



The Corporation of the City of Dawson Creek

**Taxi-Cab and Rental Vehicle Regulation
Bylaw No. 4268, 2015**

CONSOLIDATED VERSION FOR CONVENIENCE ONLY

Amendment Bylaw 4301, 2016 incorporated

THE CORPORATION OF THE CITY OF DAWSON CREEK

BYLAW NO. 4268

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.

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

SECTION 1 – TITLE

- 1.1 The Bylaw may be cited for all purposes as “**Taxi-Cab and Rental Vehicle Regulation Bylaw No. 4268, 2015**”.

SECTION 2 - DEFINITIONS

- 2.1 In this Bylaw the following words and terms have the following meanings assigned to them:

“**Applicant**” means a person who makes and signs an application for a licence required by the provisions of this Bylaw.

“**Business Licence**” means a licence issued under the Business Licence Bylaw.

“**Business Licence Bylaw**” means the City of Dawson Creek Annual Business Licence and Regulation Bylaw No. 3758, 2004 as amended from time to time.

“**Bylaw Enforcement Officer**” means a person or persons appointed from time to time by resolution of City Council pursuant to Section 36 of the Police Act, the purpose of which is to enforce regulatory bylaws of the municipality.

“**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 licensed 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.

“**Commercial Vehicle Safety Inspection**” means an inspection under Part 25 of the *Motor Vehicle Act*.

“Council” means the Council of the City of Dawson Creek.

“Director of Development Services” means a person appointed in accordance with the City of Dawson Creek Appointment of Officers Bylaw, as emended from time to time, and includes any other person authorized to act on behalf of the Director of Development Services.

“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 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.

“Taxi-cab” means a motor vehicle with 10 seats or fewer that is operated on a highway within the City by or on behalf of a person who charges or collects compensation for the transportation of passengers in that motor vehicle.

“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 one or more 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 trails.

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

2.2 Where the word “used” appears in this section it includes used, intended designed or kept for use.

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

SECTION 3 - LICENCES

3.1 Taxi-Cab Company Licence

- a. Every taxi-cab company shall obtain and hold a taxi-cab business licence in accordance with the provisions of this Bylaw and in accordance with the provisions of the Business Licence Bylaw of the City.
- b. Despite section 3 of the Business Licence Bylaw, all applications for business licences or transfers of business licence for a taxi-cab company shall be made to the Director of Development Services on the form provided for that purpose.

3.2 Conditions of Granting Licence

- a. The granting of a business licence for a taxi-cab company 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 Development Services.
- b. In addition to the conditions imposed under the Business Licence Bylaw, in considering an application for a taxi-cab company’s licence, the Director of Development Services shall take into consideration the following matters:
 - (i) The general effect on other transport services and any public interest which may be affected by the issuance of such licence;
 - (ii) 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; and
 - (iii) For the purposes of subsection (ii), 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.

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- c. If, upon consideration of the factors in this section, the Director of Development Services is not satisfied that a licence should be issued, he/she shall report the circumstances to Council together with his/her recommendation for refusal of licence.
 - d. Without restricting the generality of Section 3.2.b, no business licence for a taxi-cab company shall be granted unless:
 - (i) The applicant shows to the satisfaction of the Director of Development Services that he/she and any driver employed by him/her 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;
 - (ii) 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; and
 - (iii) The applicant files with the Director of Development Services at the time of application, and each subsequent year after:
 - (a) An approved commercial vehicle safety inspection report for each vehicle;
 - (b) 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 (c) of this subsection and which, at the date of the certificate, is in full force and effect; and
 - (c) The policy of insurance as required in clause (b) of this subsection, shall be not less than \$5,000,000 per occurrence and shall name the City as additional insured.

3.3 Appeal from Refusal of Director of Development Services to Issue Licence

- a. Where the Director of Development Services refuses to issue a business licence to a taxi-cab company licence, the applicant may appeal to the Council, provided that he/she shall, within fourteen days of the refusal, file with the Director of Corporate Administration a written notice of appeal.

- b. The appeal is to be heard by Council within one month of giving the notice of subsection a.
- c. 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.

3.4 Suspension of Licence

- a. Cancellation, expiry or termination of a policy of insurance or bond required by subsection 3.2.d.iii shall automatically suspend the taxi-cab company's licence under subsection 3.4.b.iv until a new policy or bond complying with the requirements of that subsection is filed with the Director of Development Services.
- b. The Director of Development Services may suspend a taxi-cab company's business licence for such period as he may determine if the holder of the licence:
 - (i) is convicted of an offence indictable in Canada;
 - (ii) 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;
 - (iii) has, in the opinion of the Director of Development Services, been guilty of such gross misconduct in respect of the business or with respect to the premises named in his/her licence as to warrant the suspension of his/her licence; or
 - (iv) 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;
- c. Any person whose taxi-cab broker's licence has been suspended under subsection 3.4.b may appeal to the Council and upon such appeal, and the Council may by resolution confirm or may set aside such suspension on such terms as it may think fit.

3.5 Revocation of Licence

- a. The Council may by resolution revoke a taxi-cab business 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.

SECTION 4 – REGULATION OF TAXI-CAB COMPANY

- 4.1 Every person to whom a business licence for taxi-cab company 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 Development Services in writing of any change of address of the taxi-cab premises;
 - d. Keep a daily record, in the English language, properly recorded and in legible writing of all trips made by each driver of the taxi-cab company, including:
 - (i) The date, time, origin and destination of each trip;
 - (ii) The drivers name and address; and
 - (iii) The provincial licence number of the taxi-cab.
 - e. All records must be kept at each company's office or dispatch;
 - f. Permit the Director of Development Services or Chief Constable or their delegates to inspect at all reasonable times any taxi-cab premises, records, taxi-cabs or any other things with respect to any other matter connected with the enforcement of the Bylaw;
 - g. Maintain the policy of insurance required by subsection 3.2.d.iii in the same form and effect as it existed at the time of issuance of the licence. Policy to be renewed or updated annually;
 - h. 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;
 - i. 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;
 - j. During the term of employment of any driver, keep a record of each driver's chauffeurs permit number and driver's licence number; and provide this information on an annual basis to the RCMP and the Director of Development Services.

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- k. Continue to be a fully qualified taxi-cab company in accordance with the requirements of this Bylaw;
 - l. 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;
 - m. 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”);
 - n. 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;
 - o. Supply annually to the Director of Development Services a list of all vehicles make, vehicle number, plate number, meter number;
 - p. Report to the RCMP and the Director of Development Services all accidents involving one of the licensee’s its taxi-cabs; and
 - q. Ensure that all driver’s display their chauffeurs permit in a location that is clearly visible to passengers.

SECTION 5 – REGULATION OF TAXI-CAB DRIVERS

- 5.1 Every driver of a vehicle used as a taxi-cab must hold a valid chauffeur’s permit issued by the Chief Constable in accordance with the Motor Vehicle Act, and every driver:
- a. Must update the chauffeur’s permit each year;
 - b. Produce the chauffeurs permit to all RCMP officers and Bylaw officers when so requested to do so;
 - c. When transferring to a different taxi-cab company, must update with the RCMP for a new permit with their new company; and
 - d. When ceasing to drive for a taxi-cab company, must surrender their chauffeur’s permit to the RCMP; and if later seeking to resume driving with a taxi-cab company, must re-apply for a chauffeur’s permit.

5.2 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;
- g. Set the vehicle in motion while loading or unloading;
- h. Collect fares or give change to a passenger while the vehicle is in motion; or
- i. Drive a taxi cab that has not passed its most recent commercial vehicle safety inspection.

5.3 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. Upon request of a passenger, issue a receipt of the fare paid; and

- f. stop the meter once the taxi-cab has arrived at the destination, including during unloading or handling of payment.

SECTION 6 – REGULATION OF VEHICLES USED AS TAXI-CABS

6.1 No motor vehicle shall be operated as a taxi-cab except by the owner thereof, or by a driver contracted to a taxi-cab company.

6.2 Vehicle Appearance

- a. 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.
- b. Each taxi-cab must show the individual identification number on the front, back and both sides of the vehicle.
- c. Each taxi-cab company must apply the same decals, colour and striping to all of its cabs.
- d. The owner of a taxi-cab must remove all decals on the taxi-cab specific to a company and remove the radio frequency specific to a company within seventy-two (72) hours of the taxi-cab's driver leaving that company.

6.3 Taxi-Cab Meters

- a. 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.
- b. 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.
- c. 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.
- d. Every Taxi-cab Meter shall be:
 - (i) Submitted to the Director of Development 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, tested and

sealed by the Director of Development Services in such manner as he may deem advisable and until the same has been certified as accurate, subject to subsection 6.3.c hereof;

- (ii) Adequately illuminated at all times when in use between dusk and dawn;
- (iii) 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;
- (iv) Tested from time to time by running the vehicle to which it is attached over a measured track or distance before being sealed;
- (v) Used only when the seal thereon is intact; and
- (vi) Kept in good working condition at all times, and not used when defective in any way.

6.4 No taxi-cab shall be equipped with blinds or other devices so as to obstruct a clear, unrestricted vision through all windows.

6.5 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.

6.6 Every taxi-cab intended to transport physically disabled persons shall meet all Canadian Motor Vehicle Safety Standards and Canadian Association Standards D409-02 Motor Vehicle for the Transportation of persons with Physical Disabilities.

SECTION 7 – TAXI STANDS

7.1 Council may by resolution designate portions of public highway for use as a taxi stand.

SECTION 8 – SELF DRIVE RENTAL VEHICLE BUSINESS

8.1 No person 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.

8.2 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.

8.3 Record Keeping

- a. 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.

b. The record required by subsection 8.3.a shall be available at all reasonable times for inspection by the Director of Development Services and Chief Constable and shall contain the following information:

(i) Description of vehicle, make of car, registration no., serial number;

(ii) Description of person renting vehicle, name, address, occupation, driver’s licence number;

(iii) Time of engagement:

Out:	Date	Hour	A.M .or P.M.
In:	Date	Hour	A.M. or P.M.

8.4 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.

SECTION 9 – DRIVING SCHOOL

9.1 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 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; and
- 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.

SECTION 10 – COMMERCIAL VEHICLES

10.1 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 for trade or business.

10.2 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.

SECTION 11 - ENFORCEMENT

11.1 The Chief Constable and Director of Development Services may supervise taxi-cab companies within the City and all taxi-cab premises to ascertain by inspection and inquiry from time to time whether taxi-cab companies are complying with the provisions of all applicable Bylaws and to enforce the provisions of this Bylaw.

11.2 The Director of Development Services may, from time to time:

- a. Satisfy him or herself that licensees 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.

11.3 Any person designated as a Bylaw Enforcement Officer pursuant to the City of Dawson Creek's Bylaw Enforcement Notice Bylaw or Dawson Creek's Municipal Ticket Information Bylaw is hereby authorized and empowered to enforce the provisions of this Bylaw by the Bylaw Notice Enforcement Bylaw No. 4277, 2016 as amended from time to time, or by the Municipal Ticket Information System Bylaw No. 4278, 2016 as amended from time to time.

11.4 No person shall do any act or suffer or permit any act to be done in contravention of this bylaw.

11.5 No person shall obstruct or impede a bylaw officer in lawful performance on any property, at all reasonable times, in order to ascertain whether such regulations are being observed as per Section 16 of the *Community Charter*.

11.6 Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.

11.7 A person who contravenes any provision of this bylaw is liable to a fine of not more than \$10,000.00 and not less than \$100.00 for each offence.

11.8 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

SECTION 12 – ADMINISTRATIVE

12.1 If any provision of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision shall not apply and the remainder of this bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or ultra vires provision.

12.2 This bylaw, except Sub-Section 6.2.c, comes into effect upon adoption.

12.3 Sub-Section 6.2.c comes into effect twelve (12) months after adoption.

12.4 Taxi-Cab and Rental Vehicle Regulation Bylaw No. 3333, 1998 and all amendments thereto are hereby repealed.

12.5 Taxi-Cab and Rental Vehicle Regulations Bylaw No. 1623, 1975 and all amendments thereto are hereby repealed.

READ a first time this _____ day of _____, 2015.

READ a second time this _____ day of _____, 2015.

READ a third time this _____ day of _____, 2015.

ADOPTED this _____ day of _____, 2015.

<p>CERTIFIED A TRUE AND CORRECT COPY of Bylaw No. 4268 cited as "TAXI-CAB AND RENTAL VEHICLE REGULATION BYLAW NO. 4268, 2015.</p> <p>_____ Brenda Ginter Director of Corporate Administration</p>

The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

Dale Bumstead - Mayor

Brenda Ginter - Director of Corporate Administration