

**TOWN OF LACOMBE
BYLAW 178**

Consolidation to July 14th, 2003

A Bylaw of the Town of Lacombe to provide for the licensing of taxi cabs.

"WHEREAS Section 7 (a) of the Municipal Government Act, Chapter M-26, R.S.A. 2000 provides that Council may pass bylaws for the peace, order and good government of the municipality, and for promoting the health, safety, morality and welfare thereof;

AND WHEREAS Section 7 (a) of the Municipal Government Act, Chapter M-26, R.S.A. 2000 provides that Council may do all things with respect to the regulation of any business or industry, including the licensing thereof and the restriction and limitation of its operations;

AND WHEREAS Section 7 (a) of the Municipal Government Act, Chapter M-26, R.S.A. 2000 provides that Council may pass bylaws licensing, regulating and controlling the taxi business;" (07/14/03)

AND WHEREAS Council deems it advisable to adopt a controlled entry form of licensing for taxis;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF LACOMBE, IN THE PROVINCE OF ALBERTA, ENACTS AS FOLLOWS:

TITLE AND DEFINITIONS

1. This Bylaw shall be known as "The Taxi-Business Bylaw".
2. In this Bylaw:
 - a. "Act" means the Municipal Government Act, as amended or replaced;
 - b. "Applicant" means a person who applies for a license or renewal of a license required by this Bylaw;
 - c. "Broker" means a person to whom a taxi broker license has been issued;
 - d. "Bylaw Enforcement Officer" means Bylaw Enforcement Officer of the Town;
 - e. "Town" means the Corporation of the Town of Lacombe or the area contained within the Town boundary as the context requires;
 - f. "Council" means the Municipal Council of the Town;
 - g. "licensee" means a person holding a valid and subsisting license issued pursuant to this Bylaw;
 - h. "License Inspector" means the Bylaw Enforcement Officer for the Town;
 - i. "Licensed Mechanic" means the holder of a Certificate of Proficiency as a motor mechanic or a heavy duty mechanic issued pursuant to the Tradesmen's Qualification Act (Alberta);
 - j. "Limousine" means a luxury class taxi cab
 - k. "Mechanical Fitness Report" means a report in form approved by the License Inspector and signed by a Licensed mechanic, which report shall contain such information as the License Inspector may require and certify that the taxi is safe, fit and suitable for use as a taxi, including information as to the safety and condition of the steering mechanism, brake system, body work and windows, electrical light and signal systems, exhaust system and tire wear and condition, and that such taxi is in good condition and repair and suitable for conveyance of persons;

- l. "Motor Vehicle" means a motor vehicle as defined in the Traffic Safety Act 2000 as amended or replaced; (07/14/03)
- m. "Operate" means to drive or operate a taxi whether such taxi is involved in the carriage of passengers or not;
- n. "Peace Officer" means a member of the Town Police;
- o. "Person" means a natural person or a body corporate and includes a partnership, a group of persons acting in concert, or an association, unless the context explicitly or by necessary implication otherwise requires;
- p. "Registered Owner" means a person who is the owner of a motor vehicle, or who is purchasing a motor vehicle under a lease-option to purchase, or similar purchase agreement;
- q. "Taxi Business" means the business of operating taxis and includes the business of accepting calls for the dispatch of taxis and the business of dispatching taxis;
- r. "Taxi Broker's License" means a license issued by the License Inspector under this Bylaw, authorizing a person to carry on the business of:
 - i. operating taxis; and/or
 - ii. accepting calls for the dispatch of taxis and dispatching taxis;
- s. "Taxi" and "Taxicab" means a motor vehicle which is kept for hire with a driver and is required by the Motor Transport Act and regulations thereto to be issued with a liveryman's certificate;
- t. "Taxi Driver" means any person who is licensed to operate a taxi;
- u. "Taxi Driver's License" means the license issued under this Bylaw authorizing the person named therein to drive a taxi;
- v. "Taxi License Plate" means the Town Identification Plate issued under this Bylaw for attachment to a Motor Vehicle licensing such vehicle for use as a Taxi;
- w. "Taxi Meter" means a mechanical apparatus or device for automatically measuring and registering the distance at the rate specified in this Bylaw;

LICENSING OF TAXI BUSINESSES

- 3. No taxi broker's license shall be issued to any person unless such person;
 - a. has available to him or her at least one (1) licensed taxi for use in the operation of the taxi Business;
 - b. has supplied a list of the motor vehicles which will be used in the operation of the taxi business
- 4.
 - 1. Any person, other than a corporation, desiring to obtain a taxi broker's license or to renew such license, shall make application therefore to the License Inspector.
 - 2. The application shall be in writing in a form to be supplied by the License Inspector, shall be signed by the applicant, and shall include the following information:
 - a. the full and correct name, address and telephone number of the applicant;
 - b. the social insurance number of the applicant; and
 - c. a list of all convictions of the Applicant for any offenses under the laws of Canada or of any of its Provinces or Territories, or of the person's country of origin before residing in Canada.

5.
 1. If the applicant for a taxi broker's license is a corporation, then such corporation shall make an application therefore to the License Inspector.
 2. The application shall be in writing and in a form to be supplied by the License Inspector, shall be signed by all the Corporate Officers of the applicant, and shall include the following information:
 - a. the full and correct name, business address and telephone number of the applicant;
 - b. full particulars of incorporation;
 - c. the full and correct name, address and telephone number of all the shareholders and directors; and
 - d. a list of all convictions of the applicant, its shareholders and directors for any offenses under the laws of Canada or of any of its Provinces, or Territories, and under the laws of the country of origin of the applicant and of its shareholders and directors before their residing in Canada.
6. The application shall be delivered to the License Inspector in the year for which the license is requested and shall include: (03/09/98)
 - a. payment of the fee required in Schedule "A";
 - b. proof that the applicant qualifies for a taxi broker's license under section 3(a); and
 - c. the list of the motor vehicles required under section 3(b).
7.
 1. A taxi broker's license shall be valid only to December 31 in the year during which it is issued.
 2. All taxi broker's licenses are the property of the Town and shall not be sold, assigned or transferred to any person except in accordance with this by-law.
8.
 1. Should the broker subsequently cease to meet the requirements of section 3(a), then the taxi broker's license is deemed to be automatically revoked.
 2. No broker shall operate a taxi business which does not meet the requirements of section 3(a).
9. The broker shall inform the License Inspector within seventy-two (72) hours of any additions or deletions from the list of vehicles required under section 3(b), which are used in the operation of the taxi business. Any person shall have the right to obtain a copy of a list of all of the vehicles affiliated with a broker on application to the License Inspector and on payment of the fee specified in Schedule A. (03/09/98)
10. deleted (03/09/98)
11. deleted (03/09/98)
12. No taxi broker's license shall be issued to a corporate broker, and no taxi license plate shall be issued to a corporate broker or corporate taxi licensee where:
 - a. all or any of the shareholders of such applicant are the shareholders of any other corporate applicant; or
 - b. any of the shareholders of such applicant hold the shares issued to them in trust for another applicant or the shareholders of another applicant.

TRANSFER OF BROKER'S BUSINESS

13.

1. Should a broker desire to sell or dispose of its taxi business either by a sale of the business or its business assets; or, if a corporation, by the sale of its shares, it shall forthwith notify the License Inspector of the name of the proposed purchaser and the proposed date of such sale.
2. The proposed purchaser shall apply for a taxi broker's license and provide to the License Inspector all information required under this By-law.
3. If the proposed purchaser is eligible to receive a taxi broker's license then, subject to:
 - a. the payment of the fees required in Schedule "A"; and
 - b. delivery by the selling broker of its taxi broker's license to the License Inspector for unconditional cancellation; and
 - c. delivering all taxi license plates held by the selling broker:

the License Inspector shall issue to the purchaser a taxi broker's license and reissue the taxi license plates for each taxi then owned by the purchaser.

LICENSING OF TAXIS

14.

1. The maximum number of taxi license plates which may be issued each year under this By-law (the "licenses available") shall be one (1) license per five hundred (500) persons of town population based on the population of the Town determined in the last annual census. (03/09/98)
2. Subject to Section 15, the licenses available will be issued to qualified applicants in the following order of priority:
 1. qualified applicants other than brokers;
 2. to brokers.
3. If more applications are received from qualified applicants than the number of licenses available, the allocation of licenses shall be made by a draw conducted by the License Inspector.
4. deleted (03/09/98)
5. deleted (03/09/98)
6. Temporary licenses may be issued upon approval by the License Inspector for a one (1) week period. Applications must be made one (1) month in advance to proposed usage. All standards and regulations identified in this by-law must be adhered to for the temporary license. Fees, as outlined in Schedule 'A' shall apply.

15.

1. Not more than six (6) taxi license plates shall be issued to a broker. (01/26/01)
2. Not more than one (1) taxi license plate shall be issued to a taxi licensee.

16.

1. Any person who wishes to obtain a taxi license plate shall deliver to the License Inspector in the year for which the taxi license plate is requested, an application in writing in a form supplied by the License Inspector, signed by the applicant, and include the following information and material: (03/09/98)
 - a. the full and correct name, address and telephone number of the applicant;

- b. evidence that the applicant:
 - i. is the registered owner of a motor vehicle proposed for use as a taxi;
 - ii. is the holder of a valid livery license or has the use of a valid livery license issued by the Government of the Province of Alberta;
 - iii. is the holder of valid insurance for the operation of the vehicle as a taxi; and
 - c. a Mechanical Fitness Report for such motor vehicle and produces such motor vehicle for inspection by the License Inspector;
 - d. payment of the fee required in Schedule 'A';
 - e. the name of the broker with which the vehicle will be operated;
 - f.
 - i. the full particulars of incorporation;
 - ii. the full and correct name, address and telephone number of all the shareholders and directors.
2. No taxi license plate shall be issued without compliance with Section 16(1)(c) and unless the License Inspector is satisfied that the motor vehicle is safe, fit and suitable for use as a taxi.
17. No taxi license plate shall be renewed in any subsequent calendar year without compliance with Section 16. (03/09/98)
- 18.
- 1. A taxi licensee operating a taxi under affiliation with a broker shall, upon the termination of such affiliation, cease to operate the motor vehicle as a taxi and shall return the taxi license plate to the License Inspector.
 - 2. Should the taxi licensee enter into a new affiliation agreement with a broker, then the taxi licensee shall furnish to the License Inspector such information as the License Inspector may require. Upon compliance with all provisions of this Bylaw, the change in affiliation shall be recorded and the taxi license plate will be reissued.
19. If a broker ceases to be the holder of a valid taxi broker's license, then the broker and any person holding a taxi license plate in respect to a taxi used in the operation of that broker's business shall cease to operate such taxi and shall return the taxi license to the License Inspector.
20. A taxi license plate shall be valid only to December 31 in the year during which it was issued.
21. Taxi license plates and any other plates or insignia required by the Provincial law or regulations shall be located on the taxi where directed by the Town or the Government of Alberta.
22. All taxi license plates are the property of the Town and shall not be sold, assigned or transferred to any person except in accordance with this By-law.

TRANSFER OF TAXI LICENSE PLATES TO ANOTHER VEHICLE

- 23.
- 1. Should a taxi licensee desire to substitute another motor vehicle for any taxi for which taxi license plates have been issued, such licensee shall deliver to the License Inspector the taxi license plates issued for such taxi, together with such information concerning the motor vehicle to be substituted as the License Inspector may require, including a Mechanical Fitness Report.

2. When the License Inspector is satisfied that the motor vehicle proposed to be substituted complies with this By-law and is safe, fit and suitable for use as a taxi, he shall, upon payment by the taxi licensee of the fee required in Schedule 'A', reissue to the taxi licensee the taxi license plate for the motor vehicle so substituted. Notwithstanding the foregoing, no taxi license plate shall be reissued if by so doing, the taxi licensee would hold more taxi license plates than the number permitted by Section 15 (1).

TRANSFER OF TAXI LICENSE PLATES TO ANOTHER PERSON

24.

1. Should a taxi licensee desire to transfer his taxi and the taxi license plate for such taxi to another person, such licensee shall deliver to the License Inspector the taxi license plate issued for such taxi, together with such information concerning the proposed transferee as the License Inspector may require.
2. The proposed transferee shall make application to the License Inspector for the transfer of the taxi license plate.
3. No transfer of a taxi license plate shall be approved unless:
 - a. the proposed transferee complies with the requirements of Section 16; and
 - b. the proposed transferee has paid the fee required in Schedule 'A'.
4. If a transferee who has acquired a taxi license plate from a broker later surrenders such taxi license plate to the Town, the License Inspector shall give notice of surrender to the transferring broker. Subject to Section 15(1), the transferring broker shall, upon application to the License Inspector within three months of the date of receiving notice of the surrender of the taxi license plate shall be entitled to have the taxi license plate reissued to such broker.

LICENSING OF TAXI DRIVERS

25.

1. Any person who wishes to obtain a taxi driver's license or to renew such license, shall apply to the License Inspector in writing in a form supplied by the License Inspector, signed by the applicant, and including the following information:
 - a. the full and correct name, address and telephone number of the applicant;
 - b. the physical description of the applicant;
 - c. the Social Insurance Number of the applicant;
 - d. a list of all convictions of the applicant for any offenses under the laws of Canada or of any of its provinces, or territories, or country of origin before residing in Canada;
 - e. a declaration of any physical or medical disability of the applicant;
 - f. a list of all the provinces or territories in Canada in which the applicant has at any time been issued a license to operate a motor vehicle;
 - g. a letter from the broker confirming applicant's affiliation with such broker;
 - h. evidence that the applicant is properly licensed to operate a motor under the laws of the Province of Alberta;
 - i. a copy of the applicant's driving abstract from the Motor Vehicles Branch of the Solicitor General's Office for the Province of Alberta;
 - j. evidence that the applicant has completed a driver improvement course recognized by the Town for the initial application only, or for subsequent

applications when a taxi driver's license lapses for one (1) year or has been revoked by the License Inspector.

26. A taxi driver's License shall be valid to December 31 in the year during which it is issued.

27. Each taxi driver shall, at all times when in charge of a taxi:

- a. prominently display his taxi driver's license in such a position inside the taxi that is clearly visible to all passengers in the taxi;
- b. be neatly dressed, clean, well-behaved and courteous to passengers;
- c. not permit to be carried in his taxi, at any time, a greater number of passengers than the proper seating capacity;
- d. after completion of every trip, check the taxi and if he finds any article lost or left therein, deliver the same to the broker for return to the owner, if known. If the owner is not known, the broker shall deliver the article to the Town Police Department. If unclaimed after ninety (90) days, such article shall be returned to the broker for return to the taxi driver;
- e. unless otherwise directed by a passenger, drive passengers by the most direct practicable route to their destination; and
- f. whenever requested by a passenger, issue a receipt for the amount of the taxi fare paid by such passenger.

LIMOUSINES

28. Sections 3(a), 8(2), 9 and 17 do not apply to an applicant for a taxi broker's license or a limousine service.

29. No person operating a limousine shall:

- a. operate on a fixed or schedule route;
- b. pick up passengers in a taxi zone; or
- c. cruise Town streets looking for chance passengers.

REGULATIONS RESPECTING TAXI CONDITIONS

30. A taxi licensee shall once every 6 months following the issuance of the taxi license plate, have a complete mechanical inspection made of the taxi by a licensed mechanic and provide a Mechanical Fitness Report to the License Inspector.

31. If a Mechanical Fitness Report does not certify that a taxi is safe, fit and suitable for such use, no person shall permit the taxi to be operated as a taxi unless and until all deficiencies have been corrected and repaired and a further Mechanical Fitness Report for such taxi confirming the repairs and certify that it is safe, fit and suitable for use as a taxi has been delivered to the License Inspector.

32.

1. The License Inspector may require a taxi to be inspected by a licensed mechanic designated by the Town, at such time and place as the License Inspector may designate.
2. The taxi licensee shall deliver such taxi at the time and place so designated.

33. All costs of inspection of a taxi shall be paid by the taxi licensee.

34. No person shall obstruct or interfere with any inspection that may be required under this By-law.

35. Upon completion of inspection, a Mechanical Fitness Report, including confirmation of repairs made, shall be delivered forthwith to the License Inspector.

36.

1. The taxi licensee shall at all times ensure that the taxi for which the taxi license plate is held is clean and in good interior condition, and that it is mechanically maintained so that it is at all times safe, fit and suitable for use as a taxi.
2. The broker shall at all times ensure that all taxis owned by or affiliated with him under his taxi broker's license are clean and in good interior condition, and that they are mechanically maintained so that all are safe, fit and suitable for use as a taxi.

37.

1. No broker shall operate or permit the operation of a taxi in its business which a licensed mechanic is unable to certify to be safe, fit and suitable for use as a taxi.
2. No taxi licensee shall operate or permit the operation of a taxi which a licensed mechanic is unable to certify to be safe, fit and suitable for use as a taxi.
3. No taxi licensee shall disconnect the odometer or speedometer of any licensed vehicle he/she is operating, nor shall a taxi licensee operate a vehicle in which the odometer or speedometer has been disconnected.

38. Each driver shall keep or cause to be kept a record on a form approved by the License Inspector showing:

- a. the time and date when each customer is picked up;
- b. the location at which each customer is picked up; and
- c. the destination at which each customer is discharged.

39. Each broker, taxi licensee or taxi driver shall, upon the demand of a Peace Officer, License Inspector or By-law Enforcement Officer produce any permit, identification card, registration card, license or other document which such licensee may, from time to time, be required to produce or possess by this By-law or which has been issued to the licensee under this By-law.

40. No broker and no taxi licensee shall suffer, allow or permit a radio scanner or any device capable of monitoring the radio signals of any other broker or taxi licensee to be installed or carried in any taxi.

41. Roof top advertising display units may be placed on the roof of a taxi subject to the following requirements:

- a. signs must be a standard manufactured unit and must display advertising visible only from the side of the vehicle;
- b. illumination of advertising shall not exceed forty (40) watts and shall be non-flashing;
- c. advertising messages shall not exceed fifteen (15) inches in height;
- d. advertising should be of good taste, subject to approval of the License Inspector;
- e. advertising sign shall display the word "taxi" visible to the front and rear of the taxi.

POWERS OF THE LICENSE INSPECTOR AND PEACE OFFICERS

42. The License Inspector is hereby authorized and empowered to:

- a. refuse to issue, renew or transfer any taxi broker's license where the applicant or broker does not, in the opinion of the License Inspector, comply with the requirements of this By-law;

- b. revoke or suspend a taxi broker's license if, in the opinion of the License Inspector, the broker has not complied with the requirements of this By-law;
 - c. refuse to issue, renew or transfer any taxi license plate for any taxi which, in the opinion of the License Inspector, does not comply with the requirements of this By-law;
 - d. revoke or suspend a taxi license plate for any taxi which, in the opinion of the License Inspector, does not comply with the requirements of this By-law;
 - e. refuse to issue a taxi driver's license to any person or to renew a taxi driver's license issued to any person under this By-law:
 - i. where that person has a driving record which, in the opinion of the License Inspector, makes him unfit to operate a taxi; or
 - ii. where the character, conduct or state of health of that person is such that he is, in the opinion of the License Inspector, unfit to drive a taxi;
 - f. revoke or suspend a taxi driver's license:
 - i. where the taxi driver acquires a driving record which, in the opinion of the License Inspector, makes him unfit to drive a public conveyance; or
 - ii. where the character, conduct or state of health of the taxi driver is such that he is, in the opinion of the License Inspector, unfit to drive a public conveyance; or
 - iii. where the taxi driver does not, in the opinion of the License Inspector, comply with the requirements of this By-law; or
 - iv. if a taxi driver's license was issued to a person who is enrolled in an approved driver improvement course and such person does not complete and pass such a course within thirty (30) days of the date of application for license;
 - g. revoke or suspend any license when, in the opinion of the License Inspector, the holder of that license has breached any provision of this By-law;
 - h. prescribe and authorize the forms, license and certificates to be used or issued under this By-law.
43. A suspension of any license by the License Inspector may be:
- a. for a period of time not exceeding the un-expired term of the license; or
 - b. where the suspension is for non-compliance with this By-law, until the requirements of the By-law, in the opinion of the License Inspector, have been met.
44. Any license issued under this By-law may be revoked or suspended by the License Inspector for non-compliance with the requirements of this By-law notwithstanding that the holder of that license has not been prosecuted for a contravention of the By-law.
45. A Peace Officer is authorized and empowered to:
- a. suspend a taxi license plate with respect to any taxi which does not, in the opinion of the Peace Officer, comply with this By-law;
 - b. suspend a taxi driver's license under this By-law:
 - i. where the taxi driver has a driving record which, in the opinion of the Peace Officer, makes him unfit to drive a public conveyance; or
 - ii. where the character, conduct or state of health of the taxi driver is such that he is, in the opinion of the Peace Officer, unfit to drive a public conveyance; or

- iii. where the taxi driver does not, in the opinion of the Peace Officer, comply with the requirements of this By-law.
46. Where a taxi license plate or a taxi driver's license is suspended by a Peace Officer, the Peace Officer shall, as soon as practically possible, forward to the License Inspector notification of the suspension and the reasons theretofore.
47. The suspension of a taxi license plate or a taxi driver's license by a Peace Officer shall not exceed seventy-two (72) hours.
48. Any decision of the License Inspector may be appealed by a person affected thereby to the Council of the Town by written notice delivered by the applicant to the Town Manager not later than thirty (30) days following such decision.

OFFENSES AND PENALTIES

49. No person shall carry on a taxi Business without being the holder of a valid and subsisting taxi broker's license.
50. No person shall operate or permit a motor vehicle to be operated as a taxi unless a taxi license plate has been issued for that motor vehicle.
51. No broker or taxi licensee shall, either directly or indirectly, permit any person to operate a taxi which is affiliated with the broker or in respect of which the taxi licensee is the holder of the taxi license plate, unless such person is the holder of subsisting taxi driver's license and is a bona fide employee employed by or affiliated with the broker as a taxi driver.
52. No taxi licensee shall permit any taxi license plate to be attached to, or be used in connection with any motor vehicle other than the taxi for which the taxi license plate was issued.
53. No taxi licensee shall suffer, allow or permit the operation of a taxi when that taxi does not comply with this By-law.
54. No person shall operate a taxi within the Town without being the holder of a subsisting taxi driver's license.
55. No person shall supply false or misleading information in an application for any license, any permit issued, any Mechanical Fitness Report or certificate filed with the License Inspector.
56. No broker, taxi licensee or person operating any taxi shall display or permit, suffer or allow the display of any advertising material upon the exterior of a taxi other than that permitted by Section 41.
57. Any person who contravenes Sections 8(2), 49, 50, 51, 52, 53, 54, and 55 of this By-law is guilty of an offence and liable upon summary conviction to a fine of not less than \$250.00 or more than \$500.00, plus \$100.00 for each day that such offence continues, and in default of payment thereof, to imprisonment for a period not exceeding six (6) months. (03/09/98)
58. Any person who contravenes any other provision or requirement of this By-law shall be guilty of an offence and shall pay a specified penalty of \$110.00.
59. Any Peace Officer or By-law Enforcement Officer who has reasonable grounds to believe that any person has contravened any provision of this By-law may:
 - a. serve upon such person a summons for the breach of any Section stated in Section 57;
 - b. serve upon such person an offence ticket allowing payment of the specified penalty for the breach of any other section of this By-law, allowing the payment of the specified penalty to the Town which shall be accepted by the Town in lieu of prosecution for the offence;
 - c. seize and take possession of any licenses where the same are revoked or suspended, or otherwise required to be returned to the Town.

TRANSITIONAL AND CONSEQUENTIAL PROVISIONS

60. This By-law shall come into force upon final passing thereof.

61. Section 73 of Town of Lacombe By-law No. 23, including all amendments thereto is hereby repealed.

INTRODUCED AND GIVEN FIRST READING this 18th day of January, 1993, A.D.

GIVEN SECOND READING this 8th day of February, 1993, A.D.

GIVEN THIRD AND FINAL READING this 8th day of February, 1993, A.D.

UNCERTIFIED COPY - Consolidation

**TOWN OF LACOMBE
BYLAW 178**

**Schedule A
Annual Taxi License Fees**

1. Taxi Broker's License fee will be	\$66.00
2. Taxi License Plate fee will be	\$100.00
3. Temporary Taxi Plate fee will be	\$10.00
4. Taxi Driver's License fee will be	\$20.00
5. Transfer of Taxi Broker's License fee will be	\$125.00
6. Transfer of Taxi License Plate fee will be	\$25.00
7. For each list of vehicles under Sec 9 the fee will be	\$10.00

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