

**THE CORPORATION OF
THE MUNICIPALITY OF POWASSAN**

BY-LAW NO. 2001-22

BEING A BY-LAW of the Corporation of the Municipality of Powassan acting under the authority of the provisions of the Municipal Act, R.S.O. 1980 Chapter 302, Section 227 as amended.

WHEREAS the Council of the Municipality of Powassan deems it necessary and expedient to pass a by-law for licensing, regulating and governing owners and drivers of taxicabs, motor and other vehicles used for hire and for the conveyance of good or passengers.

NOW THEREFORE THE MUNICIPALITY OF POWASSAN DOES HEREBY ENACT AS FOLLOWS:

1. In this By-law
 - a) "MUNICIPALITY" means the Corporation of the Municipality of Powassan
 - b) "COUNCIL" means the Council of the Municipality of Powassan.
 - a) "DRIVER" means a person licensed according to this By-law who is engaged in driving or operating a taxicab for on behalf of himself or another person who is the owner thereof.
 - d) "TAXICAB" means a motor vehicle as defined in the Public Vehicles Act Chapter 425 Section 1(M)R.S.O. 1980 as amended, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip .
 - e) "OWNER" means any person licensed according to this By-law who owns a taxicab or has possession of control thereof under an instalment purchase agreement or by way of rental.
 - f) "TAXICAB BROKER" means a person who accepts calls in any manner for taxicabs that are used for hire and that are owned by persons other than himself, his immediate family or his employer.
 - g) "LICENSE" means a license granted by the Council under the provisions of this By-law to own (Owner's License) to drive (Driver's License) or to act as a taxicab broker (Broker's License).

2. The Council shall have supervision over all persons licensed under this By-law and over all vehicles of which licenses are issued and shall in connection with this By-law:
 - a) make all necessary and proper inquiries concerning applications for licenses and the suspension, revocation and transfer thereof;
 - b) cause the examination and testing of every applicant for a driver's license as to his ability to operate the vehicle to be driven by him, if deemed necessary;
 - c) cause the inspection and satisfy himself as to the sufficiency, repair and condition of every vehicle in respect of which a license is applied for according to the terms of this By-law;
 - d) satisfy himself as to the good character and responsibility of all applicants;
 - e) cause to be made out all licenses and transfers of licenses and submit to the council the names of all applicants for licenses or for transfer of licenses, a report of the action taken thereof and a report of all matters having to do with the revocation or suspension of any license;
 - f) keep a register of all licenses and transfer of licenses;

- g) furnish forms of application for licenses and transfer of licenses;
- a) upon issuing a license furnish to the licensee one copy of this By-law;
- b) prosecute all persons who contravene any provision of this By-law.

Insurance

- 3. a) Every owner, in respect to each taxicab belonging to him, shall procure a policy of insurance endorsed to the effect that the Council will be given at least two days notice, in writing, of any cancellation, expiry or change in the amount of the policy, and deposit a copy or certificate thereof with the Council;
- b) The said policy of insurance shall insure the owner and driver of such taxicab against loss or damage resulting from bodily injury or death to passengers as well as other and against damage to property to an aggregate maximum limit of not less than Two Million Dollars (\$2,000,000) for all claims in any one accident, exclusive of interest and costs;
- c) Every such policy of insurance or certificate thereof shall be deposited with the Council before the owner commences operation of the insured vehicles as a taxicab, and shall be kept in force by such owner during the period for which the license is issued to him, or any renewal thereof is in effect and should he fail to renew the same from time to time, and to pay premiums due thereof the Council, upon notice to the said owner may cancel such license.

Owner's License

- 4. a) No person shall operate a taxicab or permit a taxicab to be operated for hire in the Municipality without an Owner's license from the Council and payment to the Municipality of the license fee of \$50.00 per vehicle per annum.
- b) Every owner of more than one taxicab required to be licensed under this By-law shall take out a separate license for each taxicab at a cost of \$50.00.
- c) The renewal fee of taxicabs Owner's license per vehicle will be \$50.00.

Transfer of License

- 5. No Owner's license issued under this By-law may be transferred from one person to another without the prior written approval of the Council which approval maybe withheld at his discretion, unless the transferee is able to fulfill the requirements and possesses the ability by this By-law and pay the Municipality a fee of \$25.00 on such a transfer.

Expiry of License

- 6. Every license shall expire on the 31st day of January in the year following the year of issue.

Inspection

- 7. a) Whenever the owner or driver of a taxicab receives a notice signed by the Council that such a taxi cab is not in a fit condition, for use, stating briefly the items complained of, such owner, or driver shall within the time mentioned in such notice, put the taxicab in a fit and proper condition.
- b) No owner or driver shall, at any time, when his taxicab is not employed, prevent or hinder the said Council or any authorized officer from entering the same or at any time prevent or hinder him from entering a garage or or other building for the purpose of inspecting the same.

- c) The owner of every taxi cab which is more than two (2) years old, shall supply a mechanical fitness certificate in the form required by the Highway Traffic Act at the time of application for each owners' vehicle license of renewal thereof except where such certificate has been provided within the terms of this By-law within the six month previous to such notice.
- d) Upon notice by registered mail to the owner of a vehicle, such owner shall submit his vehicle to appear at a Ministry of Transportation "Safety Lane" at the time and place designated in such notice.

Penalty

- 8. Every Person convicted of a violation of any provision of this By-law shall pay a penalty of not less than \$50.00 and not exceeding \$100.00 and for every subsequent offence a penalty of not less than \$100.00 and not exceeding \$200.00. All penalties imposed hereunder shall be recoverable in accordance with the provisions of the Provincial Offences Act, 1979.
- 9. This By-law comes into force on the date of the final passing thereof.

Resolution Number 2001-02 Moved by Rob Passmore

Seconded by Carole Dobbs

Be it resolved that the Council of the Corporation of the Municipality of Powassan approves the first and second reading of By-Law Number 2001-14 to 2001-25 and approves the third reading and final passing of said by-laws.

Mayor

Clerk