

**TAXI BY-LAW
BYLAW #42
TOWN OF MAHONE BAY**

1.0 DEFINITIONS

In this by-law,

- 1.1 **“Chief of Police”** means the senior RCMP Police Officer assigned to provide police services to the Town of Mahone Bay;
- 1.2 **“Town”** means the Town Council for the Town of Mahone Bay;
- 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 CAO.
- 1.5 **“Limousine”** means any four-door full size luxury class vehicle, having a standard seating capacity for a 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 tax 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 Mahone Bay.

- 2.6 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) days before such change.
- 2.7 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.
- 2.8 When the taxi or limousine is not for hire the owner shall cover the roof sign/light or have same removed.

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.
- 3.3 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

- 3.8 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 of the driver or not found guilty, and the suspension shall remain in effect until the charge is found in favour
- c) The Licensing Authority shall revoke the license of any taxi or limousine owner or driver on the 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

- 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 Council 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 passengers	\$5.00	\$6.00
2 passengers	\$5.00	\$6.00
3 passengers	\$6.00	\$8.00
4 passengers	\$6.00	\$8.00
6 passengers	\$7.00	\$9.00

- 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
\$ 0.50 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 visible to all passengers.

- 8.4 The side windows in a vehicle which are intended to open and close shall be in good repair and in good working order;
- 8.5 The taxi or limousine shall be equipped with a front and back bumper, both of which shall be securely mounted;
- 8.6 No portion of the exterior of the taxi or limousine shall be bent or broken, and no such portion shall protrude in such a way as to be a hazard to persons or vehicles;
- 8.7 No fender, grill, hubcaps or bumper on a taxi or limousine shall be removed or missing;
- 8.8 Every door and truck lid on a taxi or limousine shall be in good working order;
- 8.9 Every seat in a taxi or limousine shall be equipped with a seat belt, shall be securely mounted and shall maintain in position and its adjustments; and
- 8.10 Every taxi or limousine shall have an interior dome light which shall be in good working order and which shall operate when any of the doors of the taxi or limousine are opened or shall be operated by the light switch.
- 8.11 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 inspecting the vehicle.
- 8.12 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.

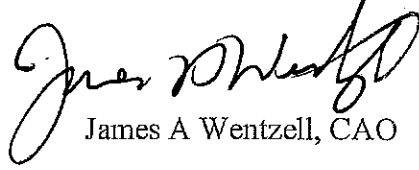
9.0 REPORT OF ACCIDENT

- 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 false or misleading statement in any application for a license of 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.


C. Joe Feeney, Mayor


James A. Wentzell, CAO

This is to certify that the foregoing is a true copy of a bylaw passed at a duly convened meeting of the Council of the Town of MAHONE BAY, held the 11th day of April 2006.

Given under the hand of the Deputy Mayor and Chief Administrative Officer and the seal of the Town of MAHONE BAY this 27th day of April 2006.

FIRST READING:	March 14, 2006
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SECOND READING:	April 11, 2006
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DATE OF PUBLISHING:	April 26, 2006
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