

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-XXX**

### **A By-Law to Licence, Regulate, and Govern Taxicab, Limousine, and Transportation Network Businesses and Their Owners, Operators and Brokers and Drivers in Kawartha Lakes**

#### Recitals

1. Sections 150 - 156 of the *Municipal Act, 2001*, S.O. 2001 authorizes Council to licence, regulate and govern businesses and events including taxicabs.
2. This authority includes but is not limited to the power to issue Licences, to issue Licenses on condition, to revoke Licences, to suspend Licences, to regulate or govern the place used in the carrying on of such business, and to prevent the carrying on of such businesses without a licence.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-XXX.**

#### **Section 1.00: Definitions and Interpretation**

##### 1.01 Definitions: In this by-law:

**“Accessible Taxicab”** means a Taxi that is wheelchair-accessible permitting the loading, transportation and off-loading of a Person with a Disability confined to a wheelchair, or other similar device used to assist a person with a disability, and is subject to federal and provincial legislation applicable to the transportation of Persons with Disabilities;

**“Applicant”** includes a Person seeking a Licence, or renewal of a Licence or a Person whose Licence is being considered for revocation or suspension;

**“Broker”** means the Owner of a licensed Taxicab or Limousine, who is not a Taxicab or Limousine Business Owner and operates through a licensed Taxicab or Limousine Business;

**“Business”** means a Trade that requires a Licence pursuant to this By-law, whether or not a Licence has been issued or maintained for that business;

**“By-law”** means this By-law, as it may be amended from time to time. The Recitals to, and the Schedules attached to this By-law are considered integral parts of it;

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

A **“City Facility”** means any property owned by the City that is not a Highway;

**“City Clerk”** means the Person within the administration of the City who fulfills the function of the City Clerk as required by the *Municipal Act, 2001*, S. O. 2001 or his or her delegate;

**“Committee”** means the committee of Council to which Council has delegated the responsibility of handling Licensing matters. Where no delegation has been made, the term refers to the Council itself;

**“Consolidated Fees By-law”** means City of Kawartha Lakes By-law 2016-206 or if it has been repealed any subsequent City of Kawartha Lakes By-law known as the Consolidated Fees By-law.”

**“Core Areas”** means geographic boundaries as defined by Site Plan Control Areas;

**“Council”** means the municipal council for the City;

**“Director of Community Services”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designed by Council;

**“Director of Development Services”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council;

**“Disability”** means:

- Any degree of physical infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness or physical reliance on a guide dog, or other animal or on a wheelchair or other remedial appliance or device,
- A condition of mental impairment or a developmental disability,
- A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- A mental disorder,

- An injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sched. A*;

**“Fees By-Law”** means the City of Kawartha Lakes Consolidated Fees By-Law 2015-123, as amended, or any subsequent by-law known as the Consolidated Fees By-Law;

**“Fire Chief”** means the person within the City’s administration who fulfills the function of the fire chief as required by the *Fire Protection and Prevention Act, 1997, S. O. c.4* or his or her delegate;

**“Health Unit”** means the Haliburton, Kawartha, Pine Ridge District Health Unit;

**“Highway”** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

**“Licence”** means a Licence to operate a Trade issued pursuant to this By-law;

**“Licensee”** means the recipient of any Licence required within this By-law;

**“Licensing Officer”** means the municipal Licensing Officer for the City, responsible for the issuing, administration and approval of Licences in accordance with provincial legislation and City policies and procedures, or his or her delegate;

**“Limousine”** means a motor vehicle kept or used for hire for the conveyance of Passengers by reservation only and solely on an hourly basis, which has seating for no more than the manufacturer’s specified number of Passengers and a sufficient number of seatbelts for each Taxi Driver and Passenger, and shall not include a Taxicab;

**“Safety Standards Certificate”** means a certificate as defined in the regulation of the *Highway Traffic Act, R.S.O. 1990, c.H.8*;

The **“Medical Officer of Health”** means the Medical Officer of Health of the Health Unit or his or her delegate;

**“Municipal Act”** means the *Municipal Act, 2001, S.O. 2001, c. 25*;

**“Municipal Law Enforcement Officer”** means a person appointed by Council under section 15 of the *Police Services Act* to enforce the by-laws of the City, and includes the Licencing Officer;

An **“Operator”** is a Person with care and control of a Business at any given point in time, with authorization of the Owner of the Business. The terms “Operate”, “Operation” and words of like import or intent have corresponding meanings;

An **“Owner”** is a Person with legal title to real or personal property of a Taxi or Limousine Business, including a motor vehicle. The terms “Own”, “Ownership”, and words of like import or intent have corresponding meanings;

**“Passenger”** means any Person in a Taxicab or Limousine except the Taxi Driver;

**“Person”** includes but is not limited to an individual, a sole proprietorship, a partnership, an unincorporated association, a trust, a body corporate, a natural Person;

**“Police”** means the Chief of Police or other designated officer in charge of a police service within the jurisdiction of Kawartha Lakes, or his or her delegate;

**“Public Place”** means any area whether municipally owned or otherwise, which is designated and reserved for use of the general public;

**“Schedule”** means a schedule to this By-law;

A **“Service Animal”** for a person with a disability, is an animal being used by the person for reasons clearly relating to his or her disability; or if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability;

**“Tariff Card”** means a card issued by the City to display the rates of a Taxicab and Limousine operating within the City;

**“Taxicab”** means a motor vehicle kept or used for hire for the conveyance of Passengers for a fee, which has seating for no more than the manufacturers specified number of Passengers and a sufficient number of seatbelts for each Taxi Driver and Passenger but does not include a Limousine;

**“Taxi Driver”** means a Taxicab or Limousine Driver licensed or required to be licensed under this By-law and shall include Owners, Operators and Brokers;

**“Taxicab Stand”** means a geographic area or zone designated by Council, as an exclusive stopping place for Taxicabs, at which persons have access to embark or disembark Taxicabs and includes temporary taxicab stands;

**“Taxicab Meter”** means a device or instrument affixed to a Taxicab which measures mechanically or electronically, the distance driven and the time waiting upon which a fare is based, and which computes the amount of the fare chargeable for any trip for which a fare is chargeable;

**“Taxi Plate”** means a metal plate issued by the City to each Taxicab and Limousine;

**“Trade”** includes a business, calling or occupation and “carrying on a trade” includes any act of:

- (a) selling any goods or services; or
- (b) soliciting business or offering or exposing goods or services for sale or hire;

**“Transportation Network Company”** means a corporation, company, or Business which connects paying passengers with drivers who provide transportation to passengers in the drivers own non-commercial vehicles in exchange for a fee and includes, but is not limited to, such companies as Uber, Lyft, and the like;

**“Transportation Network Company Driver”** means individuals offering transportation to passengers in their personal vehicles who solicit business through a Transportation Network Company and, for the purposes of this by-law, carries the same definition as a Taxi Driver;

**“Transportation Network Vehicle”** means a vehicle owned by a Transportation Network Company Driver and, for the purposes of this by-law, carries the same definition as a Taxicab;

**“Trip Record”** means a form issued by the City, on which to record each fare and shall include the following information:

- a) the Taxi Plate number;
- b) the name of the Taxi Driver and the Owner or Broker of the Vehicle;
- c) the date, time and location each trip began and ended;

- d) the odometer readings of when each trip began and ended; and
- e) the amount collected for each trip;

**“Vehicle”** means a Taxicab or Limousine as defined by this By-law.

#### **1.02 Interpretation Rules:**

- (a) Wherever this By-law refers to a Person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.
- (b) References to items in the plural include the singular, as applicable.
- (c) The word “include” is not to be read as limiting the phrases or descriptions that precede it.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered to be severed from the balance of the By-law, which will continue to operate in full force and effect.

### **Section 2.00: Licensing Requirements**

#### **2.01 Licence Requirement:**

- a) No Person shall permit a motor vehicle to be used as a Taxicab or Limousine in the City for the conveyance of Passengers or goods except under the authority of a Taxicab or Limousine Owner's Licence issued by the City.
- b) No Person shall accept calls or hires in any manner for a Taxicab or Limousine in the City for the conveyance of Passengers or goods except under the authority of a Taxicab or Limousine Broker's Licence issued by the City.
- c) No Person shall operate a Taxicab or Limousine in the City for the conveyance of Passengers or goods except under the authority of a Taxicab or Limousine Driver's Licence issued by the City.
- d) No Taxicab or Limousine Broker shall dispatch a Taxicab or Limousine to commence the conveyance of Passengers or goods unless the

Owner of the Taxicab or Limousine holds a valid Licence for his or her Vehicle issued by the City.

- e) Notwithstanding Section 2.01 (a), no such Licences shall be required for the operation of a Taxicab or Limousine or it's Driver within the City provided such Taxicab, Limousine and Driver is licensed by another municipality, and operating for the sole purpose of discharging a Passenger who was picked up outside of the City.
  - f) Notwithstanding section 2.01(a), no such Licences shall be required for the operation of the following types of transportation vehicles, service, or Trade:
    - i. Vehicles operated by Lindsay Transit or operated by the City;
    - ii. Motor vehicles owned or operated by not for profit organizations, registered care, or residential facilities for the purposes of transporting senior citizens, Persons with Disabilities, individuals who reside in residential facilities or care homes, or the like;
    - iii. Shuttle vehicles used by hotels, motels, car dealerships, repair shops or the like who offer courtesy rides for their customers;
    - iv. Home delivery services offered and/or operated by a business for the transportation of goods purchased directly from the business operating the delivery service;
    - v. Delivery services that usually deliver packages that originate from outside of the City of Kawartha Lakes including but not limited to FedEx, UPS, Canada Post, DHL, Purolator, and the like;
    - vi. Liquor Delivery Services that are licenced by the Alcohol and Gaming Commission of Ontario; and
    - vii. School Purpose Vehicles that meet the definitions and requirements of the Ontario Ministry of Transportation.
  - g) Failure to comply with any of the provisions of this Section is an offence.
- 2.02 Notwithstanding Section 10.01 of this By-law, any Owner, Operator, Broker or Driver licensed by another municipality or licensed under the *Public Vehicles Act, R.S.O. 1990, c. P.54* who operates a business that includes taking on and then discharging passengers within the limits of the City shall be required to obtain a licence under the terms of this By-law and shall, as to such passengers, comply with any tariff of fares or rates established under this By-law. Failure to comply with this section is an offence.

- 2.03 **Regulations:** A Person who receives a Taxicab or Limousine Owner, Broker or Taxi Driver Licence shall comply with the regulations set out in this By-law. Failure to comply with the regulations is an offence.
- 2.04 **Responsibility of Agents:** An agent, trustee or representative of Persons carrying on a Taxicab or Limousine Business in Kawartha Lakes shall also be personally liable for the compliance of his or her principal, beneficiary or Persons he or she represents in connection with this By-law.
- 2.05 **Locational Requirement:** A Licence shall be obtained for each location from which a Taxicab or Limousine Business is carried on. Failure to comply with this Section or any other provision of this By-law shall be an offence.
- 2.06 **Liability Insurance:** No Person shall be granted or hold a Licence for a Taxicab or Limousine Business unless the Applicant, upon application, or at the request of the Licensing Officer, provide proof of liability insurance and appropriate Vehicle insurance with an endorsement to carry passengers to cover each Vehicle. Failure to maintain insurance as required constitutes an offence.
- 2.07 **Number of Taxi Plates to be Issued:** Not more than forty (40) Taxicab Plates and fifteen (15) Limousine Plates shall be issued per calendar year in accordance with Section 9.01, and only under the following conditions:
- a) All plates issued are for city wide use,
  - b) Current plate holders will have first right of renewal for an equal number of plates currently held up to October 30 of each year. All remaining plates shall be made available to all other eligible applicants.
- 2.08 **Criminal Charges and Convictions:** Any Persons that have pending criminal charges shall not be eligible for a Licence under this By-law until documented proof of an absolute or conditional discharge of such charges is provided to the Licensing Officer.

Any Persons that have been convicted of a criminal offence, shall not be eligible for a Licence under this By-law until they have completely served their sentence and a waiting period of either three (3) years for summary conviction or five (5) years for an indictable conviction.

The waiting period shall commence the date all fines are paid in full and any court imposed surcharge, restitution or compensation orders, term of imprisonment or probation is completed.



### **Section 3.00: Application Procedures and Requirements**

**3.01 Application:** An application for any Licence or renewal of a Licence required under this By-law may be obtained from the main administrative offices of the City, or at any of the City's municipal service centres, on the form prescribed by the Licensing Officer.

**3.02 Application Requirements:** Each application form will require information to be provided, and other necessary papers to be completed or submitted by the Applicant in conjunction with his or her application, where applicable, in support of the information in the form as outlined below:

**a) Taxicab or Limousine Business Licence:**

- i. a fully completed application form as supplied by the City;
- ii. a site plan is to accompany the application;
- iii. documentation from the Development Services Director that the property upon which the Business will operate is appropriately zoned;
- iv. documentation from the City's Chief Building Official that confirms that all buildings, structures and facilities, on site, or the plans for same, are or will be in compliance with the requirements of this By-law, any building permits issued by the City and the provisions of any agreement in effect for the Business;
- v. documentation from the Fire Chief that confirms that all buildings, structures and facilities, or the plan for same, are in compliance with applicable fire safety regulations;
- vi. documentation from the District Health Unit and/or the alternate approval authority that confirms that all water supply facilities and sewage disposal facilities, or the plans and documentation for same, are in compliance with applicable potable water supply and sewage treatment regulations and guidelines;
- vii. documentation, providing proof that he or she is the property owner of the land at the location or, alternatively, that he or she has the authority of the property owner and/or manager to operate from the site;
- viii. a copy of Ontario Business Registration or in the case of a corporation, copy of the Sections of Incorporation;

- ix. a copy of business liability insurance policy;
- x. Police Criminal Record Check for every applicant, partner, shareholder or shareholders of a corporation obtained from their local Police Station; and
- xi. a signed document that confirms all employees have received accessibility training as required by the *Accessibility for Ontarians with Disabilities Act, 2005, Ontario Regulation 429/07*.

**b) Taxicab and Limousine Vehicle Licence:**

- i. a completed application form supplied by the City for each Vehicle to be licensed;
- ii. a copy of current Ontario Motor Vehicle Permit for each Vehicle to be licensed;
- iii. a copy of current Safety Standards Certificate issued no more than 36 days prior to the date of application signed by a licenced mechanic, for each vehicle to be licensed;
- iv. the original Vehicle/Meter Inspection Report for each Vehicle to be licensed; and
- v. a copy of valid Certificate of Insurance indicating public liability coverage and an endorsement to carry Passengers for compensation for each Vehicle to be licensed.

**c) Taxi Driver's Licence:**

- i. a completed application form supplied by the City;
- ii. a Police Criminal Record Check obtained from their local Police Station issued no more than 30 days prior to the date of application;
- iii. a Driver's Abstract obtained from the Ministry of Transportation issued no more than 30 days prior to the date of application;
- iv. a copy of valid Ontario Driver's Licence.

**3.03 Vehicle Inspection Requirements:** The Licensing Officer or designate shall inspect each Vehicle and its equipment as prescribed under Section 3.02 (2) prior to the issuance of any Licence and at any other time deemed appropriate by the Licensing Officer.

- 3.04 **Photograph:** The Licensing Officer or designate shall take a photograph of every Applicant under Section 3.02 (3), which shall be filed with the City and upon application for renewal of Licence, the Applicant shall attend for a new photograph if required to do so by the City.
- 3.05 **Additional Criteria Considered:** The Licensing Officer may deny a Licence or issue a Licence with specific conditions based on, but not limited to the following criteria:
- a) the Applicant's premises or place of trade are the object of an order to comply made under the Property Standards By-law, or an order made under the Ontario *Building Code Act S. O. 1992, c.23*;
  - b) the Applicant's premises (or use of such for the Business requested) is not in compliance with the Zoning By-law or any parking requirements of the City;
  - c) the Applicant's premises requires corrective action pursuant to an order of the Medical Officer of Health to ensure the safety or health of the public;
  - d) the Applicant's premises requires corrective action pursuant to an order of the Fire Chief;
  - e) the Applicant has been found to have discriminated against a member of the public contrary to *The Ontario Human Rights Code R. S. O. 1990 c.H.19*;
  - f) the Applicant has been convicted of an offence pursuant to the *Criminal Code of Canada, R.S.C. 1985, c. C.46*;
  - g) the Applicant has been convicted of an offence pursuant to *the Highway Traffic Act, R.S.O. 1990, c. H.8*;
  - h) the Applicant was previously convicted of an offence pursuant to this or a predecessor by-law;
  - i) the Applicant is financially obligated to the City in some manner other than for current taxes; and
  - j) the Applicant is in breach of this or some other City by-law or law of Ontario or Canada.
- 3.06 **Licence Refusal:** The Licensing Officer has the right to deny the issuance of, or revoke a Licence if any of the terms of this By-law are not met. If the application is denied, the Applicant has the right to appeal the decision in accordance with the procedures outlined in Section 5.03.

- 3.07 **Disclosure of Private Information:** It shall be a condition of every licence that an Owner or Operator shall consent to the disclosure of all records and personal information with respect to any licence application, approval refusal or revocation to any law enforcement agency, provincial ministry, federal department, agency, board or commission thereof or any other municipality, or to the Owner of the Taxicab business, pursuant to the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990,c.m.56,s.32.
- 3.08 **Time Limited:** Except as otherwise provided in this By-law, Licences shall be issued for a maximum period of one year and shall come into effect on the date that they are issued, and expire on October 31<sup>st</sup> of that same year.

#### **Section 4.00: Licence Issue**

- 4.01 **Licence Fee:** The fee for obtaining a Licence or renewal of a Licence shall be as set out in the Schedule B-1 to the Consolidated Fees By-law. No fee is refundable except in the event that a Licence is revoked by reason of municipal staff error. In that case the Licensee is entitled to a refund of a part of the Licence fee proportionate to the unexpired part of the term for which it was granted.
- 4.02 **Duplicate Licences and Taxi Plates:** Except as otherwise provided in a Schedule to this By-law, a duplicate Licence or Taxi Plate may be issued by the Licensing Officer to replace any Licence or Taxi Plate previously issued which has been lost, stolen or destroyed, upon written application by the Licensee and upon payment of a fee in accordance with schedule B-1 of the Consolidated Fees By-law.
- 4.03 **Posting & Production of Licences (Fixed Location):** Where a Licensee carries on his or her Business from a fixed location, the Licensee shall post the Licence obtained under this By-law in a publicly conspicuous place at that place of business and be visible to the public at all times. Persons licensed under this By-law shall, when requested by any Person authorized by Council, produce the Licence for inspection. Failure to comply with this Section is an offence.
- 4.04 **Posting & Production of Licences (No Fixed Location):** Where a Licensee travels from place to place to perform his or her duties within a Taxicab or Limousine Business, he or she shall carry his or her Licence at all times. Persons licensed under this By-law shall, when requested by any Person authorized by Council, produce the Licence for inspection. Failure to comply with this Section is an offence.
- 4.05 **Posting of Taxi Plates:** Where a Licensee is issued a Taxi Plate obtained under this By-law, the Licensee shall:

- a) securely affix the Taxi Plate to the right rear end of the designated Taxicab at a location clearly visible to any Person located behind the Taxicab; and
- b) Limousines shall securely affix the Taxi Plate to the front of the designated Limousine at a location clearly visible to any Person located in front of the Limousine.

Failure to comply with this Section is an offence.

#### 4.06 **Partnerships and Corporations and Unincorporated Associations:**

- a) Except as otherwise noted in this By-law, a partnership, a corporation, an association or a combination of Persons is considered as a single Applicant for any one Business.
- b) On any application by a partnership, the Licence shall be issued in the name under which the business is carried on by the Applicant and all his or her partners. The names and addresses of all partners must be listed on the application form.
- c) On any application by a corporation, the Licence shall be issued in the name under which the business is carried on by the Applicant and all directors of the corporation. The names and addresses of all directors must be listed on the application form.
- d) A change in composition of the members of a partnership or in the officers and/or directors of a corporation shall be reported to the Clerk within thirty (30) calendar days. Failure to comply with this Section is an offence.

4.07 **Change of Address:** Every change of mailing address or telephone number of any Licensee licensed under this by-law shall be reported to the Licensing Officer within five (5) business days. Failure to comply with this Section is an offence.

4.08 **No Transfer:** It is an offence to attempt to transfer or assign any Taxi Plate or Licence issued under this By-law except in accordance with Section 4.09.

4.09 **Licence Transfer:** Upon cessation or sale or other transfer of a Business, the Licensee of that Business shall notify the Licensing Officer of the cessation or transfer. Prior to the Business being transferred, and subject to any restrictions in the applicable Schedule, the new potential Owner, Operator or Broker shall be required to submit an application for a Licence transfer, in the form prescribed by the Licensing Officer. The Licensing Officer may, depending upon the circumstances of the request

- for transfer, require the new potential Owner, Operator or Broker to submit any or all of the same documentation and/or information that would have been required for a new application for the Licence in question. The requirements of Section 3.02 (1) shall apply to applications for a Licence transfer. A Business Licence fee shall be charged as set out in the Schedule B-1 to the Consolidated Fees By-law.
- 4.10 **No Vested Right:** No Person enjoys a vested right in the continuance of a Licence and upon issuance, renewal, cancellation or suspension; all Licences remain the property of the City.
- 4.11 **Licensees to Use Name on Licence:** It is an offence for a Person licensed to carry on any Trade under this By-law, to advertise or carry on that Trade under any other name than the one endorsed on his or her Licence.
- 4.12 **Inspections:** The Licensing Officer, the Police, the Medical Officer of Health, Municipal Law Enforcement Officer, the Fire Chief or any Person acting under those Persons, or any Person authorized by Council may at reasonable times during business hours and upon producing proper identification, inspect:
- a) a) any premises or place where a Business is carried on or where there are reasonable and probable grounds to believe a Business is being carried on;
  - b) b) any goods, equipment or Vehicles, to be used by the Applicant in connection with the Business.
- 4.13 **Plated Vehicles to Remain in Service:** To ensure all plated vehicles are available for service to the general public, each Owner, Operator or Broker shall maintain a monthly Taxicab/Limousine Summary Report prescribed by the Licensing Officer for each taxicab and limousine in their fleet. Taxi Plates will be removed from any vehicle found to be Out-of-Service for a period of more than two (2) weeks. An extension may be granted at the discretion of the Licensing Officer. A replacement Taxi Plate may only be issued in accordance with Section 3.02 (2) (a) through (e) inclusive and of this By-law and Section B-1 of the Consolidated Fees By-law. It shall further be the responsibility of each Owner, Operator or Broker to immediately notify the Licensing Officer when a taxicab or limousine is out of service. Failure to comply with this Section is an offence.
- 4.14 **No Obstruction:** It is an offence to obstruct, hinder or interfere in any way with any person designated to enforce this By-law.

## **Section 5.00: Granting, Refusal and Revocation of Licenses**

5.01 **Grant Licence:** The Licensing Officer shall issue a licence or licence renewal where the applicant is in full compliance with the terms of this By-law and all other applicable By-laws, Provincial and Federal legislation and regulations.

5.02 **Grant Licence With Conditions:** The Licensing Officer may, where the provisions of this By-law have been met, propose in writing to the Applicant to grant the Licence subject to conditions if appropriate. If within five (5) days following the written proposal to grant the Licence with conditions, the Applicant has not indicated an objection to the Licence with conditions, the Licence is deemed to have been issued on the day of the notice of the proposal to grant.

The Licensing Officer shall revoke a licence granted with conditions if the applicant has not met the imposed conditions within the stipulated time frame.

5.03 **Refuse Licence:** In the event that the Licensing Officer refuses for any reason to grant a Licence, or suspends or revokes a Licence, and the Applicant requests that the matter be considered by Council, the Licensing Officer shall prepare a report for the consideration of Council and the Applicant shall be provided with at least two (2) weeks written notice of the meeting of Council to consider the refusal to grant, revocation or suspension and shall have the opportunity to address Council prior to Council making a decision.

5.04 **Council Discretion:** Council may in its sole discretion grant, grant with conditions, refuse to grant, or revoke or suspend a Licence. In the exercise of its discretion under Section 5.03 such discretion shall be exercised,

- a) upon such grounds as are set out in this By-law, or
- b) upon the grounds of the conduct of a person, or in the case of a corporation, the conduct of its officers, directors, employees or agents affords reasonable grounds for belief that the Person will not carry on or engage in the business in accordance with the law or with honesty and integrity.

5.05 **Consideration to Matters Raised:** Council may, in exercising its discretion pursuant to this By-law, consider any matter raised under Section 3.05 or any other matter that relates to the general welfare, health or safety of the public, the control of nuisances within Kawartha Lakes, or the protection of consumers.

- 5.06 **Surrender of Licence:** It shall be an offence for any Owner, Operator, Broker or Taxi Driver to fail to deliver or surrender to the Licensing Officer, a Licence or Taxi Plate issued by the City, upon suspension or revocation.

## **Section 6.00: Vehicle Requirements and Inspections**

- 6.01 **Roof Signs:** It shall be an offence for any Owner, Operator or Broker to permit a licensed Taxicab to operate within the City without being equipped with a roof sign placed on the roof of the Taxicab, which shall:

- a) be electric;
- b) display only the Taxicab Business's identification with lettering which is visible to the public;
- c) be connected to the Taxicab Meter in such manner as to be extinguished when the Taxicab Meter is turned on;
- d) be connected to the Taxicab Meter in such manner as to be illuminated when the Taxicab Meter is in the off position, except where the Taxicab is not available to convey passengers or goods;
- e) roof signs are not required for Limousines.

- 6.02 **Taxicab Meters:** It shall be an offence for any Owner, Operator or Broker to permit a licensed Taxicab to operate within the City without being equipped with a Taxi Meter, which shall:

- a) be attached in a position that is in plain view of the Passengers and illuminated between dusk and dawn;
- b) be equipped with a flag, or light indicating when an electronic meter is engaged ;
- c) be adjusted in accordance with the rates prescribed in the Schedule B-1 to the Consolidated Fees By-law., and inspected and sealed or otherwise locked by the Licensing Officer or designate to prevent tampering; and
- d) be kept in good working condition at all times and not used when defective in any way or when the inspection seal has been broken.

2016-209, effective November 22, 2016

- 6.03 **Serviceable Tires:** It shall be an offence for any Owner, Operator or Broker to permit a licensed Vehicle to operate within the City without being equipped with serviceable tires, one of which shall be available as a spare and each of which shall comply with the Tire Standards and Specifications, O. Reg. 741/811 as amended, under the Highway Traffic Act R. S. O. 1990 c.H.8..



- 6.04 **Taxi Driver's Identification:** It shall be an offence for any Owner Operator, Broker or Taxi Driver to operate a licensed Vehicle not equipped with the appropriate Taxi Driver identification provided by the City, which shall be attached to the interior of the Vehicle in such a position as to be fully visible to all Passengers at all times;
- 6.05 **Taxi Plate:** It shall be an offence for any Owner, Operator or Broker to permit a licensed Vehicle to operate within the City without being equipped with a Taxi Plate, affixed in accordance with Section 4.05.
- 6.06 **Tariff Cards:** It shall be an offence for any Owner, Operator or Broker to permit a licensed Vehicle to operate within the City without being equipped with a current Tariff Card, issued by the City, with rates set out in the Schedule B-1 to the Consolidated Fees By-law., affixed to the interior of the Vehicle so as to be visible to all Passengers.
- 6.07 **Advertisements:** It shall be an offence for any taxicab owner, broker, driver or representative thereof to permit advertising on the exterior or in the interior of a Taxicab or Accessible Taxicab vehicle that does not comply with the following:
- a) all advertisements must be approved by the Senior Licensing Officer, or his or her designate, prior to being placed on the interior or exterior of the vehicle;
  - b) advertising must not obstruct the drivers or passengers view;
  - c) advertising must not obstruct the name of the taxi company or the phone number;
  - d) only one (1) advertisement or electronic advertisement device is permitted on the interior of the vehicle;
  - e) advertisements or advertisement screens on the interior of the vehicle must be no more than 21.59cm (8.5in) by 27.94cm (11in) in size;
  - f) only one (1) advertisement is permitted on the exterior of the vehicle
  - g) advertisements on the exterior of the vehicle are restricted to decals and lettering;
  - h) the use of electronic advertising on the exterior of the vehicle is prohibited;
  - i) advertisements on the exterior of the vehicle are only permitted on the rear bumper, rear hatch, or rear quarter panel of the vehicle;
  - j) advertising copy on the interior and exterior of the vehicle is to be similar to other billboard and outdoor advertising, and shall not be offensive, inflammatory, obscene, racist, sexist, discriminatory or distasteful in nature, or violate any one person's rights as guaranteed by the Canadian Charter of Rights and Freedoms.

- 6.08 **Vehicle Identification Card:** It shall be an offence for any Owner, Operator, Broker or Driver to permit a licensed Vehicle to operate within the City without being equipped with a current Vehicle Identification Card, issued by the City, and located in the Vehicle's glove compartment.
- 6.09 **Vehicle and Equipment Inspections:** If any inspection, at any time, results in a Taxicab or Limousine being found to be in an unsafe or hazardous condition or found to be non-compliant with any federal, provincial or municipal regulations, the inspector shall immediately remove the Taxi Plate from the Vehicle. A replacement Taxi Plate may only be issued in accordance with Section 3.02 (2) (a) through (e) inclusive and in Schedule B-1 to the Consolidated Fees By-law.

#### **Section 7.00: Taxicab and Limousine Owner, Operator and Broker Requirements**

- 7.01 **Owner, Operator and Broker Requirements:** A Taxicab or Limousine Owner, Operator and Broker licensed under this by-law shall:
- a) ensure that all Taxi Drivers, Vehicles and equipment conform to the requirements of all Sections of this By-law; and any other applicable Municipal By-laws and or Provincial or Federal Laws.
  - b) ensure that any Person operating their Vehicles, is a licensed Taxi Driver;
  - c) maintain insurance conforming to the requirements prescribed by this By-law;
  - d) keep, at all times in each Vehicle, the original or a photocopy of the original of each of the following documents:
    - i. the appropriate current Ontario Motor Vehicle Permit
    - ii. the appropriate Vehicle Owner's Business Licence issued under this by-law; and,
    - iii. the appropriate certificate of liability insurance as required under this By-law.
    - iv. maintain and retain for not less than four (4) years, original copies of all Trip Records;

- v. maintain and retain for not less than four (4) years, lists of all Vehicles and Taxi Drivers in their employ;
- vi. provide, on request of the Licensing Officer or a Municipal Law Enforcement Officer, original copies of any or all Trip Records requested; and provide, on request of the Licensing officer or a Municipal Law Enforcement Officer, a list of all Vehicles and Taxi Drivers under their employ;
- vii. make available a vehicle registration and identifcatino information in an accessible format to any passenger that makes such a request as required by the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c.11*.

**7.02 Failure to Comply:** Failure to comply with this Section is an offence.

## **Section 8.00: Taxi Driver Requirements**

**8.01 Taxi Driver Conduct Requirements:** Every Taxi Driver, while in operation of a Taxicab or Limousine shall:

- a) comply with the requirements of all Sections of this By-law;
- b) carry his or her Taxi Driver's Licence issued under this By-law and his or her Ontario Driver's licence issued under the *Highway Traffic Act R. S. O. 1990, c.H.8*;
- c) produce for inspection, any Licence or required documentation referred to in this By-law, when requested to do so by the Licensing Officer or Municipal Law Enforcement Officer;
- d) be properly dressed, well groomed, neat and clean in personal appearance;
- e) behave civilly and courteously;
- f) not use the horn of a Vehicle to notify the caller of arrival, unless an adult person cannot be found by knocking on the door of the residence to which the Taxi Driver has been called, or when the Taxi Driver is unable or feels it is not safe to exit the Vehicle;
- g) not carry more Passengers in their Vehicles than is set out in the manufacturer's rating of seating capacity for the Vehicle;

- h) not drive a Taxicab or Limousine with luggage or any object placed in, hung on or attached to the Vehicle in such a manner as may obstruct the Taxi Driver's view;
- i) not operate a Taxicab for hire while carrying a Passenger or goods without keeping the Taxicab Meter in operation at all times, unless providing Taxicab service pursuant to Section 9.04 of this By-law;
- j) not request or charge any fare for the use of a Taxicab other than that recorded on the Taxicab Meter, unless providing Taxicab service pursuant to Sections 11.06, 11.07, 11.08, 11.09 and 11.10 of this by-law and not request or receive any higher fare or charge a rate other than the rate specified in Appendix B of this bylaw;
- k) not charge any fare for the use of a Limousine other than that previously arranged between the Owner, Operator, Broker or Taxi Driver and Passenger in accordance with Section 11.10 of this bylaw;
- l) not charge for time lost through defects or inefficiency of the Vehicle or incompetence in driving;
- m) not charge for time consumed by the early arrival of the Taxi Driver in response to an appointment made in advance;
- n) be permitted, where an appointment for service is made in advance, to charge for time consumed in waiting for a Passenger following the appointed time for arrival of the Taxi Driver;
- o) not charge for time consumed in providing service to a Person who has not made an appointment for service in advance until the Passenger and the Taxi Driver are seated in the Vehicle;
- p) not charge a Passenger for the cost of proceeding to an establishment for change or for waiting time while a Passenger obtains change when the amount tendered in payment for the fare is of greater value than the sum due and is in the amount of twenty dollars (\$20.00) or less;
- q) allow for a maximum of five minutes loading time, from the time the passenger makes contact with the driver, to allow the passenger to load their property in to the vehicle, prior to engaging the Taxicab Meter;
- r) keep all appointments and engagements punctually;
- s) take proper care of all baggage and other personal property placed in the Taxi Driver's care for conveyance;
- t) deliver all property, goods or money left in error by any Passenger in the Vehicle to such Passenger, or notify such Passenger where such

property, goods or money may be recovered, or, if such Passenger is unknown, deliver the property, goods or money to the City of Kawartha Lakes Police Station;

- u) not pick up any additional Passengers once the Vehicle has been hired and currently in use by another Passenger or group of Passengers;
- v) not disengage the Taxicab Meter during stops between the pick-up point where the journey began and the final destination;
- w) take the most direct route possible to the requested destination unless directed otherwise by a Passenger;
- x) examine the Vehicle for mechanical defects or interior and exterior damage each day before commencing the operation of the Vehicle;
- y) ensure that the Vehicle which he or she is driving is maintained:
  - i. in a clean condition as to its exterior;
  - ii. in a clean, dry and odour-free condition as to its interior;
  - iii. free of debris left by Passengers; and,
  - iv. free of personal effects of the Taxi Driver not required in the conduct of normal driving duties, while it is in his or her possession;
- z) report any detected defects in the Vehicle, or damage occasioned to the Vehicle, forthwith to the Owner, Operator or Broker;
- aa) if requested, give a Passenger a receipt showing:
  - i. the Taxi Driver's name;
  - ii. the Taxi Driver's Licence number;
  - iii. the Taxi Plate number;
  - iv. the date and time of the trip;
  - v. the points of origin and destination of the trip;
  - vi. the cost of the trip, indicating the Goods and Services Tax (GST) included in the fare;
  - vii. the registration number supplied by the Minister of National Revenue pursuant to which the Goods and Services Tax collected for the trip will be remitted to the Receiver General of Canada;

- bb) display his or her Taxi Driver photograph identification card issued by the City, in accordance with Section 6.05;
- cc) ensure that the light of the roof sign of the Taxicab is illuminated when the Taxicab is available for hire, and extinguished when the Taxicab Meter is engaged;
- dd) take a position at the end of any line formed by Taxicabs already in a Taxicab Stand when entering a Taxicab Stand;
- ee) not enter or attempt to enter a Taxicab Stand where there is insufficient place for the Taxicab within the Taxicab Stand;
- ff) not enter or attempt to enter a Taxicab Stand where the Taxicab Owner's, Operator's or Broker's Licence does not permit the commencement of the conveyance of Passengers or goods in which the Taxicab Stand is located;
- gg) not obstruct or interfere with:
  - i. the use of a Taxicab Stand;
  - ii. the use of a Public Place; or
  - iii. the surrounding traffic patterns, while waiting in a Vehicle or at a Taxicab Stand or at any public parking place;
- hh) be sufficiently close to the Taxicab to have it under constant observation while parked in a Taxicab Stand or Public Place while waiting for hire;
- ii) not refuse to serve the first Person requesting the service of his or her Taxicab except as provided by Section 8.01 (ii);
- jj) not refuse to permit a service animal while serving a person with a disability;
- kk) have the right to refuse to serve any Person requesting the services of any Vehicle if:
  - i. the Vehicle is engaged for other service;

- ii. the Person requesting the service owes the Taxi Driver for a previous fare or service;
  - iii. the Person requesting the service refuses to pay in a form of remuneration acceptable to the Owner, Operator or Broker;
  - iv. the Person requesting service, upon being requested by the Taxi Driver refuses to disclose the final destination immediately after entering the Vehicle;
  - v. the Person requesting service asks the Taxi Driver to drive to any place in circumstances which the Taxi Driver reasonably believes to be unsafe;
  - vi. the Person requesting service has an excessive number of items that will not fit within the Vehicle, or will obstruct the Taxi Driver's vision or ability to operate the Vehicle in a safe manner;
  - vii. the Person requesting service demands to be accompanied by a number of Passengers which exceeds the number of seat belt assemblies available for Passengers;
  - viii. the Person requesting service is unduly obnoxious or abusive, in which event such Taxi Driver shall immediately record in writing the reasons for such refusal and shall retain the record for a period of ninety (90) days;
- ll) open the trunk of the Vehicle whenever a Passenger has luggage to be placed in the trunk of the Vehicle;
- mm) open the door of the Vehicle for any Passenger requesting the services of a Taxicab or Limousine;
- nn) not terminate a trip on the left side of a one-way street;
- oo) not induce any Person to engage a Vehicle through any misleading or deceiving statement or representations to that Person about:
- i. the location of any destination named by that Person;
  - ii. the distance to any destination named by that Person; or,
  - iii. the approximate charge for conveyance to any destination named by that Person;

pp) prohibit the use of artificial scents in the taxicab or limousine whether or not the taxicab or limousine is in service.

8.02 **Failure to Comply:** Failure to comply with any of the provisions of this Section is an offence.

### **Section 9.00: Accessible Taxicabs**

9.01 **Accessible Taxicab Requirements:** All Accessible Taxicabs shall, at all times, comply with *R.R.O. 1990, Regulation 629, Accessible Vehicles*, under the *Highway Traffic Act R.S.O. 1990 c.H.8.* and shall;

- a) be equipped with an interior mirror designed to provide the driver with a view of the passengers;
- b) be equipped with lights arranged to illuminate all of the interior of the vehicle that shall be constantly lit during the loading or unloading of passengers, and be sufficient to permit the safe on-board movement of passengers;
- c) be equipped with lights above or beside each passenger access door that shall, be constantly lit when the door is open, be shielded to protect the eyes of entering and exiting passengers, and illuminate, the ramp, lift or step nosing,
- d) be equipped with a means of securing in the open position, each passenger access door or emergency exit door that could be subject to unintentional closing during the loading or unloading of passengers;
- e) have an interior that is free of any sharp projections that may constitute a hazard to passengers;
- f) have floor covering in the aisle and on the steps that is slip resistant, fire-retardant and securely bonded or fastened, produces minimal glare, and is composed of wear-resistant rubber or equivalent material, or carpet with a low, firm and level pile or loop;
- g) have steps that have full-width yellow or white step nosing's that are colour-contrasted with their background, have closed risers, and have uniform riser heights and tread depths, subject to the structural limitations of the vehicle;
- h) conform with Canada Motor Vehicle Safety Standard 302 regarding flammability;



- i) be equipped with at least one dry-chemical-type fire extinguisher bearing the label of a recognized testing agency, showing a rating of not less than 2-A:10-B:C, and equipped with a pressure gauge indicating that the fire extinguisher is adequately charged, and be contained in the extinguisher manufacturer's bracket;
  - j) be equipped with a unitized first aid kit in a sturdy, dustproof removable container containing the following:
    - i. packets containing hand cleansers and gauze cleansing pads,
    - ii. adhesive dressings, individually wrapped,
    - iii. compress dressings,
    - iv. eye dressing kits,
    - v. gauze dressings,
    - vi. gauze bandages,
    - vii. adhesive tape,
    - viii. triangular bandages,
    - ix. rolled metal splint,
    - x. one pair of scissors,
    - xi. one pair of sliver tweezers, and
    - xii. safety pins.
- 9.02 **Accessible Taxicab Fare Requirements:** All Owners, Operators, Brokers or Drivers of taxicabs are prohibited from charging a higher fare or an additional fee for persons with disabilities than for persons without disabilities for the same trip, or charging a fee for the storage of mobility aids or mobility assistive devices;
- 9.03 **Owner, Operator and Broker Requirements:** Every Owner, Operator or Broker shall:
- a) provide accessible taxicab service on a priority basis to any person with a disability who requests such service;
  - b) make available vehicle registration and identification information in an accessible format to persons with disabilities who are passengers

- c) maintain and produce detailed records of all taxicab service requests to be kept for four years and produced upon request;
- d) notify the Licensing Officer within 24 hours of any incident where there is reasonable cause to believe that an accessible driver has refused to provide service or has failed to book-in;
- e) take appropriate measures to notify the customer of the arrival of the taxicab;
- f) prohibit the use of artificial scents in the accessible taxicab whether or not the taxicab is in service;
- g) ensure all accessible vehicles are equipped with a rear sensor capable of detecting a person or object behind the vehicle to alert the driver when backing up;
- h) define “request for accessible service” to mean any request made by a “person with a disability” as defined by the by-law to include a person with an injury or a condition where they have some type of mobility impairment”;
- i) ensure the accessible vehicle used is ready to transport a minimum of one standard motorized wheelchair without having to reconfigure vehicle equipment or remove passenger seats to accommodate the wheelchair or scooter;
- j) outline the days and hours the accessible taxicab will be available for service;
- k) provide wheelchair and occupant restraint training to all drivers of the accessible vehicle and provide documentation with the plate application to confirm that this training has been completed with the driver.

**9.04 Taxicab/Limousine Driver Requirements:**

In addition to complying with the provisions outlined in Section 8.01 of this b-law, all accessible taxicab drivers shall;

- l) provide accessible taxicab service on a priority basis to any person with a disability who requests such service;
- m) wear a photo identification tag that clearly identifies them as an accessible taxicab driver;
- n) bring the accessible taxicab as close to a building’s accessible entrance as lawfully possible;

- o) take appropriate measures to notify the customer of the arrival of the taxicab;
- p) accompany the customer to and from the immediate interior of the building;
- q) provide support and carry items for the customer.
- r) carefully fasten the passenger seat belts;
- s) secure the customer's mobility aids in accordance with the vehicle specifications;
- t) address customer concerns before commencing the fare;
- u) request and wait for paramedic services if the customer requires medical attention (unless a friend or family member is present);
- v) prohibit the use of artificial scents in the accessible taxicab whether or not the taxicab is in service;
- w) define "request for accessible service" to mean any request made by a "person with a disability" as defined by this or any other applicable by-law;
- x) ensure the accessible vehicle used is ready to transport a minimum of one standard motorized wheelchair without having to reconfigure vehicle equipment or remove passenger seats to accommodate the wheelchair or scooter;
- y) be in compliance with all requirements in Section 8.00 of this by-law.

## **Section 10.00: Transportation Network Companies**

**10.01 Licensing Requirements:** All Transportation Network Companies, Drivers, and Vehicles that wish to operate within the City must obtain the corresponding Licence. Failure to do so is an offence.

**10.02 Application Requirements:** Each application form will require information to be provided, and other necessary papers to be completed or submitted by the Applicant in conjunction with his or her application, where applicable, in support of the information in the form as outlined below:

### **1. Transportation Network Company Business Licence:**

- a) a fully completed application form as supplied by the City;

- b) proof of general business liability insurance in an amount of at least \$2 million; and
- c) a signed document that confirms all local employees have received accessibility training as required by the *Accessibility for Ontarians with Disabilities Act, 2005, Ontario Regulation 429/07*.

**2. Transportation Network Company Drivers Licence:**

- a) a completed application form as supplied by the City;
- b) a Police Criminal Record Check obtained from their local Police Station issued no more than 30 days prior to the date of application;
- c) a Driver's Abstract obtained from the Ministry of Transportation issued no more than 30 days prior to the date of application; and
- d) a copy of valid Ontario Driver's Licence.

**3. Transportation Network Company Vehicle Licence:**

- a) a completed application form supplied by the City for each
- b) Vehicle to be licensed ;
- c) a copy of current Ontario Motor Vehicle Permit for each Vehicle to be licensed;
- d) a copy of current Safety Standards Certificate signed by a licensed mechanic for each Vehicle to be licensed issued no more than 36 days prior to the date of application;
  - i. the original Vehicle/Meter Inspection Report for each Vehicle to be licensed; and
  - ii. a copy of Certificate of Insurance with public liability coverage in the amount of \$2 million and an endorsement to carry Passengers for compensation for each Vehicle to be licensed.

**10.03 Vehicle Inspection Requirements:** The Licensing Officer or designate shall inspect each Vehicle and its equipment as prescribed under Section 10.02 (3) prior to the issuance of any Licence and at any other time deemed appropriate by the Licensing Officer.

**10.04 Photograph:** The Licensing Officer or designate shall take a photograph of every Applicant under Section 10.02 (2), which shall be filed with the

City and upon application for renewal of Licence, the Applicant shall attend for a new photograph if required to do so by the City.

**10.05 Additional Criteria Considered:** The Licensing Officer may deny a Licence or issue a Licence with specific conditions based on, but not limited to the following criteria:

- e) the Applicant has been found to have discriminated against a member of the public contrary to *The Ontario Human Rights Code R.S. O. 1990 c.H.19*;
- f) the Applicant has been convicted of an offence pursuant to the *Criminal Code of Canada*, R.S.C. 1985, c. C.46;
- g) the Applicant has been convicted of an offence pursuant to *the Highway Traffic Act, R.S.O. 1990, c. H.8*;
- h) the Applicant was previously convicted of an offence pursuant to this or a predecessor by-law;
- i) the Applicant is financially obligated to the City in some manner other than for current taxes; and
- j) the Applicant is in breach of this or some other City by-law or law of Ontario or Canada.

**10.06 Licence Refusal:** The Licensing Officer has the right to deny the issuance of, or revoke a Licence if any of the terms of this By-law are not met. If the application is denied, the Applicant has the right to appeal the decision in accordance with the procedures outlined in Section 5.03.

**10.07 Disclosure of Private Information:** It shall be a condition of every licence that an Owner or Operator shall consent to the disclosure of all records and personal information with respect to any licence application, approval refusal or revocation to any law enforcement agency, provincial ministry, federal department, agency, board or commission thereof or any other municipality, or to the Owner of the Taxicab business, pursuant to the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990,c.m.56,s.32.

**10.08 Time Limited:** Except as otherwise provided in this By-law, Licences shall be issued for a maximum period of one year and shall come into effect on the date that they are issued, and expire on October 31 of that same year.

- 10.09 **Soliciting Passengers:** Transportation Network Drivers shall not accept street hails. Failure to comply with this section is an offence

## **Section 11.00: Administration of Business and Fares**

- 11.01 **Place of Business:** Every Owner, Operator, or Broker must provide and maintain a place of business within the City limits, which will accommodate the number of Vehicles proposed to operate such Business, and have an office that is accessible to the general public.
- 11.02 **Staffing:** It is also required that every Owner, Operator or Broker have a sufficient number of licensed Taxi Drivers and staff to enable him or her to operate the number of Taxicabs and or Limousines to be licensed, available for service in transporting Passengers.
- 11.03 **Taxicab Meter to be Engaged:** It shall be an offence to operate a Taxicab within the boundaries of the Core Areas as outlined in Schedule “A” without activating the Taxicab Meter as soon as a Passenger enters a Taxicab and ensuring that it remains activated until such trip is completed.
- 11.04 **Fares:** It shall be an offence for any Owner, Operator, Broker or Taxi Driver to charge any fare or fee higher than those outlined in Schedule “B” of this by-law.
- 11.05 **Journeys Within Core Areas:** It shall be an offence for any Owner, Operator, Broker or Taxi Driver to charge any fare or fee higher than those prescribed in Schedule “B” of this by-law for journeys beginning and ending within the Core Areas as outlined in Schedule “A” of this by-law. Failure to comply with this section is an offence.
- 11.06 **Journeys Between Core Areas:** Notwithstanding the provisions of Sections 11.03 and 11.04, fares not higher than the taxi fares as outlined in Schedule “B” of this by-law are to be charged for travel between areas as outlined in Schedule “A”. Failure to comply with this section is an offence.
- 11.07 **Journeys Outside of the City of Kawartha Lakes:** Notwithstanding the provisions of Sections 11.05 and 11.06, a Flat Rate charge, at an amount agreed upon by the taxi company and the passenger(s), may be applied for trips that end outside of the city boundaries.
- 11.08 **Discounting Rates:** Notwithstanding Sections 11.03, 11.04, 11.05, 11.06, 11.07, Taxicab Owners, Taxicab Brokers, and Taxi Cab Drivers may,

- a) offer discounted rates negotiated with the passengers prior to the beginning of the journey for trips between Core Areas.
- b) offer discounted rates to passengers over the age of 65 or persons with disabilities for journeys within and between Core Areas.

**11.09 Contracting Services:** For the purposes of negotiating on-going transportation contracts with corporate or government entities, Taxicab and Limousine Businesses may negotiate fee-for-service rates outside of the rates prescribed in Schedule “B” of this by-law.

**11.10 Limousine Rates:** Limousine Owners and Drivers may negotiate fee-for-service rates outside of the rates prescribed in Schedule “B” of this by-law.

## **Section 12.00: Licences Issued for the Purpose of Compliance with the Regulations of the Greater Toronto Airport Authority**

**12.01 Additional Licences to be Permitted:** Two (2) additional Taxicab Business Licences and Two (2) Taxi Plates may be issued for the express purpose of compliance with the regulations of the Greater Toronto Airport Authority to allow operation of these Taxicabs at Lester B. Pearson Airport in Toronto, and shall be issued in accordance with this By-law. Taxi Drivers of the Taxicabs to whom these additional Licences are issued may apply for a Taxi Driver Licence in accordance with the provisions of this By-law.

**12.02 Conditions:** All Licences issued under Section 10.01 are owned by the City of Kawartha Lakes and cannot be transferred or assigned by any Licensee to whom they are issued. When and if they are no longer required or are expired, revoked or suspended, such licences must be surrendered to the City of Kawartha Lakes.

## **Section 13.00 Enforcement and Penalties**

**13.01 Enforcement:** Municipal Law Enforcement Officers, Licensing Officer, Peace Officers, Police or any other Person designated by Council may enforce this By-law.

**13.02 Obstruction:** No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this By-law.

**13.03 Offence and Penalty:** Every Person who contravenes any of the provisions of this by-law is guilty of an offence pursuant to Section 429 of

the *Municipal Act, 2001, S.O. 2001, c. 25* and all contraventions of this by-law are designated continuing offences.

- 13.04 **Offence by an Individual:** Every Person, excluding a corporation, who is convicted of an offence under this by-law, is liable to a fine as stipulated by the set fines as attached to this by-law or as stipulated by the *Provincial Offences Act R.S.O. 1990, CHAPTER P.33*.
- 13.05 **Offence by a Corporation:** Every corporation who is convicted of an offence under this by-law is liable to a maximum fine of Fifty Thousand Dollars (\$50,000) for the first offence and a maximum fine of One Hundred Thousand Dollars (\$100,000) for any subsequent offence in accordance with the *Municipal Act, 2001, S.O. 2001, c. 25* and *Provincial Offences Act R.S.O. 1990, CHAPTER P.33*.
- 13.06 **Multiple Offences:** The conviction of an offender for the breach of any provision of this By-law shall not operate as a bar to a prosecution against the same offender upon any subsequent or continued breach of any provision of this By-law.
- 13.07 **Court Order:** If this By-law is contravened and a conviction entered, the court in which the conviction is entered and any court that has jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed, make an order prohibiting the continuation or the repetition of the offence.

#### **Section 14.00: Administration and Effective Date**

- 14.01 **Administration of the By-law:** Unless otherwise indicated in this By-law, the administration of this By-law is assigned to the City Clerk whom may delegate the performance of any of the functions under this By-law from time to time as occasion requires.
- 14.02 **Ongoing Matters:** The by-law listed in Section 12.01 shall remain in force and effect for the purpose of conclusion of any legal proceedings commenced under that by-law prior to the effective date of this By-law, and for the purpose and effect of the validity of any Licence issued pursuant to that by-law for the calendar 2016.
- 14.03 **References to Predecessor By-laws:** References in other by-laws governing Kawartha Lakes to any historically applicable Licensing by-law are deemed to be references to this By-law.
- 14.04 **Effective Date:** This By-law shall take effect on January 30, 2018.



By-law read a first, second and third time, and finally passed, this 30<sup>th</sup> day of January, 2018.

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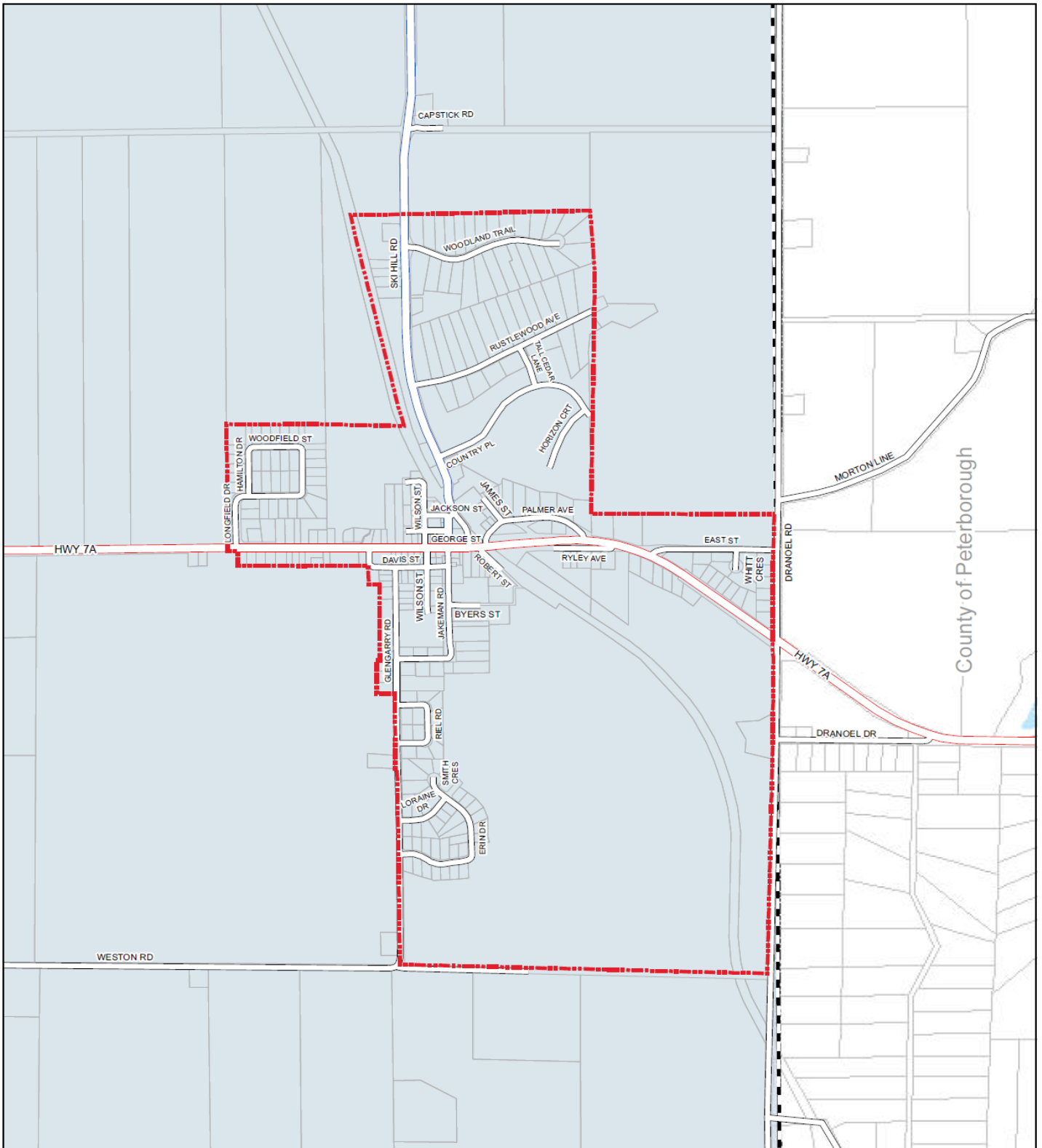
Andy Letham, Mayor

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Cathie Ritchie, City Clerk

**Schedule "A"**  
**By-law 2018-XXX**  
**The Corporation of the City of Kawartha Lakes**

**Core Areas**



Site Plan Control Boundary

City of Kawartha Lakes Boundary

Teranet Parcel Fabric - Jan 2014

**Site Plan Control Area - Bethany**

**City of Kawartha Lakes**

1:17,000

0 0.25 0.5 1

Kilometers

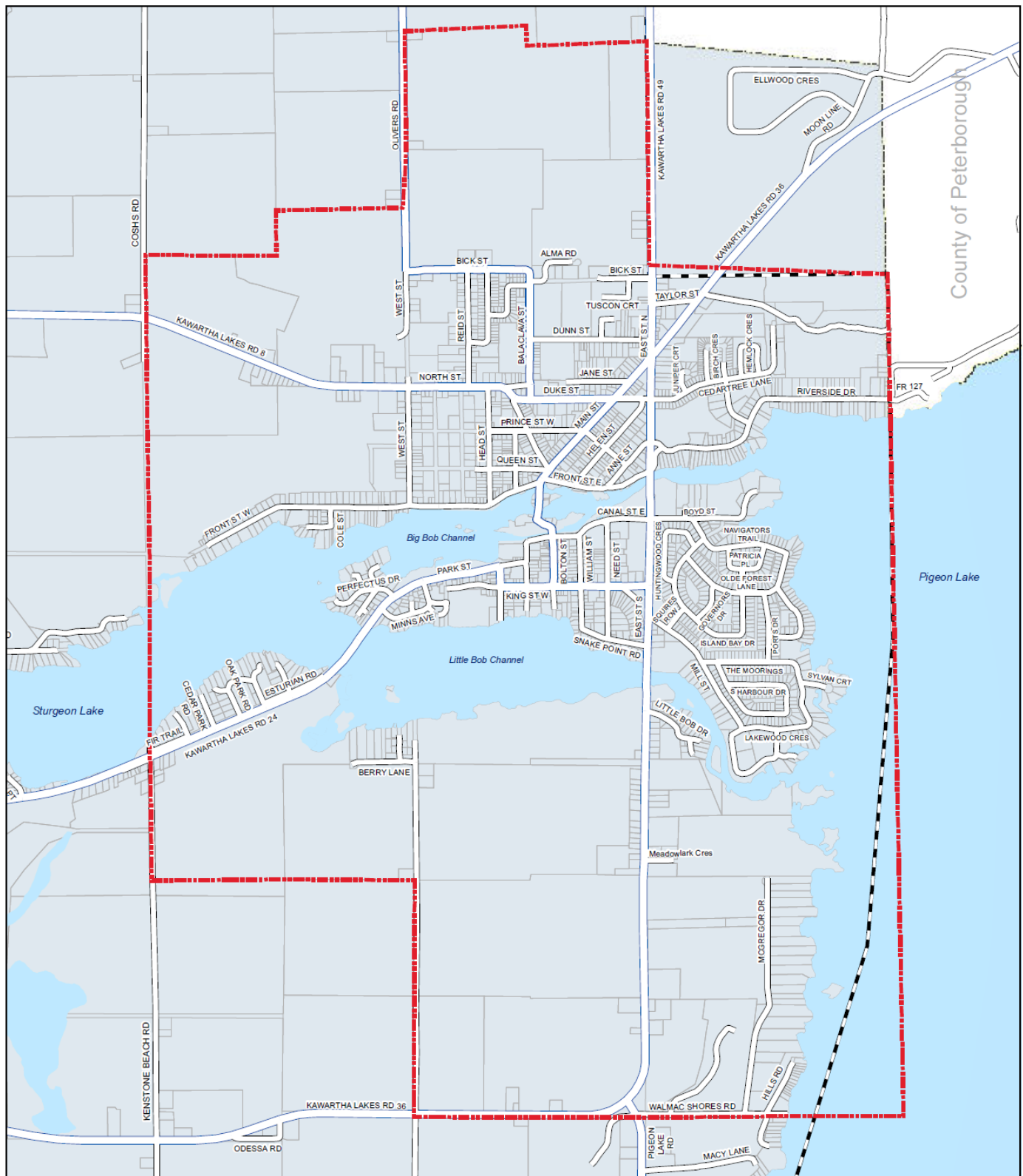
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**City of KAWARTHA LAKES**

*Catch the Kawartha spirit*

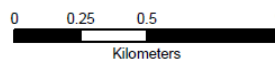
Mapping & GIS Division      Date: 2/12/2014



- Site Plan Control Boundary
- City of Kawartha Lakes Boundary
- Teranet Parcel Fabric - Jan 2014

## Site Plan Control Area - Bobcaygeon City of Kawartha Lakes

1:26,500



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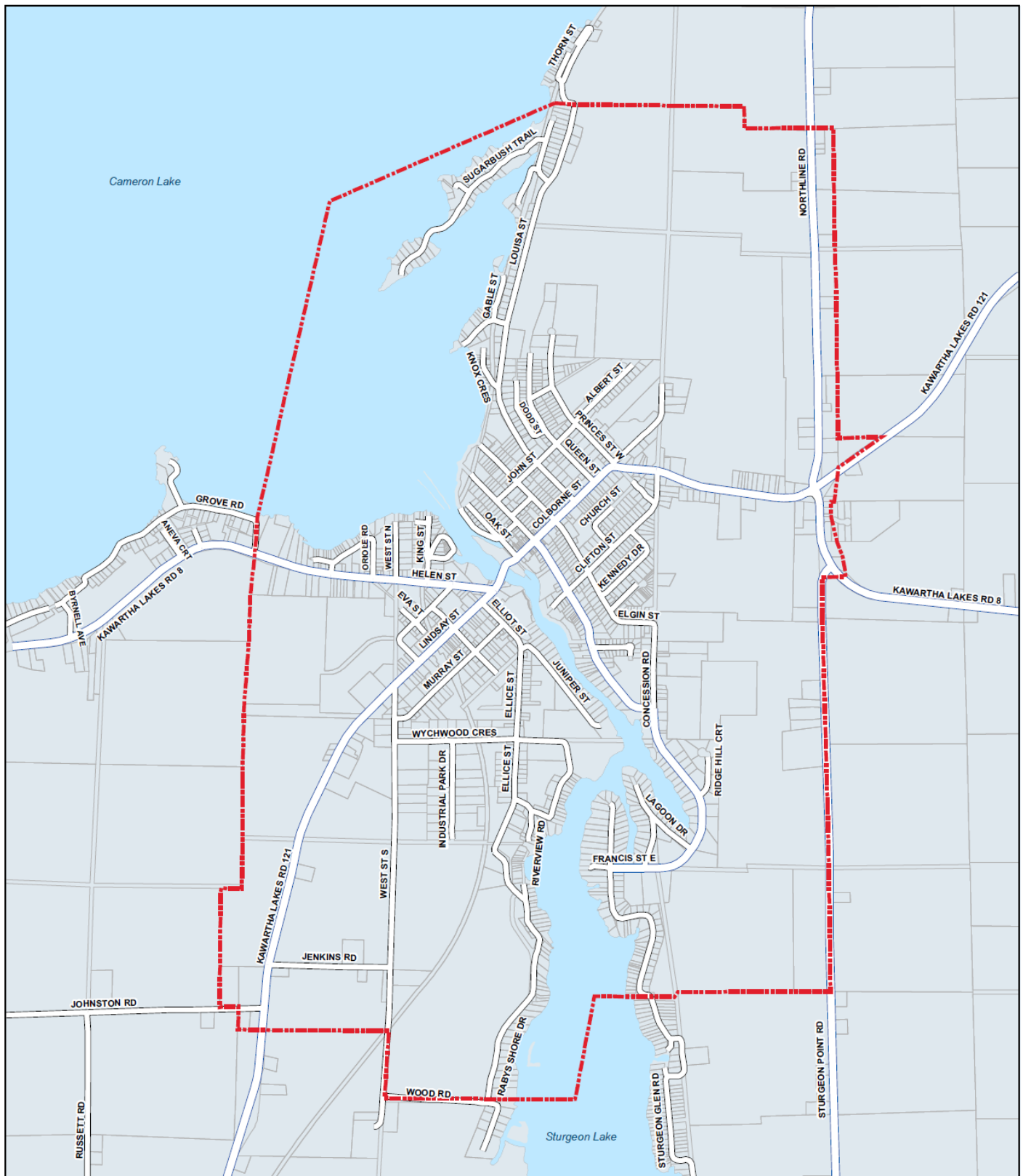
City of

# KAWARTHA LAKES



Catch the Kawartha spirit

Mapping & GIS Division

Date: 2/19/2014



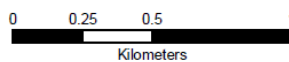
## Site Plan Control Area - Fenelon Falls City of Kawartha Lakes

-  Site Plan Control Boundary
-  Teranet Parcel Fabric - Jan 2014

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1:25,500



City of

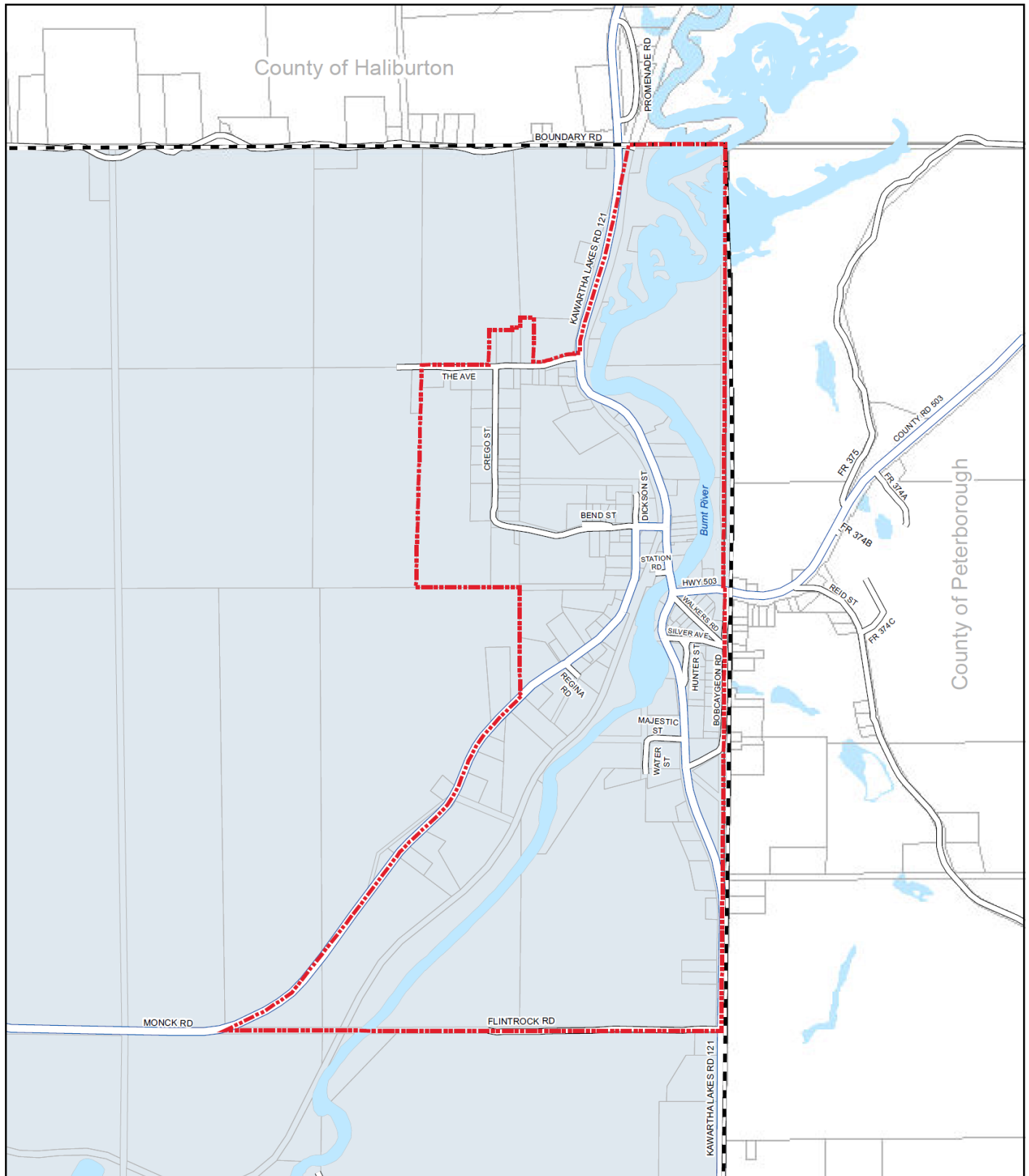
# KAWARTHA LAKES




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Mapping & GIS Division

Date: 2/19/2014



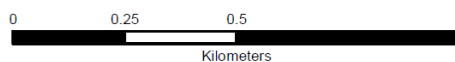
-  Site Plan Control Boundary
-  City of Kawartha Lakes Boundary
-  Teranet Parcel Fabric - Jan 2014

### Site Plan Control Area - Kinmount City of Kawartha Lakes

1:16,000

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City of

# KAWARTHA LAKES

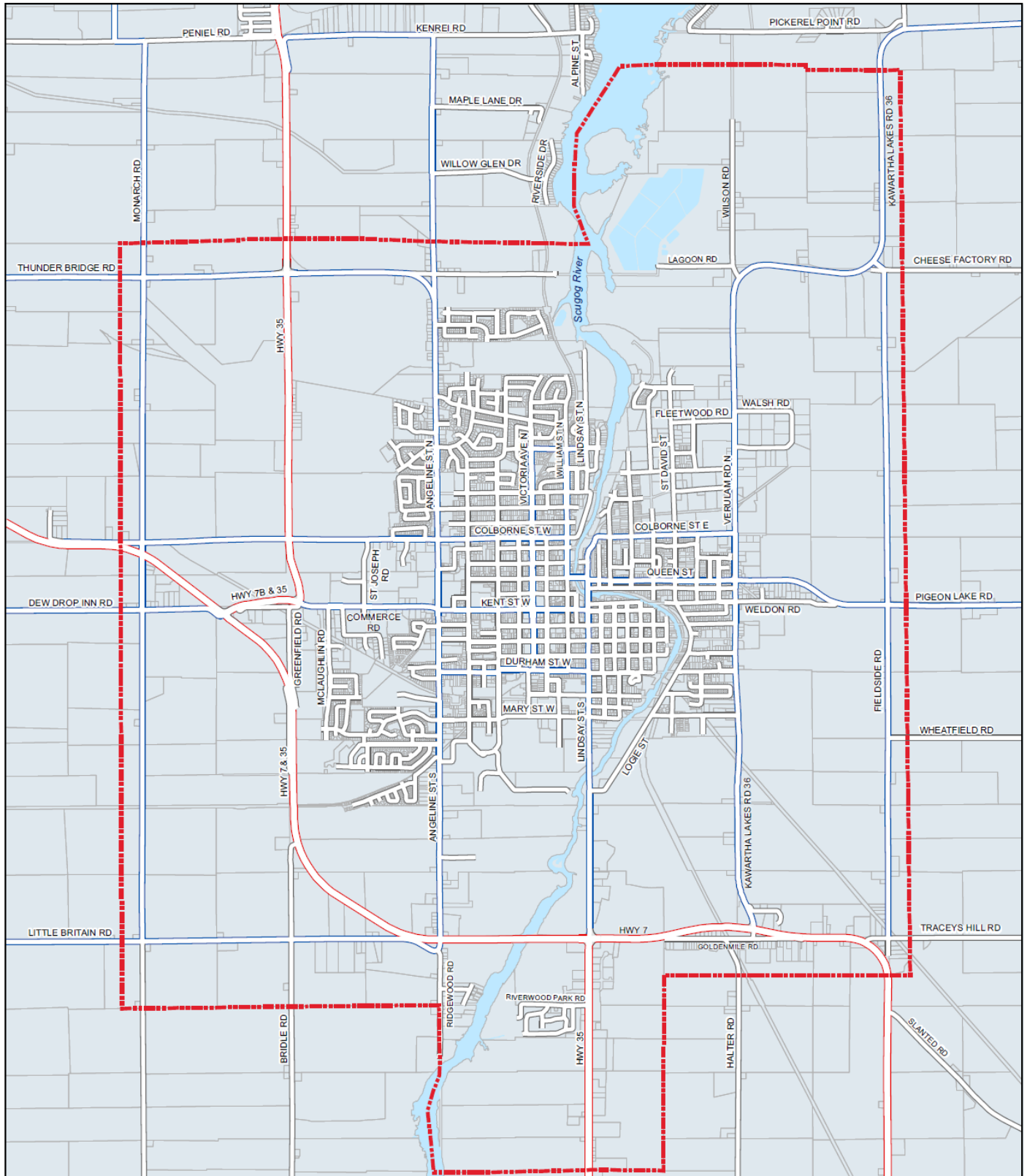
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Mapping & GIS Division

Date: 2/12/2014





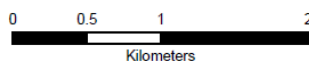
 SitePlan\_Boundary\_-\_Lindsay  
 Teranet Parcel Fabric - Jan 2014


# **Site Plan Control Area - Lindsay** **City of Kawartha Lakes**

1:48,000

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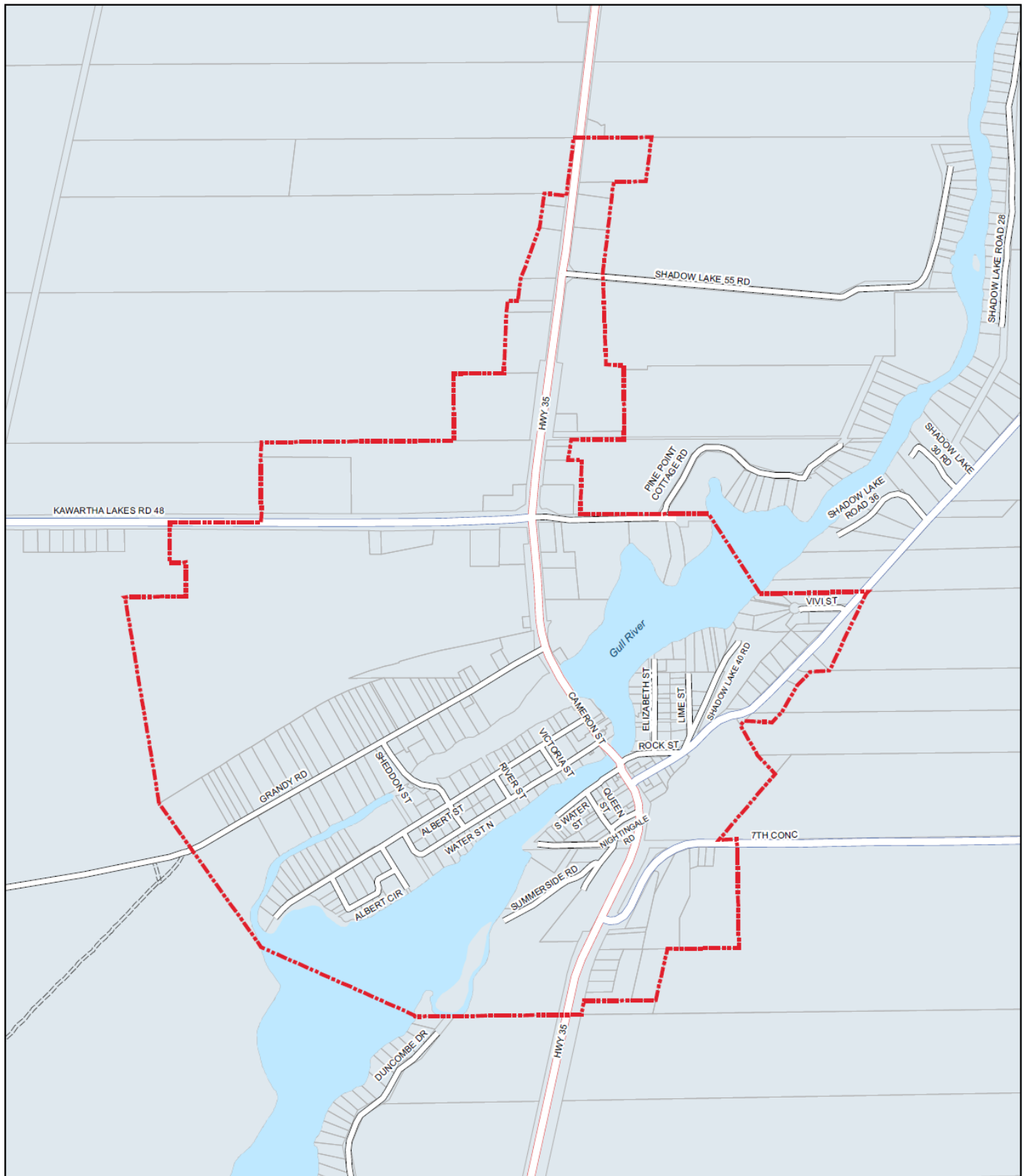




City of  
**KAWARTHA LAKES**  
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Mapping & GIS Division

Date: 2/19/2014



**Site Plan Control Area - Coboconk**  
**City of Kawartha Lakes**

Site Plan Control Boundary  
 Teranet Parcel Fabric - Jan 2014

1:14,000

0 0.125 0.25 0.5  
Kilometers

City of  
**KAWARTHA LAKES**

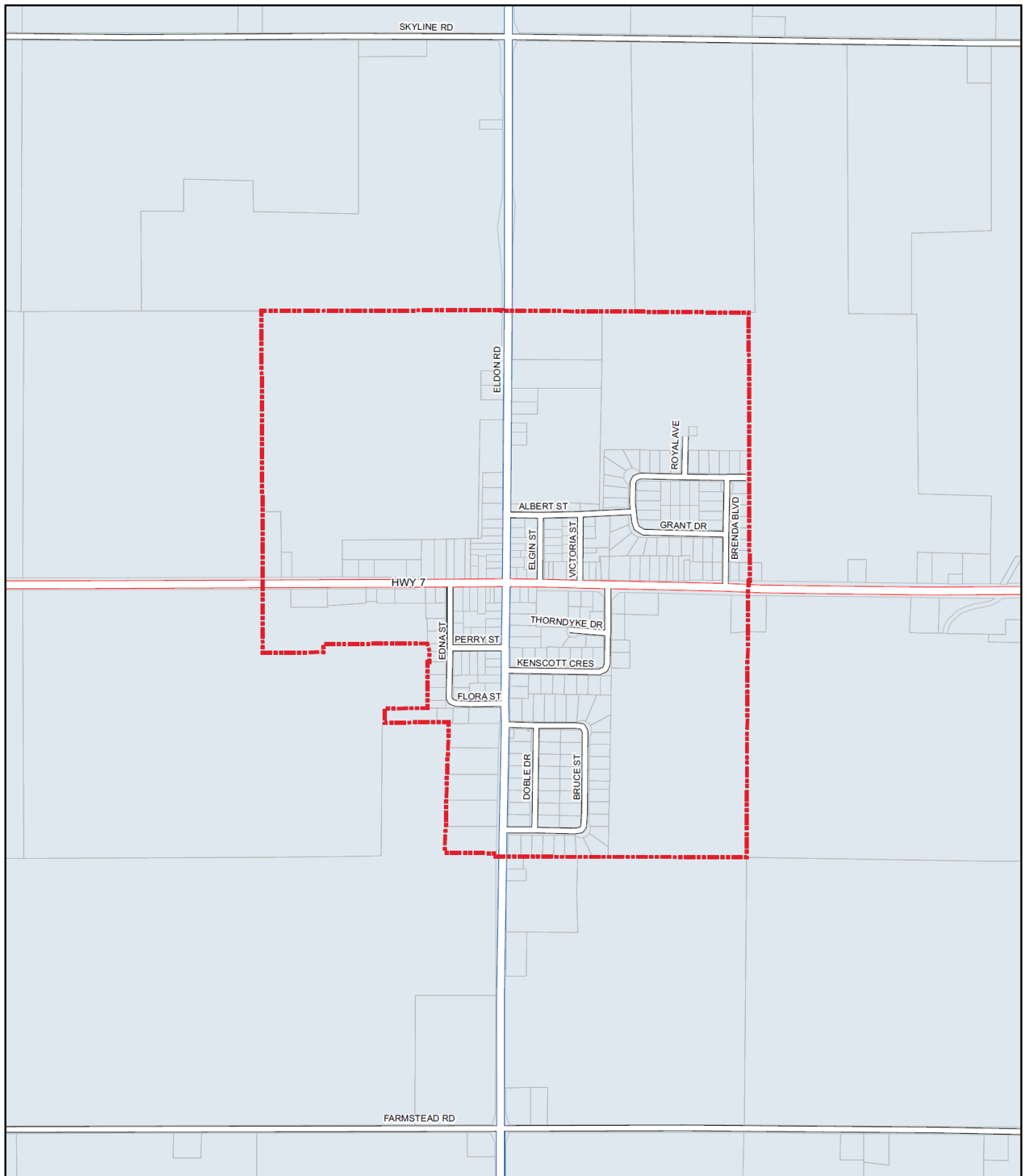
*Catch the Kawartha spirit*

Mapping & GIS Division      Date: 2/12/2014

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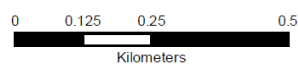
 Site Plan Control Boundary  
 Teranet Parcel Fabric - Jan 2014

# **Site Plan Control Area - Oakwood** **City of Kawartha Lakes**

1:13,000

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City of

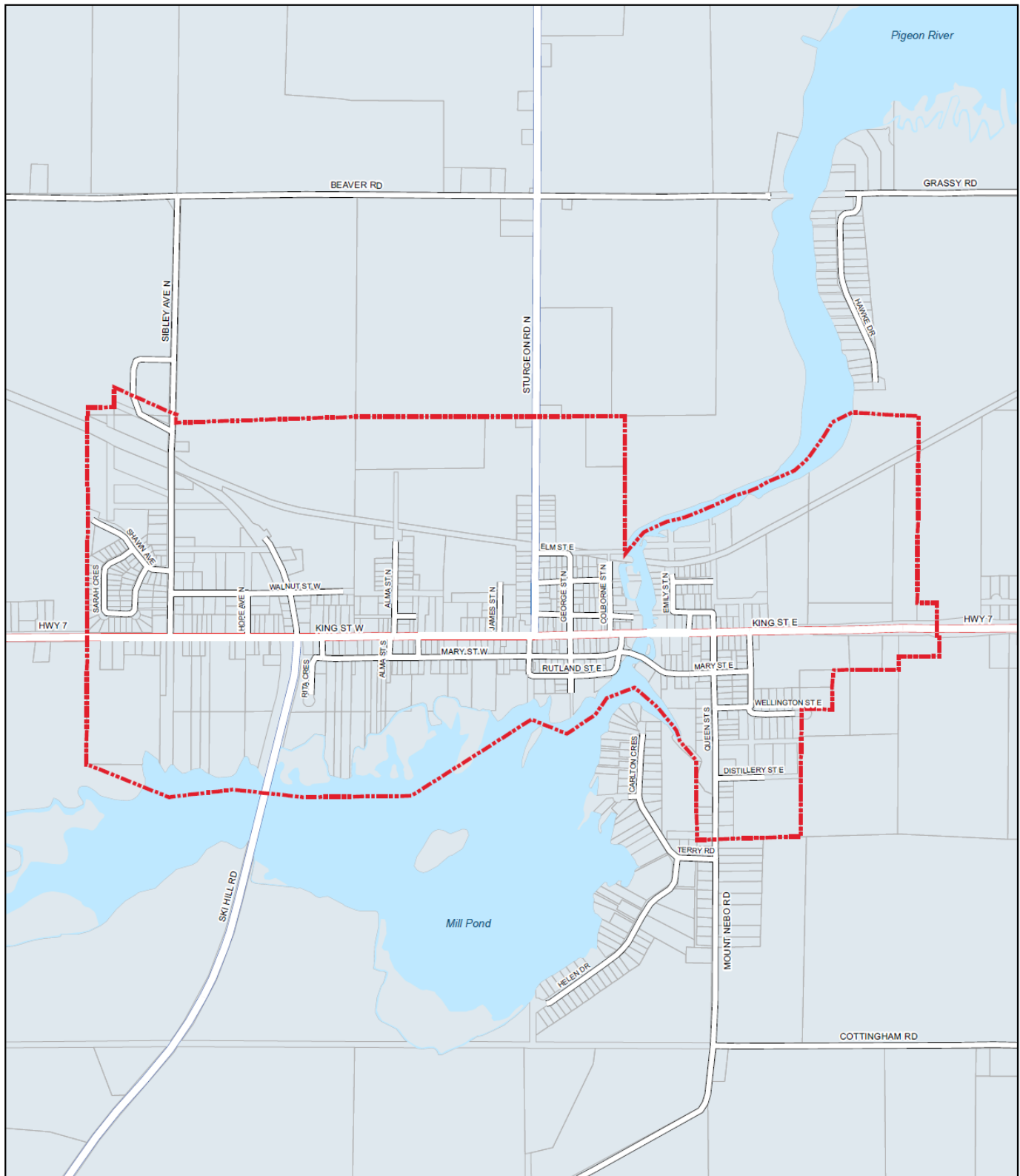
## KAWARTHA LAKES



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Mapping & GIS Division

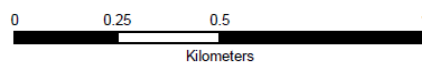
Date: 2/12/2014



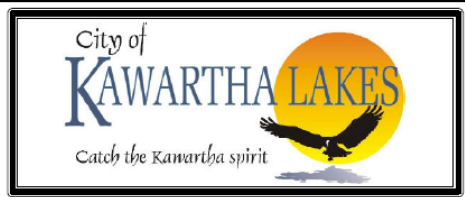
 Site Plan Control Boundary  
 Teranet Parcel Fabric - Jan 2014

### Site Plan Control Area - Omeme City of Kawartha Lakes

1:17,000

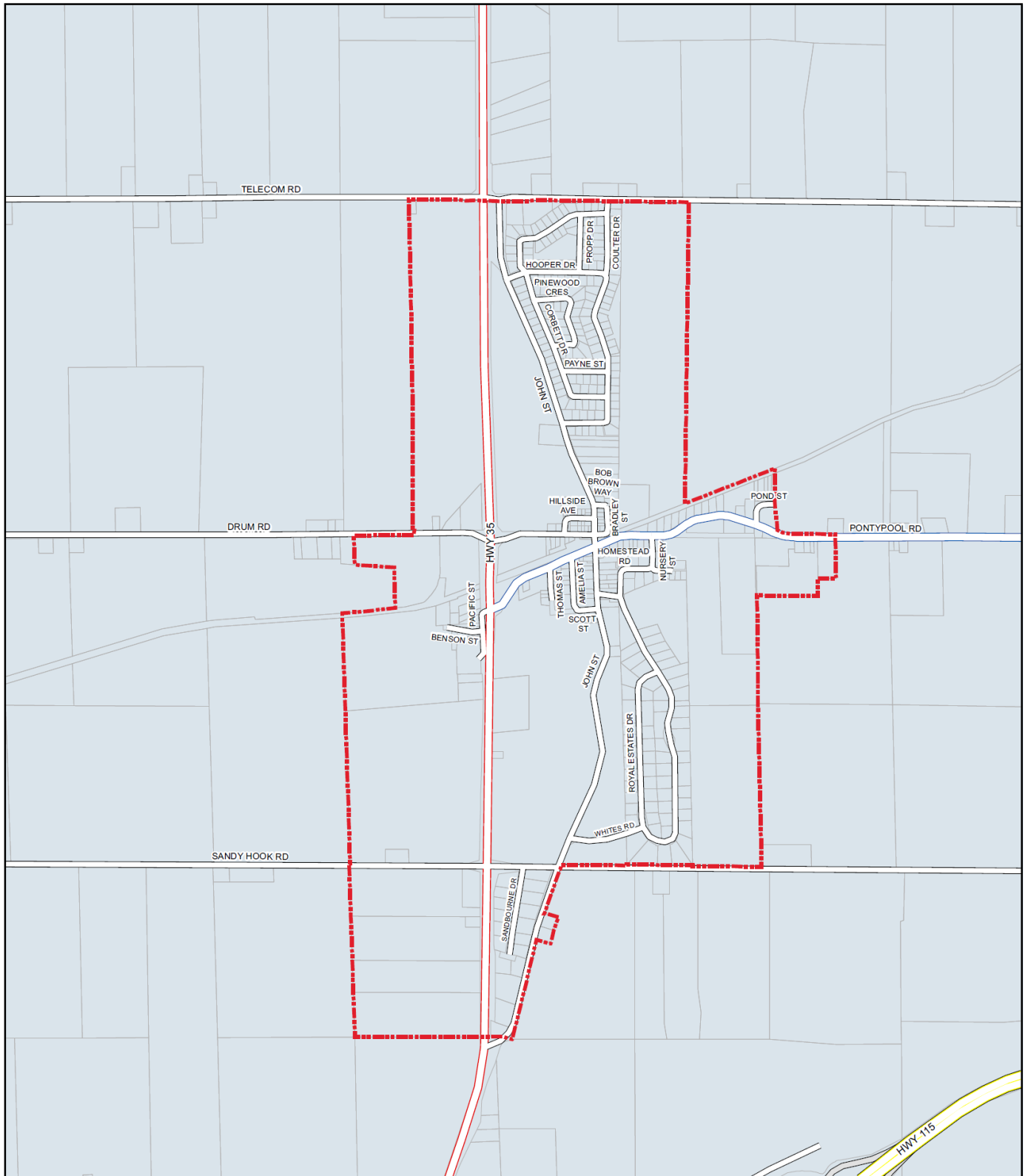


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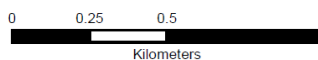
 Site Plan Control Boundary  
 Teranet Parcel Fabric - Jan 2014

### Site Plan Control Area - Pontypool City of Kawartha Lakes

1:22,500

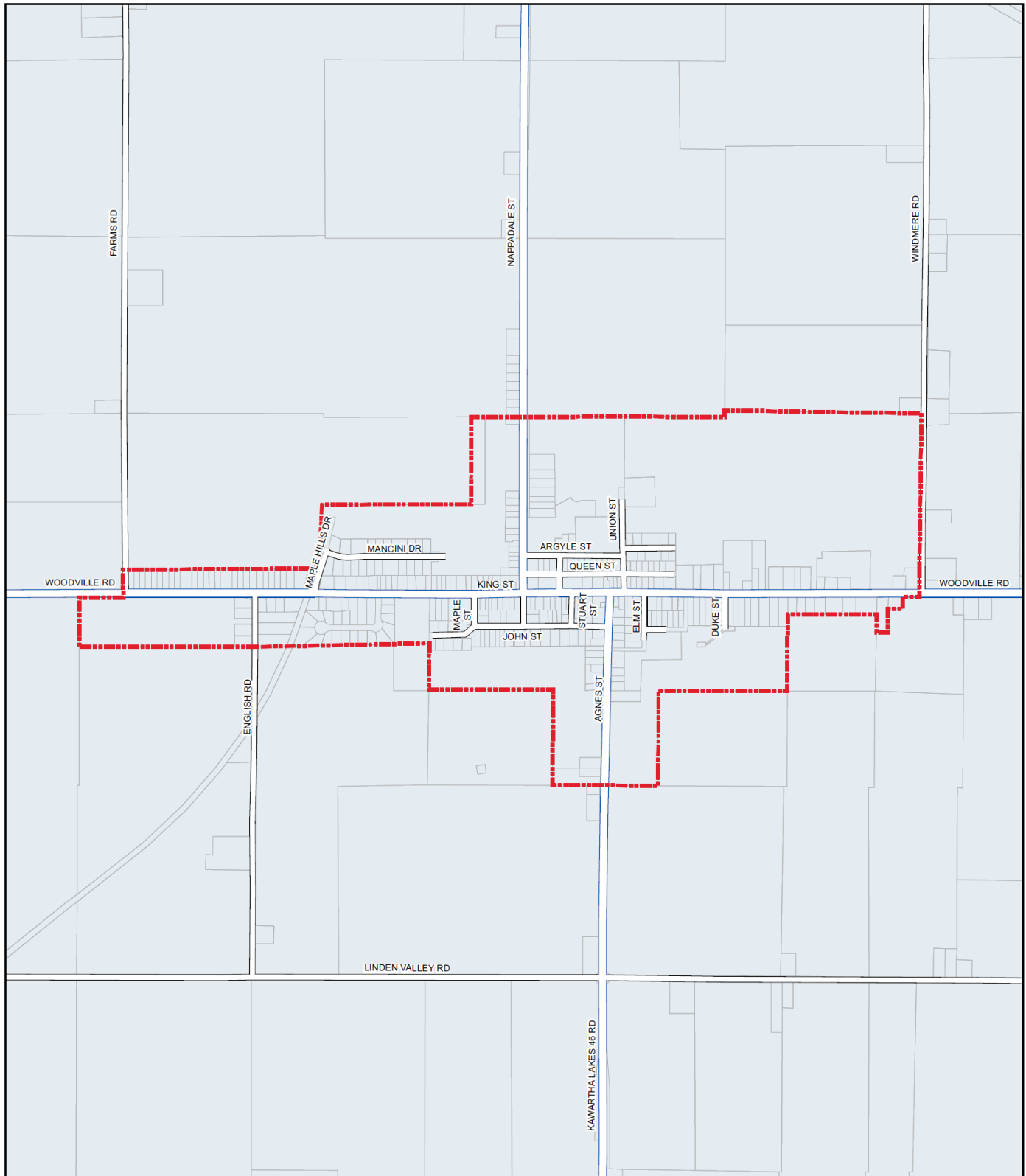
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-  Site Plan Control Boundary
-  Teranet Parcel Fabric - Jan 2014

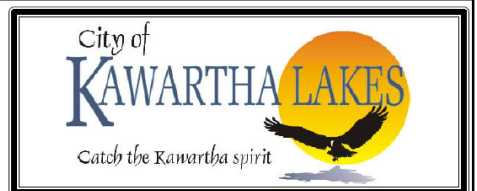
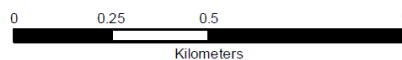
# **Site Plan Control Area - Woodville** **City of Kawartha Lakes**

1:18,000



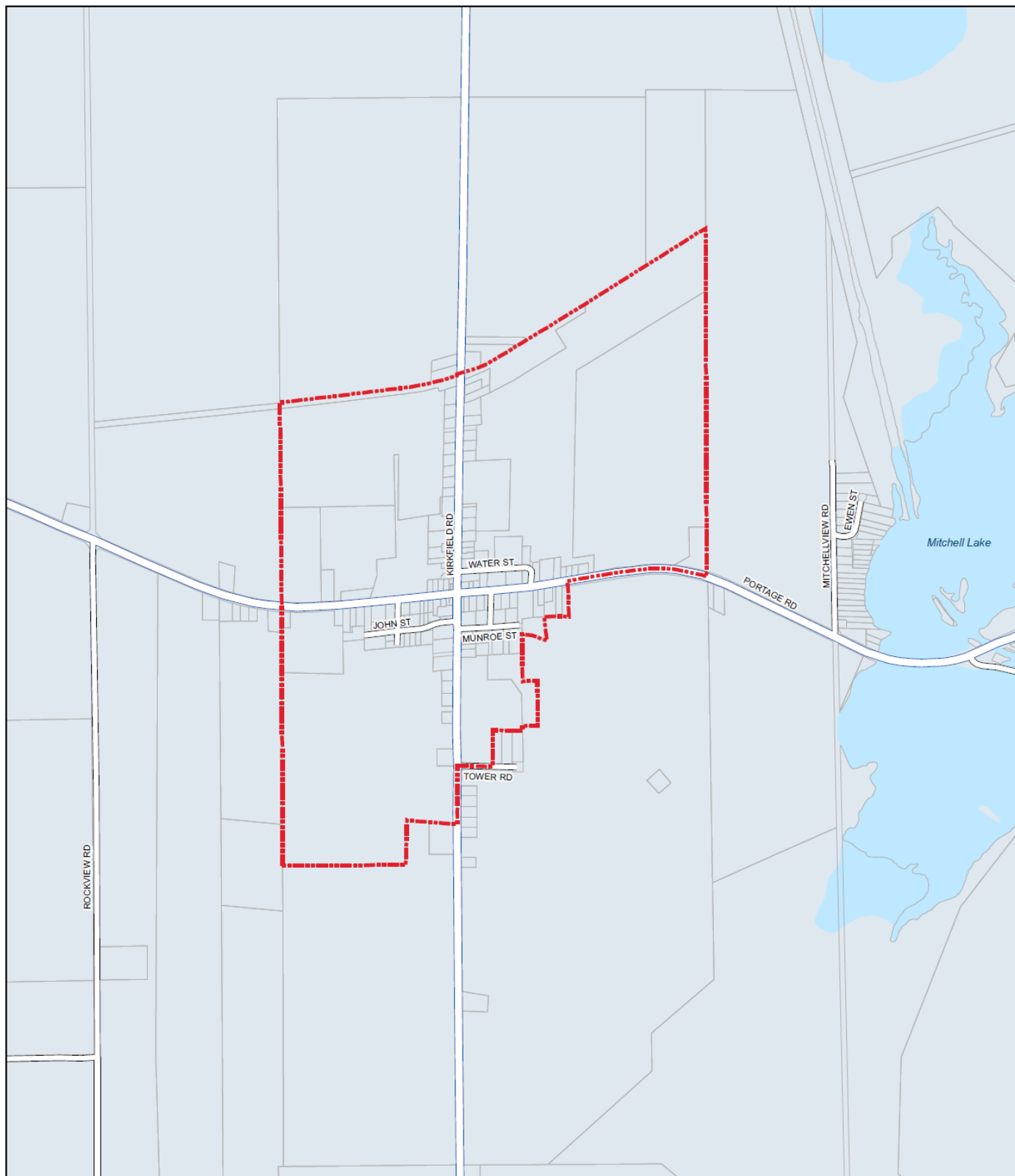
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Site Plan Control Boundary

Teranet Parcel Fabric - Jan 2014

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### Site Plan Control Area - Kirkfield

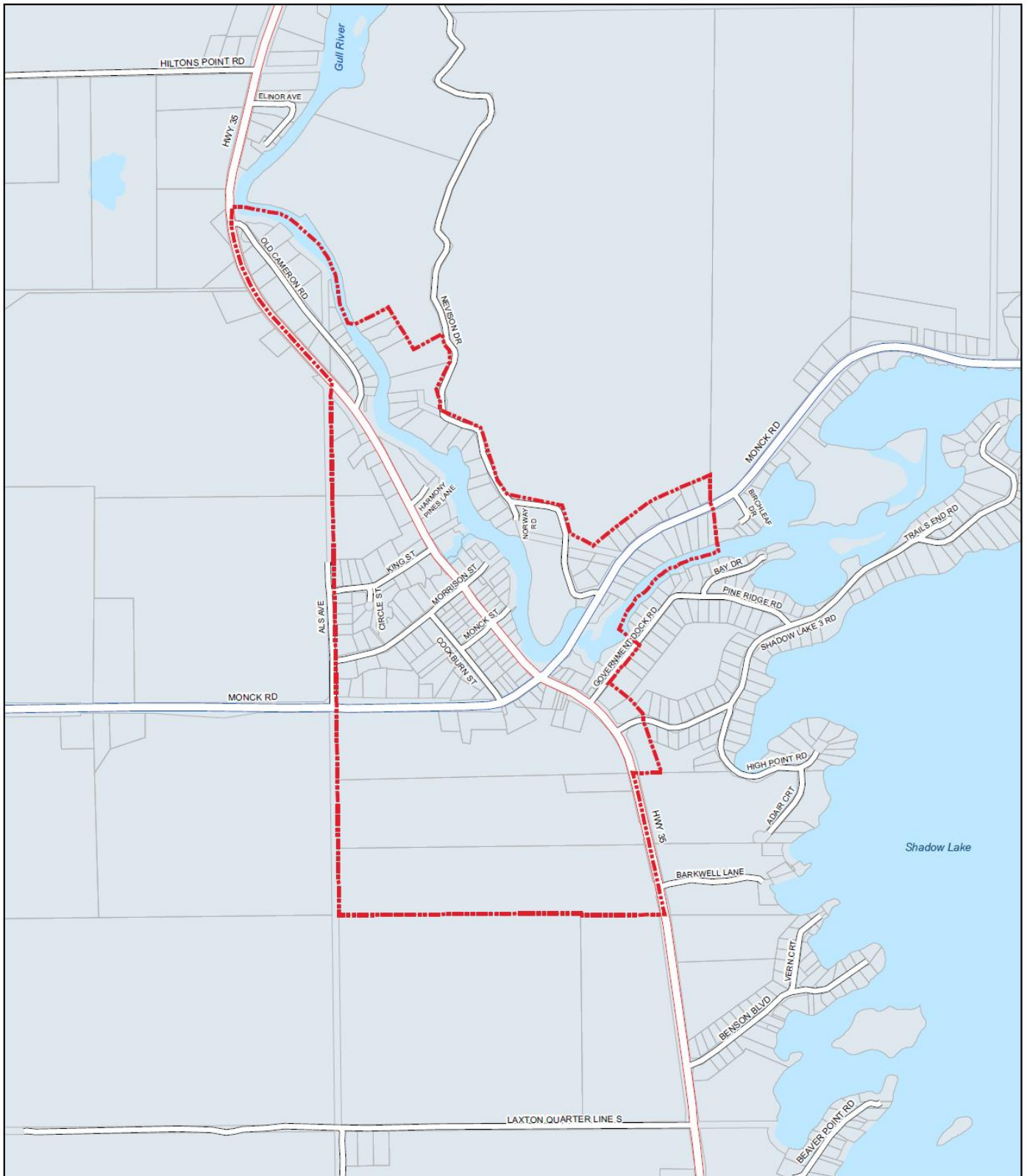
### City of Kawartha Lakes

1:19,000

Kilometers

Mapping & GIS Division

Date: 2/12/2014

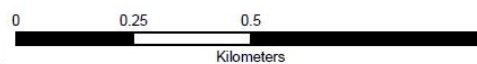


 Site Plan Control Boundary  
 Teranet Parcel Fabric - Jan 2014

### Site Plan Control Area - Norland City of Kawartha Lakes


1:15,000

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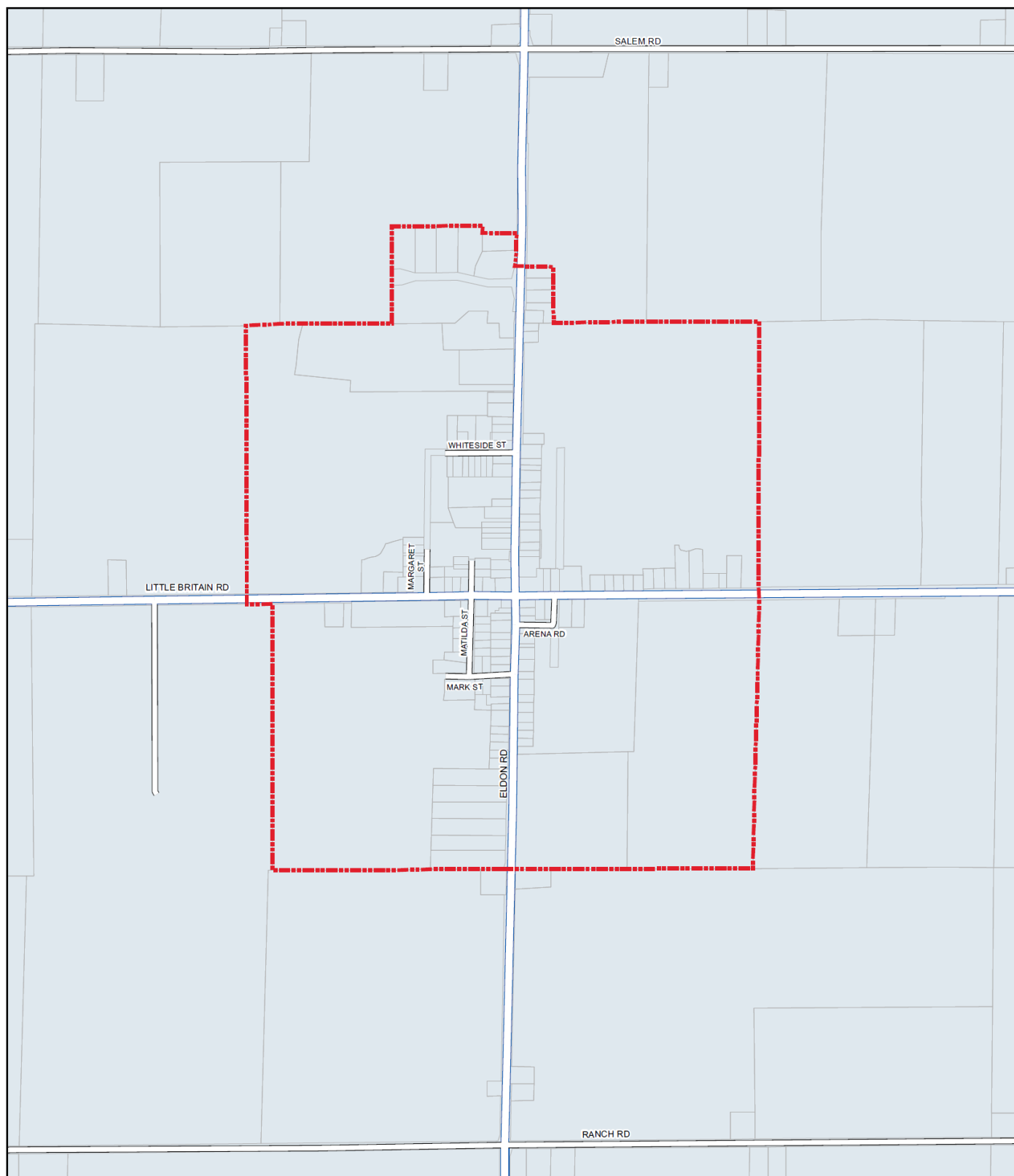
City of  
**KAWARTHA LAKES**

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Mapping & GIS Division

Date: 2/19/2014



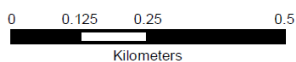
 Site Plan Control Boundary  
 Teranet Parcel Fabric - Jan 2014

### Site Plan Control Area - Little Britain City of Kawartha Lakes

1:13,000

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Mapping & GIS Division

Date: 2/12/2014

**Schedule “B”**  
**By-law 2018-XXX**  
**The Corporation of the City of Kawartha Lakes**

<b>Type of Journey</b>	<b>Start Rate</b>	<b>Per Kilometer Rate</b>
<b>Taxicab Meter Rate for In-Town Journeys</b>	\$3.75	\$3.00
<b>Taxicab Meter Rate for Out-Of-Town Journeys</b>	\$3.75	\$3.00
<b>Taxicab Waiting Rate:</b>	\$0.53 per minute	