

**TOWN OF PEACE RIVER  
BYLAW NO. 1958**

**A BYLAW TO LICENSE AND REGULATE TAXICABS**

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**WHEREAS** the Municipal Government Act (RSA 2000 and amendments thereto) authorizes a municipality to pass bylaws to provide for a system of licenses, permits or approvals, to establish and specify the fees, rates, fares, tariffs or charges that may be charged for the hire of taxis or limousines, and respecting the safety, health and welfare of people and the protection of people and property; and

**WHEREAS** the Council of the Town of Peace River deems it advisable to enact a bylaw for the licensing and regulation of taxicabs and limousines;

**NOW THEREFORE** the Council of the Town of Peace River, duly assembled, hereby ENACTS as follows:

**1. TITLE**

1. This bylaw shall be known as the “**Taxi Bylaw**”.

**2. DEFINITIONS**

1. In this bylaw:
  - a) “Annual Taxicab License” means the license issued to each taxicab operator.
  - b) “Bylaw Enforcement Officer” means a person appointed by the Town of Peace River pursuant to Section 555 of the Municipal Government Act.
  - c) “Bylaw Violation Tag” means a ticket on a form approved by the Town for a violation of any provision of this bylaw.
  - d) “CAO” means the Chief Administrative Officer of the Town of Peace River.
  - e) “Council” means the municipal council of the Town of Peace River.
  - f) “Driver” or “Operator” means a person who drives or is in physical control of a vehicle.
  - g) “Licensed Vehicle Inspection Station” means a station licensed to conduct the motor vehicle mechanical inspections services, as

authorized by the Motor Transport Services Division of the Province of Alberta.

- h) "Municipal Licensing Authority" means the Town of Peace River.
- i) "Owner" means the registered owner of a taxicab company or of the motor vehicle used as a taxicab.
- j) "Peace Officer" means a member of the Royal Canadian Mounted Police, Community Peace Officer, Alberta Sheriffs, Alberta Motor Transport Officer and, for the purposes of this bylaw, a Bylaw Enforcement Officer.
- k) "Taxicab" means a public vehicle, including a livery vehicle or any other motor vehicle designed to carry fifteen (15) passengers or less which is used to transport passengers and their baggage, on request, to a stated destination.
- l) "Taxicab Driver's Permit" means a permit issued by the Town of Peace River, pursuant to the provisions of this bylaw, authorizing the person named therein to drive a taxicab.
- m) "Taxicab General Inspection" means an inspection by the municipal licensing authority as required pursuant to Schedule C.1 (attached hereto and forming part of this bylaw) as regards compliance with this bylaw and general standards of cleanliness and appearance of the unit, to be performed every six (6) months.
- n) "Taxicab Mechanical Inspection" means a mechanical inspection by a Licensed Vehicle Inspection Station to a standard equivalent to the Alberta "Out of Province" standard, or as required by a Bylaw Enforcement or Peace Officer.
- o) "Town" means, as the context requires, the Municipal Corporation of the Town of Peace River, or the geographical area included within the corporate limits of the municipality.
- p) "Violation Ticket" means a ticket issued pursuant to Part II or III of the *Provincial Offences Procedures Act* (RSA 2000, as amended).

### **3. LICENSING**

1. No taxi company or owner shall operate within the Town of Peace River prior to obtaining a Taxi Business License and paying all applicable fees as established by resolution of Council from time to time.

- a) All fees shall be payable at the time of application.
2. Licensing and Driver Permit fees shall be as established in Schedule "A" attached hereto and forming part of this bylaw.
3. An applicant for a Taxi Business License shall produce, at the time of application and at such other time as may be directed by a Bylaw Enforcement Officer, the following:
  - a) the name and address of the registered owner, drivers, and proof of registration and insurance of the vehicle or vehicles to be licensed;
  - b) the name of the taxi company;
  - c) the make, year, colour, license plate number and Vehicle Identification Number (VIN) of the vehicle or vehicles;
  - d) a written mechanical inspection report to a standard equivalent to the Alberta "Out of Province" inspection;
  - e) driver's name, date of birth, driver's license number and current address.
4. Where a taxi business changes ownership and a new license is required, the transfer shall be made upon payment of a fee as set by resolution of Council.
  - a) No new owner shall operate a taxi business until the transfer of the license is completed with the Town of Peace River.
5. Businesses engaged primarily as delivery services shall not be licensed as taxicabs.
6. All licenses are the property of the Town of Peace River and shall be surrendered to the Town when a business ceases to operate, or upon the demand of a Peace Officer upon suspension or revocation of a license.
7. All Taxi Business Licenses shall expire one year from date of issue.

#### **4. TAXICAB DRIVER PERMITS**

1. No driver or owner of a taxicab company shall operate a taxi without being the holder of a valid Alberta Class 4 license (or better).
2. No driver or owner shall operate a taxi without being the holder of a valid Taxicab Driver's Permit issued by the Town of Peace River.

3. All applicants for a Taxicab Driver's Permit shall submit the forms set forth in Schedule "B" attached hereto and forming part of this bylaw.
  - i) Applicants must submit a current driver's abstract (issued within six months of the application date)
  - ii) A criminal records check, including a "vulnerable sector" check (issued within six months of the application date)
  
4. No Taxicab Driver's Permit shall be issued to any person who;
  - a) has been convicted under the *Criminal Code of Canada* of:
    - i) a sexual offence or offence relating to the corruption of public morals;
    - ii) an offence relating to homicide, kidnapping or abduction;
    - iii) an offence relating to robbery or extortion;
  
  - b) has been convicted under the *Criminal Code of Canada* or the *Controlled Drugs and Substances Act*, or any successor legislation, within the five (5) year period immediately preceding the date of application of an offence of:
    - i) impaired driving
    - ii) refusing to provide a breath sample
    - iii) assault causing bodily harm
    - iv) assault with a weapon
    - v) possession for the purpose of trafficking or trafficking of a controlled substance
  
  - c) has been charged with an offence under the *Criminal Code of Canada* or the *Controlled Drugs and Substances Act* as specified in Section 4(a) or Section 4(b) until the charge has been withdrawn or the matter is otherwise dealt with in a manner which does not result in a conviction;
  
  - d) has been convicted of a number of offences under the Traffic Safety Act (and associated regulations) resulting in the assessment of ten (10) or more demerit points, or is under Driver Control Board Review.
  
5. Any taxicab driver charged with an offence under the *Criminal Code of Canada* or the *Controlled Drugs and Substances Act* is required to report that fact forthwith to the Town of Peace River and surrender his municipal Taxicab Driver's Permit until the matter is dealt with in a court of law.

6. No person shall operate a taxicab while his/her Taxi Driver's Permit is under suspension.
7. Where validated information is received to the effect that the actions and/or deportment of the holder of a permit renders them, in the judgement of the licensing authority, to be unsuitable as a driver of a taxicab, the Bylaw Enforcement Officer, by written notice, served personally or by registered mail, may suspend or revoke the driver's permit.
8. All Taxicab Driver's Permits shall expire one year from date of issue.
9. All Taxicab Driver's Permits are the property of the Town of Peace River and shall be surrendered when the person ceases employment as a Taxicab Driver, or upon demand of the Town.

#### **5. MECHANICAL AND GENERAL INSPECTIONS**

1. No owner or operator of a taxicab shall operate a said taxicab without having first obtained a Mechanical Inspection, equivalent to the standard established by the requirements of the Alberta "Out of Province" inspection which has been conducted at a Licensed Vehicle Inspection Station.
2. Mechanical inspections shall be completed as per the requirement in 5(1) above, prior to the renewal of any license.
3. Mechanical inspections shall be carried out at the expense of the taxicab owner or operator. The owner or operator shall submit the report as set forth in the requirements for taxi company licensing and shall be signed by a person licensed to perform such inspections.
4. If, in the opinion of a Bylaw Enforcement Officer or Peace Officer, at any time, a taxicab has mechanical deficiencies, the Officer may direct the owner to have the taxicab inspected at a Licensed Vehicle Inspection Station immediately. Refusal to comply with such an order shall result in immediate license suspension.
5. The Town will randomly inspect all taxicabs for general standards of cleanliness and items other than mechanical maintenance twice yearly.

#### **6. IDENTIFICATION**

1. Every vehicle licensed as a taxicab shall display on the front doors of the vehicle a permanent, professional sign bearing the name of the taxicab company and the company's telephone number.

2. Every vehicle licensed as a taxicab shall display a unit number on each front fender and the rear of the vehicle in a colour contrasting to the vehicle body colour. This unit number shall be clearly visible at all times.
3. Where a taxicab is also utilized as a driver's personal vehicle, a good quality magnetic sign on each front door may be permitted, and must be displayed when the vehicle is in service as a taxicab.
4. When a vehicle is permanently taken out of service, all markings identifying it as a taxi shall be removed.
5. The CAO or his/her delegate may, if requested in writing by a taxicab company, approve and register a specific paint or colouring scheme for exclusive use by that company. A paint or colouring scheme shall not be approved by the Town if it would likely to deceive any person or cause confusion or in any way be similar to a specified paint or colouring scheme approved for any other taxicab company.

#### **7. SERVICE STANDARDS**

1. A decal clearly advertising the fare rate and any applicable surcharges shall be prominently displayed on each side of any taxicab.
2. All taxicabs shall be maintained in a clean and presentable condition at all times. Every taxicab may be inspected at random intervals by the municipal licensing authority in regards to the standards established in Schedule "C.1", attached hereto and forming part of this bylaw.
3. A taxicab driver:
  - a) shall not permit to be carried in his taxi a greater number of passengers than the proper seating capacity for the vehicle as specified by the manufacturer;
  - b) shall not charge more than the maximum fare and applicable surcharge;
  - c) shall not refuse to provide a receipt, in the amount of the fare, when requested by the passenger;
  - d) shall not collect any fare or give any change while the vehicle is in motion;
  - e) shall not permit any passenger to enter or leave the vehicle while it is in motion;

- f) shall not permit anything to be placed or remain in the vehicle in such a position as to obstruct his driving vision;
- g) shall proceed to the destination requested by the most direct route, barring detours due to construction or emergency situations;
- h) shall store any substance intended for vehicle maintenance in a compartment where passenger belongings are to be transported in a container not susceptible to puncture or leakage. This includes, but is not limited to: lubricants, windshield washer solution and antifreeze;
- i) shall not smoke themselves nor permit any passenger to smoke within the taxicab;
- j) shall display his/her Taxicab Driver's Permit in a transparent protective sleeve prominently mounted on the dash of the taxi when on duty, so as to be visible to patrons and Peace Officers;
- k) No owner or driver of a taxi shall in respect of any person being guided, led or assisted by a dog refuse to serve such a person or refuse to permit such a person to enter a taxicab with such dog by reason only of the presence of the dog.

Notwithstanding the above, a driver subject to allergic reactions from animal dander may refuse service to persons being guided by a dog, provided the driver makes immediate arrangements to have the customer assisted by another driver.

- 4. A taxi driver shall provide service to all physically handicapped persons, providing that such persons are able to reach the curb side and are able to enter and exit the taxi with minimum assistance from the driver.
- 5. A driver is required to fold and store a wheelchair belonging to a physically handicapped passenger who the driver accepts to transport.
- 6. No owner or driver of a taxi shall refuse to serve any person because of his/her race, colour, or gender.
- 7. Except as provided in Subsection (a) following, any owner or driver of a taxi who refused service of the taxi within the Town of Peace River at any time is guilty of an offence.

- a) Service may be refused to a person if that person:
  - i) owes such owner or driver for a previous fare or service;
  - ii) refuses to disclose his final destination upon request before or immediately after entering the taxi;
  - iii) asks to be driven to a remote place in circumstances the driver reasonably believes to be unsafe;
  - iv) is unduly abusive or combative;
  - v) is impaired or disorderly;
  - vi) requests a driver to carry an animal or any baggage which might be detrimental to the repair, cleanliness or sanitary condition of the taxi, with the exception of a guide or service dog;
  - vii) is apparently unable to pay for the services of the taxicab;
  - viii) is perceived by the driver to pose a safety risk to himself or other passengers.
  - ix) Whenever service is refused, the owner or driver shall record the date, time and place of the refusal and the reason for such refusal. Refusal of service records shall be submitted weekly to the Town. Failure to produce such records is an offence under this bylaw.
8. The Town shall conduct a monthly review of public complaints received by the Town or police authorities regarding the operation of taxicabs. Complaints may include, but are not limited to: unsafe or erratic operation, cleanliness, courteous service, fares and such other matters as may be deemed as detrimental to the provision of taxi service within the Town. All such complaints shall be discussed with the company and/or driver involved to ascertain the validity of the complaint.
  - i) Complaints involving matters pursuant to the *Traffic Safety Act* shall be dealt with as prescribed by provincial statute.
  - ii) Complaints pursuant to matters under the jurisdiction of this bylaw shall be dealt with as established in Schedule "D".



## **8. FARE STRUCTURE**

Pursuant to Section 8 (c.1) of the Municipal Government Act, Council may, from time to time, establish minimum and maximum fares and surcharges for taxicab service.

## **9. OFFENCES**

1. Any person who contravenes any section of this bylaw is guilty of an offence.
2. Penalties for offences under this bylaw shall be as specified in Schedule "D ", attached hereto and forming part of this bylaw. Any person charged with an offence under this bylaw may, in lieu of prosecution, pay the specified penalty on the face of the violation notice.
3. Nothing in this bylaw shall prevent a Peace Officer from issuing a violation ticket pursuant to Part II or III of the *Provincial Offences Procedures Act*.

## **10. APPEALS**

1. Where a taxicab company licensee or taxicab driver wishes to appeal a decision regarding licensing or service standards, they may do so in writing, in the following order:
  - a) to the Director of Protective Services
  - b) to the Chief Administrative Officer (CAO)
  - c) to the Municipal Council of the Town of Peace River
2. All appeals shall be in writing and shall be received by the Town:
  - a) within seven (7) days of the original action
  - b) within seven (7) days of the decision of the Director of Protective Services
  - c) within seven (7) days of the decision of the CAO
3. There shall be no appeal from actions taken regarding mechanical inspection requirements.

**11. SEVERABILITY**

Should any provision of this bylaw be found void or unenforceable, it is the express intention of the Municipal Council of the Town of Peace River that such sections be severed and the balance remain in full force and effect.

**12. SCHEDULES**

Schedules "A", "B", "C", "C.1", "D", and "E" form part of this bylaw.

**13. REPEAL**

This bylaw repeals Bylaws #1847 and #1930.

**14. EFFECTIVE DATE**


This bylaw shall come into force and effect on the 1<sup>st</sup> day of January, 2016.


READ a first time this 7<sup>th</sup> day of April, 2015

READ a second time this 10<sup>th</sup> day of August, 2015.

READ a third and final time this 14<sup>th</sup> day of September, 2015.

SIGNED by the Mayor and Chief Administrative Officer this 21<sup>st</sup> day of September, 2015.

  
\_\_\_\_\_  
Thomas Tarpey  
Mayor

  
\_\_\_\_\_  
Renate Bensch  
Acting Chief Administrative Officer

# **SCHEDULE "A"**

## **Taxicab Mechanical Inspection Grid & Report**

### **Inspection Requirement Grid:**

1. New Vehicles (under manufacturer's warranty) - Inspection required after two (2) years.
2. Vehicles over two (2) years old shall require a mechanical inspection annually.
3. Mechanical Inspection standard shall be as per Schedule C.1 of this bylaw.
4. A Bylaw Enforcement Officer or Peace Officer may require a taxicab to be mechanically inspected at any time where there are reasonable and probable grounds for making such an order.

### **Taxi Vehicle Data**

Vehicle Make	Model	Year	Color	License #

Attach separate sheet if more room required.



**Schedule "B"**

**Taxi Driver Permit Application**

**NAME: (Please Print)** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Telephone:** \_\_\_\_\_ **(home)**

\_\_\_\_\_ **(cell)**

**Date of Birth:** \_\_\_\_\_

**Taxi Company:** \_\_\_\_\_

**Applicants must provide the following information at time of applying:**

- 1. Current (within 3 months of application date) criminal records check, including fingerprints and completed vulnerable sector check.**
- 2. Current Alberta Class 4 driver's license and current driver's abstract.**

Please note: Personal information on this form is gathered solely for the purpose of issuing a taxi driver's permit in the Town of Peace River, and is protected under all applicable FOIPP legislation.

**Signature** \_\_\_\_\_ **Date of application** \_\_\_\_\_

## **Schedule "C"**

### **Mechanical and Service Standards Inspections**

- A. Mechanical Inspection: new vehicles under manufacturers' warranty require inspection after two (2) years maximum**
- B. Vehicles over two (2) years old shall require annual inspection, to the standard of the Province of Alberta "Out of Province" inspection**
- C. Taxi vehicles shall be inspected a minimum of every six (6) months for compliance with general service standards and cleanliness as per Schedule C.1 General Inspection Standards (attached)**



SCHEDULE C1  
TAXI GENERAL INSPECTION

PEACE RIVER

Company: \_\_\_\_\_  
Registered Owner: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
Make: \_\_\_\_\_

Model: \_\_\_\_\_  
Colour: \_\_\_\_\_  
License Plate #: \_\_\_\_\_  
Date of Mechanical Inspection: \_\_\_\_\_  
Year: \_\_\_\_\_

Valid Insurance: Yes  No   
Registration: Yes  No

**EXTERIOR INSPECTION:**

PASS:

FAIL:

AUTHORIZED COLOUR	<input type="checkbox"/>	<input type="checkbox"/>
BODY CONDITION (paint, rust, damage, mirrors)	<input type="checkbox"/>	<input type="checkbox"/>
TIRE CONDITION	<input type="checkbox"/>	<input type="checkbox"/>
HOOD LATCH	<input type="checkbox"/>	<input type="checkbox"/>
BATTERY SECURED	<input type="checkbox"/>	<input type="checkbox"/>
FRONT SIGNAL LIGHT	<input type="checkbox"/>	<input type="checkbox"/>
HAZARD LIGHTS	<input type="checkbox"/>	<input type="checkbox"/>
BRAKE LIGHTS	<input type="checkbox"/>	<input type="checkbox"/>
BACK UP LIGHTS	<input type="checkbox"/>	<input type="checkbox"/>
TAIL LIGHTS	<input type="checkbox"/>	<input type="checkbox"/>
TRUNK LATCH OPERATIONAL	<input type="checkbox"/>	<input type="checkbox"/>
ADEQUATE TRUNK SPACE AND CLEANLINESS	<input type="checkbox"/>	<input type="checkbox"/>

**INTERIOR INSPECTION:**

PASS:

FAIL:

NO SMOKING DECALS	<input type="checkbox"/>	<input type="checkbox"/>
RATE DECALS	<input type="checkbox"/>	<input type="checkbox"/>
DASH GUAGES OPERATIONAL	<input type="checkbox"/>	<input type="checkbox"/>
HORN OPERATIONAL	<input type="checkbox"/>	<input type="checkbox"/>
WASHER/WIPERS OPERATIONAL	<input type="checkbox"/>	<input type="checkbox"/>
DEFROSTER/HEATER OPERATIONAL	<input type="checkbox"/>	<input type="checkbox"/>
INTERIOR LIGHTS WORKING	<input type="checkbox"/>	<input type="checkbox"/>
SEATS SECURE	<input type="checkbox"/>	<input type="checkbox"/>
DOOR PANEL CONDITION	<input type="checkbox"/>	<input type="checkbox"/>
DOOR HANDLES OPERATIONAL	<input type="checkbox"/>	<input type="checkbox"/>
SEATBELTS FUNCTIONAL	<input type="checkbox"/>	<input type="checkbox"/>
UPHOLSTERY CONDITION	<input type="checkbox"/>	<input type="checkbox"/>

SCHEDULE C1  
TAXI GENERAL INSPECTION

INTERIOR CLEANLINESS  
WINDOWS OPERATIONAL

PASS:

FAIL:

**INSPECTION COMMENTS:**

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TAXI INSPECTION RESULT

PASS

FAIL

INSPECTED BY: \_\_\_\_\_

DATE OF INSPECTION: \_\_\_\_\_

RE-INSPECTION #1

PASS

FAIL

INSPECTED BY: \_\_\_\_\_

DATE OF INSPECTION: \_\_\_\_\_

**Schedule "D"**

**Taxi Bylaw Specified Penalties**

- 3.1 Operate taxi business without license ..... \$1500.00  
Any subsequent offence ..... Licensing of company prohibited
- 4.1 Drive taxi without municipal driver permit ..... \$500.00  
2<sup>nd</sup> offence ..... \$1000.00  
3<sup>rd</sup> offence .....Permanent revocation of permit
- 4.6 Operate taxi while permit suspended ..... \$1000.00  
Any subsequent offence .....Permanent revocation of permit
- 5.1 Operate uninspected taxi ..... \$1000.00  
2<sup>nd</sup> offence ..... \$5000.00  
3<sup>rd</sup> offence ..... Permanent revocation of license
- 6.1 Fail to display company logo on vehicle ..... \$250.00  
2<sup>nd</sup> offence ..... \$500.00  
3<sup>rd</sup> offence ..... Suspend company license 30 days
- 6.2 Fail to display unit number ..... \$250.00  
2<sup>nd</sup> offence ..... \$500.00  
3<sup>rd</sup> offence ..... Suspend company license 30 days
- 7.3(h) Transport/store prohibited materials ..... \$250.00  
2<sup>nd</sup> offence ..... \$500.00  
3<sup>rd</sup> offence ..... Suspend company license 30 days



<b>7.3(j) Fail to display driver permit on duty .....</b>	<b>\$300.00</b>
<b>2<sup>nd</sup> offence .....</b>	<b>\$600.00</b>
<b>3<sup>rd</sup> offence .....</b>	<b>Suspend permit 30 days</b>
<b>7.7 Fail to report refusal of service .....</b>	<b>\$500.00</b>
<b>2<sup>nd</sup> offence .....</b>	<b>\$1000.00</b>
<b>3<sup>rd</sup> offence .....</b>	<b>Revocation of company license</b>
<b>7.8(ii) Fail to comply with other service standards .....</b>	<b>\$300.00</b>
<b>2<sup>nd</sup> offence .....</b>	<b>\$500.00</b>
<b>3<sup>rd</sup> offence .....</b>	<b>\$1000.00</b>

**SCHEDULE "E"**

**Taxicab Licensing and Permit Fees**

<b>Annual Taxicab Company License .....</b>	<b>\$150.00</b>
<b>Taxi Driver's Permit.....</b>	<b>\$25.00</b>
<b>Transfer of Company License .....</b>	<b>\$50.00</b>
<b>Replace Lost Permits .....</b>	<b>\$25.00</b>