



**THE CORPORATION OF THE TOWN OF GODERICH  
BY-LAW NO. 33 OF 2017**

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**BEING A BY-LAW TO LICENCE, REGULATE AND GOVERN TAXICABS, SHUTTLE  
VEHICLES AND LIMOUSINES IN THE TOWN OF GODERICH AND TO REPEAL  
BY-LAWS 100 OF 2009, 64 OF 2010,  
49 AND 63 OF 2014**

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**WHEREAS**, pursuant to the provisions of Part IV of the *Municipal Act*, S.O. 2001, c. 25, as amended, the Council of the Corporation of the Town of Goderich may pass by-laws for licensing, regulating and governing business;

**AND WHEREAS** subsection 151 (1) of the *Municipal Act, 2001* provides that, without limiting sections 9, 10, and 11 of the Act, a municipality may: provide a system of licences with respect to a business and may;

- a) prohibit the carrying on or engaging in the business without a licence;
- b) refuse to grant a licence or to revoke or suspend a licence;
- c) impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- d) impose special conditions on a business in a class that have not been imposed on all of the business in that class in order to obtain, continue to hold or renew a licence;
- e) impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;
- f) licence, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and
- g) require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licences established by the municipality;

**AND WHEREAS** Section 156 (1) of the *Municipal Act, 2001* gives authority for municipalities to pass by-laws to establish rates to be charged for the conveyance of passengers; provide for the collection of the rates charged for the conveyance; and limit the number of taxicabs licensed within the municipality;

**AND WHEREAS** pursuant to Section 11 (2) and (3) of the *Municipal Act, 2001* allows a municipality to pass by-laws for one or more of the following purposes:

- Health and safety and well-being of persons; and
- Protection of persons and property, including consumer protection; and
- Business licensing.

**AND WHEREAS** the Council of the Corporation of the Town of Goderich considers it necessary and desirable to licence, regulate and govern taxicabs, shuttle vehicles and limousines in the Town of Goderich;

**AND WHEREAS** Council deems it necessary and advisable to create set fines for violations at \$125.00;

**AND WHEREAS** for the purpose of proceedings under Part I of the Provincial Offences Act,

the amount of fine set by the court for an offence is such amount as may be set by the Chief Judge of the Ontario Court (Provincial Division);

**AND WHEREAS** a copy of the Judge's approved set fine schedule will be attached to this By-Law;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GODERICH ENACTS AS FOLLOWS:**

## **PART I – SHORT TITLE**

1. This by-law may be cited as the "Taxi By-Law". In the text of the by-law, it is referred to as "this by-law".

## **PART II - DEFINITIONS AND INTERPRETATION**

### 1. Definitions

"Cab" shall include taxicabs.

"Clerk" shall mean the Clerk of the Town of Goderich or designate.

"Corporation" shall mean the Council of the Corporation for the Town of Goderich.

"Driver" shall mean the individual who has care and control of a taxicab.

"Limousine" shall mean an executive or stretch luxury motor vehicle that carries up to fourteen passengers which is kept or used for hire for the conveyance of passengers on an hourly basis or for a fixed fee between given locations, and which is not equipped with a taxi meter.

"Limousine Licence" see "taxicab licence".

"Municipal Law Enforcement Officer" shall mean the Municipal Law Enforcement Officer of the Town of Goderich

"Police or Police Officers" shall mean a member of the Ontario Provincial Police

"Shuttle Vehicle" shall mean a motor vehicle for carrying eight or more persons, exclusive of the driver, that is available for or providing a conveyance service, on an hourly basis or for fixed fee between given locations, and which is not equipped with a taxi meter.

"Shuttle Vehicle Licence" See "taxicab licence"

"Taxicab" means a motor vehicle, other than a car pool vehicle, having a seating capacity of not more than seven persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons or goods, one fare or charge only being collected or made for the trip.

"Taxicab Licence" means a licence obtained from the Corporation under the authority of this by-law for a taxicab, shuttle vehicle and a limousine.

"Taxi Driver's Licence" means a licence issued under the authority of this by-law to a person for the operation of a taxicab, shuttle vehicle and a limousine.

"Taxi meter" means any device installed in a taxicab accurately registering the kilometres traveled by a taxicab and is approved by a recognized manufacturer.

### 2. Interpretation

For the purposes of this by-law:

- a) The term "vehicle" shall mean a taxicab, a limousine or a shuttle vehicle, as defined by the by-law.
- b) The term "taxi" shall have the same meaning as "taxicab."

### **PART III – EXEMPTIONS**

1. This by-law shall not apply to:
  - a) Pursuant to Section 156 (2) of the Municipal Act, a taxicab that meets both of the following criteria:
    - i. The purpose of conveyance is to transport persons with physical, emotional or mental disabilities from any point in the municipality to any point outside the municipality; and
    - ii. The conveyance is made pursuant to a written contract for the use of a taxicab which can legally operate in the municipality in which the conveyance begins or ends.
  - b) An ambulance or funeral hearse;
  - c) A commercial bus contracted from a local travel agency or local travel excursion company and used for the purposes of a travel excursion relating to leisure or education;
  - d) A school bus as defined under the Highway Traffic Act that is licensed under the Public Vehicles Act;
  - e) A motor vehicle used by not for profit organizations registered in the province of Ontario for the purposes of transporting senior citizens or persons with disabilities;
  - f) A motor vehicle used by local churches, local schools, local non-profit health agencies and local service club events for the purposes of transporting passengers free of charge;
  - g) A motor vehicle used as courtesy shuttle transportation for a local car dealership for the purposes of transporting one of their customers who is having a vehicle serviced.

### **PART IV - ADMINISTRATION**

1. The Clerk shall oversee the administration of this by-law on behalf of Council.
2. The Clerk is hereby authorized to issue taxicab licences and taxi driver's licences.
3. Any licence issued pursuant to the provisions of this by-law may be revoked or cancelled with cause at any time by the Clerk.
4. Written notice of and reasons for the revocation of any licence issued pursuant to the provisions of this by-law shall be hand delivered to the holder thereof or sent by registered mail.
5. The Clerk shall refuse to grant a licence or renew a licence if the applicant has not satisfied all of the requirements of this by-law and the Clerk shall provide notice of refusal in writing.
6. Any act done by, or by authority of the Clerk under any provisions of this by-law is subject to an appeal to the Council in writing by any person aggrieved thereby.

## **PART V – LICENCES FOR DRIVERS OF TAXICABS, SHUTTLE VEHICLES AND LIMOUSINES**

1. No person shall operate or permit the use or operation of any taxicab, shuttle vehicle or limousine within the Town of Goderich unless such person holds a valid Taxi Driver's Licence issued by the Corporation for the current year and shall produce it upon demand to the police, Municipal Law Enforcement Officer or passenger of the taxicab.
2. Prior to being licensed as a taxicab, shuttle vehicle or limousine driver, every applicant shall:
  - a) Complete and submit to the Clerk an application in the form as provided by the Town;
  - b) Provide the licence fee as per the Town's Fee By-law;
  - c) Provide his or her original criminal records check by the Ontario Provincial Police dated within thirty (30) days of the application for a licence;
  - d) Provide his or her original 3-Year Driving Abstract from the Ministry of Transportation dated within thirty (30) days of the date of application for a licence;
  - e) Have reached the age of nineteen (19) years;
  - f) Hold a valid Ontario's driver's licence issued by the Province of Ontario designated a Class "G";
  - g) The following eligibility criteria must be satisfied at the time of application:
    - i. The applicant shall not have accumulated more than four (4) demerit points in his or her driving record at the time of application.
    - ii. The person shall not have been convicted or found guilty within the preceding twelve months of an offence under the *Highway Traffic Act* in regards to moving violations.
    - iii. The person shall not have been convicted or found guilty within the preceding three (3) years of more than two (2) offences committed on different dates under the *Highway Traffic Act* in regards to moving violations.
    - iv. The applicant shall not have been convicted or found guilty within the preceding five (5) years of an offence under the *Criminal Code* (Canada) or of the *Narcotics Control Act* (Canada) or *Controlled Drugs and Substances Act*.
    - v. The applicant shall not have been convicted or found guilty within the preceding ten (10) years of more than two (2) offences under the *Criminal Code* (Canada), *Narcotics Control Act* (Canada), *Controlled Drugs and Substances Act*.
    - vi. An applicant for a taxi driver's licence must not have been convicted or found guilty of an offence for conduct against minors or that in the opinion of the Clerk affords reasonable grounds for believing that the person will not properly perform his or her duties with passengers under the legal age (minors) while having control of a taxi.
    - vii. The applicant shall not have been convicted or found guilty of an offence under the *Liquor Licence Act* of Ontario pertaining to the illegal sale or purchase of liquor within the preceding three years.
3. Any violation by the licensee of any of the requirements outlined in Part V (2) during the period after a licence is issued may result in a revocation or cancellation of licence.

4. No person licensed under this by-law shall transfer from one taxi operator or company to another without first having successfully completed a new licence application to the Clerk;
5. Every person licensed under this by-law shall notify the Clerk within ten (10) business days of any change of personal contact information;
6. Every taxi driver's licence, unless sooner revoked or cancelled, shall expire on April 30<sup>th</sup> in each year. It is the taxi driver's responsibility to ensure that he or she has valid taxi driver's licence.

#### **PART VI - LICENCES FOR TAXICABS, SHUTTLE VEHICLES, AND LIMOUSINES**

1. The owner of any taxi, shuttle vehicle or limousine shall not use or operate the same or allow the same to be used or operated without a valid vehicle licence issued by the Corporation.
2. Prior to being granted a licence for a taxicab, shuttle vehicle or limousine every applicant shall:
  - a) Complete and submit to the Clerk an application in the form provided from the Town.
  - b) Provide a valid Safety Standards Certificate for the vehicle.
  - c) Provide the licence fee as per the Town's Fee By-law;
  - d) Produce and file a copy of current Ontario Standards Automobile Insurance Policy. Such policy shall insure in respect of any one accident to a minimum of one million dollars (\$1,000,000.00), exclusive of interest and costs, against loss or damage resulting from bodily injury to, or death, of one or more persons and loss of or damage to property; and said policy shall make provision for passenger hazard in an amount not less than the foregoing;
  - e) The Town of Goderich shall be given at least ten (10) days prior written notice of any cancellation, expiration or change in the amount of the insurance policy.
  - f) In the case of a leased motor vehicle, provide the Clerk with a true copy of the lease agreement and advise the Clerk of any change, extension, or cancellation of the lease agreement prior to such change, extension or cancellation.
3. Every taxicab, shuttle vehicle or limousine licence, unless sooner revoked or cancelled, shall expire on April 30<sup>th</sup> in each year. It is the owner's responsibility to ensure he or she has a valid vehicle licence.
4. No person shall operate or cause to be operated a taxicab unless there is installed therein a properly operating taxi meter that is registering the correct kilometres traveled.
5. Every owner of a taxicab shall ensure that every taxi meter is inspected once every two (2) years by a recognized manufacturer and/or calibration service company to ensure that it is registering correctly, and an appropriate seal be attached thereto. The taxi company shall provide proof of calibration to the Clerk on or before April 30<sup>th</sup> in each calibration year. This proof of calibration may be dated within thirty (30) day period preceding the aforementioned due date.
6. The taxi company shall retain all records of repairs and certifications and provide them to the police or Municipal Law Enforcement Officer or Clerk upon demand.
7. Every taxicab, shuttle vehicle, or limousine owner shall provide the Clerk with a valid Safety Standards Certificate on or before April 30<sup>th</sup> and October 31<sup>st</sup> in each year.
8. A taxicab, shuttle vehicle, and limousine shall not be operated in the absence of a current

Safety Standards Certificate and the licence shall be deemed to be revoked should the owner of the taxicab, shuttle vehicle and limousine fail to file in accordance with the dates set out in Part VI (7).

9. Safety Standard Certificates required under Part VI (7) may be dated within the thirty (30) day period preceding the aforementioned due dates.
10. The owner of a taxicab, limousine or shuttle vehicle shall ensure that the requirements of the *Highway Traffic Act* for such vehicle are met.
11. A copy of the vehicle licence shall be retained in each individual vehicle and shall be presented to the police, Municipal Law Enforcement Officer or passenger upon demand.
12. Every taxicab, shuttle vehicle and limousine shall be available at all times for inspection by a police officer or a Municipal Law Enforcement Officer.
13. Every owner of more than one taxi, shuttle vehicle or limousine required to be licensed under this by-law shall take out a licence for each individual taxi, shuttle vehicle or limousine.
14. A taxi company shall obtain a licence for the delivery of liquor in accordance with the *Liquor Licence Act*. The taxi company shall abide by the terms and conditions and shall retain a copy of every current licence. No taxicab driver shall deliver liquor without the appropriate licence.
15. No vehicle licensed under this by-law shall be transferred from one company to another without first having submitted a new licence application to the Clerk and satisfying the requirements of this By-Law;
16. The person in whose name a vehicle licence is taken out for a vehicle shall be considered as the owner of the same for the purpose of this by-law and shall be liable for the penalties therein described.

#### **PART VII - ACCESSIBILITY**

1. No taxi owner or driver shall charge a higher fare or an additional fee than the rates set out in Schedule 'A' of this by-law for persons with disabilities than a person without disabilities for the same trip.
2. No taxi owner or driver shall charge a fee for the storage of mobility aids or mobility assistive devices, such as, but not limited to, wheelchairs, canes or walkers.
3. If a person with a disability is accompanied by a service animal, the taxi owner or driver shall permit the person to use the taxicab and to keep the service animal with him or her.
4. All taxicabs must have vehicle registration and identification information displayed on the rear bumper and available in an accessible format to passengers.

#### **PART VIII - GENERAL PROVISIONS**

1. No licensed owner shall employ any person other than a licensed driver to drive his/her taxi, shuttle vehicle or limousine.
2. The driver of any licensed vehicle shall, upon request of any passenger, give in writing his name, taxi driver's licence number, and the licence number of his/her vehicle together with the name and address of the owner of the said vehicle.
3. Every licensed owner or driver shall, to the best of their knowledge and ability, give full information to any police officer or Municipal Law Enforcement Officer on being requested to do so with respect to the address of the house or place to or from which any

passenger was driven, with the description, name and address of any such passenger.

4. Every person licensed under this by-law shall, while on duty, unless the taxicab, shuttle vehicle or limousine has been previously engaged, serve at any specified time any person who may require a taxicab, shuttle vehicle or limousine and shall not purposely neglect or refuse to fulfill any lawful appointment or engagement.
5. No person licensed under this by-law shall take, consume, have in his or her possession or be under the influence of any illegal drug while operating a taxicab, shuttle vehicle or limousine.
6. No person licensed under this by-law shall take, consume or be under the influence of any alcohol while operating a taxicab.
7. No owner or driver licensed under this by-law shall knowingly permit a licensed vehicle to be used by any person in the commission of or in aid of the commission of any offence under the Criminal Code of Canada, any Provincial statute or Municipal by-law.
8. The tariff card (Schedule "A") furnished by the Corporation shall be placed and kept by the person licensed in or upon his/her taxi in plain view of all passengers and no person so licensed shall use any other tariff card.
9. No owner or driver shall demand or request any greater sum than the rate permitted by Schedule "A" of this by-law.
10. Every licensed person operating a taxi shall be permitted to operate on an hourly basis at the request of the passengers and then only at the rate therefore fixed by Schedule "A" of this by-law.
11. It shall be lawful for the owner or driver of any licensed vehicle for carrying passengers for hire to demand prompt payment of his/her lawful fare or hire from the person or persons using the same.
12. The owner or driver of any licensed vehicle for carrying passengers for hire outside the Town of Goderich may require pre-payment of his/her lawful fare.
13. No person licensed under this by-law shall carry in any taxi, shuttle vehicle or limousine used for hire a greater number of occupants or persons than the manufacturer's seatbelt capacity of such vehicle.
14. The owner or driver of any vehicle licensed under this by-law shall keep the interior and exterior of such vehicle clean and dry and in good repair and when such owner of such vehicle has received notice (either given to him/her or to his/her driver) and signed by the police or Clerk, that such vehicle is not in fit and proper condition for use, stating briefly the items complained of, such owner shall within the time mentioned in such notice, put the same in a fit and proper condition.
15. Every person licensed under this by-law shall take due care of all property delivered, or entrusted to and accepted by them for conveyance or safekeeping. All property left in the taxicab shall be delivered over to the person owning same, or, if the person cannot be found at once, shall be taken and placed in the company office. Notwithstanding the above, should money, a purse or wallet containing personal identification or important papers be found, the same shall be forthwith taken to the nearest police station.

## **PART IX – SCOPE**

1. This By-Law shall apply to all land within the geographic limits of the Town of Goderich.

## **PART X - ENFORCEMENT**

1. The provisions of this by-law may be enforced by any police officer and/or the Town's Municipal Law Enforcement Officer.

#### **PART XI - OFFENCE AND PENALTIES**

1. Every person who contravenes any of the provisions of this By-Law is guilty of an offence.
2. Every person who is convicted of an offence under this By-Law is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c.33, as amended, or as otherwise imposed by the presiding Justice.

#### **PART XII - SEVERABILITY:**

1. Should any section of this By-Law be declared by a court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining part shall be nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

#### **PART XIII - ENACTMENT**

1. Any licence that was issued under the provisions of By-Law 100 of 2009 as amended and that is valid on April 30<sup>th</sup>, 2017 shall be deemed to have been issued under this By-Law and will be valid until such licence is revoked or until it expires on April 30<sup>th</sup>, 2017, whichever occurs first.
2. By-laws 100 of 2009, 64 of 2010, 49 of 2014 and 63 of 2014 are hereby repealed.
3. Any existing investigation, legal proceeding or remedy under By-Law 100 of 2009 as amended shall be continued as if By-Law 100 of 2009 as amended had not been repealed.
4. The set fines for violations not otherwise provided by provincial statute shall be \$125.00.
5. This By-Law shall not come into force and effect until it is filed and approved by the Regional Senior Justice, Ontario Court of Justice.
6. The Mayor and Clerk are hereby authorized to execute and affix the Corporate Seal.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 20th DAY OF MARCH, 2017.**

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**MAYOR, Kevin Morrison**

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**CLERK, Dwayne Evans**

**SCHEDULE "A"**

**CORPORATION OF THE TOWN OF GODERICH**

**TAXI, SHUTTLE VEHICLE AND LIMOUSINE FEES**

**TAXI:**

**Part A**

Conveyance of goods and passengers within the municipality or to any point not more than five kilometres beyond the municipal limits:

- |    |  |         |
|----|--|---------|
| 1. | Meter Drop   | \$3.85  |
|    | For each .10 kilometre and any part thereof  | \$0.25  |
| 2. | Taxi Cabs engaged on an hourly basis (where vehicle is standing), per hour within the coverage area (3.2 kilometres or 2 mile radius)  | \$39.00 |
| 3. | Delivery of groceries, parcels, etc  | \$10.00 |
|    | and for every subsequent stop for same customer  | \$4.00  |
| 4. | Every taxicab operated in the Town of Goderich shall be equipped with taxi meter of a standard type approved by a recognized manufacturer and so placed in the taxicab as to be conveniently seen at all times by any passenger or passengers therein.   |         |
| 5. | Every such taxi meter shall be set to register the rates in conformity with the tariff set out in Schedule "A" to this bylaw and shall be the only rates charged for transportation from one point to another in the Town of Goderich or from a point in the Town of Goderich to any point within a distance of five (5) kilometres of the limits of the Town of Goderich.   |         |
| 6. | No person shall operate or cause to be operated a taxicab unless there is installed therein a properly operating taxi meter that is registering the correct kilometres traveled.   |         |
| 7. | Every taxi meter shall be inspected once every two (2) years by a recognized manufacturer and/or calibration service company to ensure that it is registering correctly, and an appropriate seal be attached thereto. The taxi company shall provide proof of calibration to the Clerk on or before April 30 <sup>th</sup> in each calibration year. This proof of calibration may be dated within thirty (30) day period preceding the aforementioned due date. |         |
| 8. | The taxi company shall retain all records of repairs and certifications and provide them to the police or Municipal Law Enforcement Officer or Clerk upon demand.  |         |
| 9. | While every taxi meter should be accurate, the tolerances thereon shall not exceed the following:  |         |
|    | a) On kilometre tests (road test) with respect to computed distance actually traveled, a tolerance of twenty-eight (28) metres short of one point six (1.6) kilometres and nine (9) metres for each additional five hundred and thirty-three (533) metres or fifty-five (55) metres over one point six (1.6) kilometres.   |         |
|    | b) Certification of compliance with the above tolerances is retained by the taxi company.  |         |

**Part B**

Conveyance of goods and passengers from any point within the municipality to any point greater than five kilometres outside the municipality.

As determined by the owner.

**LIMOUSINE:**

As determined by the owner.

**SHUTTLE VEHICLE:**

As determined by the owner.

**TOWN OF GODERICH  
TAXI BY-LAW  
CONSOLIDATION**

This document is a consolidation of the Town of Goderich Taxi By-Law No. 33 of 2017 and subsequent amendments made thereto. The compilation is for convenience for administrative purposes and does not represent true copies of the by-laws it contains. Any legal interpretation of this document should be verified with the Town Clerk.

This Consolidated Taxi By-Law contains:

Taxi By-Law No. 33 of 2017

and the following amendments thereto:

By-Law No. 71 of 2017