



## BYLAW NO 1013

### A BY-LAW OF THE MUNICIPALITY OF HINTON IN THE PROVINCE OF ALBERTA TO REGULATE AND CONTROL PUBLIC CONVEYANCE

**WHEREAS** The Municipal Government Act, R.S.A. 2000, Chapter M-26 provides for control of Public Conveyance within a Municipality

**AND WHEREAS** It is deemed necessary to provide regulations and control of public conveyance within the Municipality of Hinton, Alberta

**NOW THEREFORE** the Municipal Council of Hinton, Alberta in session duly assembled hereby enacts as follows:

#### **SECTION 1**

1.01 This Bylaw shall be cited as "The Taxi Bylaw #1013."

#### **SECTION 2** **DEFINITIONS**

In this Bylaw, unless the context otherwise states:

2.01 "Limousine" shall mean a motor vehicle, which is kept or used for hire for the conveyance of passengers on an hourly basis or for a fixed fee between any two given locations and is not equipped with a taximeter and does not include a bus with over a 12 passenger carrying capacity.

2.02 "Peace Officer" shall mean, a Bylaw Officer, Special Constable, RCMP Officer, Municipal Enforcement Officer or Chief License Inspector.

2.03 "Person" shall mean an individual, corporation, business, company, firm or agent thereof.

2.04 "Taxi" shall mean a vehicle equipped with a taximeter used to convey persons for a fee and may include on approval of the Chief License Inspector a Mini-bus or Handi-bus.

2.05 "Taximeter" shall mean a device, which calculates the fare to be charged

	for use of a taxi on the basis of distance traveled, time elapsed, or both.
2.06	<u>"Taxi Company"</u> shall mean any person who accepts calls in any manner for taxis or limousines used for hire and which are owned by that person.
2.07	<u>"Taxi Broker"</u> shall mean any person who accepts calls in any manner for taxis or limousines used for hire and which are owned by persons other than himself, his immediate family or employer.
2.08	<u>"Municipality"</u> shall mean the Municipality of Hinton, Alberta.
<u>SECTION 3</u>	<u>SEVERABILITY</u>
3.01	It is declared notwithstanding that any section or sections of this Bylaw or parts thereof, may be found by any court to be bad or illegal or beyond the power of the Council to enact, such section or sections or parts thereof shall be deemed to be severable and that all other sections or parts of this bylaw are independent therefrom and enacted as such.
<u>SECTION 4</u>	<u>TAXI COMPANY LICENSING</u>
4.01	An applicant for a taxi broker license, taxicab license or a taxi cab company shall provide to the Chief License Inspector:
	(a) a list of all motor vehicles to be used by the applicant;
	(b) a list of all drivers or operators to be employed or engaged by the applicant or otherwise used in the applicant's business, including their full names, addresses and Alberta driver's license numbers; and
	(c) such additional personal and other information which the License Inspector may request.
4.02	A taxi broker or taxi company requires a separate Business License for each name under which the taxi broker or company carries on business.
4.03	Every taxi broker or taxi company shall maintain a dispatch office and provide a dispatch system, which:

- (a) ensures a staffed twenty-four (24) hour a day on each day in a year providing prompt service except where adverse weather or road conditions or extreme work loads preclude to supply of service; and
- (b) maintains a two-way radio communications network between all taxis of the taxi business that are on duty for as long as those taxis remain on duty.
- (c) A taxi broker or taxi company shall inform the License Inspector within seventy-two (72) hours of any addition to or deletion from either list furnished pursuant to subsection 4.01.

4.04 The Chief License Inspector reserves the right to determine the number of taxicab or limousine licenses that may be issued within the corporate limits of the Municipality of Hinton, Alberta.

## SECTION 5

### TAXICAB DRIVER LICENSE

5.01 No person shall operate a taxicab, Handi-bus, Mini-bus or limousine within the corporate limits of Hinton Alberta unless that person is in possession of a current taxi driver's license as issued by the municipality of Hinton, Alberta.

5.02 All taxicab drivers' licenses shall expire at midnight on December 31st of each year.

5.03 Every taxi broker or taxi company owner shall ensure that each person employed in operating any taxi or limousine, is in possession of a current Alberta driver's license and a Taxicab drivers license.

5.04 No person shall operate a taxi or limousine unless his or her Taxicab driver's license is immediately available for display at the request of a passenger.

## SECTION 6

### TAXI/LIMOUSINE DRIVER CRITERIA

6.01 The License Inspector shall consider the driving record, criminal record,

	character and state of health of any applicant for a taxi driver's license and shall refuse or revoke the same, if in his opinion, the applicant is unfit to operate a public conveyance for any reason.
6.02	Two recent passport size photographs of the applicant must accompany each taxi driver's license application.
6.03	<p>No taxi driver's license or renewal shall be issued to any person who:</p> <ul style="list-style-type: none"><li>(a) has been convicted under the Criminal Code of Canada within a five (5) year period immediately preceding the date of application of:<ul style="list-style-type: none"><li>i. a sexual offence or offence relating to the corruption of public morals;</li><li>ii. an offence relating to homicide, assault, kidnapping, arson or abduction;</li><li>iii. an offence relating to robbery or extortion; and</li><li>iv. an offence of criminal negligence, dangerous driving, impaired driving, operating a motor vehicle with a blood alcohol content over eighty (80) mg per one hundred (100) ml of blood, refusing to provide samples of breath or driving whilst his or her driver's license is suspended;</li></ul></li><li>(b) has been convicted under the Criminal Code of Canada, or the Controlled Drugs and Substances Act or any successor legislation within the three (3) year period immediately preceding the date of application, of any offence not described in subsection 29(1 2)(a);</li><li>(c) in the opinion of a License Inspector, has been convicted of an excessive number of offences under the Traffic Safety Act or any successor legislation, and/or any Bylaw of the Municipality.</li><li>(d) Every taxi broker or taxi company owner shall produce upon</li></ul>

request of the Chief License Inspector a list of operators employed by that person.

## SECTION 7

### TAXI / LIMOUSINE LICENSES

7.01 No person shall operate a taxicab, handi-bus, mini-bus or limousine within the corporate limits of Hinton, Alberta unless that person is in possession of a current license for such vehicle.

7.02 All taxi and limousine licenses shall expire at midnight on December 31st of each year.

7.03 An applicant for a taxi broker or taxi company shall provide to the municipality:

- (a) the name of the registered owner and proof of registration of each vehicle to be licensed for use in the business;
- (b) a mechanical fitness report with respect to each vehicle in the form prescribed by the Chief License Inspector, completed by a licensed mechanic within the period of two (2) weeks prior to the date of the application;
- (c) a current Operating Authority Certificate issued by the Province of Alberta; and
- (d) any other information required by a License Inspector.

7.04 A License issued to a taxi or limousine owner shall be affixed to the taxi or limousine and no person shall use a license or allow it to be used by any other person or with respect to any vehicle other than the one for which the license was issued.

7.05 A taxi broker or taxi company business shall at all times ensure that all taxis, or limousines owned by or affiliated with that person's business are clean, in good condition and mechanically maintained so as to be safe and suitable for use by the public.

## SECTION 8

### INSPECTIONS AND QUALITY

8.01	<p>A License Inspector may at any time inspect any taxi or, limousine to determine the following:</p> <ul style="list-style-type: none"><li>(a) the validity of the taxi, limousine;</li><li>(b) the validity of the driver's taxi license;</li><li>(c) the accuracy of a taximeter in a taxi;</li><li>(d) the mechanical condition of the vehicle; or</li><li>(e) standards of repair and cleanliness of the vehicle.</li></ul>
8.02	<p>No taxi owner shall operate or permit the operation of a taxi or limousine that does not meet the standards of repair and cleanliness prescribed by the Chief License Inspector.</p>
8.03	<p>A License Inspector may at any time require a taxi or limousine to be inspected by a motor vehicle service center designated by the City, at such time and place as that License Inspector may designate and the vehicle owner shall deliver such taxi or limousine at the time and place so designated. The vehicle owner shall pay all costs of the mechanical inspection.</p>

## SECTION 9

### TAXIMETERS

9.01	<p>A taxi owner shall ensure that each of his or her vehicles is equipped with a taximeter properly adjusted and sealed.</p>
9.02	<p>The taxi owner shall:</p> <ul style="list-style-type: none"><li>(a) install the taximeter in a location and illuminate it so that the fare can be read at all times by passengers in the front and rear seats of the taxi; and</li><li>(b) at the request of a License Inspector, have the taximeter tested by a person approved by the Municipality and produce to the License Inspector within a period of thirty (30) days a certificate that the taximeter has been tested, is in proper working order and resealed.</li></ul>

9.03	The Taximeter shall be tested by a person who has satisfied the Municipality that such a person is qualified to test such taximeter.
9.04	All costs for testing and resealing a taximeter shall be the responsibility of the taxi owner.
9.05	A taxi driver shall not charge more than the amount of the taxicab fare shown on the taximeter.
<b><u>SECTION 10</u></b>	<b><u>TAXI IDENTIFICATION</u></b>
10.01	A taxi broker or taxi company owner shall register with the Municipality the color or combination of colors of the taxis operated by that broker;
10.02	A License Inspector may reject a proposed paint or coloring scheme if in his or her opinion it would be likely to deceive any person or cause confusion because it is similar to a paint or coloring scheme previously adopted by any other taxi broker.
10.03	<p>Each taxi/limousine shall:</p> <ul style="list-style-type: none"> <li>(a) Prominently display on both sides of its exterior the name and phone number of the taxi broker or business owner;</li> <li>(b) Prominently display on both sides of the exterior of the vehicle an identification number in lettering not less than five (5) centimeters in height; and</li> <li>(c) Display on its roof an illuminable dome light.</li> <li>(d) No person shall operate a taxi or limousine in the Municipality with a color scheme or identification marking of a taxi company that such person does not work for or is not affiliated with.</li> <li>(e) If a vehicle licensed as a taxicab or limousine ceases to be licensed as such for any reason, its owner shall ensure that all markings of any kind upon or within it, which serve to identify it as a taxi, are removed within seven (7) days of the date on which it ceases to be licensed as a taxi.</li> </ul>

## SECTION 11

### 11.01

#### OWNERS/DRIVERS RESPONSIBILITIES

The driver of each taxi or limousine within the municipality of Hinton Alberta shall:

- (a) have a reasonable knowledge of the Municipality;
- (b) be neat and clean in person and dress;
- (c) be civil and well behaved to any passenger being transported;
- (d) promptly keep all appointments or engagements and shall not knowingly accept any engagements that he or she is incapable of fulfilling;
- (e) take proper care of all baggage and personal property delivered to him or her for conveyance, and shall deliver such property as directed;
- (f) after delivering a passenger to his or her destination, inspect the vehicle to determine whether or not the passenger has left any property and, if property is found, take all reasonable steps to return it to the owner;
- (g) deliver to the City within forty-eight (48) hours all property whose owner is unknown;
- (h) not transport a greater number of passengers than the manufacturer's recommended capacity;
- (i) not knowingly, or negligently misinform or deceive any person as to:
  - i. the time, place, arrival or departure of any public conveyance; or
  - ii. location of any place, structure or building;
- (j) drive all passengers (unless otherwise directed) to their destinations by the most direct route practicable; and

	<p>(k) whenever requested by a passenger, issue a receipt for the amount of the fare paid by such passenger.</p>
11.02	Every taxi/limousine owner or driver shall, upon being requested by a License Inspector, advise the address of any place to or from which any passenger has been driven.
11.03	Upon the request of a License Inspector, a taxi/limousine owner shall provide the name and address of the driver of any taxi/limousine owned by him or her at any particular time.
11.04	No taxi broker, taxi company owner, taxi/limousine owner or taxi driver shall suffer or permit a radio scanner or similar device capable of monitoring the radio signals of any other taxi to be installed in a dispatch office or other location carried in any taxi.
11.05	Every taxi/limousine owner shall report to a License Inspector any accident causing damage to his or her vehicle no later than seventy-two (72) hours after the accident.
11.06	Notwithstanding any other provision of this Bylaw, a taxi or limousine in respect of which there is not a subsisting taxi license may be operated in the Municipality provided that: <ul style="list-style-type: none"> <li>(a) the passenger or passengers in the taxi are picked up at a location outside the Municipality;</li> <li>(b) the operation of the taxi while carrying passengers in the Municipality is restricted to proceeding directly from the place where the taxi or limousine enters the Municipality to a single location where all passengers are dropped off.</li> </ul>
11.07	A taxi/limousine owner or driver may refuse to serve any person who is known to habitually order taxi service and subsequently is unable to pay or who refuses to pay for such service.

## SECTION 12

### ADVERTISING

12.01	<p>Advertising material on taxi cabs shall be restricted to roof top advertising display units which may be placed on the roof of a taxi provided that:</p>
	(a) signs must be standard manufactured units;
	(b) illumination of advertising shall not exceed forty (40) watts of power and is non-flashing;
	(c) advertising messages do not exceed forty (40) centimeters in height; and
	(d) advertising is in good taste and approved by a License Inspector.
<u>SECTION 13</u>	<u>LIMOUSINES</u>
13.01	<p>No person operating a limousine shall operate on a fixed or scheduled route.</p>
13.02	<p>No limousine driver or owner shall:</p>
	(a) park his or her limousine in any public place or public parking lot except while under hire;
	(b) park his or her limousine in any taxi stand for the purpose of soliciting or obtaining passengers;
	(c) cruise roads in the City looking for passengers; or
	(d) affix any advertising to the body of any limousine.
13.03	<p>The driver of a limousine shall inform a customer of the cost of a trip, prior to the trip being taken.</p>
<u>SECTION 14</u>	<u>PENALTIES</u>
14.01	<p>Any person who violates any provision of this bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, may be charged with an offense and liable to the penalties hereby imposed.</p>

For a 1<sup>st</sup> offense: \$150.00  
For a 2<sup>nd</sup> offense: \$250.00  
For a 3<sup>rd</sup> and any subsequent offense: \$500.00

## SECTION 15

15.01 Any Peace Officer may enforce the provisions of this Bylaw and may issue an offense ticket to any person found to have committed a breach of the Bylaw. The offense ticket shall state the alleged offense, Bylaw number and required payment of the appropriate fine.

15.02 An Offense Ticket may be issued by personally serving it upon the offender, by leaving it at the residence of the offender or by sending it to the address of the offender.

15.03 The provisions of this section are an initial alternative to a summons under Section 14.(1) of this Bylaw. If an offense ticket is issued and payment is not made within the time limited, an additional sum of \$20.00 shall be added to the fine costs as a late payment penalty. The Bylaw Enforcement Officer may allow a further grace period for payment of the fine and costs implied.

15.04 If a cheque is given in payment for an offense ticket, which results in non-sufficient funds, the offense for which the cheque was issued shall remain in effect. In such cases, the town may apply a penalty fee on NSF cheques received by the town.

## SECTION 16

16.01 The business license fee for a Taxi Broker or Taxi Company License shall be \$160.00 per year.

16.02 The business license fee per Taxicab shall be \$80.00 per year.

16.03 The Taxi drivers' license fee shall be \$40.00 per year for first time applicants and \$25.00 per year for renewal.

SECTION 17

REPEALS

17.01

The Town of Hinton Taxi Bylaw #740 and amendments thereto are hereby repealed.

SECTION 18

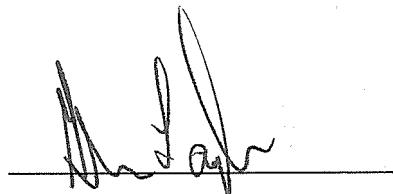
DATE OF ENACTMENT

This bylaw shall take force and have effect upon final reading thereof.

READ A FIRST TIME THIS 20<sup>th</sup> DAY OF JUNE                    A.D. 2006

READ A SECOND TIME THIS 20<sup>th</sup> DAY OF JUNE                    A.D. 2006

READ A THIRD TIME THIS 19<sup>th</sup> DAY OF SEPTEMBER A.D. 2006



MAYOR



LEGISLATIVE COORDINATOR