

THE CORPORATION OF THE CITY OF KENORA

BY-LAW NUMBER 94 - 2001

A BY-LAW TO LICENSE, REGULATE AND GOVERN OWNERS AND DRIVERS OF CABS, MOTOR AND OTHER VEHICLES USED FOR HIRE

WHEREAS The Corporation of the City of Kenora is authorized under the provisions of Section 232(1) of The Municipal Act, R.S.O. 1990, Chapter M45, to pass By-Laws for licensing, regulating and governing the owners and drivers of cabs and other vehicles used for hire, and for revoking and canceling licenses so granted;

AND WHEREAS By-Law Number 46-99 was duly passed for this purpose;

AND WHEREAS it is deemed expedient to enact a new By-Law for the City of Kenora due to the 2000 amalgamation of the tri-municipal area and to meet changing requirements;

NOW THEREFORE the Council of The Corporation of the City of Kenora enacts as follows:

Part 1 - DEFINITIONS

1. "Board" means the Kenora Police Service Board.
2. "City" means the Corporation of the City of Kenora.
3. "Council" means the elected Council for The Corporation of the City of Kenora.
4. "Chief of Police" means the Chief of Police of the Kenora Police Service.
5. "Municipal Clerk" means an employee performing the Municipal Clerk duties.
6. "Municipal By-Law Enforcement Officer" means a person(s) employed by the City of Kenora for the purpose of enforcing Municipal By-Laws and which includes Police Officers.
7. "Applicant" includes any person applying for a Taxi Related License. In the case of a business or partnership, includes all owners, co-owners and

partners, officers or directors of such enterprise.

8. "Licensee" means a person to whom a Taxi Related License has been granted to carry on a taxi business under this By-Law, includes a Broker.
9. "Owner" means any person owning a taxi-cab, limousine or handicapped transportation vehicle, or having possession or control thereof under an installment purchase agreement, or by way of rental, who is licensed or required to be licensed as such under this By-Law.
10. "Transferee means a taxi owner or business who acquires ownership of the taxi-cab.
11. "Taxi Broker" means a person who owns a taxi-cab business and operates his own vehicle(s), or dispatches for owners operating under a broker who has a Taxi Broker Licence.
12. "Driver" means the driver of a taxi-cab, limousine or handicapped transportation vehicle who is licensed under this By-Law, or who is required to be licensed under this By-Law.
13. "Passenger" means any person in a licensed taxi-cab other than the driver.
14. "Taxi Related License" refers to any license required by this By-Law in order to comply with this By-Law , specifically the Taxi Broker License, the Taxi Vehicle License and the Taxi Drivers License.
15. "Taxi Broker License" means a license issued by the Council/Municipal Clerk to a broker or owner of a taxi company to operate a taxi business under the provisions of this By-Law. Application for this license shall be through the Council and approved by the Chief of Police.
16. "Taxi Vehicle License" means a license issued by Council and approved by the Chief of Police to the registered owner of a motor vehicle registering said motor vehicle as licensed to be a taxi-cab in the City of Kenora area.
17. "Taxi Drivers License" means a license issued by Council and approved by the Chief of Police under the provisions of the By-Law to drive a taxi-cab within the jurisdiction of the City.
18. "Cab" includes "taxi-cab", "taxi" and "limousine".

19. "Taxi-cab" shall mean cab, taxi-cab or other motor vehicle kept or used for the conveyance of passengers wholly or partly within the jurisdiction of the City and having a seating capacity of not more than seven (7) persons exclusive of the driver.

Shall not include an ambulance, bus or funeral hearse.

Shall have the company "logo" prominently and permanently displayed on both sides.

Shall have an illuminated taxi light on top, which is to be on only when available to take on passengers.

*Exception: a bus or van may be licensed as a taxi if it meets all requirements of a "physically disabled passenger vehicle" as set out by Ont. Reg R.R.O. 1990 Reg 629.

20. "Physically Disabled Passenger Vehicle" means a vehicle "as described" and conforming to R.R.O. 1990, Reg 629 (as am. O.Reg 533/94, 302/95, 184/96, 326/97).

21. "Limousine" means a motor vehicle, which is kept or used for hire for the conveyance of passengers on an hourly basis for a fixed fee between any two given locations.

Shall not be equipped with a taxi meter.

Shall not include an ambulance, bus or funeral hearse and whose only identification shall be the name of the business displayed in the rear window, the size of which would not restrict the vision of the driver.

22. "Dray" means a horse/drawn carriage or cart which is kept or used for hire for the conveyance of passengers on an hourly basis or for a fixed fee between any two given locations

23. "Operate" means to own, drive, rent or lease a taxi-cab that is used for the conveyance of passengers within the jurisdiction of the City.

24. "Solicit" means to offer the services of a taxi-cab, or accept a taxi fare from anywhere within the jurisdiction of the City.

25. "Qualify" means to adhere to the terms of this By-Law in its entirety.

26. "Restricted Parking Area" shall include meters, no parking areas and areas covered by City of Kenora By-Law 9-97 (under review) as amended.

Part II - DUTIES OF THE CHIEF OF POLICE

1. The Chief of Police, or his designate, shall:
 - (a) make such investigation as necessary and shall report the results of such investigation in writing, and shall recommend the granting or refusal of the application for all necessary licenses under this By-Law.
 - (b) from time to time, and as often as required by the Board or Council, ascertain that the persons receiving such licenses continue to comply with the provisions of this By-Law.
 - (c) furnish each person taking out a Taxi Brokers License with a copy of this By-Law.
 - (d) keep a register of all licenses granted which shall contain the name and address of the applicant, the number of vehicles kept by the applicant and their description, the amount paid for licenses and the date of the license.

2. The Chief of Police or his designate, may:
 - (a) delegate any of the duties required to be done by him to any member of the Kenora Police Service, or to any Municipal By-Law Enforcement Officer(s).
 - (b) at any time require the owner, or driver of a taxi-cab to present his/her vehicle for a mechanical safety inspection by way of:
 - i) a safety lane program, held once (1x) per year at the Kenora Police Service

OR

- ii) through a licensed garage as directed by the Chief of Police or his designate.

All costs incurred by option "b" are to be borne by the owner of the said taxi-cab.

The Chief shall review such mechanical safety inspection documentation and may require a taxi-cab to be removed from service until proof of

mechanical fitness is obtained, or may specify a time limit for necessary repairs to be completed.

Failure to comply will result in the taxi licence being suspended, or cancelled.

(c) revoke any license issued under this By-Law if the holder of the license fails to qualify for such license. Any revocation of such license is appealable by the applicant to the Board and must be filed by the applicant, in writing, to the Board within fifteen (15) days of the license being cancelled or revoked.

(d) suspend any taxi related license for any offence pursuant to the Criminal Code or other legislation, the circumstances surrounding which are serious and may, in the opinion of the Chief of Police, cause sufficient concern to warrant the suspension of the license. Any such suspension of a license is appealable to the Board and must be filed by the applicant, in writing, to the Board within fifteen (15) days of the suspension.

Part III - TAXI RELATED LICENSE

1. No Taxi Related License shall be issued to any applicant if the applicant:
 - (a) has been found guilty of an offence under the Criminal Code, or of a drug related offence with the preceding three (3) years.
 - (b) has been found guilty of an offence under the Liquor Licence Act relating to illegal sale or purchase of liquor within the preceding three (3) years.
 - (c) has been found guilty of a criminal offence pertaining to the operation of a motor vehicle within the preceding three (3) years.
 - (d) has been found guilty of any sexual offence under the Criminal Code.

Not with-standing:

An applicant found guilty of a criminal offence and receiving an absolute discharge, a conditional sentence, a suspended sentence, or found guilty of a summary conviction offence, MAY be granted a Taxi Related License at the discretion of the Chief of Police.

Any license issued in these circumstances shall be reviewed after a period of six (6) months.

2. All applicants for any taxi related license shall sign an authorization form permitting the Chief of Police to do a criminal record check of the applicant.
3. All Taxi Related Licenses for the City shall be approved through the Chief of Police.
4. All Taxi Related Licenses may be refused, revoked or cancelled by the Council at any time at its discretion.
5. Any broker, owner or driver subject to the cancellation or suspension of any Taxi Related License shall be notified of such cancellation or suspension, in writing, by the Chief of Police. No such cancellation or suspension shall be deemed "valid" until proper notification has been given.
6. The holder of any Taxi Related License that has been suspended or revoked shall forthwith surrender such license, including a Taxi Driver's Photo License Card, to the Chief of Police.
7. The Chief of Police shall have access to any premise, vehicle or other property for the purpose of receiving or taking such license.
8. Proper notification of any change in any Taxi Related License shall be given to the Chief of Police as required by this By-Law.

Part IV - TAXI BROKER LICENSE

1. (a) Any person/firm meeting the requirements as set by this By-Law may apply for a Taxi Broker License.

(b) Not with-standing the requirements of this part, the holder of a taxi broker license shall be eligible to apply for a taxi vehicle license and/or a taxi drivers license.
2. A taxi broker license is not subject to transfer. Any change of ownership must be via a new application and is subject to the fees as set out in Schedule "B" of this By-Law.
3. Every person acting in the capacity of a:
 - (i) taxi-cab broker licensee

- (ii) limousine broker or licensee
 - (iii) physically disabled passenger vehicle broker or licensee shall obtain a Taxi Broker License issued by Council and approved by the Chief of Police, authorizing them to carry on a taxi-cab business within the City, and shall be subject to the fee schedule in Schedule "B" of this By-Law.
4. No person or firm/business shall own or operate a taxi-cab business within the City without having first obtained a Taxi Brokers License.
 5. No person or firm/business shall employ or allow to be used as a taxi driver in the City, any person who is not the holder of a valid taxi drivers' license approved by the Chief of Police.
 6. An application for a Taxi Broker License shall be made in writing and shall contain such information as shall be required on a form supplied for such purpose and attached as Schedule "E".
 7. Every such applicant or officer or director of such corporate applicant, shall tender with such form a copy of the fingerprints of the applicants or officers or directors as the case may be.
 8. Every holder of a Taxi Broker License shall renew the license not later than December 31st of each year and shall be subject to the fee schedule as set out by Schedule "B" of this By-Law.
 9. No Taxi Broker License, Taxi Broker License renewal or increase in the number of Taxi Vehicle Licenses shall be granted the holder of a Taxi Broker License unless the Broker has satisfied the Chief of Police that the company has on lands within 500 feet of the taxi stand owned or leased by the licensee, off street parking to the extent of three (3) meters by six (6) meters for 75% of the taxi-cabs with respect to which such application is made. Such off street parking shall be maintained at all times during the terms of such Taxi Broker License.
 10. (a) The licensee shall ensure that all vehicles under his license comply to the demands from the Chief of Police to attend a mandatory "Safety Lane", or obtain a mechanical safety from a licensed garage as directed by the Chief of Police. Failure to comply will result in the Taxi Broker License being suspended or cancelled.

(b) Any revocation or cancellation shall be appealable to the Board and must be filed by the applicant, in writing, within fifteen (15) days of the suspension.
 11. The Licensee/Broker shall ensure that all taxi-cab vehicles and all taxi-

cab drivers operating under his license comply with all applicable terms of this By-Law. Failure to do so will result in the cancellation or suspension of the Taxi Broker License.

12. Every Licensee/Broker shall advise the Chief of Police of any change of information that has been recorded in the Taxi Broker's License within three (3) days of such change. Such change shall include any taxi-cab that has begun or ceased to operate under that Broker's license.
13. Upon the failure of the holder of a Taxi Broker License to operate the business for which such license is issued for a continuous period of sixty (60) days, such license shall forthwith be cancelled and all rights granted thereunder shall at once cease and be terminated.
14. Upon the cancellation or suspension of a Taxi Broker License, no taxi-cab shall be allowed to operate from that taxi business. Anyone holding a valid Taxi Vehicle License may change affiliation to another Taxi Broker License by notifying the Chief of Police of this change in the proper manner. Anyone continuing to drive or operate a taxi-cab for a taxi business that had its Taxi Broker License suspended is in contravention of this By-Law and is subject to the cancellation of his/her Taxi Related License.
15. In the case where a broker voluntarily stops or closes the business, the broker shall immediately inform the Chief of Police of such action, in writing, and the Taxi Broker License shall be immediately cancelled. In such case, all vehicles operating under a Taxi Vehicle License affiliated with that broker, shall cease operation for that broker and shall re-affiliate with a company/business/person holding a valid Taxi Broker License under this By-Law.

Part V - TAXI VEHICLE LICENSE

1. Every person acting in the capacity of a:
 - (i) taxi-cab owner
 - (ii) limousine owner
 - (iii) physically disabled passenger vehicle ownershall obtain a Taxi Vehicle License issued by Council and approved by the Chief of Police for each vehicle being operated as a taxi-cab in the City of Kenora shall be subject to the fee in Schedule "B" of this By-Law.
2. There shall be a separate Taxi Vehicle License taken out for every vehicle

used as a taxi-cab under this By-Law.

3. Every application for a Taxi Vehicle License shall be made in writing to the Chief of Police and shall contain such information as shall be required on a form supplied for such purpose and attached as Schedule "C".
4. At the time of the Taxi Vehicle License application, renewal or replacement, the applicant shall submit the following items:
 - vehicle registration
 - proof of valid qualifying insurance
 - a valid mechanical fitness certificate as prescribed by the Highway Traffic Act of Ontario
 - a letter from a Licensed Taxi Broker affirming employment of the vehicle
5. No Taxi Vehicle License shall be issued under the provisions of this By-Law unless the taxi-cab operated by the Licensee is insured against public liability, passenger hazard and property damage in the amount of at least two million (\$2,000,000.00) dollars. At the time of applying for a Taxi Vehicle License and upon demand by a Police Officer, such proof of insurance as described by this By-Law shall be shown.
6. (a) A certificate of an insurance policy covering every licensed taxi-cab shall be deposited on file with the Chief of Police and such policy shall be kept in force during the currency of the said Taxi Vehicle License.

(b) The premiums for such insurance shall be paid by the Licensee and such insurance shall be carried with any insurance company authorized to do business in Ontario.

(c) No firm or person shall operate or permit the operation of any taxi-cab which does not at all times carry the insurance coverage as required by this By-Law.
7. Every such applicant/owner shall tender with such application a copy of fingerprints of the applicant/owner as the case may be.
8. Every holder of a Taxi Vehicle License shall renew the license for that vehicle not later than December 31st of each year.
9. For every motor vehicle licensed as a taxi-cab under this By-Law a current certificate of mechanical fitness is to be filed with the Chief of police on December 31 of each year and another on June 30 of each year.

10. (a) No new Taxi Vehicle License will be issued to any vehicle over six (6) years of age. The age will be determined by taking the model year of the vehicle and adding six (6). The resulting year will be the last year the vehicle qualifies to be registered as a new taxi-cab.

(b) A vehicle currently licensed as a taxi-cab may continue to be licensed beyond the six year age limit as long as the vehicle continues to qualify as a taxi-cab. Age to be determined as above.
11. Every owner of a Taxi Vehicle License shall advise the Chief of Police of any change of information that has been recorded on the license within three days of such license.
12. Every proposed transfer of ownership of a Taxi Vehicle License shall be subject to a transfer fee of twenty (\$20.00) dollars providing the transferee complies with all conditions as set out by this By-Law.
13. (a) No person shall operate a taxi-cab within the City unless affiliated with a business or person holding a valid Taxi Broker License, the proof being the recorded information on the Taxi Broker License in question and a letter from the broker affirming the information to be valid.

(b) On ceasing to be affiliated with a taxi business holding a valid Taxi Broker License, a taxi-cab will be deemed to be unlicensed for the terms of this By-Law and will remain as such until proof is shown by way of a letter from a taxi business with a valid Taxi Broker License, to the Chief of Police, that the taxi-cab has employment with the said business.
14. No holder of a Taxi Vehicle License shall permit any person to operate a taxi-cab owned or operated under the provisions of such license, who is not the holder of a Taxi Driver's License as issued by the Chief of Police.
15. (a) The Chief of Police may suspend or revoke any Taxi Vehicle License at anytime if the holder of such license fails to qualify for such license.

(b) The Chief of Police may re-instate such license when satisfied that the holder is again in compliance with this By-Law.

(c) Any suspension is appealable to the Board and must be in writing by the applicant to the Board within fifteen (15) days of the suspension.
16. One (1) taxi license decal shall be issued for every Taxi Vehicle License approved under the provisions of this By-Law. This decal shall be permanently affixed to the lower right corner of the vehicle's windshield (Passenger side) so that it is readily visible.

17. No person in a private vehicle shall be allowed to transport passengers for financial gain in the City.

Part VI - TAXI DRIVER'S LICENSE

1. Every person acting in the capacity of a taxi-cab driver shall obtain a Taxi Driver's License issued by Council and approved by the Chief of Police authorizing that person to drive a taxi-cab licensed for the City and shall be subject to the fee as set by Schedule "B" of this By-Law.
2. An application for a Taxi Driver's License shall be made in writing to the Chief of Police on a form supplied for such purpose and attached as Schedule "D".
3. Each applicant shall supply a copy of his/her fingerprints with such application for a Taxi Driver's License and shall be subject to the fees as set out in Schedule "B" of this By-Law.
4. Every holder of a Taxi Driver's License shall renew the said license no later than December 31st of each year and shall pay such fees as set out in Schedule "B" of this By-Law.
5. No Taxi Driver's License shall be issued to any person unless such person:
 - a) has reached the age of 18 years
 - b) is of good character
 - c) possess a good working knowledge of the geography of the City of Kenora
 - d) holds a valid Province of Ontario class "G" driver's license
 - e) has been a resident of the City of Kenora or its vicinity for a period of at least (1) year immediately prior to the application, excepting that upon the recommendation of the Chief of Police the Board may reduce the period of residence requirement
 - f) is able to comprehend the English language sufficiently enough to comply with the regulations of this By-Law
 - g) has passed a written test given by the Chief of Police
6. (a) On the issuance of a Taxi Driver's License, the Chief of Police shall, upon payment of the fee provided in Schedule "B" hereto, supply to the Taxi Driver License holder, a "photo license card" which shall be carried by the taxi driver at all times while operating a taxi-cab. This photo license card shall be produced upon demand to any person hiring the

taxi-cab, or to any Police Officer.

(b) Photo license cards defaced, lost or destroyed shall be replaced by the Chief of Police with the applicant liable for fees as set in Schedule "B" of this By-Law.

7. No Taxi Driver License shall be issued if the applicant:
 - (a) has accumulated nine (9) or more demerit points on his driver's license under the Highway Traffic Act of Ontario
 - i) a suspension related to this clause shall remain in effect as long as there are nine points on the said driver's license
8. (a) If at any time the holder of a valid Taxi Driver's License accumulates nine (9) or more points on his driver's license under the Highway Traffic Act of Ontario, the said Taxi Driver's License shall be deemed immediately suspended.
 - (b) Such suspension shall remain in effect until such time as the holder of the said Taxi Driver's License becomes eligible to again hold such license, at which time a new application must be applied for, and accepted by the Chief of Police.
 - (c) In the case of a re-instatement, no additional fee will be charged.
9. (a) The Chief of Police may revoke a Taxi Driver's License at any time of the holder fails to qualify for such license. Any such revocation shall be appealable to the Board and shall be done by the applicant, in writing, within fifteen (15) days of the Taxi Driver's License being revoked.
 - (b) Any refusal by the Chief of Police of an application for a Taxi Driver's License under the provisions of this part shall be appealable by the applicant and must be done, in writing, to the Board within fifteen (15) days of the refusal.
10. Every properly licensed taxi driver for the City shall inform the Chief of Police, in writing, of any change of information recorded on the Taxi Driver's License within three (3) days of the change of information.
11. No person shall operate a taxi-cab within the City who is not the holder of a valid Taxi Driver's License approved by the Chief of Police.
12. (a) Every person holding a valid Taxi Driver's License shall operate only a taxi-cab that is properly licensed under a Taxi Vehicle License and which

in turn is affiliated to a business or person holding a valid Taxi Broker License.

(b) Upon a taxi driver ceasing to be affiliated with the Taxi Broker recorded on the Taxi Driver's License application (Schedule "D"), the Taxi Driver's License is deemed to be suspended and the said taxi driver not allowed to drive any taxi-cab in the City until re-affiliated with a licensed Taxi Broker by way of a new application.

13. Any taxi driver in contravention of this, or any other section of the By-Law shall immediately have the Taxi Driver's License in question suspended and also shall be accountable to the penalty section of this By-Law.
14. The Chief of Police may, upon application by the applicant, revoke any such suspension, or may require the suspension to remain in effect either permanently or for a period of time as he sees necessary in the interest of this By-Law.
15. No person operating a taxi-cab shall solicit a fare within the City unless licensed to do so under this By-Law.

Part VII - GENERAL PROVISIONS

1. The maximum number of Taxi Vehicle Licenses shall not at any time exceed one (1) license for every two hundred and fifty (250) people resident in the City. The census of the Provincial Assessment Department shall be used as the official record for purposes of computing the population and shall be deemed to be conclusive evidence thereof.
2. Every taxi-cab shall be kept at all times in good mechanical condition and shall be clean and of good appearance inside and out. The taxi-cab owner shall check and fix any defect noticed by him/her, or any defect reported by the taxi-cab driver.
3. No holder of a Taxi Broker License, a Taxi Vehicle License or a Taxi Driver's License shall wash, clean or make repairs to any taxi-cab while on any public street or cabstand, except for emergency repairs.
4. No greater number of persons than can be comfortably accommodated shall be carried in any taxi-cab at one time and every passenger shall be provided with a permanently installed seat belt.

5. Every holder of a Taxi Driver License under the provisions of this By-Law shall serve the first person requesting his services.
6. No taxi driver while in charge of a taxi-cab shall solicit a person to take or use his cab by calling out or shouting or by otherwise personally canvassing members of the general public in an offensive manner.
7. A taxi driver shall, upon the request of any passenger, give in writing the taxi driver license number, and the license number of his taxi along with the name and address of the taxi company.
8. Every holder of a license under the provisions of this By-Law shall take due care of all property delivered or entrusted to and accepted by him for conveyance or safekeeping, and every taxi driver shall immediately upon termination of any hiring or engagement, check his taxi-cab for property lost or left therein. All such property shall forthwith be placed in a property box and reasonable efforts made to notify the owner of the location of such property.
9. If any Police Officer inquires within forty eight (48) hours thereafter as to the destination(s) to which any licensee under this By-Law drove any person, or carried any goods, baggage or other thing, it shall be the duty of such person(s) to advise of such destination(s). Failure to furnish such information shall constitute a breach of this By-Law.
10. No owner or driver of a taxi-cab shall permit such taxi-cab to remain standing or parked at a restricted parking area in the City unless for the immediate purpose of:
 - a) taking on passengers who have already engaged the taxi-cab
 - b) discharging passengers from the taxi-cab
11. No holder of a Taxi Driver's License shall take, consume or have in his possession any intoxicating liquor or prohibited drugs while he/she is in charge of a taxi-cab.
12. There will be a "zero" (0) percent tolerance for consumption of alcohol while driving a taxi-cab. By way of "spot checks", a Police Officer may demand that a taxi driver licensed under this By-Law, supply a necessary sample of breath to check for any alcohol content. Failure to comply will immediately result in a suspension of the offending person's Taxi Driver's License for a period of no less than thirty (30) days, after which the taxi driver may apply to the Chief of Police to have the Taxi

Driver License re-instated.

13. The holder of a Taxi Driver License under the provision of this By-Law shall not attend at any place where liquor is illegally kept for sale, nor shall he permit his taxi-cab to be used by persons desirous of visiting such places.
14. No broker, owner or taxi driver licensed under this By-Law shall use the radio system or telephone of another broker, owner or taxi driver.
15. In addition to any other requirements under the City of Kenora Municipal By-Laws, no person shall operate any dray unless the vehicle is equipped with rubberized tires and the driver skilled and experienced.
16. Any person who operates a dray shall be responsible for ensuring that all manure and other debris resulting from the operation of a dray are promptly and immediately removed from the street.
17. Every Police Officer is hereby given authority to enforce this By-Law when violations are observed.

Part VIII - FARES AND TAXI METERS

1. Every taxi-cab, except a limousine, operated in the City of Kenora shall be equipped with a taxi meter of a standard type, approved by the Chief of Police and so placed in the taxi-cab as to be conveniently seen at all times by any passenger or passengers therein.
2. No person shall operate or cause to be operated, a cab, except a limousine, unless there is installed therein a properly operating taxi meter that registers the correct mileage travelled by the cab.
3. Every taxi meter shall be inspected by the Chief of Police or his designate to ensure that it is registering correctly and the officer shall attach thereto a seal. No person, other than a qualified technician shall alter the meter or seal, and even then only for the purpose of making adjustments/corrections as necessary to conform to this By-Law.
4. The Chief of Police may direct the owner of the taxi-cab to have the taxi meter inspected and adjusted to comply with this By-Law, if necessary, after which the meter shall be sealed and a certificate issued by a recognized and authorized service business. The taxi-cab shall remain out of service while the meter is being serviced. Failure to comply will result in the cancellation of the Taxi Vehicle License.

5. Every such taxi meter shall be set to register the rates in conformity with the tariff set out in Schedule "A" of the By-Law and shall be the only rates charged for transportation from one point to another in the City.
6. No person licensed under this By-Law shall publish or use a tariff, or demand or receive rates or charges other than those authorized by the By-Law. This part does not apply to a taxi company who has contracted services to a group or organization on a flat rate basis.
7. While every taxi meter should be accurate, the tolerances therein shall not exceed the following:
 - on a mileage test (road test) with respect to computed distance actually travelled, a tolerance of seventeen (17) meters short of a kilometre and three (3) meters for each additional one-third (1/3rd) of a kilometre or thirty-four (34) meters over a kilometre and proportionate distance for each one third (1/3rd) over a kilometre.

Part IX - PENALTIES

1. Any person or licensee found guilty of any breach of the provisions of this By-Law shall be subject to a fine of not more than five hundred (\$500.00) dollars, exclusive of costs.
2. Every such fine shall be recoverable under the Provincial Offences Act, all the provisions of which apply, except that the imprisonment may be a term of not more than twenty-one (21) days.
3. In addition to any other penalty herein imposed, the Taxi Related License of any person or firm found guilty of any breach of the provisions of this By-Law may be revoked or cancelled by the Chief of Police.

Part X - PRO-RATED FEES AND REFUNDS

1. Applications received after September 30th shall be assessed 50% of applicable fees.
2. Any applicable reduction of the Taxi Related Fee Schedule applies only to the cost of the actual license and not to fees charged for other services such as fingerprints, replacement of lost Taxi Photo License Card or taxi-cab decal replacement etc.
3. Requests for refunds shall be at the discretion of the Council.

By-law Numbers: 46-99, 95-037 and L32/95 are hereby repealed.

**BY-LAW READ A FIRST & SECOND TIME THIS 16 DAY OF July, 2001.
BY-LAW READ A THIRD & FINAL TIME THIS 16 DAY OF July, 2001.**

THE CORPORATION OF THE CITY OF KENORA:

**PER: _____ MAYOR
David Canfield**

**PER: _____ CLERK
Joanne L McMillin**

SCHEDULE "A"

RATES AND FARES

For trips between any point in the City by meter taxi-cab for four (4) passengers or less:

-for the first one tenth of a kilometre or part thereof: \$2.75

-for each additional one tenth kilometre or part thereof: .15

-where more than four (4) passengers are carried, an additional flat rate charge of fifty cents (\$.50) for each passenger in excess of four (4) for the whole distance of actual passenger transportation traveled within the City.

For waiting time, while under engagement, for each 60 seconds, including time vehicle is stopped in traffic, and not to include a three minute grace period while waiting on a call at a private residence:

\$.40

OR: \$ 24.00/hr

Such rates and fares under this section do not include seven percent (7%) Goods and Services Tax.

Courtesy Discount: At the discretion of the taxi-cab owner, any person who has attained the age of sixty-five (65) years may be entitled to a discount of ten (10%) percent from the metered rate.

FEES FOR LIMOUSINE

1. Maximum Rate: \$60.00 for first hour.
2. Hourly Rates: \$50.00 per hour, thereafter.
3. Minimum Rate: \$30.00 per hour.

SCHEDULE "B"

TAXI RELATED LICENSE FEES

Taxi Broker License:

There shall be a fee of one hundred (\$100.00) dollars per year applicable to obtain a Taxi Broker License to carry on a taxi business in the City.

Taxi Vehicle License:

For every vehicle licensed under this By-Law there shall be a fee of fifty (\$50.00) dollars per annum.

For every Taxi License Decal issued there shall be a fee of fifteen (\$15.00) dollars per annum.

Replacement charge for such decal lost etc. shall be fifteen (\$15.00) dollars.

Taxi Driver's License:

For every taxi driver license issued there shall be a fee of fifty (\$50.00) dollars per annum. This fee shall include the cost of the initial issuance of a photo license card.

Replacement cost of any photo license card shall be ten (\$10.00) dollars.

Any applicant required by this By-Law to supply a copy of his/her fingerprints shall be subject to a fee as set out by the Receiver General for Canada. (Set fee at the time of this By-Law being twenty-six dollars and seventy-five cents (\$26.75) including GST.

There shall be no duplication of such fee. If an applicant has a copy of fingerprints on file at the Kenora Police Service as a result of a valid Taxi Related License, no other set of fingerprints shall be required for any other Taxi Related License application.

Dray License Fee:

For every dray licensed there shall be a fee of fifty (\$50.00) dollars per annum.

Schedule “C” (application form), not attached to digitally-formatted by-law.