

THE CORPORATION OF THE CITY OF DAWSON CREEK

BYLAW NO. 3333

A Bylaw of the Corporation of the City of Dawson Creek (hereinafter called "the City") for licensing and regulating the owners and drivers of vehicles for hire within the City.

(170) (b)

The Council of the Corporation of the City of Dawson Creek, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "Taxi-Cab and Rental Vehicle Regulation Bylaw No. 3333,1998".
2. Taxi-Cab and Rental Vehicles Regulation Bylaw No. 2631 and Taxi-Cab and Rental Vehicles Regulations Amendment Bylaw No. 3158 are hereby repealed.

Definitions:

3. (1) In this Bylaw:  
"Applicant" means a person who makes and signs an application for a licence required by the provisions of this Bylaw.  
  
"Bylaw Enforcement Officer" means a duly appointed Bylaw Enforcement Officer of the City.  
  
"Chief Constable" means the senior member of the Royal Canadian Mounted Police in the City, or his delegate.  
  
"Commercial Vehicle" means a vehicle defined as such in the Commercial Transport Act and any vehicle licenced under the Motor Vehicle Act, which is used for the collection or delivery, or both, of goods, wares, merchandise, or other commodity in the ordinary course of a business undertaking.  
  
"Council" means the Council of the City of Dawson Creek.  
  
"Director of Regulatory Services" means a duly appointed Director of Regulatory Services of the City.  
  
"Driver" includes every person who drives a vehicle for hire and any person with care or control of a vehicle for hire.  
  
"Driving Instruction Vehicle" means a vehicle equipped and used for the purpose of teaching others to drive the vehicle.  
  
"Driving School" means a business in which instruction is given in the driving of vehicles, for remuneration.  
  
"Hire" means any rate, remuneration or regard of any kind paid, payable, or promised, or received or demanded, directly or indirectly.  
  
"Licence" means a licence required or issued under the provisions of this Bylaw.  
  
"Self-Drive Rental Vehicle" means a vehicle which may be hired by the hour, day, week or longer to be driven by the person renting the vehicle.  
  
"Self-Drive Rental Vehicle Premises" means a place where self-drive rental vehicles may be ordered, hired or rented.

**Bylaw No. 3333**

**Page Two (2)**

"Taxi-cab" means a vehicle having a seating capacity of not more than 10 persons which, with its driver is operated or plies for hire by members of the public.

"Taxi-cab Broker" means a person who rents or leases taxi-cabs.

"Taxi-cab Premises" means a place other than a taxi stand from which a taxi-cab business is operated.

"Taxi-cab Company" means a person who owns or manages a business in which taxi-cabs are offered for use by the public.

"Taxi-cab Meter" means an instrument or devices by which the charge for transportation is calculated and upon which the charge is indicated by means of figures.

"Taxi Stand" means a portion of highway designated pursuant to this Bylaw for the standing or stopping of taxi-cab.

"Vehicle" means a device in, upon, or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human power or used exclusively upon stationary tracks or rails.

"Vehicles for Hire" includes a taxi-cab, rental vehicle and driving instruction vehicle.

(2) Where the word "used" appears in this section it includes used, intended designed or kept for use.

(3) Whenever the masculine or singular is used, the same shall be construed as meaning the feminine or plural as the context may require.

**Taxi-Cab Broker's Licences:**

4. Every taxi-cab broker shall obtain and hold a taxi-cab broker's licence in accordance with the provisions of this Bylaw and in accordance with the provisions of the Business Licence Bylaw of the City.
5. All applications for licences or transfers of licence shall be made to the Director of Regulatory Services on the form provided for that purpose.

**Conditions of Granting of Licence:**

6. The granting of any licence as herein provided shall be conditional upon the strict observance of this and all other applicable Bylaws and non-compliance with any of the provisions of such Bylaws shall render a licence subject to cancellation by Council or suspension by the Director of Regulatory Services.
7. When considering an application for a taxi-cab broker's licence, the Director of Regulatory Services shall take into consideration the following matters:
  - (a) Any objection by the Motor Carrier Commission to the granting of such licence on the grounds that the City is adequately served by existing taxi-cab brokers.
  - (b) The general effect on other transport services and any public interest which may be affected by the issuance of such licence.

**Bylaw No. 3333**  
**Page Three (3)**

- (c) Any objection by any licenced taxi-broker on the grounds that suitable facilities exist and that if the licence were issued, services would be in excess of requirements.
- (d) The quality and permanence of the service to be offered by the applicant and the fitness, willingness and ability of the applicant to provide proper service.
- (e) For the purposes of subsection (d), an applicant may be deemed not to be a fit person to provide service where he/she has been convicted of a criminal or summary conviction offence that relates to the operation of a taxi-cab business or to the driving of taxi-cabs for hire.

If, upon consideration of the factors in this section, the Director of Regulatory Services is not satisfied that a licence should be issued, he/she shall report the circumstances to Council together with his recommendation for refusal of the licence.

8. Without restricting the generality of Section 7, no taxi-cab company licence shall be granted unless:
- (a) The applicant shows to the satisfaction of the Director of Regulatory Services that he and any driver employed by him has reached the age of nineteen years, can speak, read, and write the English language, possesses a knowledge of the City, its traffic regulations and this Bylaw and is fit, willing and able to provide continuous and satisfactory service to the public during the currency of the licence.
  - (b) The applicant is the registered owner of the taxi-cab or taxi-cabs which will be used in his/her business. Individual Brokers will be required to obtain a separate licence.
  - (c) The applicant or his /her manager is a fully qualified taxi-cab driver in accordance with the requirements of this Bylaw.
  - (d) The taxi-cabs to be used for the applicant's business are clean, fit and in proper condition in that they comply in all respects with the applicable requirements of the Motor Vehicle Act and Regulations thereto.
  - (e) The applicant files with the Director of Regulatory Services at the time of application:
    - (i) A certificate from an insurance company authorized to carry on in the Province of British Columbia the business of automobile insurance, certifying that the applicant is the holder of an owner's policy of insurance in the said company, covering each taxi-cab to be operated by the business, and that the said policy has been issued to indemnify the applicant and every person who, with the applicant's consent, drives or operates such taxi-cab against public liability and property damage (including passenger hazard) in not less than the amounts prescribed by or under clause (ii) of this subsection and which, at the date of the certificate, is in full force and effect; or
    - (ii) The policy of insurance as required in clause (i) of this subsection, shall be not less than \$3,000,000 per occurrence.

**Appeal from Refusal of Director of Regulatory Services to Issue Licence**

9. (1) Where the Director of Regulatory Services refuses to issue a taxi-cab

**Bylaw No. 3333**  
**Page Four (4)**

company or broker's licence, the applicant may appeal to the Council, provided that he/she shall, within fourteen days of the refusal, file with the City Clerk a written notice of appeal.

- (2) The appeal is to be heard by Council within one month of the giving of the notice of subsection (1).
- (3) The council may, upon the affirmative vote of at least five (5) members of which the Council consists, refuse in any particular case to grant the licence desired by the applicant, but no licence shall be unreasonably refused.

**Regulation of Taxi-Cab Brokers:**

10. Every person to whom a taxi-cab company or brokers licence has been issued shall:
  - (a) Keep an established place of business in which the licence is conspicuously posted;
  - (b) Maintain the taxi-cab premises at all times in a clean and neat state, in good repair and in conformity with the requirements of all applicable bylaws and statutes;
  - (c) Immediately notify the Director of Regulatory Services in writing of any change of address of the taxi-cab premises;
  - (d) Keep a daily record in the English language of all trips made by each taxi-cab owned by the business, for a period of at least six months from the initial licencing, in a form approved by the Director of Regulatory Services and Chief Constable;
  - (e) Permit the Director of Regulatory Services or Chief Constable or their delegates to inspect at all reasonable times any taxi-cab premises, records, taxi-cabs or any other thing with respect to any other matter connected with the enforcement of the Bylaw;
  - (f) Maintain the policy of insurance required by subsection 8 (e) in the same form and effect as it existed at the time of issuance of the licence. Policy to be renewed or updated annually;
  - (g) Employ, engage or permit only those persons duly qualified as Taxi-cab drivers in accordance with the provisions of this Bylaw to drive any taxi-cab owned by the business or any taxi-cab under its authority when the vehicle is available for hire;
  - (h) Within two days of employing a driver, notify the Chief Constable that he has employed such driver and, when the driver ceases to be employed, within two days notify the Chief Constable, giving the reasons for such cessation of employment;
  - (i) During the term of employment of any driver keep a record of the number and date of such driver's chauffeurs licence;
  - (j) Continue to be a fully qualified taxi-cab driver in accordance with the requirements of this Bylaw;
  - (k) Cause taxi-cabs to be dispatched in the order of their being requested and if a taxi-cab is not available for service within a reasonable time shall inform the person desiring such service;

**Bylaw No. 3333**

**Page Five (5)**

- (l) Provide taxi-cab service to all orderly persons upon request within the City unless unable to do so, or prohibited from doing so by the provisions of this Bylaw. (Persons who have previously refused to pay taxi fare are not considered to be "orderly");
- (m) Take appropriate steps to ensure that his/her taxi-cabs are maintained in a clean, safe condition and shall provide for the immediate and proper disinfection of a taxi-cab after it has conveyed any person suffering from any contagious or infectious disease;

**Supervision of Taxi-Cab Brokers:**

- 11. (1) The Chief Constable and Director of Regulatory Services shall supervise the holders of taxi-cab company or broker licences within the city and all taxi-cab premises to ascertain by inspection and inquiry from time to time whether licences are complying with the provisions of all applicable Bylaws and to enforce the provisions of this Bylaw.
- (2) The Director of Regulatory Services shall, from time to time:
  - (a) Satisfy him or herself that licencees and all drivers employed by them continue to meet the requirements of this Bylaw; and
  - (b) Keep a record of all taxi-cab meters in use, the identifying number of each and the licence number of the taxi-cab in which the taxi-cab meter is installed.

**Suspension of Licence:**

- 12. Cancellation, expiry or termination of a policy of insurance or bond required by subsection 8(e) shall automatically suspend the taxi-cab broker's licence until a new policy or bond complying with the requirements of that subsection is filed with the Director of Regulatory Services.
- 13. (1) The Director of Regulatory Services may suspend a taxi-cab company or broker's licence for such period as he may determine if the holder of the licence:
  - (a) is convicted of an offence indictable in Canada;
  - (b) is convicted of any offence under any municipal bylaw or statute of the Province in respect of the business for which he/she is licenced or with respect to the premises named in his/her licence;
  - (c) has, in the opinion of the Director of Regulatory Services, been guilty of such gross misconduct in respect of the business or with respect to the premises named in his licence as to warrant the suspension of his licence;
  - (d) has ceased to meet the requirements of this Bylaw to carry on the business for which he/she is licenced or with respect to the premises named in the licence;
- (2) Any person whose taxi-cab broker's licence has been suspended under subsection (1) may appeal to the Council and upon such appeal, the Council may by resolution confirm or may set aside such suspension on such terms as it may think fit.

**Bylaw No. 3333**  
**Page Six (6)**

**Revocation of Licence:**

14. The Council may by resolution revoke a a taxi-cab brokers licence for reasonable cause after giving notice to the licensee and after giving the licensee an opportunity to be heard, but such notice and opportunity to be heard is not required in respect of a licensee who by reasonable efforts cannot be found.

**Regulation of Taxi-Cab Drivers:**

15. No person shall drive, operate or be in charge of a vehicle used as a taxi-cab unless he/she is the holder of a valid chauffeur's licence issued by the Chief Constable in accordance with the Motor Vehicle Act when the vehicle is available for hire.
16. (1) No driver of a taxi-cab shall:
- (a) refuse or neglect to convey any orderly person or persons upon request in the Municipality unless previously engaged or unable or prohibited by the provisions of this Bylaw;
  - (b) convey any person or persons other than the person or persons first engaging the taxi-cab;
  - (c) Charge separate fares to each passenger;
  - (d) Carry in any taxi-cab a greater number of passengers than the number of passengers the vehicle is designed to seat;
  - (e) Load, carry or transport any baggage on the outside of any taxi-cab, except in properly constructed racks designed for that purpose;
  - (f) Stand in such manner so as to obstruct the free use of the sidewalk or make any loud noise or disturbance nor use any obscene, impudent or abusive language, nor molest, annoy or insult passers-by or occupants or adjoining premises.
- (2) Every driver of a taxi-cab shall:
- (a) be neatly and properly dressed, neat and clean in person and civil and well-behaved;
  - (b) keep the doors of such taxi-cab closed when the same is waiting for passengers.
  - (c) proceed by the most direct traveled route to the point of destination unless otherwise directed by the passenger;
  - (d) take due care of all property delivered or entrusted to him for conveyance or safekeeping, and immediately upon the termination of any hiring or engagement shall carefully search his/her vehicle for any property lost or left therein; and all property and money left in his/her taxi-cab shall be forthwith delivered over to the person owning the same, or if unclaimed or if the owner cannot be found, the same shall be delivered to the office of the Chief Constable, with all information in his/her possession regarding such property;
  - (e) keep a daily record properly recorded and in legible writing of all trips made by him, including:
    - (i) the date, time, origin and destination of each trip;

**Bylaw No. 3333**  
**Page Seven (7)**

- (ii) the drivers name and address;
- (ii) the provincial licence number of the taxi-cab; and
- (iv) the speedometer reading at the start and finish of the of the driver's shift;

(f) deposit the record required in subsection (e) of this section with the owner of the taxi-cab at the end of his/her shift or as soon as possible thereafter;

(g) when called upon to do so, assist any constable in the conveyance in his vehicle or any person to the police station in the City, or in the conveyance of any person to a hospital or elsewhere as may be required or demanded and the driver shall be entitled, after the performance of such service, to the corresponding charge or fare therefor from the proper authorities.

**(3) Refusal of Taxi-Cab Driver's Permit:**

If the applicant has been convicted of the following offences within the past three years his/her application may be rejected or his/her permit may be cancelled:

- (1) an indictable offence under the Criminal Code;
- (2) a conviction involving use of or dealing in intoxicants or illicit drugs under the Liquor Control Act or the Controlled Drug and Substance Act.
- (3) unsatisfactory Criminal or Driving Record.

**(4) Appeal:**

- (1) an appeal from the refusal, suspension or cancellation of a Chauffeur's Permit shall lie with the Council;
- (2) the decision of the Council is final.

**Regulations of Vehicles Used as Taxi-Cabs:**

- 17. No motor vehicle shall be operated as a taxi-cab except by the owner thereof, or by a driver employed by and directly responsible to such owner, or contracted to the Company.
- 18. Every owner of a taxi-cab shall have painted or permanently affixed on either the rear or front door on each side of such taxi-cab a business name. Such name shall be printed in lettering not less than two inches high and shall be kept clear, clean and distinguishable at all times.
- 19. (1) It shall be unlawful for any person to drive or operate or engage in the business of operating a taxi-cab, unless such taxi-cab is equipped with a taxi-cab meter which complies in every respect with the requirements hereinafter set out.  
  
(2) All taxi-cab meters shall register the distance and corresponding rate or charge thereof while under hire and shall be kept in a condition insuring accuracy and continuous registration during hire, and shall be so installed as to be automatically operated when the taxi-cab is in motion as well as when such vehicle is standing under hire.  
  
(3) No person shall use or permit to be used a taxi-cab meter which is in such condition as to be over two percent (2%) incorrect to the prejudice of any passenger.  
  
(4) Every taxi-cab meter shall be:
  - (a) Submitted to the Director of Regulatory Services before its initial use and subsequently when required for testing, inspection and sealing; and no taxi-cab meter shall be used on any taxi-cab until the same has been inspected,

**Bylaw No. 3333**  
**Page Eight (8)**

tested and sealed by the Director of Regulatory Services in such manner as he may deem advisable and until the same has been certified as accurate, subject to subsection (3) hereof;

(b) Adequately illuminated at all times when in use between dusk and dawn;

(c) Installed and placed at the right side of the driver and in such position that the fare to be paid by the passenger may be easily read from the rear seat.

(d) Tested from time to time by running the vehicle to which it is attached over a measured track or distance before being sealed;

(e) Used only when the seal thereon is intact;

(f) Kept in good working condition at all times, and not used when defective in any way;

20. (1) No taxi-cab shall be equipped with blinds or other devices so as to obstruct a clear, unrestricted vision through all windows.
- (2) Every taxi-cab shall be equipped with an interior light sufficient to illuminate the entire passenger compartment and such light shall, at all times, be maintained in proper working order.

**Taxi Stands:**

21. Council may by resolution designate portions of public highway for use as a taxi stand by a specified vehicle or taxi-cab broker.

**Self Drive Rental Vehicle Business:**

22. No owner shall let for hire a self-drive rental vehicle to any person apparently under the influence of liquor or drugs, or to one who, he/she has reason to suspect, may use the vehicle for any unlawful purpose.
23. No person shall use a self-drive rental vehicle for the transportation of persons or property for hire, nor shall he/she permit such vehicle to be used by any other persons for such purpose.
24. (1) every person who operates a self-drive rental vehicle premises shall keep a record book in which shall be recorded each and every separate hiring of a self-drive rental vehicle hired from such premises and such record book shall be signed by every person hiring a vehicle therefrom.
- (2) the record required by subsection (1) of this section shall be available at all reasonable times for inspection by the Director of Regulatory Services and Chief Constable and shall contain the following information:
- (a) description of vehicle, make of car, registration no., serial number;
- (b) description of person renting vehicle, name, address, occupation, driver's licence number.
- (c) time of engagement:
- |     |      |      |      |    |      |
|-----|------|------|------|----|------|
| Out | Date | Hour | A.M. | or | P.M. |
| In  | Date | Hour | A.m. | or | P.M. |

**Bylaw No. 3333**  
**Page Nine (9)**

25. No self-drive rental vehicle shall be let for hire until the person hiring the same has produced a subsisting driver's licence under the Motor Vehicle Act or equivalent legislation and until the owner or other person in charge of the self-drive rental vehicle premises has compared the signature on such licence with the signature in the record and is satisfied that they were written by the same person.

**Driving School:**

26. No applicant for a business licence pursuant to the Business Licence Bylaw in force in the City to operate a driving school shall be granted such licence unless he/she has an office in the City from which the operation of the school is to be conducted.
27. No person shall carry on the business of a driving school unless he/she uses for that purpose a driving instruction vehicle that:
- (a) shall have installed therein dual control and operational equipment in order that the instructor in charge of the vehicle may at any time assume full and exclusive control over the said vehicle;
  - (b) shall, while in use, be plainly marked with a sign attached to the rear thereof bearing the warning "Student Driver";
  - (c) shall, while in use, be under control of a driving instructor holding a subsisting Driver Training Instructor Licence issued in accordance with the provisions of the Motor Vehicle Act;
  - (d) shall be maintained at all times in a clean and neat state, in good repair and in conformity with the requirements of all applicable Bylaws and Acts;
  - (e) shall, while in use, be occupied only by the instructor and the pupil except that, there will be no limit placed on the number of other occupants provided the Driving Instructor has been notified prior to commencing the training session and further, that the vehicle is equipped to handle the passengers safely.

**Commercial Vehicles:**

28. Every commercial vehicle operator and every owner of a commercial vehicle shall have the company name and address plainly painted in a conspicuous place on both sides of every commercial vehicle used by for trade or business.
29. No owner or driver of a commercial vehicle shall carry or permit to be carried for hire any passenger or person on such commercial vehicle.

**Offences and Penalties:**

30. (1) Every person who violates any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, commits an offence and is liable to the penalty hereinafter provided.
- (2) Every person who makes any false statement in any application for a licence under the provisions of this Bylaw commits an offence against this Bylaw;
31. Every person who violates any provision of this Bylaw shall upon summary conviction, be liable to a fine of not more than two thousand (\$2,000.00) dollars and costs.

Bylaw No. 3333  
Page Ten (10)

Read a first time this 29 day of June, 1998.

Read a second time this 29 day of June, 1998.

Read a third time this 20 day of July, 1998.

Adopted this 24 day of August, 1998.

The Corporate Seal of The  
Corporation of The City of  
Dawson Creek was hereto affixed  
in the presence of:

\_\_\_\_\_  
Blair Lekstrom - MAYOR

\_\_\_\_\_  
Jim Noble - CITY CLERK