

BYLAW NO. 2648

CONSOLIDATION OF A BYLAW OF THE CITY OF MEDICINE HAT to license, regulate and control the taxi business.

WHEREAS pursuant to the provisions of the Municipal Government Act R.S.A. 1980 c. M-26 as amended, the council of a municipality may pass bylaws licensing, regulating and controlling the taxi business;

NOW THEREFORE THE MUNICIPAL CORPORATION OF MEDICINE HAT IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. SHORT TITLE

This Bylaw may be cited as the Taxi Bylaw.

2. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

Amended by:
Bylaw 3740
Nov. 7, 2006
Amended by:
Bylaw 4062
Apr. 3, 2012

(a) "ACCESSIBLE TAXI" means a taxi which is designed and manufactured or converted for the purpose of transporting persons who use mobility aids, but does not include a taxi equipped with a swivel chair;

Amended by:
Bylaw 3740
Nov. 7, 2006

(a.1) "ACCESSIBLE TAXI STANDARDS" means the standards established from time to time by the Canadian Standards Association regarding the transport of persons with physical disabilities;

Amended by:
Bylaw 3740
Nov. 7, 2006

(a.2) "BYLAW ENFORCEMENT OFFICER" means any police officer, special constable or bylaw enforcement officer of the City, and shall be deemed to include all License Inspectors employed by the City;"

Amended by:
Bylaw 3740
Nov. 7, 2006

(b) "CHIEF OF POLICE" means the Chief of Police of the Medicine Hat Police Service and includes any person designated by the Chief of Police to perform the Chief's duties pursuant to this Bylaw;

(c) "CITY" means the municipal corporation of Medicine Hat, or the area contained within the boundary thereof, according to the context in which the term is used;

Amended by:
Bylaw 3740
Nov. 7, 2006

(d) "HIGHWAY" means a highway as defined in the Traffic Safety Act R.S.A. 2000 c. T-6;

(e) "LICENSE INSPECTOR" means a person appointed by City Council to perform the duties and exercise the powers assigned to the License Inspector under the provisions of this Bylaw;

- Amended by:
Bylaw 3740
Nov. 7, 2006
- (e.1) "MOBILITY AIDS" means devices, including manual wheelchairs, electric wheelchairs and scooters, that are used to facilitate the transport, in a normally seated orientation, of a person with a physical disability;
- Amended by:
Bylaw 3740
Nov. 7, 2006
- (f) "MOTOR VEHICLE" means a motor vehicle as defined in the Traffic Safety Act R.S.A. 2000 c. T-6;
- (g) "OPERATE" means to drive or to have care or control of a motor vehicle;
- Amended by:
Bylaw 3740
Nov. 7, 2006
- (h) "OWNER" means, with respect to a motor vehicle, a person who holds a subsisting certificate of registration issued pursuant to the provisions of the Traffic Safety Act R.S.A. 2000 c. T-6;
- Amended by:
Bylaw 4062
Apr. 3, 2012
- (h.1) "PRESCRIBED FORM" means the form prescribed by the License Inspector;
- Amended by:
Bylaw 4062
Apr. 3, 2012
- (h.2) "SWIVEL CHAIR" means a passenger seat that:
- (i) is able to turn ninety degrees from a forward position to a position over the doorsill of a vehicle;
 - (i) is designed to allow passengers to transfer themselves from a mobility aid into the swivel chair; and
 - (ii) that has been approved by the License Inspector;
- Amended by:
Bylaw 4062
Apr. 3, 2012
- (h.3) "SWIVEL CHAIR REQUIREMENT" means the minimum percentage of taxis, excluding accessible taxis, operated by or for a taxi business that are required to have operating swivel chairs installed. Effective June 1, 2012, the swivel chair requirement shall be three percent. Effective January 1, 2013, the swivel chair requirement shall be six percent. Effective January 1, 2014, the swivel chair requirement shall be nine percent;
- (i) "TAXI" means any motor vehicle that is operated or intended to be operated for the purpose of carrying passengers for valuable consideration, irrespective of whether it is operated or intended to be operated for that purpose each time it is operated and irrespective of whether there is a subsisting taxi license in respect of it, provided that
- (1) a motor vehicle in respect of which there is a subsisting taxi license is deemed to be a taxi for all purposes of this Bylaw; and
 - (2) a motor vehicle that is operated for the purpose of carrying passengers for valuable consideration is not a taxi within the meaning of this Bylaw if it is:
 - (i) an ambulance,
 - (ii) a motor vehicle operated solely on established and pre-determined routes in accordance with established and pre-determined time schedules, or
 - (iii) a motor vehicle in respect of which there is a subsisting Operating Authority Certificate issued pursuant to the provisions of the Traffic Safety Act R.S.A. 2000 c. T-6 and regulations thereunder, if the motor vehicle is operated within its scope of permitted operation under the Operating Authority Certificate.
- Amended by:
Bylaw 3740
Nov. 7, 2006

(j) "TAXI BUSINESS LICENSE" means a license issued or renewed pursuant to the provisions of Section 5 of this Bylaw;

(k) "TAXI DRIVER'S LICENSE" means a license issued or renewed pursuant to the provisions of Section 3 of this Bylaw;

Amended by:
Bylaw 3124
Nov. 18, 1997

(l) Repealed.

Amended by:
Bylaw 3740
Nov. 7, 2006

(m) TAXI LICENSE" means a license issued or renewed pursuant to the provisions of Section 4 of this Bylaw;

(n) "TAXI METER" means a device installed in a taxi which is capable of computing and displaying the fare payable by or on behalf of the passenger on each occasion when taxi services are provided.

3. TAXI DRIVER'S LICENSE

Amended by:
Bylaw 4062
Apr. 3, 2012

(1) No person shall operate a taxi in the City unless that person holds a subsisting taxi driver's license issued or renewed pursuant to the provisions of this Bylaw.

Amended by:
Bylaw 4062
Apr. 3, 2012

(2) A person who desires to obtain or renew a taxi driver's license shall submit to the Chief of Police a fully completed and signed application in the prescribed form, together with a Driver's Abstract from the Motor Vehicles Branch of the Province of Alberta which is dated not more than two weeks prior to the date of the application.

Amended by:
Bylaw 4062
Apr. 3, 2012

(3) Upon receiving an application to obtain or renew a taxi driver's license the Chief of Police shall take such steps as the Chief of Police deems necessary to verify the accuracy of the information contained in the application and shall determine whether the applicant is a fit person to operate a public conveyance, having regard to

- (a) the state of health of the applicant;
- (b) whether the applicant has been found guilty or convicted of an offence under the Criminal Code (Canada) or under any other criminal statute of Canada or any other country, within the five years preceding the application;

Amended by:
Bylaw 3740
Nov. 7, 2006

- (c) whether the applicant has been found guilty or convicted of an offence under the Traffic Safety Act R.S.A. 2000 T-6 or any regulation or bylaw passed under the authority of either of those statutes, or under any similar statute or regulation or bylaw of a jurisdiction other than Alberta, within the three years preceding the application; and

- (d) any other information within the knowledge of the Chief of Police concerning the character or conduct of the applicant.

Amended by:
Bylaw 4062
Apr. 3, 2012

(4) If the Chief of Police is of the opinion that the applicant is a fit person to operate a public conveyance, the Chief of Police shall so inform the License Inspector and the License Inspector shall issue a taxi driver's license to the applicant or renew the applicant's taxi driver's license, as the case may be, upon receipt of payment of the fee therefor as set out in

Schedule "B" attached to and forming part of this Bylaw.

- Amended by:
Bylaw 4062
Apr. 3, 2012

 - (5) If,
 - (a) after a taxi driver's license has been issued or renewed pursuant to the provisions of this Section, and
 - (b) on the basis of
 - (i) any or all of the criteria in Subsection (3) of this Section, or
 - (ii) any non-compliance with the requirements of this Bylaw,

the Chief of Police decides that the holder of the taxi driver's license is not a fit person to operate a public conveyance, the Chief of Police shall:

 - (c) revoke the taxi driver's license, or
 - (d) suspend the taxi driver's license for a period of time not exceeding the unexpired term of the license or, if the suspension is for non-compliance with the requirements of this Bylaw, until the requirements of this Bylaw, in the opinion of the Chief of Police, have been complied with.

- Amended by:
Bylaw 3124
Nov. 18, 1997

 - (5.1) (a) If, after a taxi driver's license has been issued or renewed pursuant to the provisions of this Section, the holder of the taxi driver's license ceases operating a taxi for a continuous period of six (6) months, the taxi driver's license shall be revoked.
 - (b) A person whose taxi driver's license has been revoked under Subsection (a) and who desires to obtain a taxi driver's license shall submit to the Chief of Police an application in the manner set out in this Section.

- Amended by:
Bylaw 4062
Apr. 3, 2012

 - (6) If the Chief of Police decides to refuse an application under this Section or to suspend or revoke a subsisting taxi driver's license, the Chief of Police shall notify the applicant or license holder in writing of the refusal, suspension or revocation, giving written reasons for the decision.

- Amended by:
Bylaw 3124
Nov. 18, 1997

 - (7) Every taxi driver's license issued or renewed pursuant to provisions of this Section, shall, unless sooner suspended or revoked by the Chief of Police, cease to be subsisting three years after the date the license is issued or renewed.

- Amended by:
Bylaw 4062
Apr. 3, 2012

 - (8) No person shall operate a taxi unless that person's taxi driver's license is openly displayed at all times in the taxi in such manner as to be visible to passengers.

- Amended by:
Bylaw 3740
Nov. 7, 2006

 - (9) Repealed

4. TAXI LICENSES

- (1) No person shall operate a taxi in the City or allow a taxi to be operated in the City unless there exists a subsisting taxi license, issued or renewed pursuant to the provisions of this Section, in respect of the taxi.
- (2) No person shall operate a taxi unless the subsisting taxi license in respect of the taxi is in the taxi.

- (3) A taxi license may be issued only to the owner of a motor vehicle, or to a lessee for valuable consideration of the motor vehicle.

Amended by:
Bylaw 3740
Nov. 7, 2006
Amended by:
Bylaw 4062
Apr. 3, 2012

- (4) Eligibility for the issuance of a taxi license, other than a taxi license in respect of an accessible taxi, shall be determined by way of a lottery.

Amended by:
Bylaw 3740
Nov. 7, 2006

- (5) The License Inspector shall determine the date, time and location for a lottery held pursuant to Subsection (4).

Amended by:
Bylaw 3740
Nov. 7, 2006

- (6) A lottery held pursuant to Subsection (4) shall be advertised in a newspaper or other publication circulating in the City at least three (3) weeks before the lottery is to be held, and the advertisement shall contain the following information:

- (a) the date, time and location of the lottery,
- (b) the number of taxi licenses to be issued,
- (c) the procedure to apply for a taxi license, and
- (d) a summary of any rules and procedures for lotteries adopted pursuant to Subsection (7).

Amended by:
Bylaw 3740
Nov. 7, 2006

- (7) The License Inspector may adopt rules and procedures for lotteries that are consistent with the provisions of this Bylaw.

Amended by:
Bylaw 3740
Nov. 7, 2006

- (8) A person wishing to apply for a taxi license, other than a taxi license in respect of an accessible taxi, shall:

Amended by:
Bylaw 4062
Apr. 3, 2012

- (a) submit to the License Inspector a fully completed and signed application in the prescribed form; and
- (b) pay the non-refundable lottery fee set out in Schedule "B" to this Bylaw

at least two (2) days before the scheduled date of the lottery.

Amended by:
Bylaw 3740
Nov. 7, 2006
Amended by:
Bylaw 4062
Apr. 3, 2012

- (9) An applicant who is determined by lottery to be eligible for the issuance of a taxi license shall have a period of ninety (90) days to comply with the requirements of this Bylaw that are applicable to the issuance of taxi licenses, including without limiting the generality of the foregoing, payment of the taxi license fee set out in Schedule "B" to this Bylaw.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (9.1) A person wishing to apply for the issuance of a taxi license in respect of an accessible taxi may apply at any time by submitting to the License Inspector:

- (a) a fully completed and signed application in the prescribed form;
- (b) payment of the taxi license fee set out in Schedule "B" to this Bylaw;
- (c) evidence satisfactory to the License Inspector that the taxi to be licensed meets all the requirements of this Bylaw related to accessible taxis; and

(d) evidence satisfactory to the License Inspector that all the requirements of this Bylaw that are applicable to the issuance of taxi licenses have been met.

Amended by:
Bylaw 3740
Nov. 7, 2006
Amended by:
Bylaw 4062
Apr. 3, 2012

- (10) If the License Inspector is satisfied that:
- (a) an applicant described in Subsection (9) has met the requirements set out in Subsection (9); or
 - (b) an applicant described in Subsection (9.1) has met the requirements set out in Subsection (9.1);
- the License Inspector shall issue a taxi license to the applicant.

Amended by:
Bylaw 3740:
Nov. 7, 2006
Amended by:
Bylaw 4062
Apr. 3, 2012

- (11) If the License Inspector determines that:
- (a) an applicant described in Subsection (9) has not met the requirements set out in Subsection (9); or
 - (b) an applicant described in Subsection (9.1) has not met the requirements set out in Subsection (9.1);
- the License Inspector shall refuse the application with written reasons for the decision.”

Amended by:
Bylaw 3740
Nov. 7, 2006

- (12) A taxi license issued or renewed pursuant to the provisions of this section shall, unless sooner revoked or suspended pursuant to the provisions of this Bylaw, cease to be subsisting one year after it was issued or renewed.

Amended by:
Bylaw 3740
Nov. 7, 2006
Amended by:
Bylaw 4062
Apr. 3, 2012

- (13) A person who desires to renew a taxi license shall submit to the License Inspector a fully completed and signed application in the prescribed form.

Amended by:
Bylaw 3740
Nov. 7, 2006

- (14) If the License Inspector determines that an application for renewal of a taxi license complies with the requirements of this Bylaw, the License Inspector shall renew the taxi license upon receipt of payment of the taxi license fee set out in Schedule “B” to this Bylaw.

Amended by:
Bylaw 3740
Nov. 7, 2006

- (15) If the License Inspector refuses an application for renewal of a taxi license, or suspends or revokes a subsisting taxi license pursuant to the provisions of Subsection 8(4) of this Bylaw, the License Inspector shall notify the applicant or license holder in writing and give written reasons for the decision.

Amended by:
Bylaw 3740
Nov. 7, 2006

- (16) The holder of a subsisting taxi license may substitute another motor vehicle for the taxi in respect of which the taxi license was issued, upon application to application to the License Inspector and upon payment of the fee prescribed in Schedule “B” to this Bylaw for substitution of a motor vehicle under a subsisting taxi license, if the License Inspector is satisfied that the substitute motor vehicle is suitable for use as a taxi according to the criteria set out in Section 8 of this Bylaw.

Amended by:
Bylaw 3740
Nov. 7, 2006

- (17) No person shall use a taxi license, or allow it to be used by any other person, in connection with a motor vehicle other than

- (a) the taxi in respect of which the taxi license was issued or,
- (b) a motor vehicle which has been substituted for the taxi in respect of which the taxi license was issued, pursuant to the provisions of Subsection (16).

Amended by:
Bylaw 4062
Apr. 3, 2012

- (18) No taxi license, other than a taxi license in respect of an accessible taxi, shall be issued to any person unless that person will be operating the taxi for or on behalf of the holder of a subsisting taxi business license that is operating in compliance with, or with the addition of the taxi in question will be operating in compliance with, Subsection 5(14).

5. TAXI BUSINESS LICENSE

Amended by:
Bylaw 4062
Apr. 3, 2012

- (1) No person shall carry on a business of operating one or more taxis in the City unless that person holds a subsisting taxi business license issued or renewed pursuant to the provisions of this Section.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (2) A person who desires to obtain or renew a taxi business license shall submit to the License Inspector a fully completed and signed application in the prescribed form.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (3) Upon receipt of a fully completed and signed application in the prescribed form accompanied by payment of the licensing fee as set out in Schedule "B" for issuance or renewal of a taxi business license, the License Inspector may issue or renew a taxi business license, as the case may be.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (4) The License Inspector may refuse to issue or renew a taxi business or license, may revoke or suspend a subsisting taxi business license, if in the License Inspector's opinion there are just and reasonable grounds for refusal of the application or for revocation or suspension of the taxi business license.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (5) If the License Inspector decides on just and reasonable grounds to refuse an application under this Section or to suspend or revoke a subsisting taxi business license, the License Inspector shall notify the applicant or license holder in writing of the refusal, suspension or revocation, giving written reasons for the decision.

Amended by:
Bylaw 3669
Jan. 24, 2006

- (6) Repealed.

Amended by:
Bylaw 3740
Nov. 7, 2006

- (7) A taxi business license issued or renewed pursuant to the provisions of this Section shall, unless sooner revoked or suspended pursuant to the provisions of this Bylaw, cease to be subsisting one year after it was issued or renewed.

- (8) The licensing requirements of this Section are in addition to the taxi license requirements set out in Section 4 of this Bylaw.

- (9) Nothing in this Bylaw shall be read or construed as requiring a person to apply for and obtain a taxi business license if the person is the owner or operator of a taxi which is operated exclusively for or on behalf of a holder of a subsisting taxi business license.

- Amended by:
Bylaw 3740
Nov. 7, 2006
- (10) A person who desires to obtain or renew a taxi business license shall submit proof satisfactory to the License Inspector that the Licensee:
- (a) will operate from a business location in the City in compliance with all relevant provisions of the City's Land Use Bylaw and amendments thereto; and
 - (b) will operate a 24 hour/7 day a week dispatching service satisfactory to the License Inspector.
- Amended by:
Bylaw 3740
Nov. 7, 2006
- (11) No person shall operate a taxi business in the City unless that person operates out of a business location in the City in compliance with all relevant provisions of the City's Land Use Bylaw and amendments thereto.
- Amended by:
Bylaw 3740
Nov. 7, 2006
- (12) No person shall operate a taxi business in the City unless that taxi business provides a 24 hour/7 day a week dispatching service satisfactory License Inspector.
- Amended by:
Bylaw 3740
Nov. 7, 2006
- (13) The License Inspector may waive the requirements in Subsections (10), (11) and (12) in the case of a taxi business that operates only accessible taxis, if the License Inspector is of the opinion that it is advisable to do so in order to facilitate the operation of accessible taxis in the City.
- Amended by:
Bylaw 4062
Apr. 3, 2012
- (14) No person shall operate a taxi business in the City unless the taxi business meets the swivel chair requirement.
- Amended by:
Bylaw 4062
Apr. 3, 2012
- (15) To determine if a person has complied with the provisions of Subsection (14), the License Inspector shall apply the following rules:
- (a) The total number of taxis operated for or on behalf of the taxi business, as determined by the License Inspector acting reasonably, shall be multiplied by the swivel chair requirement;
 - (b) Where the calculation performed pursuant to Clause (a) results in:
 - (i) a number that is not a whole number, then the result shall be rounded to the nearest whole number;
 - (ii) a half number, then the result shall be rounded up to the nearest whole number; and
 - (iii) a number between zero and one, then the result shall be rounded so that the result is one; and
 - (c) The calculation performed pursuant to Clause (a) shall determine the number of taxis that are required to have operating swivel chairs installed.

6. TAXI LICENSE QUOTA

- Amended by:
Bylaw 4062
Apr. 3, 2012
- (1) The number of subsisting taxi licenses at any time, other than taxi licenses issued for accessible taxis, shall not exceed the number determined in accordance with Schedule "E" attached to and forming part of this Bylaw.
- Amended by:
Bylaw 3740
Nov. 7, 2006
- (2) Repealed.

Amended by:
Bylaw 3740
Nov. 7, 2006

(3) Repealed.

Amended by:
Bylaw 3740
Nov. 7, 2006

(4) Subject to Subsection (6), the License Inspector may transfer a subsisting taxi license to a person other than the original license holder where

- (a) the original license holder has transferred the license holder's interest in the taxi to the proposed new license holder for valuable consideration; and
- (b) the fee for transfer of a subsisting taxi license to a new license holder, as set out in Schedule "B" to this Bylaw, has been paid.

(5) No written agreement shall be effective to transfer a subsisting taxi license to a person other than the person to whom the taxi license was issued until the License Inspector has transferred the taxi license.

Amended by:
Bylaw 3740
Nov. 7, 2006

(6) A taxi license issued pursuant to Subsection 4(10) of this Bylaw is not transferable for a period of one year from the date the taxi license is issued.

7. DOCUMENTATION IN SUPPORT OF APPLICATIONS

(1) The License Inspector may require a person who applies for the issuance or renewal of a taxi license or a taxi business license, or for substitution of a taxi or transfer of a taxi license, to provide such supporting information and documentation as is reasonably necessary to enable the License Inspector to evaluate the merits of the application and decide whether the application should be approved or refused.

(2) Without limiting the generality of Subsection (1) of this Section, the License Inspector may require an applicant to provide:

Amended by:
Bylaw 3740
Nov. 7, 2006

- (a) a certificate of registration for a motor vehicle issued pursuant to the provisions of the Traffic Safety Act R.S.A. 2000 c. T-6, or a true copy thereof;
- (b) proof of insurance in respect of a motor vehicle;
- (c) full particulars as to make and model, year of manufacture, colour, vehicle identification number and license plate number of a motor vehicle;
- (d) full particulars of any taxi meter installed or to be installed in a motor vehicle;
- (e) true copies or certified true copies of any document filed or required to be filed with the Registrar of Corporations in respect of any body corporate;
- (f) the original or a true copy of any written agreement for lease or sale of a motor vehicle or an interest in a motor vehicle, or for disposition of an interest in a taxi business;
- (g) a written report from a qualified journeyman mechanic, in respect of a mechanical inspection required pursuant to the provisions of section 8 of this Bylaw.

Amended by:
Bylaw 4062
Apr. 3, 2012

(h) in the case of an application for the issuance or renewal of a taxi business license, a list of all taxis operated for or on behalf of that taxi business that are equipped with swivel chairs;

Amended by:
Bylaw 4062
Apr. 3, 2012

- (i) in the case of an application for the issuance or renewal of a taxi license that appears on a list submitted pursuant to Clause (h), evidence satisfactory to the License Inspector that the taxi has a properly functioning swivel chair installed in the taxi; and

Amended by:
Bylaw 4062
Apr. 3, 2012

- (j) in the case of an accessible taxi, evidence satisfactory to the License Inspector that the accessible taxi meets or continues to meet all the requirements of this Bylaw related to accessible taxis.

8. TAXI INSPECTIONS AND QUALITY OF TAXIS

- (1) An applicant for a taxi license or for renewal of a taxi license shall:
 - (a) make the motor vehicle in question available for inspection by a Bylaw Enforcement Officer; and
 - (b) arrange for a mechanical inspection of the motor vehicle by a qualified journeyman mechanic,if required to do so by the License Inspector.
- (2) A taxi license shall not be issued or renewed in respect of any motor vehicle which is, in the opinion of the License Inspector, unsuitable for use as a taxi by reason of
 - (a) mechanical defects as revealed by the inspection of a qualified journeyman mechanic, or
 - (b) unclean or dilapidated appearance.

Amended by:
Bylaw 43740
Nov. 7, 2006

- (2.1) In addition to the requirements of Subsection (2), a taxi license shall not be issued or renewed:

Amended by:
Bylaw 4062
Apr. 3, 2012

- (a) in respect of an accessible taxi unless the accessible taxi meets the accessible taxi standards; or
- (b) in respect of a taxi license that was issued with respect to a taxi other than an accessible taxi after June 1, 2012, unless:
 - (i) the taxi has a functioning swivel chair installed; or
 - (ii) the taxi business for or on behalf of which the taxi will be operated meets the swivel chair requirement that will be effective on January 1, 2014.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (3) If information comes to the attention of the License Inspector which causes the License Inspector on reasonable and probable grounds to believe that a taxi in respect of which there is a subsisting taxi license is unsuitable for use as a taxi, the License Inspector may require the taxi license holder to make the taxi available for inspection by a Bylaw Enforcement Officer or to arrange for a mechanical inspection of the taxi by a qualified journeyman mechanic.

Amended by:
Bylaw 3740
Nov. 7, 2006

- (4) If an inspection carried out pursuant to the provisions of Subsection (3) of this Section reveals that the motor vehicle is unsuitable for use as a taxi according to the criteria set forth in Subsection (2) or (2.1) of this Section, or if a taxi license holder fails to make the taxi available for inspection when required to do so under the provisions of this Bylaw, the License Inspector may:
 - (a) revoke the taxi license, or

- (b) suspend the taxi license for a period of time not exceeding the unexpired term of the taxi license, until the motor vehicle has been put back into a condition suitable for use as a taxi or until it has been made available for inspection.

9. TAXI IDENTIFICATION

- (1) No person shall own or operate a taxi unless the taxi is at all times equipped with an illuminable light on the roof, upon which shall be displayed in letters or numbers not less than 50 millimetres (2") high, so as to be clearly visible from both the front and rear of the taxi:
 - (a) the name of the taxi business for or on behalf of which the taxi is operated; and
 - (b) the telephone number to call to hire the services of the taxi.

Amended by:
Bylaw 3124
Nov. 18, 1997
Amended by:
Bylaw 3124
Nov. 18, 1997
Amended by:
Bylaw 4062
Apr. 3, 2012

- (2) Repealed.
- (3) When a motor vehicle which was licensed as a taxi under Section 4 of this Bylaw has ceased to be licensed as a taxi by reason of:
 - (a) substitution of another motor vehicle pursuant to the provisions of Subsection (16) of Section 4 of this Bylaw;
 - (b) revocation of the taxi license in question pursuant to the provisions of Subsection 8(4) or Subsection 14(3) of this Bylaw, where the decision to revoke has been unsuccessfully appealed to the City Council or has not been appealed within the time limited therefor under Section 15 of this Bylaw;
 - (c) a decision by the License Inspector to refuse to renew a taxi license upon its expiry at the end of a calendar year, where the decision has been unsuccessfully appealed to the City council or has not been appealed within the time limited therefor under Section 15 of this Bylaw; or
 - (d) failure by a licensee to apply for renewal of a taxi license upon its expiry at the end of a calendar year;

the owner of the motor vehicle shall forthwith ensure that all markings of any kind upon or within the motor vehicle which serve to identify it as a taxi are removed within seven days of the date on which the motor vehicle ceased to be licensed as a taxi.

10. RECORDS OF TAXI DRIVERS

- (1) Every holder of a taxi business license shall furnish to the License Inspector a list of all taxi drivers who operate taxis for or on behalf of the taxi business, irrespective of whether the taxi drivers are holders of taxi licenses issued pursuant to the provisions of this Bylaw.
- (2) When there occurs for any reason a change in the identity of the taxi drivers or any of them referred to in Subsection (1) of this Section, the holder of the taxi business license shall inform the License Inspector in

writing of the change not later than the third business day of the calendar month next following the month in which the change occurs.

11. TAXI METERS

- (1) Every taxi shall be equipped with a taxi meter calibrated to register and visually display fees or charges in accordance with the rates set out in Schedule "F" attached to and forming part of this Bylaw, and each taxi meter shall be installed and calibrated so as to operate automatically while the taxi is providing service to passengers whether or not the taxi is in motion.
- (2) Every taxi meter shall be so installed within the taxi as to be plainly visible at all times to passengers in the taxi.
- (3) Every taxi meter shall be inspected and tested for accuracy by a Bylaw Enforcement Officer, prior to being used for the purpose of computing and displaying fares payable by passengers.
- (4) After conducting an inspection of a taxi meter, and upon being satisfied that the taxi meter is functioning properly, the Bylaw Enforcement Officer shall place a seal upon the taxi meter in such manner that the working mechanism of the taxi meter cannot be reached or tampered with unless the seal is broken.
- (5) No taxi meter shall be used by any person for the purpose of computing and displaying fares payable by passengers in the taxi if there is not an intact and unbroken seal upon the taxi meter, placed in such manner as to prevent the working mechanism of the taxi meter from being reached or tampered with unless the seal is broken.
- (6) If an operator of a taxi or holder of a taxi license has reason to believe that the taxi meter in the taxi may not be functioning properly, the operator or license holder shall forthwith inform the License Inspector and shall make the taxi available at the direction of the License Inspector for taxi meter inspection and testing.
- (7) When a taxi meter has been repaired or replaced, the holder of the taxi license for the taxi in which the taxi meter is installed shall forthwith inform the License Inspector of the repair or replacement of the taxi meter and shall make the taxi available to the License Inspector for inspection of the taxi meter.
- (8) If information comes to the attention of a Bylaw Enforcement Officer which causes the Bylaw Enforcement Officer on reasonable and probable grounds to believe that a taxi meter may not be not functioning properly, the Bylaw Enforcement Officer may require the holder of the taxi license for the taxi in which that taxi meter is installed to make the taxi available for inspection of the taxi meter at a time and place directed by the Bylaw Enforcement Officer.
- (9) There shall be a fee payable by the holder of a taxi license for each inspection of a taxi meter installed in the taxi, as specified in Schedule "B"

Amended by:
Bylaw 4062
Apr. 3, 2012

Amended by:
Bylaw 4062
Apr. 3, 2012

to this Bylaw.

12. DISPLAY OF FEES AND CHARGES, LAWFUL PAYMENT, AND RECEIPTS

- (1) No person shall operate a taxi or allow a taxi to be operated within the City unless there is posted at a location inside the taxi, so as to be clearly visible to passengers, a tariff card which shows the lawful fees or charges for taxi services as set out in Schedule "F" attached to and forming part of this Bylaw.
- (2) An operator of a taxi shall not demand, or accept payment of, any fee or charge for taxi services except in accordance with the provisions of Schedule "F" to this Bylaw.
- (3) The operator of a taxi shall, upon the request of a passenger, provide to the passenger a receipt for the fee or charge paid by or on behalf of the passenger for taxi services.
- (4) Nothing in this Section shall prevent the owner or operator of a taxi from accepting, from or on behalf of a passenger, a voluntary payment in the nature of a tip or gratuity for services rendered.

13. TAXI OPERATING REGULATIONS

- (1) If at the direction of a paying passenger or with the consent of that passenger, other passengers are picked up at one or more locations to be carried to the same destination as that of the original passenger or to any other destination, the total fee payable shall be the fee payable pursuant to the provisions of Schedule "F" to this Bylaw for a continuous trip from the point where the first passenger is picked up to the point where the last passenger is discharged.
- (2) When the operator of a taxi is actively engaged in providing service to a passenger, or is actively attempting to solicit business:
 - (a) there shall be no restriction on the length of time that the taxi may park at any location upon a highway within the City that is expressly designated and marked as a taxi stand or taxi loading zone pursuant to the provisions of any Bylaw of the City; and
 - (b) the taxi may park at any location upon a highway within the City where motor vehicles other than taxis are ordinarily permitted to park, provided that the taxi shall not remain in any such location for a period of time longer than is reasonably necessary to pick up or discharge passengers or to load or unload luggage or merchandise.
- (3) When the operator of a taxi is not actively engaged in providing service to passengers or soliciting business, the taxi may park at any location where other motor vehicles may lawfully park, subject to the same parking restrictions applicable to other motor vehicles.
- (4) No taxi shall at any time carry a number of passengers greater than the number recommended by the manufacturer of the taxi as the maximum

Amended by:
Bylaw 3124
Nov. 18, 1997

number of passengers that may be carried in the taxi.

- (5) Notwithstanding the provisions of Subsection (4) of this Section, no taxi shall at any time carry more than 12 passengers.
- (6) Notwithstanding any other provision of this Bylaw, a taxi in respect of which there is not a subsisting taxi license may be operated in the City provided that:
 - (a) the passenger or passengers in the taxi are picked up at a location outside the City, and
 - (b) the operation of the taxi while carrying passengers in the City is restricted to proceeding directly from the place where the taxi enters the City to a single location where all passengers are dropped off, and
 - (c) the taxi shall not under any circumstances pick up any passenger or passengers within the City for carriage to any location within or outside the City.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (7) The operator of an accessible taxi shall ensure that:
 - (a) priority is given to requests for service from passengers using a mobility aid; and
 - (b) a record of service is:
 - (i) kept daily for the accessible taxi, including details of pick up and drop off points for each passenger;
 - (ii) maintained for a period of two years; and
 - (iii) produced to the License Inspector within seven (7) days of a written request by the License Inspector.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (8) The holder of a taxi business license that provides dispatch service to an accessible taxi shall ensure that:
 - (a) priority is given to requests for service from passengers using a mobility aid; and
 - (b) a record of service is:
 - (i) kept daily for each accessible taxi, including details of pick up and drop off points for each passenger;
 - (ii) maintained for a period of two years; and
 - (iii) produced to the License Inspector within seven (7) days of a written request by the License Inspector.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (9) The operator of a taxi with a swivel chair installed shall ensure that:
 - (a) priority is given to requests for service from passengers using a mobility aid who are able to transfer from the mobility aid into the swivel chair under their own power; and
 - (b) a record of service is:
 - (i) kept daily for the taxi, including details of pick up and drop off points for each passenger;
 - (ii) maintained for a period of two years; and
 - (iii) produced to the License Inspector within seven (7) days of a written request by the License Inspector.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (10) The holder of a taxi business license that provides dispatch service to a taxi equipped with a swivel chair shall ensure that:
 - (a) when dispatching a taxi equipped with a swivel chair priority is given to requests for service from passengers using a mobility aid who are able to transfer from the mobility aid into the swivel chair under their own power; and
 - (b) a record of service is:
 - (i) kept daily for each taxi equipped with a swivel chair, including details of pick up and drop off points for each passenger;
 - (ii) maintained for a period of two years; and
 - (iii) produced to the License Inspector within seven (7) days of a written request by the License Inspector.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (11) No person shall operate an accessible taxi or a taxi equipped with a swivel chair unless that person has successfully completed training approved by the License Inspector to the satisfaction of the License Inspector.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (12) The operator of an accessible taxi shall ensure that the mobility aid of every passenger is secured to the accessible taxi in accordance with the accessible taxi standards prior to putting the accessible taxi in motion.

14. POWERS OF BYLAW ENFORCEMENT OFFICER

- (1) A Bylaw Enforcement Officer may at any time inspect any taxi or any taxi license, taxi driver's license or taxi business license for the purpose of determining whether the provisions of this Bylaw are being complied with.

Amended by:
Bylaw 4062
Apr. 3, 2012

- (2) If a Bylaw Enforcement Officer forms the opinion on reasonable and probable grounds that a person has not complied with any provision of this Bylaw, the Bylaw Enforcement Officer may charge that person with an offence.
- (3) If a Bylaw Enforcement Officer forms the opinion on reasonable and probable grounds that lack of compliance with any provision of this Bylaw by any person has caused or may cause danger to the health or safety of the public, the Bylaw Enforcement Officer may by written notice to the license holder suspend any taxi license or taxi driver's license issued pursuant to the provisions of this Bylaw for so long as the state of non-compliance with this Bylaw persists, whether or not the Bylaw Enforcement Officer charges any person with an offence under this Bylaw.

15. APPEALS TO CITY COUNCIL

A person affected by a decision of the Chief of Police, the License Inspector or any Bylaw Enforcement Officer to

- (a) issue, renew or transfer a taxi license, taxi driver's license or taxi business license;
- (b) refuse to issue, renew or transfer a taxi license, taxi driver's license or taxi business license;
- (c) revoke or suspend any taxi license, taxi driver's license or taxi business

- license; or
- (d) refuse to allow substitution of a motor vehicle under a subsisting taxi license

may appeal the decision to the City Council by serving written notice of intention to appeal upon the City Clerk within thirty (30) days of the date of the decision, and City Council's disposition of the appeal shall be final and binding.

16. OFFENCES, PENALTIES AND VOLUNTARY PAYMENTS IN LIEU OF PROSECUTION

Amended by:
Bylaw 4062
Apr. 3, 2012

- (1) A person who fails to comply with any provision of this Bylaw is guilty of an offence punishable on summary conviction, and is liable to pay a fine not exceeding \$10,000.00 or to be imprisoned for a period of time not exceeding six months in default of payment of the fine.
- (2) If a person charged with an offence under this Bylaw is alleged to have contravened a provision that is referred to in Schedule "G" attached to and forming part of this Bylaw, the minimum fine upon conviction by a court shall be the amount set out in Schedule "G" opposite the description of the offence, under the column entitled "Payment Acceptable in Lieu of Prosecution".

Amended by:
Bylaw 4062
Apr. 3, 2012

- (3) Where a Bylaw Enforcement Officer has reasonable and probable grounds to believe that a person has contravened any provision of this Bylaw, the Bylaw Enforcement Officer may serve upon the person a written violation notice either personally or by mailing it to the last known address of the person, and service of the violation notice as provided for in this Subsection shall be deemed adequate for the purposes of this Bylaw.
- (4) A violation notice issued pursuant to the provisions of this Section shall be in such form as directed from time to time by the Chief of Police, provided that the violation notice shall state the Section of this Bylaw which is alleged to have been contravened and the amount as provided for in Schedule "G" to this Bylaw as the payment acceptable in lieu of prosecution
- (5) If payment is received by the City from or on behalf of a person to whom a violation notice has been issued under this Section
 - (a) in the amount set out on the violation notice as the payment acceptable in lieu of prosecution, and
 - (b) within seven (7) days from service upon the person in any manner permitted under this Section,

the person shall thereafter not be liable to be prosecuted for the occurrence or transaction in respect of which the violation notice was issued.

- (6) Nothing in this section shall be read or construed as preventing a person from defending a charge of having failed to comply with a provision of this Bylaw.

17. TRANSITIONAL, GENERAL, AND COMMENCEMENT PROVISIONS

- (1) In this Bylaw
 - (a) the singular may be read as though the plural had been expressed, and vice versa;
 - (b) the masculine gender may be read as though the feminine or neuter had been expressed, and vice versa; and
 - (c) a reference to a person may be read as a reference to a legal entity other than a natural personwherever the context in which this Bylaw has application reasonably requires such construction.
- (2) It is the intention of the City Council that if any provision of this Bylaw be declared invalid for any reason by a Court of competent jurisdiction then all other provisions of this Bylaw shall remain valid and enforceable.
- (3) A license which has been suspended pursuant to any provision of this Bylaw ceases to be subsisting during the period of the suspension.
- (4) Any license issued or renewed pursuant to the provisions of this Bylaw may be revoked or suspended for non-compliance with this Bylaw notwithstanding that the holder of the license has not been prosecuted for a contravention of this Bylaw.
- (5) There shall be no refund of any paid licensing fee in the event of revocation or suspension of any license issued or renewed pursuant to the provisions of this Bylaw.
- (6) Bylaw No. 2385 is repealed with the coming into force of this Bylaw.
- (7) In any prosecution for an alleged contravention of a provision of this Bylaw, the onus of proving that a motor vehicle falls within an exception to the definition of the term "taxi" as specified in Subsection 2(i)(2) of this Bylaw shall be upon the person who wishes to take the benefit of having the motor vehicle fall within the exception.
- (8) Notwithstanding the repeal of Bylaw No. 2385:
 - (a) a taxi business license issued pursuant to the provisions of Bylaw No. 2385 shall be as subsisting for the calendar year 1989 as would have been the case had it been issued pursuant to the provisions of this Bylaw;
 - (b) a taxi license issued pursuant to the provisions of Bylaw No. 2385 shall be as subsisting for the calendar year 1989 as would have been the case had it been a taxi license issued pursuant to the provisions of this Bylaw;
 - (c) a chauffeur's permit issued pursuant to the provisions of Bylaw No. 2385 shall be deemed to be a taxi driver's license issued pursuant to the provisions of this Bylaw and shall cease to be subsisting on the next birthday of the licence holder unless sooner suspended or revoked pursuant to the provisions of this Bylaw; and
 - (d) any bylaw which was repealed by a provision of Bylaw No. 2385, or by a provision of an amendment to Bylaw No. 2385, remains

repealed.

- (9) This Bylaw shall come into force on the date of its third and final reading and passage.

READ A FIRST TIME in Open Council this 2nd day of OCTOBER, 1989

READ A SECOND TIME in Open Council this 2nd day of OCTOBER, 1989

READ A THIRD TIME AND FINALLY PASSED in Open Council this 6th day of NOVEMBER, 1989

I hereby certify that this is a true and correct copy of Bylaw No. 2648 consolidated pursuant to Section 69 of the *Municipal Government Act* to incorporate all subsequent amendments thereto, printed under the authority vested in me by the said Section 69 and by City of Medicine Hat Bylaw No. 1957.

CERTIFIED THIS ____ day of _____, 20 ____.

ANGELA CRUICKSHANK
MUNICIPAL SECRETARY & CITY CLERK
CITY OF MEDICINE HAT

SCHEDULE "A" TO BYLAW NO. 2648

REPEALED BY BYLAW NO. 4062

APRIL 3, 2012

EFFECTIVE - JUNE 1, 2012

SCHEDULE "B" TO BYLAW NO. 2648
AS AMENDED BY BYLAW NO. 4484 - JUNE 19, 2018

	Effective January 1, 2019	Effective January 1, 2020
<u>Nature of License</u>		
Taxi License	\$84.90	\$86.60
Taxi Business License	\$89.95	\$91.75
Taxi Driver's License	\$16.85	\$17.20
License fees after 31 August in any year (Taxi License and Taxi Business License)	\$42.45	\$43.30
<u>Meter Inspection - Bylaw Section 11(9)</u>		
If meter is functioning properly	No Fee	No Fee
Meter Re-Inspection Fee	\$16.85	\$17.20
<u>Transfer of License and Substitution of Taxi</u>		
Substitution of a Taxi	\$16.85	\$17.20
Transfer of subsisting Taxi License	\$16.85	\$17.20

SURCHARGE

1. The E-Permit surcharge of 5% **will be added** to all fees contained in this Schedule.

GENERAL NOTES

1. Applicants who dispute a fee may request a review by the General Manager of Planning and Development Services. The decision of the General Manager may be appealed to the Chief Administrative Officer (CAO). The decision of the CAO will be final and binding.
2. All fees listed above are GST exempt except where specifically noted.

SCHEDULE "C" TO BYLAW NO. 2648

REPEALED BY BYLAW NO. 4062

APRIL 3, 2012

EFFECTIVE - JUNE 1, 2012

SCHEDULE "D" TO BYLAW NO. 2648

REPEALED BY BYLAW NO. 4062

APRIL 3, 2012

EFFECTIVE - JUNE 1, 2012

SCHEDULE "E" TO BYLAW NO. 2648

AMENDED BY BYLAW NO. 4062

APRIL 3, 2012

EFFECTIVE - JUNE 1, 2012

TAXI LICENSE QUOTA

The maximum number of taxi licenses that may be subsisting at any time for taxis other than accessible taxis shall be one taxi license for every 800 hundred residents of the City. The City's Chief Administrative Officer for Municipal Services (the "CAO") shall determine the total number of City residents for the purposes of this schedule. The CAO may estimate the total number of residents based on such information the CAO believes on reasonable grounds to be reliable. Notwithstanding the foregoing, the number of licenses shall not decrease if the number of residents of the City decreases.

SCHEDULE "F" TO BYLAW NO. 2648
AS AMENDED BY BYLAW NO. 4437
JULY 5, 2017

CHARGES FOR TAXI SERVICES

- (1) For carriage occurring entirely within the City there shall be a maximum charge of \$3.50 each time a taxi is hired, to which shall be added:
 - (a) a charge of \$0.17 for every 100 metres, or portion thereof, that the taxi travels; and
 - (b) where applicable, a charge of \$0.57 for each minute, or portion thereof, of waiting time;
- (2) When a van is requested for carriage of 5 or more passengers, or for moving of cargo entirely within the City, there shall be a maximum charge of \$7.00 each time a taxi is hired, to which shall be added:
 - (a) a charge of \$0.17 for every 100 metres, or portion thereof, that the taxi travels; and
 - (b) where applicable, a charge of \$0.57 for each minute, or portion thereof, of waiting time.
- (3) Where any portion of the carriage occurs outside the City, the fee for taxi services may be whatever the passenger and the owner or operator of the taxi may mutually agree upon.
- (4) Section (3) of this Schedule shall not be read or construed as purporting to affect in any manner whatsoever the right of any municipality other than the City to establish fees or charges for taxi services within its own geographic boundaries.
- (5) All fees and charges for taxi services set forth in this Schedule shall be inclusive of Goods and Services Tax established pursuant to Bill C-62 of the Parliament of Canada.

SCHEDULE "G" TO BYLAW NO. 2648
AS AMENDED BY BYLAW NO. 4062
APRIL 3, 2012
EFFECTIVE - JUNE 1, 2012

VOLUNTARY PAYMENTS IN LIEU OF PROSECUTION

	<u>Description of Offence</u>	<u>Bylaw Section</u>	<u>Payment Acceptance in Lieu of Prosecution</u>
1.	Operate taxi without holding subsisting taxi driver's license	3(1)	\$100.00
2.	Taxi driver's license not properly displayed	3(8)	\$ 25.00
3.	Operate or allow operation of a motor vehicle as a taxi, when no subsisting taxi license exists	4(1)	\$250.00
4.	Operate taxi when subsisting taxi license is not in taxi	4(2)	\$ 50.00
5.	Use or allow use of taxi license in respect of motor vehicle to which it does not pertain	4(13)	\$100.00
6.	Repealed		
7.	Carry on taxi business without taxi business license	5(1)	\$500.00
8.	Fail to make taxi available for inspection upon request of License Inspector	8(3)	\$ 50.00
9.	Taxi not equipped with illuminable light on roof	9(1)	\$100.00
10.	Name of taxi business, or telephone number, not displayed or improperly displayed	9(1)	\$ 25.00
11.	Repealed		
12.	Fail to remove taxi markings from motor vehicle no longer licensed as a taxi	9(3)	\$100.00
13.	Repealed		
14.	Fail to supply a list of taxi drivers	10(1)	\$ 25.00
15.	Fail to notify of change to list of taxi drivers	10(2)	\$ 25.00

	<u>Description of Offence</u>	<u>Bylaw Section</u>	<u>Payment Acceptable in Lieu of Prosecution</u>
16.	No taxi meter or improperly calibrated taxi meter	11(1)	\$100.00
17.	Taxi meter not plainly visible to passengers in taxi	11(2)	\$ 50.00
18.	Use taxi meter prior to inspection	11(3)	\$250.00
19.	Use taxi meter without intact and unbroken seal	11(5)	\$250.00
20.	Fail to notify of potentially malfunctioning taxi meter	11(6)	\$ 50.00
21.	Fail to obtain inspection after meter change or repair	11(7)	\$ 25.00
22.	Fail to pay fee for inspection of taxi meter	11(9)	\$ 50.00
23.	Fail to display tariff card	12(1)	\$ 50.00
24.	Improper fee charged	12(2) or 13(1)	\$ 50.00
25.	Fail to provide receipt to passenger	12(3)	\$ 50.00
26.	Improper parking	13(2)	\$ 50.00
27.	Carry too many passengers	13(4) or 13(5)	\$ 25.00
28.	Fail to give priority to person using a mobility aid	13(7)(a), 13(8)(a), 13(9)(a) or 13(10)(a)	\$250.00
29.	Fail to keep complete daily service record	13(7)(b)(i), 13(8)(b)(i), 13(9)(b)(i) or 13(10)(b)(i)	\$250.00
30.	Fail to maintain daily records for two years	13(7)(b)(ii), 13(8)(b)(ii), 13(9)(b)(ii) or 13(10)(b)(ii)	\$250.00
31.	Fail to produce records to License Inspector	13(7)(b)(iii) or 13(8)(b)(iii) 13(9)(b)(iii) or 13(10)(b)(iii)	\$250.00
32.	Operate taxi without mandatory training	13(11)	\$250.00
33.	Operate accessible taxi with improperly secured mobility aid	13(12)	\$250.00
34.	Fail to meet swivel chair requirement	5(14)	\$250.00