commencement of a new trip;
  - (ii) At the end of such trip, the meter shall be cleared and started again at the commencement of each such trip.
- Fare in Relation to Passengers*** (k) When carrying a fare that requires accompaniment or assistance of another person, both persons shall be considered as a single fare.
- Shared Fare – Equal Portions*** (l) A driver of a regular taxicab or accessible taxicab, when carrying two or more unrelated fares, who are in agreement to share the service of the taxicab from point of origin to the same point of destination, shall ensure that each fare shares an equal portion of the metered amount showing on the meter upon arrival at the point of destination unless they agree otherwise.
- Not to Pick Up Other Fares After Engagement*** (m) No driver of a taxicab or accessible taxicab shall pick up en route any additional passenger after such taxicab has departed with one or more passengers from any starting point, unless the person who originally engages the taxicab desires same.

## **11. VEHICLE INSURANCE:**

- Vehicle Insurance*** (a) Every person who applies for a taxicab-owner’s license under this By-law shall, for each vehicle for which a license is sought and before such license is issued or renewed, file with the Chief, a policy of insurance issued by a company authorized to issue indemnity insurance policies in the Province of Ontario. Such policy shall insure the applicant in the amount of at least three-million dollars (\$3,000,000.00) and the policy shall include Public Liability and Property Damage exclusive of costs and interest, against liability for damages resulting from injury to or death of one or more persons and Property Damage in any one accident.
- Renewal of Insurance*** (b)
- (i) Insurance policies referred to in this Section, and any renewals thereof shall be kept in force by the respective owner during such period where a license is issued to him or her and upon failure to do so, the Chief may, upon notice to said owner, cancel such taxicab license.
  - (ii) Every taxicab owner shall require that their insurer provide notice to the Chief by registered mail at least thirty (30) days prior to the cancellation of any policy held by the owner.

## **12. ISSUING OF LICENSE:**

- Chief Not Obligated to Grant License*** (a) The Chief shall not be obliged under any circumstances to grant or renew a license issued under this By-law to any

applicant, driver or owner.

- Chief May Suspend License** (b) The Chief may, at any time for just cause, suspend the license issued to any person under this By-law. The former licensee shall be informed that they may appeal this decision to the Board. The Board after hearing the appeal may either continue such suspension for such period of time as it shall determine, or may reinstate such license or, if the circumstances warrant such action, may revoke the said license.
- License Not Renewable After Two Years** (c) A license issued pursuant to this By-law which is not renewed for twenty-four (24) months, shall not thereafter be renewed and the previous license holder shall be required to submit a new application.
- Expiration Date of License** (d) Every license issued pursuant to this By-law shall be in force for a period of not more than one year, and in each case shall expire in each year on the 30<sup>th</sup> day of April, unless sooner revoked or suspended.

### **13. BY-LAW AUTHORITY:**

- Penalty** (a) Any person convicted of an offence under any provision of this By-law shall be liable to a penalty as out in Section 61 of the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, or any successor thereof.
- Ultra Vires** (b) It is hereby declared that notwithstanding that any section of this By-law, or parts thereof, may be found by any court of law to be invalid or beyond the power of the Board to enact, such section or parts thereof shall be deemed to be severable and that all other sections or parts of the By-law are separate and independent thereof and enacted as such.
- By-law #143 (2011)** (c) By-law Number 143 (2011) is hereby repealed but all licenses issued thereunder shall, during the period for which the same have been issued, remain in force unless or until the same are forfeited and cancelled and all such licenses heretofore issued shall be deemed to have been issued and subject to the provisions of this By-law.
- Coming into force** (d) This By-law, with Schedules attached hereto, shall come into force and take effect upon being passed.

PASSED BY THE GUELPH POLICE SERVICES BOARD THIS 21 DAY OF July, 2011.

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Guelph Police Services Board  
(Chair)

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Guelph Police Services Board  
(Executive Assistant)

## SCHEDULE "A"

### LICENSING FEES

The license fees to be paid, subject to the provisions of the By-law, shall be as follows:

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|---|---|
| a) For each new application for a Regular Taxicab Owner or Limousine Owner License<br><i>(There shall be no fee charged for new Accessible taxicabs owner licenses)</i> | \$250.00 (plus \$150.00 per additional vehicle) |
| b) For Owner's License renewal for each Regular Taxicab, Accessible taxicab or Limousine; and Spare Taxicabs:   | \$150.00 per annum (or part thereof)            |
| c) For each new application for a Taxicab Driver's License:   | \$100.00  |
| d) For Taxicab Driver's License Renewal   | \$75.00 per annum (or part thereof)             |
| e) For each application for a new Dispatcher's License:   | \$75.00   |
| f) For Dispatcher's License renewal:  | \$50.00 per annum (or part thereof)             |
| g) For replacement of a Photo License:  | \$40.00   |
| h) For replacement of Taxi License Decal :  | \$40.00   |

**SCHEDULE 'B'**

**T A R I F F S**

**REGULAR AND ACCESSIBLE TAXICABS**

**BY DISTANCE**

For the pickup..... \$ 2.90

For each additional one twenty-second of a kilometre or part thereof..... \$0 .10

**HOURLY RATES**

Every 15 seconds .....\$ 0.12.5

Being equivalent to an hourly rate of .....\$ 30.00

## **SCHEDULE 'C'**

### **LIMOUSINE**

The minimum hourly rate of limousine service shall not be less than \$40.00 per hour or part thereof.

The minimum rental period for limousine service shall not be less than three (3) hours.

## **SCHEDULE 'D'**

### **TAXICAB DRIVER'S LICENSE REQUIREMENTS**

An applicant who wishes to obtain a Taxicab Driver's License must meet the following requirements:

1. Complete an application for a Taxicab Driver's License.
2. Have a current, valid and non-probationary driver's license issued by the Ministry of Transportation of Ontario.
3. Undergo a criminal records check.
4. Provide a Ministry of Transportation of Ontario driver's record.
5. Provide a letter of employment from a Taxicab Owner/Company.
6. Pay the fees prescribed by this By-law.
7. Not have any outstanding criminal charges pending before the courts.
8. Comply with all the requirements of the By-law.
9. Provide a certificate of completion of a wheelchair occupant restraint system training program for an accessible taxicab driver's license.

An Applicant may be denied a Taxicab Driver's License under this By-law because they:

1. Have in the past breached the provisions of this By-law as a licensee under this By-law.
2. Have been convicted or found guilty under the Criminal Code of Canada or under the Controlled Drugs and Substances Act for offences that suggest a concern for public safety and have not received a pardon.
3. Have a record of driving offences that suggest a risk to the public.
4. Have a medical history which may affect the safe operation of a taxicab thereby compromising public safety.
5. Have not been honest in filling out the application form.

Should an applicant not be approved for a Taxicab Driver's License, they will be advised that they may appeal the decision of the Chief to the Guelph Police Services Board and shall be provided with copies of the appropriate appeal documents.



# Guelph Police Services Board

## Taxicab License Application Form

### **INSTRUCTIONS:**

- **Check off which type of License you are applying for:**
    - Accessible Taxicab Driver's License       Accessible Taxicab Owner's License       Dispatcher
    - Taxicab Driver's License       Taxicab Owner's License
  
  - **For Taxicab Driver's License: complete Parts A, C & D only.**
  
  - **For Taxicab Owner's License: complete entire form.**
  
  - **The following documents must be attached to the completed application form:**
    - ✓ letter from Taxicab Company
    - ✓ Driver's License Abstract
    - ✓ Accessible Certificate (if applicable and once training is completed)
  
  - **The following payment must accompany the application form:**
    - ✓ \$75.00 – Dispatcher
    - ✓ \$100.00 – Taxicab Driver/Accessible Taxicab Driver
    - ✓ \$250.00 – Regular Taxicab Owner (per vehicle)
    - ✓ no fee charged for new Accessible Taxicab Owner
    - ✓ **SHOULD THE LICENSE NOT BE ISSUED THE FEE WILL NOT BE RETURNED**
-



4. Controlled Drugs and Substances Act  Yes  No \_\_\_\_\_

(ii.) Have you ever been found guilty of an offence under the Highway Traffic Act (*i.e.*: speeding ticket) or under the Liquor License Act? (*If answer is YES to either question, provide details in the space provided.*)  Yes  No \_\_\_\_\_

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**(IV) Taxicab Background**

Have you ever had a Taxicab Driver's License?  Yes  No (*If answer is YES, when & where?*): \_\_\_\_\_

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Have you ever been refused a Taxicab Driver's License here or elsewhere?  Yes  No (*If answer is YES provide particulars.*) \_\_\_\_\_

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**PART C**     *(to be completed at the Police Station in the presence of a Commissioner)*

I, \_\_\_\_\_ of the City of \_\_\_\_\_

in the county of \_\_\_\_\_ do solemnly declare that: I have answered the above questions conscientiously believing them to be true, and knowing that this declaration it is made under the Canada Evidence Act.

**SWORN (DECLARED)** before me at the City of Guelph in the County of Wellington this

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_

X \_\_\_\_\_

A Commissioner, etc.

Signature of Applicant

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**PART D**      **CONSENT**

*I hereby authorize the Guelph Police Service (GPS) and any other Police Service that the GPS may request, to perform a police records check on me and to provide this information concerning me to the Guelph Police Service, and let this be your good and sufficient authority to release the information sought.*

*Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ in the city of Guelph, in the County of Wellington.*

\_\_\_\_\_ X \_\_\_\_\_

*Guelph Police Service Witness*