

City of Charlottetown
Taxi Bylaw
Bylaw #2021-TX-01

BE IT ENACTED by the Council of the City of Charlottetown as follows:

PART I

1. Title

1.1. This Bylaw shall be known as, and may be cited as, the “Taxi Bylaw”.

2. Purpose

2.1. The purpose of this Bylaw is to include information relating to Accessible Taxis, change format to be consistent with other City bylaws; repeal and replace Taxi Bylaw #2018-03.

3. Authority

3.1. Being a Bylaw of the City of Charlottetown relating to the regulation and Licensing of taxis in the City of Charlottetown pursuant to the Provisions of Section 180(h) of the Municipal Government Act of P.E.I., R.S.P.E.I., 1988, Cap. M-12.1

4. Definitions

4.1. In this Bylaw:

- a) “Accessible Taxicab” means a Motor Vehicle of a type and design of a sedan, bus or a van that is appropriately designed, constructed or modified, and used primarily for transporting people who have a disability or disabilities, including persons who use a wheelchair, scooter or other necessary Mobility Aid, and which may preclude them from accessing, using, or utilizing a traditional Taxicab.
- b) “Administrator” means the Administrator of the City of Charlottetown or his/her duly appointed representative;
- c) “Chief of Police” means the Chief of Police of the City of Charlottetown and includes anyone designated by him/her to act on his/her behalf;
- d) “City” means the Corporation of the City of Charlottetown and includes the area within the City where the context requires;
- e) “Council” means the City Council of the City of Charlottetown;

- f) "Development Officer" means the employee of the City responsible for the administration of the Zoning and Development Bylaw or his/her duly appointed representative;
- g) "Motor Vehicle" means a vehicle that is powered, drawn, propelled, or driven by any means other than muscular power;
- h) "Operate" means to Operate or drive a Taxi whether such Taxi is involved in the carriage of passengers or not;
- i) "Police Officer" means a Police Officer, police commissionaire, or police constable appointed by and for the City of Charlottetown;
- j) "Shuttle Service" means a Taxi Cab transporting for hire a group of people collected at different points to one or more destinations;
- k) "Taxi Cab" means a Motor Vehicle having a designed seating capacity to accommodate a minimum of four (4) adult persons exclusive of the driver and used/intended to be used for the transportation of passengers for gain. The term "Taxi Cab" may also be referred to as "Taxi" and/or "Cab" in this Bylaw;
- l) "Taxi License" means the permission to operate or own, granted through municipal legislation and regulation, the proof of which is furnished through card, plate, sticker or permit, and shall apply to a Taxi Cab, Taxi Owner, Taxi Operator and Taxi Stand;
- m) "Taxi Operator" means any person who drives or is in actual physical control of a Taxi Cab;
- n) "Taxi Owner" means the legal owner of a Motor Vehicle used as a Taxi Cab unless such Motor Vehicle is the subject of a contract under the terms of which another person has possession and may acquire legal title thereto, in which event while that person has possession against the legal owner, "Taxi Owner" means that person in possession of the Taxi Cab;
- o) "Taxi Stand" means the office of a Taxi Cab company utilized by Taxi Owners and Taxi Operators in the ordinary course of their business;
- p) "Taxi Stand Owner" means any person who is the owner or operator of a Taxi Stand, or his/her designee.

PART II – TAXI OWNER**5. Taxi Owner License**

- 5.1. Every Taxi Owner license applicant shall:
- a) Make application in writing to the Chief of Police in the forms set out in Schedule “A” of this Bylaw;
 - b) Establish to the satisfaction of the Chief of Police that he/she is eighteen years of age or older;
 - c) Supply such information concerning himself/herself as the Chief of Police may reasonably require to determine whether the Applicant qualifies for a license;
 - d) Establish to the satisfaction of the Chief of Police that he/she holds a valid insurance policy issued by an insurance company licensed to carry on business in the Province of Prince Edward Island which:
 - (i) provides public liability insurance, passenger hazard insurance and property damage coverage for an amount not less than \$1,000,000 and without limits on any particular claim on those above referenced, regardless of the number of persons involved or the nature of the damage;
 - e) Produce a valid certificate of inspection for the Motor Vehicle(s) to which the application relates issued pursuant to the provisions of the Highway Traffic Act, R.S.P.E.I. 1988, Cap. H-6 as amended, which has been issued within the preceding one month period;
 - f) Where the Applicant is a company, provide proof that the company is duly licensed to carry on business in the Province of Prince Edward Island; and
 - g) Establish that the Motor Vehicle to which the application relates:
 - (i) has a minimum of four (4) side opening doors and, where vehicle inspection deems necessary, is equipped with a side step to assist passengers embarking/diseimbarking vehicle,
 - (ii) is equipped with safety restraint systems for at least four (4) passengers,
 - (iii) has a height from the top of the floor to the underside of the roof of at least 44 and ½ inches/113 centimeters,

- (iv) has a width from the inside of the door post to the inside of the door post on the opposite side of at least 51 inches/130 centimeters,
- (v) has a length from the dashboard excluding extremities, to the front of the back seat of at least 61 inches/155 centimeters.

5.2 The Chief of Police shall issue a Taxi Owner license where:

- a) The requirements of Section 5 are met; and
- b) Subject to subsection 5.5, the Applicant has paid a license fee of \$100 for that year.

5.3 Where the Chief of Police has issued a Taxi Owner license, he shall also issue a window sticker or bumper sticker or plastic or metal plate for the Taxi which shall bear a number and the words "Charlottetown Taxi".

5.4 Every Taxi Owner license expires on the last day of April of the year for which it is issued and may be renewed by the Chief of Police provided the requirements of Section 5 continue to be met, and the required fee has been paid.

5.5 Where a person applies for a Taxi Owner license after November 1, the license fee shall be \$50 for that year.

6. Taxi Owner Duties

6.1. Every person who Operates or who knowingly permits to be Operated, any Taxi Cab in the City of Charlottetown which does not display the registration plate or sticker issued by the Chief of Police for the current registration year, as set out in subsection 5.3, is guilty of an offence.

6.2. Every Taxi Owner who does not own a valid Taxi Owner license for each Taxi Cab owned by him/her is guilty of an offence.

6.3. Every Taxi Owner who does not:

- a) Produce his/her Taxi Owner license when demanded to do so by a Police Officer is guilty of an offence;
- b) Keep the Motor Vehicle in a clean and operable condition, and without restricting the generality of the foregoing:

- (i) ensure that the body of the Motor Vehicle is undamaged, and in good repair;
- (ii) maintain the side windows in working order;
- (iii) ensure that the interior dome light operates by interior switch as well as when the doors open;

is guilty of an offence.

6.4 Every Taxi Owner who does not:

- a) File in writing with the Chief of Police the name and address of each Taxi Operator employed by the Taxi Owner prior to the commencement of the Taxi Operator's employment;
- b) Advise the Chief of Police of the departure of any employee forthwith; or
- c) Advise the Chief of Police of a change in his/her employment to another Taxi Stand forthwith;

is guilty of an offence.

6.5 Every Taxi Owner who does not:

- a) Have the Taxi inspected every twelve (12) months pursuant to the provisions of the Highway Traffic Act, R.S.P.E.I. 1988, Cap. H-6 as amended;
- b) Produce, on demand by a Police Officer, a certificate of inspection issued by a licensed Motor Vehicle inspection station;

Is guilty of an offense

6.6 Every Taxi Owner who does not maintain the conditions of a license set out in Section 5 during the term of the license is guilty of an offence.

- a) Every Taxi Owner who fails to affix, as issued pursuant to subsection 5.3, the plastic or metal plate to the front grill or the window sticker to the window or the bumper sticker to the bumper of the Taxi is guilty of an offence.
- b) If a sticker or plate becomes lost or defaced, additional decals may be obtained from the Chief of Police for a fee of \$10 per item upon satisfactory proof to the Chief of Police that the item must be replaced.

6.7 The Police Chief shall approve:

- a) the size, colour and style of the sign required by this section, and
- b) the method for affixing the sign to the roof of the Taxi.

6.8 No person shall Operate a Taxi unless a sign:

- a) capable of being illuminated,
- b) indicating the Taxi Stand for which the Taxi is being driven, and
- c) of proper size, colour and style,

as approved by the Chief of Police pursuant to subsections 6.7 (a)(b) is affixed to the roof of the Taxi;

6.9 No person shall Operate a Taxi equipped with a sign unless the sign is illuminated;

6.10 No person shall Operate a vehicle equipped with a sign required by subsection 6.8 unless:

- a) the vehicle is being Operated as a Taxi, or
- b) the sign is covered with opaque material;

6.11 No person shall Operate a vehicle equipped with a roof sign or marking identifying the vehicle as a Taxi unless the vehicle is duly licensed to Operate as a Taxi;

6.12 Every person who contravenes subsections 6.8 to 6.11 is guilty of an offence.

6.13 The owner of an accessible taxi must ensure that all drivers of the accessible taxi to which the owner license relates are properly instructed on how to apply and do apply the accessible taxis mobility aid securement systems and occupant restraint systems to all wheelchair passengers in accordance with the manufacturer's specifications, prior to operating the taxi.

PART III – TAXI OPERATOR

7. Taxi Operator License

7.1 Every Taxi Operator license applicant shall:

- a) Make application in writing to the Chief of Police in the forms set out in Schedule "A" of this Bylaw;
- b) Establish to the satisfaction of the Chief of Police that he/she is eighteen

(18) years of age or older;

- c) Establish that he/she is the holder of a current driver's license of the appropriate class issued pursuant to the Highway Traffic Act, R.S.P.E.I., 1988, Cap H-6, as amended;
- d) Produce, to the Chief of Police, references from the Taxi Stand Owner of the Taxi Stand where he/she intends to work, as to his/her knowledge of the City and the Taxi industry;
- e) File two (2) recent, untouched, 1½" square photographs of himself/herself. Subject to any facial feature changes, i.e. beard, photos will remain valid for renewal purposes for a maximum of four (4) years from the date filed.

7.2 The Chief of Police shall issue a Taxi Operators license where:

- a) An applicant has no recorded conviction, for which a pardon has not been issued for an offence contrary to section 151, 152, 153, 153.1, 271, 272, 273, and 279 of the Criminal Code, R.S.C. 1985, Chap. C-46, as amended;
- b) An applicant has not, within two (2) years prior to the date of the application been convicted of:
 - (i) an indictable offence, under the Criminal Code, R.S.C. 1985, Chap. C-46, as amended,
 - (ii) an offence under the Narcotic Control Act, R.S.C. 1985, Chap. N-1, as amended, of trafficking in a narcotic or possession for the purpose, or importing,
 - (iii) an offence under the Food and Drug Act, R.S.C. 1985, Chap. F-27, as amended, of trafficking in a controlled or restricted drug or possession for the purpose,
 - (iv) an offence under the Controlled Drug and Substances Act Drug Act, R.S.C. 1996, Chap. 19, as amended, of trafficking in a substance or possession for the purpose;
- c) Subject to the provisions of subsections 7.2(a) and Section 7.3, the applicant has not, within one (1) year prior to the date of application been convicted of:
 - (i) a summary conviction offence under the Criminal Code or the Young Offenders Act, R.S.C 1985, C. Y-1, as amended,
 - (ii) an offence under the Narcotic Control Act, the Food and Drug Act or the Controlled Drug and Substances Act other than those specifically enumerated in subsection 7.2(b),

- (iii) an offence under the Liquor Control Act, R.S.P.E.I. 1988, Cap. L-17, as amended, or parallel legislation of another jurisdiction, which in the discretion of the Chief of Police is sufficient to warrant refusal of a license,
 - (iv) an offence under any statute of the Federal Parliament of Canada, which in the discretion of the Chief of Police is sufficient to warrant refusal of a license;
- d) The Applicant is not on parole or probation at the time of making the application, for an offence which, in the opinion of the Chief of Police or his/her designate, would be detrimental to obtaining a Taxi license;
- e) The Applicant has provided a copy of his/her driving abstract (available through Provincial Highway Safety) which will enable confirmation of the following:
 - (i) that the applicant has the appropriate license class to operate a taxi,
 - (ii) that the applicant is in compliance with the medical reporting requirements for Class 4 operators as established by the PEI Highway Safety Division,
 - (iii) that the applicant has no more than nine (9) demerit points on his/her driving record,
 - (iv) that the applicant has not been responsible for more than three (3) motor vehicle collisions within one (1) year prior to the date of the application,
 - (v) the driving record is such that in the opinion of the Chief of Police qualifies him/her as a fit and proper person to operate a Taxi;
- f) Subject to subsection 7.5, the Applicant has paid a license fee of \$100 for that year;
- g) The Applicant has met the requirements of subsection 7.1;
- h) Effective April 9, 2018 all operators must successfully complete training and testing associated to the following:
 - (i) approved training in areas of professionalism, customer service, communications and safety;
 - (ii) written testing with respect to:

- the operators working knowledge of the Taxi Bylaw, and
- the operators working knowledge of the City of Charlottetown (road and site locator information).

For greater clarity, all new operators must complete all training and testing within 90 days of license approval. All existing drivers must complete training and testing associated with 15(h)(i) within six (6) months of the April 9, 2018 date.

- 7.3 Where the conditions set out in subsection 7.2(b) apply to convictions related to the operation of a Taxi, a time period of two (2) years applies.
- 7.4 Every Taxi Operator license expires on the last day of April of the year for which it is issued and may be renewed by the Chief of Police provided the requirements of subsections 7.1 and 7.2 continue to be met and the required fee has been paid.
- 7.5 Where a person applies for a Taxi Operator license after November 1, the license fee shall be \$50 for that year.

8. Taxi Operator Duties

- 8.1 A Taxi Operator, while operating a Taxi, must:
- a) Be neat and clean in appearance;
 - b) Conspicuously display the Taxi Operators license on the center of the dash or the motor vehicle for which the licensee is operating;
 - c) Not use obscene, insulting or abusive language; and
 - d) VEHICLES TO BE SMOKE FREE. The owner of a licensed vehicle must not permit smoking in the vehicle at any time, whether or not the vehicle is being operated at the time as a vehicle for hire.
 - e) Neither the owner nor the driver of a licensed vehicle may represent that it is a non-smoking vehicle or a smoke free vehicle if it has been smoked in while owned by the current owner
- 8.2 Any person who transports persons for hire or operates a Taxi without a Taxi Operator license is guilty of an offence.
- 8.3 Any Taxi Operator who:
- a) Does not produce his/her Taxi Operator license when demanded to do so by a Police Officer;

- b) Does not display his/her Taxi Operator license and his/her picture, on the center of the dash, of the Taxi Operated by him/her;
- c) Does not use the most direct route of travel to transport passengers unless directed otherwise;
- d) Does not notify the Chief of Police forthwith of any change in his/her employment;
- e) Refuses or neglects to transport any person upon request unless previously engaged or afraid for his/her own safety or because of previous indebtedness of the person;
 - (i) except that an operator may refuse to transport a person requiring the assistance of a guide dog only where:
 - (1) the operator has a medically documented allergy to dogs,
 - (2) proof of which has been filed with the Chief of Police, and
 - (3) the fact of which is conveyed to the person seeking transportation immediately upon the request for transportation,
 - (ii) where transportation of a person is refused in subsection 8.3(e)(i) above, the operator shall,
 - (1) immediately arrange for a second Taxi/limousine to attend to the location of the person, and
 - (2) remain at the location until second Taxi/limousine arrives;
- f) Except when operating as a Shuttle Service, transports one or more persons while previously engaged in the conveyance of other passengers, without first obtaining the permission of the passengers first engaging the services;
- g) Fails to ensure that the body of the Motor Vehicle is undamaged, and in good repair;
- h) Does not take due care of all property delivered or entrusted to him/her for conveyance or safe keeping;
- i) allows more than six (6) persons excluding himself/herself to comprise one fare at any one time,

is guilty of an offence.
- j) The operator of an accessible taxi to which the license relates, are to ensure they are properly instructed on how to apply and do apply the accessible taxis mobility aid securement systems and occupant restraint

systems to all wheelchair passengers in accordance with the manufacturer's specifications, prior to operating the taxi.

PART IV – TAXI STANDS

9. Taxi Stand License

- 9.1 Every person who Operates a Taxi Stand without first obtaining a license to do so is guilty of an offence.
- 9.2 Every person who wishes to operate a Taxi Stand shall:
- a) Make application in writing to the Chief of Police in the forms set out in Schedule "B" of this Bylaw;
 - b) Establish that the Taxi Stand conforms to the provisions of the Zoning and Development Bylaw of the City of Charlottetown by producing a letter from the Development Officer;
 - c) Establish that he/she holds a valid insurance policy issued by an insurance company licensed to carry on business in the Province of Prince Edward Island which:
 - (i) provides premises liability coverage in and for an amount not less than \$1,000,000 and without limits on any particular claim herein regardless of the number of persons involved or the nature of the damage;
 - d) Establish to the Chief of Police that he/she is an individual of the full age of 18 years or older or is a corporation licensed to do business in Prince Edward Island; and
 - e) Establish that the place of business to which the application relates:
 - (i) is equipped with a suitable communications system enabling two-way contact with the vehicles,
 - (ii) is equipped with a business telephone which is listed by the telephone company under the trade name under which it operates.
- 9.3 The Chief of Police shall issue a Taxi Stand license where:
- a) The requirements of subsection 9.2 are met; and
 - b) Subject to subsection 9.5, the Applicant if located in any commercial area of the City, has paid a license fee of \$500 for that year.

- 9.4 Every Taxi Stand license expires on the last day of February of the year for which it is issued and may be renewed by the Chief of Police provided the requirements of subsection 9.2 continue to be met, and the required fee has been paid.
- 9.5 Where a person applies for a Taxi Stand license after September 1, if the Applicant's place of business is in any commercial area of the City, the license fee shall be \$250.00 for that year.

10. Taxi Stand Owner Duties

- 10.1 Every Taxi Stand Owner who allows any unlicensed Taxi Operator to accept calls for transportation in the operation of his/her business is guilty of an offence.
- 10.2 Every Taxi Stand Owner who fails to ensure that all vehicles and Taxi Operators who Operate out of his/her Taxi Stand are properly licensed pursuant to this Bylaw is guilty of an offence.
- 10.3 Every Taxi Stand Owner who does not:
- a) ensure that the off-street parking is used by the Taxi Operators who Operate from his/her stand;
 - b) fulfil requests for transportation in the order in which they are received;
 - c) advise persons requesting transportation that a Taxi will not be available in a reasonable time;
 - d) maintain his/her Taxi Stand in a neat and clean condition;
 - e) provide accurate lists of all Taxi Owners and Taxi Operators who Operate from his/her stand, and any changes to these lists,
- is guilty of an offence.
- 10.4 Every Taxi Stand Owner who does not maintain the conditions of a license set out in subsection 9.2 is guilty of an offence.

PART V – FARES

11. Zones

- 11.1 The City shall be divided into six (6) zones as set out in Schedule "D" attached. Fares shall be subject to distance and shall be calculated on the basis of travel

north-south and east-west. Travel in a zone north-south shall be as per the zone rate. Travel from east-west shall be at the zone rate and include a \$0.25 cent increase for each boundary line crossed, exclusive of the first. (All rates include HST)

Example: fare from Acadia Drive to Beach Grove Home \$8.75

Zone 1 - \$8.50	Zone 2 - \$9.25	Zone 3 - \$9.75
Zone 4 - \$10.25	Zone 5 - \$10.75	Zone 6 - \$11.25 to \$18.00

- a) An additional \$2.00 shall be charged for each additional passenger over the age of 11 years.

These fares shall apply to all calls for transportation, except those involving the Charlottetown Airport Authority and its designated Airline Taxi. Rates involving airport fares are as negotiated with the Charlottetown Airport Authority and the successfully competing Taxi firm.

Higher rates are applicable as the Airport Authority contract includes minimum service requirements, including requiring vehicles to be at the airport for aircraft arrivals and stand-by time. The fares shall apply to ground transportation from the Charlottetown Airport only.

12. Every taxi operator shall:

- 12.1 (a) accept electronic payments and may not refuse a client for the sole reason that the client wishes to pay the fare by credit or debit card.
- (b) at the customer’s request, issue a receipt containing the following minimum information:
 - (i) drivers taxi license number
 - (ii) date
 - (iii) amount of the fare
 - (iv) drivers’ signature or initials
- 12.2 No additional fee will be charged for the transportation of wheelchairs or for escorting passengers with disabilities to and from the first accessible door of their pick-up or destination.

PART VI – GENERAL

13. General Information

- 13.1 The Chief of Police may cancel or suspend a Taxi Owner License where:

- a) the holder of the Taxi Owner License no longer meets the requirements of Section 5, or
 - b) the holder of the Taxi Owner License has violated any provision of this Bylaw;
- 13.2 The Chief of Police may cancel or suspend any Taxi Operator License where:
- a) the holder of the Taxi Operator License no longer meets the requirements of subsections 7.1 and 7.2, or
 - b) the holder of the Taxi Operator License has violated any provision of this Bylaw;
- 13.3 The Chief of Police may cancel or suspend a Taxi Stand license where:
- a) the holder of the Taxi Stand license no longer meets the requirements of subsection 9.2, or
 - b) the holder of the Taxi Stand license has violated any provision of this Bylaw.
- 13.4 Where the Chief of Police suspends or cancels any license pursuant to Section 12, he shall:
- a) Give written notice of suspension or cancellation of such license to the holder of the license, by sending the notice to the last known address of the holder of the license; and
 - b) Provide the reason or reasons for such suspension or cancellation and the time period of any such suspension or cancellation in the written notice.
- 13.5 Where any license has been suspended or cancelled pursuant to Section 12:
- a) The holder of such license shall forthwith surrender the same to the Chief of Police;
 - b) Any license fee paid pursuant to this Bylaw is not refundable.
- 13.6 Any license issued pursuant to this Bylaw is not transferable;
- 13.7 Any person who uses any license issued pursuant to this Bylaw and who is not the proper holder of the license is guilty of an offence;
- 13.8 Any person who holds a license issued pursuant to this Bylaw and who permits another person to use said license is guilty of an offence.
- 13.9 Every Taxi Owner and Taxi Stand Owner who fails to keep a written record of all telephone calls received by the Taxi Operator and who fails to maintain these records for a period of at least three (3) months is guilty of an offence;

- 13.10 Every Taxi Owner or Taxi Stand Owner who fails to produce the records referred to in subsection 13.6 when demanded to do so by a Police Officer is guilty of an offence;
- 13.11 A copy of any writing, paper or document filed in any Court of the Province of Prince Edward Island or any statement containing any information from the records of the Highway Safety Division, Department of Transportation and Public Works, Province of Prince Edward Island purporting to be signed by the Registrar of Motor Vehicles or his/her Representative shall be received in evidence in the court without proof of the signature and is prima facie evidence of the facts contained therein as to the names of the owner and address of the owner of the said vehicle;
- 13.12 An engraved, lithographed, printed or otherwise mechanically reproduced facsimile signature of the Registrar of Motor Vehicles or his/her Representative is sufficient authentication of any such copy or statement;
- 13.13 Judicial Notice shall be taken of this Bylaw by the presiding Judge without being specifically pleaded.
- 13.14 Where a Motor Vehicle is equipped with:
- a) A two-way radio ordinarily used for communication with a Taxi Stand; or
 - b) A roof sign within the meaning of subsection 6.7 of this Bylaw;
- or both, it shall be prima facie proof that the vehicle is intended to be used for the transportation or passengers for gain.

14. Appeals

- 14.1 Any person who has received notice of a suspension or cancellation of a license, pursuant to Section 12, may appeal the suspension or cancellation to the Council by giving written notice to the Administrator within ten (10) days of receipt of the notice of suspension or cancellation.
- 14.2 The Administrator, upon receipt of an appeal pursuant to subsection 13.14 must provide the Appellant with an opportunity to be heard before Council.
- 14.3 (a) The Council, upon hearing the appeal may confirm the suspension or cancellation of a license or, if satisfied that it is in the public interest to do so, may amend, vary or reverse the cancellation or suspension;
- (b) The Council shall notify the Appellant of its decision in writing within ten (10) days from the hearing of the appeal.
- 14.4 (a) Where fifty percent or more of the Taxi Owners or Taxi Stand Owners wish to have the fares as set out in Section 11 reviewed, they may

request, upon satisfactory proof that fifty percent or more of the Taxi Owners or Taxi Stand Owners are represented, and in writing, to the Chief of Police, that the fares be reviewed, and they shall provide any reason therefore;

- (b) Where the Chief of Police receives written notice pursuant to subsection 14.3(a), the Chief of Police shall take the request to Council for consideration.

15. Penalty

- 15.1 (a) Unless otherwise provided by this Bylaw, any person convicted of an offence against this Bylaw shall be adjudged to pay a fine of an amount not more than the maximum nor less than the minimum amount prescribed for such offence in Schedule "C" appearing opposite the number, or letter or both of the section, subsection, or clause and the statement of the offence, and in default of payment or satisfaction of such fine to suffer imprisonment for a period not longer than the maximum nor shorter than the minimum period for the offence in the Schedule prescribed and therein appearing opposite the number or letter of the section, subsection, or clause and the statement of the offence;
- (b) The terms "Max" and "Min" wherever used in Schedule "C" mean "Maximum" and "Minimum" respectively.
- 15.2 Every person who violates any provision of this Bylaw, where no other penalty for the violation is provided herein, is liable:
 - a) For the first offence to a fine of not less than ten dollars and not more than fifty dollars;
 - b) For a second offence to a fine or not less than fifty dollars and not more than one hundred dollars; and
 - c) For any subsequent offence to a fine or not less than one hundred dollars (\$100) and not more than two hundred dollars (\$200).

PART VII - INTERPRETATION

16.

- 16.1 (a) In this Bylaw, words of the singular import the plural, and words of the masculine gender include the female gender and vice versa;
- (b) It is declared that if any section, subsection, part or parts of this Bylaw be declared by any Court of law to be bad, illegal, or ultra vires, such

section, subsection, part or parts shall be severable, and all parts hereof are declared to be separate and independent and enacted as such.

PART VIII - TRANSITIONAL

17.

- 17.1 On or after the coming into force of this Bylaw, no proceedings may be commenced under the previous Bylaw as so defined by that Bylaw;
- 17.2 Where, before the coming into force of this Bylaw, proceedings are commenced under the previous Bylaw in respect of an act alleged to have been committed pursuant to the previous Bylaw, the proceedings and all matters consequent thereon may be dealt with in all respects as if this Bylaw had not come into force;
- 17.3 For the purpose of this Section, proceedings are commenced by issuing a summons and laying an information;
- 17.4 Any Taxi Stand validly established or owner license or operator license validly issued pursuant to the previous Bylaw that do not meet with the requirements of the within Bylaw shall be deemed to conform with the requirements set out herein.

18. Repeal and Replace Existing Bylaw

- 18.1 Upon adoption, this bylaw replaces The City of Charlottetown Taxi Bylaw #2018-03 initially approved and adopted by City Council on April 25, 2018 and amended May 25, 2000; July 26, 2000; Jan 29, 2002; July 8, 2002; Mar 27, 2003; July 14, 2003; Jan 15, 2004; June 14, 2004; June 13, 2005; Sept 28, 2005; June 11, 2008 and Mar 27, 2013.

19. Effective Date

- 19.1 This Taxi Bylaw, Bylaw# 2021-TX-01, shall be effective as of the date of formal adoption below.

First Reading:

This Taxi Bylaw, Bylaw# 2021-TX-01, was read a first time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2021.

Second Reading:

This Taxi Bylaw, Bylaw# 2021-TX-01, was read a second time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2021.

Approval and Adoption by Council:

This Taxi Bylaw, Bylaw# 2021-TX-01, was approved and adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2021.

Witness the corporate seal of the City of Charlottetown.

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Taxi Bylaw, Bylaw# 2021-TX-01, adopted by the Council of the City of Charlottetown on the _____ day of _____, 2021 is certified to be a true copy.

Chief Administrative Officer

Date

*“This document is an office consolidation of this Bylaw (**amending bylaw #2021-TX-01B adopted 24-July-2023**). It is intended for information and reference purposes only. This document is not the official version of the Bylaw. Where accuracy is critical, please consult official sources. If you find any errors or omissions in this consolidation, please contact the Records Management Clerk”*

Schedule A APPLICATION FOR TAXI LICENSE(S)

TO:
THE OFFICE OF CHIEF OF POLICE
CHARLOTTETOWN POLICE DEPARTMENT

Applicant's Name: _____
(Please Print Clearly)

I hereby apply for license to transport passengers for hire as an owner or as a driver
for year ending April 30, 20 _____

Full time owner Full time owner & driver Part time driver

I will operate out of _____ Taxi stand,
with the approval of _____ (stand proprietor).
Signature

as a (swing driver/part time driver), I will drive
cab number _____, with owner(s) consent _____
Signature

(This section not to be completed by applicant)

License approved by: _____ Date: _____

License granted by: _____ Date: _____

Cab Ident. No.: _____ Taxi Operator No.: _____

Issue Date: _____ Issue Date: _____

License not approved contrary to section: _____ Taxi by-laws, Date: _____

Licensee charged contrary to section: _____ Taxi by-laws, Date: _____

Penalty Assessed: _____

License cancelled or
suspended contrary to section _____ Taxi by-laws, Date: _____

Termination period from _____ to _____ RID _____

Review: (No) _____, if (Yes) _____ Disposition: _____

Reprover: _____

Chief of Police: _____ Date: _____

CCP 300A

Application For Taxi License(s)

(Please Print Neatly)

**** General Information ****

Surname: _____

Given Names: _____

Full Address: _____

Date of Birth: _____ Home Phone: _____

Chauffeurs License No.: _____ Class: _____ Expires: _____

Social Insurance Number (optional): _____

Do you require a visual aid: (No _____) (Yes _____)

Give driving experience: _____ years _____ months

Estimate total (miles/kilometers) you have driven: (_____ m) (_____ km)

Has your Driver's License ever been cancelled/suspended? (No _____) if, (Yes _____), Give Details _____

Have you acquired any Demerit Points on your driving record within the last two (2) years:
(No _____) if (Yes _____) (how many _____)

Have you previously held a Taxi License? (No _____) if, (Yes _____) Where? _____
When? _____

List All Accidents You Were Involved In As The Driver Within The Last 3 Years						
	Date	Location	Injuries	Total Damages	Charged	
1.					No	Yes
2.					No	Yes
3.					No	Yes
List Any Others On A Separate Sheet And Submit With Application						

(Please Read Carefully - Answer Fully)

Have you ever been charged (including charges dismissed) with any crime or offence under the Criminal Code of Canada, any other Federal Statute, a Statute of any Province, Municipal By-law, or the Law of any Country including Traffic and Liquor or Drug Offences.

	Offence	Location	Date	Disposition:
1.				<small>Convicted, acquitted, withdrawn, discharged, dismissed</small>
2.				
3.				
List Any Others On A Separate Sheet And Submit With Application				



Taxi Auto Info

Those applicants desiring a taxi cab owner's license shall answer the following questions. (Please Print Neatly)

- 1. Make of Auto: _____ 6. Plate No.: _____
- 2. Model: _____ 7. Validation No. : _____
- 3. Year: _____ 8. Inspection No.: _____
- 4. Colour: _____ 9. Inspection Date: _____
- 5. Serial No.: _____ 10. Cab Roof Light No.: _____

11. Does your vehicle (taxi) conform to required specification as set out in section 2 (g) of the Taxi Bylaw?:
 _____, to wit:

- (i) has a minimum of four (4) side opening doors and, where vehicle inspection deems necessary, is equipped with a side step to assist passengers embarking/diseimbarking vehicle;
- (ii) is equipped with safety restraint systems for at least 4 persons, exclusive of driver;
- (iii) has a height from the top of the floor to the underside of the roof of at least 44 and 1/2 inches/113 centimeters;
- (iv) has a width from the inside of the door post to the inside of the door post on the opposite side of at least 51 inches/130 centimeters;
- (v) has a length from the dashboard excluding extremities, to the front of the back seat of at least 61 inches/155 centimeters.

12. Has your vehicle (taxi) been inspected within the past (30) days pursuant to section 2 (e) of the Taxi Bylaw? _____

13. Listed hereafter and pursuant to section 10(a) of the Taxi Bylaw are the names and addresses and phone numbers of persons who will operate this cab:

_____ of _____ PH _____

_____ of _____ PH _____

(This Section To Be Completed By Insurance Agent)

14. This section as evidenced by my Insurance Agent's signature will inform the reader that in accordance with section 2(d)(i) of the Taxi Bylaw, my vehicle (taxi) is insured with at least the following coverage:

(a) Public liability insurance, passenger hazard insurance and property damage coverage in the amount of **one million (1,000,000)** dollars without any limit on any particular claim up to the herein mentioned amount, regardless of the number of persons involved or the nature of the damage;

Insurance Company _____ Policy Number _____

Insurance Agent _____ Policy Age (3 mo.) _____ (6 mo.) _____ (Yr) _____

Expiry Date _____ Agent's Signature _____

Declaration:

I hereby declare that the foregoing information is true and complete, and bear responsibility for reporting any subsequent change(s) forthwith to the Chief of Police.

I understand that this application is to be filled out in detail, without omissions, unless otherwise clarified. Any portion herein that may prove to be false, or questions not fully answered, may cause this application to be invalid.

Date: _____ Signed: _____

Note: Ensure that you have:

1. Completed all questions
2. Included a recent photo, two (2) copies -- "head & shoulders, full face"
3. Included proof of driver's license
4. Included motor vehicle registration (if applicable)
5. Included motor vehicle insurance
6. Included motor vehicle inspection certificate
7. Driving abstract from Highway Safety Division (within the last 30 days)

***** An incomplete application cannot be processed until all required information is provided. *****

(OFFICE USE ONLY -- NOT TO BE COMPLETED BY APPLICANT)

Driving Record Check (if applicable) Positive _____, Negative _____

Criminal Record Check (if applicable) Positive _____, Negative _____

Coding: Criminal Code, Indictable 1; Criminal Code, Summary 2; Other Federal Statute 3; Provincial Statute 4 and Municipal Bylaw 5.

	Date	Offence	Section	Disposition	Code
1.					
2.					
3.					
4.					
5.					
6.					
7.					

Comments: _____

TAXI BYLAW – SCHEDULE “B”

TAXI STAND LICENSE APPLICATION

1. Do you possess the necessary approval documentation from the Zoning and Development Office as required by subsection 9.2(b) of the Taxi Bylaw?

2. What “trade name” will you operate under?

3. What is your business phone number(s)?

4. How will your business be listed in the telephone book?

5. How many cars will operate from your stand?

6. Do you foresee an increase in the number of cabs operating from your stand in the next five (5) years? _____. If yes, approximately how many?

7. What type of communications system(s) are you proposing to use?

8. Are you or your company in a position to supply off-street parking facilities for 100% of the taxicabs to be registered to your business?

9. If you anticipate an increase in the number of taxicabs registered to your stand within the next five (5) years, are you or can you fulfill the requirements of the preceding question?

10. Can you produce to the Chief of Police an insurance policy with the necessary coverage as outlined in subsection 9.2(b) of the Taxi Bylaw? _____

11. Are you located in a: (circle one) Industrial Zone Commercial Zone

12. Have you included the license fee as required by the Taxi Bylaw pursuant to subsection 9.3(b) with your completed application? (money to be returned if application rejected). _____

13. Applicant's:

Name: _____

Home Address: _____

Contact Phone Number(s) _____

Business Address: _____

Date of Birth: _____

14. Is your business: (circle one)

Sole – proprietorship

Partnership

Corporation

SCHEDULE "C" – PENALTIES

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4	
Section	Offence	A fine of not more or not less than the dollar amounts specified 9.3(b)		In default of payment of fine, imprisonment for not longer nor shorter than the time specified	
		Min	Max	Min	Max
7	Operating without displaying permit	\$50	\$100	1 day	3 days
8	Operate without a license	\$100	\$500	5	10
9(a)	Failure to produce license	\$50	\$100	1	3
9(b)	Failure to display license on door post	\$50	\$100	1	3
9(c)	Failure to keep Motor Vehicle in clean and operable condition	\$50	\$100	1	5
10(a)	Failure to file list of operators	\$50	\$100	1	3
10(b), (c)	Failure to advise of any changes	\$50	\$100	1	3
11(a)	Fail to have six month inspection	\$50	\$100	3	5
11(b)	Failure to produce certificate of inspection	\$50	\$100	1	3
12	Failure to maintain conditions of license	\$100	\$500	5	10
12.1	Failure to affix sticker/plate	\$50	\$100	1	3
13(a), (b)	Failure to display sign	\$50	\$100	1	3
13(b)	Operating with improper sign	\$50	\$100	1	3
13(c)	Failure to illuminate sign	\$50	\$100	1	3
13(d)(ii)	Failure to cover sign	\$50	\$100	1	3

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4	
Section	Offence	A fine of not more or not less than the dollar amounts specified		In default of payment of fine, imprisonment for not longer nor shorter than the time specified	
		Min	Max	Min	Max
13(e)	Operate unlicensed vehicle with sign	\$50	\$100	1 day	3 days
20	Operate Taxi without a license	\$100	\$500	5	10
21(a)	Failure to produce license	\$50	\$100	1	3
21(b)	Failure to display license	\$50	\$100	1	3
21(c)	Failure to use most direct route of travel	\$50	\$200	3	8
21(d)	Failure to notify of change of employment	\$50	\$100	1	3
21(e)	Refusal to transport any person	\$50	\$200	3	8
21(f)	Transports persons while already engaged	\$50	\$200	3	8
21(g)	Fails to ensure vehicle is in good repair	\$100	\$500	5	10
22	Operate Taxi Stand without a license	\$100	\$500	5	10
27	Accept calls for operator without license	\$50	\$200	3	8
28	Fail to ensure vehicles and drivers properly licensed	\$100	\$500	5	10
29(a)	Failure to ensure off street parking	\$50	\$200	3	8
29(b)	Fulfill requests in order received	\$50	\$200	3	8
29(c)	Failure to advise length of time	\$50	\$200	3	8

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4	
Section	Offence	A fine of not more or not less than the dollar amounts specified		In default of payment of fine, imprisonment for not longer nor shorter than the time specified	
		Min	Max	Min	Max
29(d)	Failure to maintain stand in clean condition	\$50	\$200	3 days	8 days
29(e)	Failure to provide accurate lists	\$50	\$200	3	8
30	Failure to maintain conditions of a license	\$100	\$500	5	10
36(b)	Use of someone else's license	\$50	\$200	3	8
36(c)	Allowing another to use own license	\$50	\$200	3	8
37(a)	Fails to keep written records	\$50	\$200	3	8
37(b)	Fails to produce written records	\$50	\$200	3	8

SCHEDULE "D"



Larger scaled drawings on following pages





