

The Corporation of the City of Kenora

By-law Number 126 - 2025

A By-Law to License and Regulate Private Vehicles for Hire and Drays Operating within and from the City of Kenora

Whereas subsection 10(1) of the Municipal Act, 2001 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas subsection 10(2) of the Municipal Act, 2001 provides that a municipality may pass by-laws respecting: in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 11 Business Licensing; and

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

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

Whereas subsection 151(5) of the Municipal Act, 2001 provides that subsection 151(1) applies with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9, 10 and 11 as if it were a system of licences with respect to a business; and

Whereas subsection 156(1) of the Municipal Act, 2001 provides that without limiting sections 9, 10 and 11, a local municipality, in a by-law under section 151 with respect to the owners and drivers of taxicabs, may:

- (a) establish the rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality;
- (b) provide for the collection of the rates or fares charged for the conveyance; and
- (c) limit the number of taxicabs or any class of them; and

Whereas the Council for the City of Kenora considers it necessary and desirable for the public to regulate Vehicles for Hire for the purposes of health and safety, consumer protection and service quality to ensure an efficient Vehicle for Hire service is available to all persons including the travelling public in the City of Kenora and that such Vehicle for Hire service is provided in a manner that provides a safe environment for both passengers and drivers; and

Whereas section 23.2 of the Municipal Act, 2001 permits a municipality to delegate certain legislative and quasi-judicial powers; and

Whereas Council for the City of Kenora is of the opinion that the delegation of legislative powers under this by-law to the City Clerk, including without limitation the power to issue and impose conditions on a licence, prescribe vehicle, operational and reporting standards to be imposed on licensees as being powers of a minor nature having regard to the number of people, licensing matters and the time period affected by the exercise of the power in accordance with subsection 23.2(4) of the Municipal Act, 2001; and

Whereas subsection 391(1) of the Municipal Act, 2001 provides that a municipality may impose fees and charges on persons;

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- (c) for the use of its property including property under its control; and

Whereas Section 444 of the Municipal Act, 2001 provides that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention to discontinue the contravening activity, and any person who contravenes such an order is guilty of an offence; and

Whereas it is deemed expedient to pass this by-law;

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

1 **Definitions:** In this By-law, the following terms have the following meanings:

- 1.1 “Broker” means any person who owns a hired vehicle business, operates his/her own hired vehicle(s) and/or dispatches hired vehicles owned by other;
- 1.2 “Brokerage” means the business of a Broker and shall be deemed to include the premises where the business is carried on;

- 1.3 “By-Law Enforcement Officer” means a person employed by the City of Kenora as a By-Law Enforcement Officer or a Municipal Law Enforcement Officer under section 15.(1) of the Police Services Act RSO 1990 Chapter P15 s 15.(1) for the purpose of enforcing Municipal By Laws.
- 1.4 “Cab Driver” means a person who holds a Cab Driver Licence;
- 1.5 “Cab Owner” means a person who holds a Cab Owner Licence and corresponding Owner Plate or a Cab Owner Licence and corresponding Owner Plate;
- 1.6 “Cab Meter” means an independent self-contained measuring device approved by the City Fleet Manager and used in a Cab or Accessible Cab to calculate, amongst other things, the rate payable for a Trip;
- 1.7 “City” means the Corporation of the City of Kenora.
- 1.8 “City Fleet Manager” means the Manager that oversees the City of Kenora’s Fleet Division and is authorized on behalf of the Corporation of the City of Kenora to inspect taxi cabs, limousines and drays as required, place official seals on the taxi meters and recommend safety matters of any vehicle to the driver and broker.
- 1.9 “Clerk” means the City Clerk of the City of Kenora, and includes his or her designate.
- 1.10 “Council” means the Council for The Corporation of the City of Kenora.
- 1.11 “Dispatch” means the sending of a Vehicle for Hire to a location for the purpose of offering or providing transportation to a Passenger, and includes but is not limited to:
- (i) receiving telephone or radio calls from prospective Passengers and directing a person operating a Vehicle for Hire to attend at the Passenger’s requested location;
 - (ii) offering or operating any part of a mobile application or other electronic service that receives requests for transportation services from prospective Passengers and connects such requests to a person operating a Vehicle for Hire; or
 - (iii) any other action that results in a Passenger and Vehicle for Hire being in the same place at the same time for the purpose of providing the Passenger with Vehicle for Hire services, regardless of whether the Vehicle for Hire services are actually provided to the Passenger.
- 1.12 “Dray” means a horse drawn carriage or cart which is used for hire for the conveyance of passengers on an hourly basis or for a fixed fee between any two given locations.
- 1.13 “Driver” means the individual who has care and control of a Standard or Accessible Private Vehicle for Hire;

- 1.14 “Entity” means an individual, persons, partnership, corporation or anyone in affiliation with a corporation;
- 1.15 “Fare” means the amount charged to a Passenger for transportation provided in a Vehicle for Hire;
- 1.16 “License” or “licence” means a license/licence issued under this By-law.
- 1.17 “Licensee” “licencee” means a person to whom License has been granted under this ByLaw.
- 1.18 “Limousine” means a motor vehicle which is used for hire for the conveyance of not more than eight (8) passengers exclusive of the driver on an hourly basis or for a fixed fee between any two given locations and is not equipped with a meter, and means a luxury motor vehicle of special quality. The term expressly excludes: taxi cabs, ambulances, buses and funeral hearses.
- 1.19 “Operate” means to engage in the business of providing service within the jurisdiction of the City.
- 1.20 “Police” means the Ontario Provincial Police.
- 1.21 “Passenger” means any individual, not including the Driver, seated in a Cab, Accessible Cab, Limousine, Private Vehicle for Hire or Accessible Private Vehicle for Hire and includes a person engaging or attempting to engage a Cab, Accessible Cab, Limousine, Private Vehicle for Hire Accessible Private Vehicle for Hire to provide a Conveyance Service;
- 1.22 “Plated” means to have the Owner Plate affixed to a certain type of Vehicle for Hire for which it was issued;
- 1.23 “Police Record Check” means a criminal information report that is a result of a search of the local police records where the applicant resides and the national databases maintained by the Canadian Police Information Centre; or alternatively, a third party police record check with a grading of Pass, Fail or Concern.
- 1.24 “Private Transportation Company” or “Private Transportation Companies” (PTC) means any individual, partnership, corporation, or an individual affiliated with a corporation that offers, facilitates, or operates prearranged transportation services for compensation using any software or application. A PTC may authorize drivers to operate vehicles, which must comply with licensing, insurance, and standards prescribed within this by-law. PTC services shall not include street hailing and must be booked solely through the PTC digital platform/software with an electronic form of payment in a manner in which the passenger is disclosed the estimated fare first, before accepting the trip.
- 1.25 “Restricted Parking Area” shall mean any area within the City, in which parking is controlled by meters or pay stations, all no parking areas, for parking by City of Kenora Traffic Regulation By-Law, as amended.

- 1.26 “Taxi-cab” shall mean a motor vehicle with a seating capacity of not more than seven (7) persons exclusive of the driver, used or being used for the conveyance of passengers within or from the City of Kenora, that:
- a) is operated through a licenced taxi broker;
 - b) is available for immediate hire through street hailing;
 - c) charges fair through a City approved taxi meter based on City provided fare guidelines and;
 - d) is marked with visible identifiers required within this bylaw
- 1.27 “Trip” means each journey in a Vehicle for Hire commencing when a passenger enters the vehicle, continuing for the period that the vehicle is occupied, and ending when all passengers exit the vehicle;
- 1.28 “Vehicle Registration Bumper Sticker” shall mean the identification sticker issued by the City of Kenora licensing department to the taxi cab, displaying licensing year of issue, taxi broker’s business name, and assigned vehicle registration number.
- 1.29 “Vehicle for Hire” means a motor vehicle that is conveying or available for conveying one or more persons in exchange for a fee or other consideration and includes without limitation a Cab, Accessible Cab, Limousine, Private Vehicle for Hire and Accessible Private Vehicle for Hire;
- “Vehicle Registration Number” shall mean a sequential number assigned to certain vehicles registered with the City of Kenora licensing department for identification purposes.

PART 2 - PROHIBITIONS

2.1 No person shall:

- (a) own or Operate a Vehicle for Hire without being licensed or registered with a Broker or a Private Transportation Company (PTC) under this By-law;
- (b) dispatch a Vehicle for Hire without being licensed under this By-law;
- (c) own or Operate a Vehicle for Hire without a valid Owner Plate affixed to the Vehicle for Hire, if applicable;
- (d) operate a Vehicle for Hire while their licence issued under this By-law is under suspension;
- (e) act as a Broker or a PTC while their licence issued under this By-law is under suspension;

- (f) advertise the use of a Vehicle for Hire without an Owner or a Broker licence issued under this By-law; or
- (g) publish or cause to be published any representation that they are licensed under this By-law or hold themselves out as being licensed under this By-law if they are not.

PART 3 - Application of By-Law Exemptions

3.1 This By-law shall not apply to:

- (a) a motor vehicle with a seating capacity of 11 or more individuals, including the driver;
- (b) an ambulance or funeral hearse;
- (c) a school bus as defined under the Highway Traffic Act that is licensed under the Public Vehicles Act while it conveys students to and from school as defined under the Highway Traffic Act;
- (d) a bus operated under the Public Vehicles Act by the City of Kenora
- (g) a motor vehicle used by not-for-profit organizations registered in the province of Ontario for the purposes of transporting senior citizens or persons with disabilities; designated driver services for which a designated driver drives the customer in the customer's vehicle to at least one destination; or
- (h) courtesy vehicles in association with motor vehicle repair shops where a customer is driven to a predetermined destination.
- (i) Vehicles operating in affiliation with the City, such as the Wave or the Kenora Handi Transit.

PART 4 - Administration of By-Law

4.1 The administration of this By-law is assigned to the City Clerk, or designate, who shall generally perform all of the administrative functions conferred upon them by this By-law and without limitation may:

- (a) receive and process all applications for all licences and renewals of licences under this By-law;
- (b) issue licences in accordance with the provisions of this By-law;
- (c) impose terms and conditions on licences in accordance with this By-law; and
- (d) refuse to issue or renew a licence or revoke or suspend a licence in accordance with this By-law.

Part 5 - Licencing

5.1 No person shall operate a taxi cab, limousine or dray within the City unless that person is the holder of a current broker's license for such service.

5.2 No entity shall operate a Private Transportation Company (PTC) within the City unless the entity is the holder of a PTC licence issued by the City.

5.2 No person shall drive a taxi cab or limousine within the City unless that person is the current holder of a valid driver's license for such service.

5.3 No person shall use any vehicle as a taxi cab or limousine within the City unless there is attached to such vehicle a current Ontario vehicle license.

5.4 Every license expires on March 31 each year.

PART 6 - Application for Licences and Renewals

6.1 Every application for a taxi broker or PTC licence and renewal licence shall be made to the City Clerk on the relevant forms provided by the Licensing Department of the City of Kenora with the following information:

- (a) the name, date of birth, municipal address, telephone number and email address of each Applicant;
- (b) if the Applicant is a partnership, the name, address and telephone number of each partner;
- (c) if the Applicant is a corporation, the address of its head office, the name, address and telephone number of relevant officer;
- (d) a sworn statement by the Applicant certifying the accuracy, truthfulness and completeness of the application;
- (e) if the Applicant is a partnership, a sworn statement by each partner certifying the accuracy, truthfulness and completeness of the application; and,
- (f) if the Applicant is a corporation, a sworn statement by an officer of the corporation duly authorized for that purpose certifying the accuracy, truthfulness and completeness of the application.

6.2 Every person applying for a taxi licence or a renewal of a licence shall provide in full at the time the application is submitted all of the information requested on the application form as well as:

- (a) payment of the prescribed fee as set out in Schedule "A" of this By-law;
- (b) a current Criminal Record Vulnerable Sector Check for the applicant obtained by him/her at his/her own expense from the Ontario Provincial Police. If the Vulnerable Sector Check with fingerprint request is negative and no criminal record exists, the Vulnerable Sector Check will only be required once every five (5) years and the Criminal Record Check will be required annually. If the Vulnerable Sector Check is positive, this check will be required annually until a pardon has been granted
- (c) if the Applicant or Licensee is a corporation, a copy of the incorporating documentation, and a copy of the last initial notice or notice of change which has been filed with the provincial or federal government and a Certificate of Status issued by the Ministry of Government and Consumer Services dated no later than thirty (30) days prior to the date of the application;

- (d) if the Applicant or Licensee is a partnership, details of each partner's interest in the partnership; and,
- (e) a copy of the applicant's valid Ontario Class G, Driver's License, or equivalent driver's license issued by a Canadian Province;
- (f) the written confirmation from a licensed taxi cab or limousine broker that the driver will be employed;
- (g) proof of satisfactory completion of a driver's knowledge test as prescribed by the Clerk; and
- (h) a current copy of Ontario Driver Record Search or equivalent document issued by another jurisdiction obtained by the applicant at his/her own expense from the Ministry of Transportation or similar agency or Ministry of another Province.

6.3 The City Clerk may require affidavits in support of an application for or a renewal of a licence.

6.4 Every application may be subject to investigations by and comments or recommendations from the municipal, provincial or federal departments or agencies as the City Clerk deems necessary including but not limited to:

- (a) the Kenora OPP;
- (b) the Enforcement Services Manager of the City;
- (c) Fleet Services Manager of the City
- (d) the Ministry of Transportation.

6.5 An incomplete application will be returned to the applicant by the Clerk and no license will be issued until the application is complete.

6.6 No person shall be issued a license or is entitled to maintain a license under this By-law if the applicant or licensee:

- a) Has been found guilty of an offence under the Criminal Code of Canada within the preceding three (3) years, or
- b) has been found guilty of an offence under the *Liquor License Act* of Ontario relating to the illegal purchase or sale of liquor within the proceeding three (3) years, or
- c) has ever been convicted of an offence as defined in Sections 150 through 160 of the *Criminal Code of Canada*.

6.5 This bylaw also limits the number of years that a vehicle can be kept on the road to years.

6.7 This by-law sets insurance requirements for all individual vehicles at \$2 million.

All individuals applying for a taxi driver licence must do so by providing:

- a. a copy of the vehicle registration,

- b. proof of insurance to at least \$2,000,000.00 for third party claims,
- c. a valid Ontario certificate of mechanical fitness for the vehicle,
- d. the consent of a licensed broker under this By-law, and proof that the meter in the cab, if it is a taxi cab, has been tested within the past 12 months.
- e. An application for the renewal of a license shall be delivered to the City Clerk at least thirty (30) days prior to expiry of the license.
- f. The Clerk shall process an application for a license, or the renewal of a license within thirty (30) days of receipt and shall advise the applicant accordingly.

PART 7 - Powers of the City Clerk

7.1 The power and authority to refuse to issue or renew a licence, to cancel, revoke or suspend a licence, to impose terms and conditions, including special conditions, on a licence, or to exempt any person from all or part of this By-law are delegated to the City Clerk.

7.2 The City Clerk shall issue a licence or renew a licence where the requirements or conditions of this By-law have been met.

7.3 The City Clerk may refuse to issue, refuse to renew or revoke or suspend a licence or impose a term or condition on a licence on the following grounds:(a) the conduct of the Applicant or Licensee, or any partner, officer, director, employee or agent of the Applicant or Licensee, affords reasonable cause to believe that the Applicant or Licensee will not carry on their business in accordance with the law or with honesty or integrity;

(b) an Applicant or Licensee is carrying on activities that are in contravention of this By-law;

(c) there are reasonable grounds to believe that an application or other documents provided to the City Clerk by or on behalf of the Applicant or a Licensee contains a false statement;

(d) any information contained in the original application form or any other information provided to the City Clerk, has ceased to be accurate and the Licensee has not provided up-to-date accurate information to the City Clerk to allow the City Clerk to conclude that the Licence should continue;

(e) an Applicant or Licensee does not meet, at any time, one or more of the requirements of this By-law or any conditions imposed on a Licence;

(f) the Applicant or Licensee is not in compliance with any federal, provincial law or City Bylaw, including this By-law;

(g) the Applicant or Licensee or any partner, officer or director has been convicted of an offence, for which a pardon has not been granted, pursuant to any one or more of Parts V (Sexual Offences), VIII (Offences Against the Person and Reputation) or IX (Offences Against Property) of the Criminal Code of Canada, R.S.C. 1985 c. C-46, as amended or any other criminal convictions in the preceding five (5) years;

(h) the Applicant or Licensee or any active partner, officer or director has been convicted of an indictable offence under any Statue of Canada, including but not limited to the Criminal Code of Canada, the Narcotic Control Act, the Food and Drug Act, and the Controlled Drug and Substances Act during the preceding five (5) years;

- (i) the Applicant or Licensee has been convicted of any other criminal offence for which, in the opinion of the City Clerk, it would not be in the interest of public safety to issue a licence;
- (j) the Applicant or Licensee is currently under a prohibition order issued in any court within Canada that prohibits the operation of a motor vehicle;
- (k) the Applicant or Licensee does not have a valid "G" Ontario Driver's Licence or equivalent or their driver's licence is under suspension; or
- (l) the Applicant or Licensee has accumulated 9 or more demerit points within a three year period.

7.4 Notwithstanding any other provision of this By-law, the City Clerk may impose terms and conditions on any licence at issuance, renewal or any time during the term of the licence, including special conditions, as are necessary in the opinion of the City Clerk to give effect to this By-law.

7.5 Where the City Clerk is of the opinion that:

- (a) an application for a licence or renewal of a licence should be refused; (b) a reinstatement should not be made;
- (c) a licence should be revoked;
- (d) a licence should be suspended; or,
- (e) a term or condition of a licence should be imposed the City Clerk shall make that decision.

7.6 Where the City Clerk has made a decision under section 7.5 of this By-law the City Clerk's written notice of that decision shall be given to the Applicant or the Licensee by regular mail to the last known address of that person and shall be deemed to have been given on the 5th day after it is mailed. Service on a corporation can be effected by regular mail to the address of the corporation's head office.

7.7 The written notice to be given under section 7.6 of this By-law shall:

- (a) set out the grounds for the decision;
- (b) give reasonable particulars of the grounds;
- (c) be signed by the City Clerk; and,
- (d) state that the Applicant or Licensee is entitled to a hearing by Council if the Applicant or Licensee files with the City Clerk a notice of appeal in writing and the appeal fee as set out in this By-law within ten (10) business days after the notice in section 7.6 of this By-law is given.

7.8 Where no appeal is filed within the required time period, the decision of the City Clerk shall be final.

7.9 Despite section 7.7 of this By-law, where a Licence is voluntarily surrendered by the Licensee for revocation, the City Clerk may revoke the Licence without notice to the Licensee.

7.10 In addition to any other power, duty or function prescribed by this By-law, the City Clerk may make regulations under this By-law including:

- (a) prescribing the form of any information required to be provided to the City Clerk under this By-law;
- (b) prescribing the format and content of any forms or other documents required under this By-law;
- (c) prescribing standards for Vehicles for Hire including without limitation to:
 - (i) classes of vehicles that may be used as Limousines (Executive);
 - (ii) standards related to the condition of Vehicles for Hire;
 - (iii) colours and or markings for Vehicles for Hire,;
 - (iv) standards related to advertising on the exterior or interior of Vehicles for Hire, if applicable;
 - (v) standards for Cab Meters;
 - (vi) standards for public notification for consumer protection purposes;
 - (vii) submission requirements for supplementary Safety Standards Certificates.
- (d) prescribing operational standards for Vehicles for Hire Drivers including without limitation to:
 - (i) standards for the display of Fares and Licences;
 - (ii) customer service standards;
 - (iii) driver training standards;
- (e) prescribing standards for the form and content of records required to be kept maintained and released to the City Clerk by Brokers under Schedule 3 and 4 of this By-law.

PART 8 - Inspections

8.1 Every Owner or Driver shall submit or cause to be submitted their Vehicle for Hire for inspection when required to do so by an Enforcement Officer to a place designated by the City Clerk or an Enforcement Officer:

- (a) forthwith if the vehicle is in the presence of the City Fleet Manager, an Enforcement Officer or an Ontario Ministry of Transportation Inspector and the vehicle is in Operation; or
- (b) within 24 hours of receipt of the request, at a time set by the City Clerk or an Enforcement Officer, if the vehicle is not in the presence of the City Fleet Manager, an Enforcement Officer or an Ontario Ministry of Transportation Inspector.

8.2 Every Owner or Driver shall, upon the request of the City Fleet Manager or an Enforcement Officer during an inspection, produce all relevant licences, permits, invoices, vouchers, appointment books or like documents and the Fleet Manager or an Enforcement Officer may remove any of these documents for photocopying provided that the Owner or Driver is given a receipt and the documents are returned to them within 48 hours.

8.3 Notification of an inspection or an order shall be served on an Owner or a designate:

- (a) personally;
- (b) by email to the last known address of the Owner or a designate, whether actually received or not;
- (c) personally on the Driver Operating the City Plated Vehicle;
- (d) by leaving a copy with an individual at a Brokerage associated with the Owner; or
- (e) by facsimile or email to the last known facsimile number or email address of a Broker associated with the Owner.

8.4 An Enforcement Officer may require a Driver or an Owner to submit or cause to be submitted their Vehicle for Hire for a random inspection, including an inspection by a designated mechanic or a designated representative of the manufacturer of the Cab Meter, at a time and place specified by the Enforcement Officer to ensure that the provisions of this By-law are being complied with.

8.5 When the City Fleet Manager or an Enforcement Officer believes on reasonable grounds that a Vehicle for Hire is being Operated such that it is a danger to the health or safety of the public, or does not comply with any requirement of this By-law or any regulation as prescribed by the City Clerk either may:

- (a) remove the Owner Plate;
- (b) order the Driver to have the vehicle towed to a place of repair or other private property at the Driver's or the Owner's expense;
- (c) order the Owner not to Operate or permit the Operation of the vehicle until the danger is remedied, the vehicle has been inspected by the City Fleet Manager or an Enforcement Officer and, in the case of a Cab or Accessible Cab, the Cab Meter has been resealed; or
- (d) order the Owner to file with the City Clerk a Safety Standards Certificate after the date of the order.

8.6 An Owner whose Vehicle for Hire is deemed unsafe or dangerous due to mechanical defects, may be required to attend before the City Clerk, City Fleet Manager and/or Enforcement Officer to determine whether or not their Licence should be suspended, revoked or have conditions imposed on it.

8.7 For the purpose of section 7.6, mechanical defect includes, but is not limited to, mechanical defects directly or indirectly related to any part or parts of the vehicle involving or affecting:

- (a) its brakes or braking system;
- (b) its steering system;
- (c) its suspension system;
- (d) its under body;
- (e) its exhaust system;
- (f) the condition of its tires;
- (g) its lighting;
- (h) its glass;
- (i) its seat belt operation;
- (j) its wheelchair restraints, if applicable;
- (k) its heating system; or
- (l) the condition of the vehicle's body.

8.8 When the vehicle has been in an accident, the Owner, or designate including the driver shall:

- (a) immediately remove the vehicle from service; and
- (b) notify the City Clerk of the collision; and
- (c) notify the City Clerk of the details of the vehicle's repairs.

8.9 Once the repairs to the vehicle have been effected, the Owner or Driver shall provide the City Fleet Manager with a current Safety Standards Certificate and the City Fleet Manager shall inspect the Vehicle for Hire.

8.10 When the City Clerk or City Fleet Manager believes on reasonable grounds that a Vehicle for Hire does not comply with the requirements of this By- law, they may order the Owner or designate to bring it into compliance, and the order shall:

- (a) state the Owner Plate number of the vehicle, if applicable;
- (b) give reasonable particulars of any repairs to be made;
- (c) indicate the time for compliance with the order;
- (d) give notice that if the order is not complied with the Owner Licence may be suspended; and
- (e) require that the Owner Plate, if applicable be returned to the City Clerk immediately.

9.0 - Suspensions and Revocation

9.1 A taxi cab, limousine, PTC or dray affiliate, broker or driver who fails to operate in accordance with the provisions of this By-law or any law of the Province of Ontario is subject to having his/her or her taxi or PTC license and any attached vehicle licenses suspended or revoked by the City Clerk.

9.2 Where the City Clerk has reason to believe that a licensee has failed to comply with the provisions of this By-law or any law of the Province of Ontario, or is no longer eligible for a license, the City Clerk may notify the licensee in writing of the City Clerk's intention to suspend or revoke the license. The City Clerk shall give reasons for such intention to suspend or revoke the license.

9.3 A licensee who receives a notice from the City Clerk advising of his/her or her intent to suspend or revoke a license may appeal such decision to the Council within ten (10) days of the date the notice was mailed or otherwise delivered to the licensee, and failing such appeal to Council, the Clerk's decision is final.

10.0 - Transfers and Non Use

10.1 No License can be transferred from one entity to another; and no Vehicle License can be transferred from one vehicle to another.

10.2 A taxi cab broker who fails to operate a taxi cab business for sixty (60) consecutive days will be deemed to have withdrawn from business and the broker's license is revoked.

10.3 A taxi cab broker who ceases operation of his/her business for more than seven (7) days shall immediately notify the City Clerk and turn in all permits and licenses to the City Clerk.

11.0 - Tariffs and Fees

11.1 The fees payable to the City for licenses and renewals are set out in Schedule "A" to this By-law.

11.2 The fees applicable to a license issued after December 30th in any year shall be one half (1/2) of the fee set out in Schedule "A".

11.3 The rates chargeable by a taxi cab or limousine are those set out in Schedule "B" to this By-law, and no rate other than those rates shall be charged.

12.0 General

12.1 This By-law applies to all PTC vehicles, taxi cabs, limousines or drays operating in Kenora including picking up passengers from outside the boundaries of the City of Kenora with a boundary within the City as the destination. All applicable parts of this by-law shall apply when within the boundaries of the City of Kenora.

12.2 PTC vehicles, taxi cabs and limousines shall be kept clean and in a good state of repair, both exterior and interior, including the trunk.

- 12.3 Where the City Clerk has reason to believe that a vehicle is not in good mechanical condition, the City Clerk may require the affiliate, broker, or driver to provide a new mechanical fitness certificate within seven (7) days of notice in writing.
- 12.4 No broker or PTC shall employ a person as a driver unless that person holds a valid Class G Ontario Driver's License or equivalent valid driver's license from another Canadian Province.
- 12.5 The holder of any license under this By-law shall advise the Clerk of any changes to the information provided in the application or any amendments thereto with three (3) days of any change.
- 12.6 No more than one taxi vehicle license shall be issued for each 250 people resident in the City of Kenora according to the last Provincial Census.
- 12.7 A PTC vehicle, taxi cab or limousine shall not take more passengers than there are permanently equipped safety belts for passengers.
- 12.8 No PTC vehicle, taxi cab or limousine shall be washed on any public street or at any cab stand.
- 12.9 A taxi cab broker shall provide service in accordance with the priority of the request for service determined by the sequence of calls.
- 12.10 No driver shall solicit business by calling out or shouting.
- 12.11 Every licensee and driver shall take due care of all property that is entrusted to them and accepted for conveyance. Any property found in a vehicle shall be stored for at least thirty (30) days. The affiliate, broker or driver shall make reasonable efforts to locate the owner of the property.
- 12.12 Every taxi cab broker shall ensure that taxi cab and limousine shall have attached to the rear bumper the current Vehicle License Registration Bumper Sticker provided by the City and the fee shall be the current cost to the City to purchase the sticker.
- 12.13 If applicable, every licensed vehicle shall have the broker's business name prominently displayed on the exterior and on both left and right sides of the vehicle.
- 12.14 Every taxi cab or limousine driver, shall carry on his/her person the Taxi Driver's Licence and on demand from a Police Officer, By-law Officer or passenger, produce his/her Taxi Driver's License, and provide the name and license number of the broker under which the vehicle is operated.
- 12.15 The driver of a dray shall ensure that the vehicle is equipped with rubber tires and the driver is skilled and trained, and that all manure dropped is immediately removed from the street.
- 12.16 No broker or driver of a PTC vehicle, taxi cab or limousine shall cause or allow intoxicating liquor or unlawful drugs to be in the vehicle. Provided however, that a passenger may transport unopened liquor in his/her personal effects if they are not available to him or her in the vehicle.

12.17 No owner or driver of a PTC vehicle, taxi cab or limousine shall permit the vehicle while on duty to remain standing or parked at a restricted parking area except for:

- i Taking on a passenger who has already engaged the vehicle, or
- ii Discharging passengers.

12.18 No vehicle shall be licensed if less than ten (10) model years old, subject to annual inspections, however, a taxi vehicle may be licensed if it is less than fifteen (15) model years and has less than 200,000 kilometers and passes a Safety Standards Certificate every six months.

12.19 Every taxi broker shall post in every licensed taxi cab a copy of the passengers "Bill of Rights" as set out in Schedule "C" hereto in a conspicuous location.

12.20 Every taxi broker shall ensure that the fare schedule is posted in a conspicuous location visible to passengers.

12.21 Every PTC and taxi broker shall ensure that the licensed driver operates in accordance with the provisions of the Smoke-Free Ontario Act or any applicable Provincial statute.

12.22 Every taxi driver is required to display their taxi driver photo ID issued by the City of Kenora in their vehicle at all times.

13.0 - Taxi Cabs

13.1 A broker of a taxi cab shall equip each taxi cab with a rooftop mounted illuminated sign.

13.2 A broker shall provide proof of insurance, and a current mechanical fitness certificate to the City Clerk annually by April 15 each year.

13.3 Each taxi cab broker shall ensure that each taxi cab meter is checked for accuracy by the City at least once each year, and within 30 days of any change in the rates pursuant to the By-law. The City Fleet Manager shall be contacted by the taxi cab broker to make arrangements that are agreeable to the City Fleet Manager.

13.4 Every taxi cab broker shall advise the City Fleet Manager of any change to the condition of the taxi cab meter seal immediately in order to arrange repair or replacement of meter seal.

14.0 – Private Transportation Companies (PTC)

14.1 This part does not apply to:

- a) taxicab or dray services dispatched under this By-law;
- b) limousine services provided under this By-law; and,
- c) a passenger transportation system provided by or affiliated in partnership with the City of Kenora such as the Wave or the Kenora Handi Transit;

14.2 Every person who owns or operates a Private Transportation Company shall obtain a Private Transportation Company licence under this By-law.

14.3 The Clerk or designate shall only issue a PTC licence if the applicant (PTC):

- a) has provided proof that the applicant is at least eighteen (18) years of age, if the applicant is an individual;
- b) has provided proof that the corporation is legally entitled to conduct business in Ontario, if the applicant is a corporation, including but not limited to letters of incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or of the Government of Canada;
- c) has provided the names and addresses of each member of the partnership as well as the name under which the partnership intends to carry on business, if the applicant is a partnership,;
- d) has provided a completed application form for a PTC licence as prescribed by the Clerk or designate;
- e) has paid any affiliated licencing fee as prescribed in Schedule "A";
- f) has provided the address and contact information of a place of business in Ontario to which the City may send any notice or documentation or communication that may be required under this By-law and at which the applicant or the applicant's agent will accept receipt of such notice, documentation or communication;
- g) has provided proof of insurance;
- h) any other information requested by the Clerk or designate

14.4 Conditions for renewal of a PTC licence:

- a) A PTC licence issued by the Clerk or designate is valid for a period of one year and expires on March 31st of each year;
- b) A PTC licence may be renewed prior to the expiry of the licence if:
 - i. a renewal application as prescribed by the Clerk or designate has been completed;
 - ii. Proof of insurance has been provided;
 - iii. Payment of renewal fee as listed in Schedule "A" has been provided;
 - iv. Any other information for the purposes of renewal as requested by the Clerk or designate have been provided.

14.5 Any platform (software or application) used or facilitated by a Private Transportation Company must:

- a) when arranging the trip disclose to the passenger requesting the transportation service: the first name and photograph of the PTC Driver who will be providing the service and a description of the make, model, colour, and licence plate of the vehicle which will be used to provide the service;
- b) the applicable fare being charged for the trip;

- c) allow the passenger to track the location and route of the vehicle providing the service and provide the ability for the passenger to rate the experience;
- d) include a process through which the passenger accepts or refuses the service prior to the trip commencing and keeping a record of any such instances;
- e) provide for a secure digital payment method for the trip;
- f) provide a form of receipt (electronic or print at the discretion of the PTC) at the end of the trip that includes all associated costs, date and time of the trip, the destination of origin and the final destination, the first name of the driver who provided the transportation service, the make, model and licence plate number of the vehicle, and the total trip time and distance;

14.6 No Private Transportation Company (PTC) shall fail to make available to the City and the public, if requested, in an accessible format, digitally or printed, information about the insurance coverage maintained by the PTC drivers, information about the screening process for PTC drivers and vehicles, and a declaration that PTC drivers are prohibited from soliciting, and accepting requests for transportation services that are not prearranged using the PTC software or application;

14.7 No Private Transportation Company (PTC) shall fail to make available to the Clerk or designate within 48 hours of such a request:

- a) data on the total number of requested and fulfilled trips;
- b) date, time, and duration of requested trips including a rough geographic estimate such as a postal code or the nearest intersection;
- c) reason for any cancellations, if available;

14.8 Every Private Transportation Company (PTC) shall obtain and maintain a commercial general liability insurance no less than Two Million Dollars (\$2,000,000);

14.9 No Private Transportation Company (PTC) shall fail to issue to every PTC driver a current and up to date identification card in written or accessible electronic form with the following information:

- a) first and last name and a photograph of the PTC driver;
- b) the make, model, colour and licence plate number of the vehicle used by the driver to provide PTC affiliated services;
- c) the name and contact details of the Private Transportation Company (PTC) with which the PTC driver is affiliated;

14.10 No Private Transportation Company (PTC) and driver shall fail to ensure that the identification card required under part 14.8 is always in the PTC vehicle when in operation and is produced immediately upon request of a by-law officer or a police officer;

14.11 Every Private Transportation Company (PTC) shall ensure that all PTC drivers meet the following requirements at all times:

- a) Every driver must hold a valid and current unrestricted Class G driver's licence issued by the Province of Ontario;

- b) Every driver must have provided to the PTC before being permitted to provide transportation services documents outlining results of investigations related to the applicant for a Police Record Check for persons seeking employment to serve the vulnerable sector of the population, dated less than 90 days prior to the date of commencement as a PTC Driver, and annual criminal records check thereafter, however in the event a vulnerable sector check comes positive a Police Record Check for persons seeking employment to serve the vulnerable sector shall be conducted annually;
- c) Every driver must have provided to the PTC before being permitted to provide transportation services an acceptable Statement of Driving Record dated within thirty (30) days prior to commencement as a PTC Driver and then annually thereafter, issued by the Ministry of Transportation of Ontario showing no more than nine demerit points;
- d) Every driver must have provided to the PTC before being permitted to provide transportation services a signed declaration confirming that he or she does not have any outstanding criminal charges or warrants pending before any courts;
- e) Every PTC company shall keep a record of all copies of above requirements;

14.12 No Private Transportation Company (PTC) shall fail to ensure that every PTC driver obtains and maintains, at all times during the provision of transportation services using a PTC Vehicle, Automobile Liability Insurance for owned vehicles with limits of not less than Two Million Dollars (\$2,000,000);

14.13 No Private Transportation Company (PTC) shall fail to obtain proof of insurance from every PTC driver evidencing compliance with the requirements laid in this part and those required by any regulations of the province of Ontario and shall keep any such records for a period of not less than 3 years;

14.14 No Private Transportation Company (PTC) shall fail to provide, if requested, to the Clerk or designate, every three months following the issuance of the licence the following:

- a) the full name and address of every PTC driver;
- b) the make, model, colour and licence plate of every PTC vehicle and;
- c) confirmation that the driver and the vehicle meet all relevant conditions laid within this by-law;

14.15 No Private Transportation Company (PTC) shall fail to ensure that a PTC vehicle at the time of licensing meets the following requirements:

- a) the vehicle is the subject of a valid and current Ontario Ministry of Transportation Safety Standards Certificate, prior to the commencement of use as a PTC vehicle, then annually thereafter, and immediately after any collision;
- b) the PTC vehicle is no less than 10 model years old;

14.16 No person shall publish or cause to be published or make any representation that the person is authorized to provide services as a PTC Driver if they are not so authorized under this by-law;

14.17 No PTC driver shall solicit or accept requests for transportation services that are not prearranged using the software or application of any PTC with which the driver is affiliated, including street hails or any taxi stands;

14.18 Private Transportation Company (PTC), and its affiliates including but not limited to drivers, agree to, at all times follow requirements laid within this by-law unless otherwise indicated in this part 14, wherein with regards to Private Transportation Company (PTC) this bylaw takes precedence;

14.19 Private Transportation Company (PTC) agree to follow fees and charges laid in Schedule "A" of this by-law;

14.20 Unless otherwise stated, Private Transportation Company (agrees) to store all records including all data on drivers, individual rides and any data of such nature for three years;

15.0 Driver's Prohibitions

15.1 No Vehicle for Hire Driver shall:

- a) smoke inside a Vehicle for Hire;
- b) operate a Vehicle for Hire whose owner is not licensed under this By-law;
- c) Operate a Vehicle for Hire without the number of the Owner Plate and the name of the Fleet it belongs to displayed on the rear bumper of the Vehicle for Hire
- d) Operate a Vehicle for Hire when the Driver has been on duty for more than 14 hours within a 24 hour period, without first taking 10 hours off duty. Within the 14 hour on duty period, a maximum of 12 hours may be consecutive on duty time;
- e) Operate a Vehicle for Hire that does not comply with the operational standards as set out in the regulations as prescribed by the City Clerk

16.0 - Taxi Cab Fares

16.1 No taxi cab broker or driver shall charge more or less than the amount calculated in accordance with the rates set out in Schedule "B".

16.2 Every taxi cab shall be equipped with a meter located such as to be visible to all passengers.

16.3 Every taxi cab meter shall be designed to accurately measure the mileage travelled and to calculate the fare based on the approved rates in Schedule "B". Each taxi cab meter shall have affixed on it a seal to confirm that it has been inspected by the City and it is registering accurately.

16.4 Taxi meter tolerances shall not exceed the following:

- a) On a mileage test (road test) with respect to computed distance actually travelled, a tolerance of one and a half percent (1.5%) per kilometer is allowed.
- b) Taxi Meter Calibration Testing – Fee

Other than for City imposed purposes, i.e. rate changes and annual road testing, the City shall charge a fee in the amount of \$20.00 plus applicable taxes, for any calibration testing/re-sealing of a taxi meter requested by the Taxi driver/owner for any reason, including but not limited to, loss of or tampering with the seal, missing a pre-scheduled road test.

16.5 No person other than a person authorized by the City of Kenora in writing shall remove or alter a seal to a taxi cab meter, or make any adjustments to the meter.

a) The City Clerk, or City Fleet Manager may at any time request a taxi cab broker to have the meter in the cab tested and re-sealed.

16.6 Each taxi cab broker shall record each fare including the time of pick-up and location, number of passengers, time and location of drop-off, and the fare charged.

16.7 A taxi cab or limousine or dray driver shall provide a passenger with a receipt if requested.

16.8 No taxi driver or broker shall charge a higher fare or an additional fee for persons with disabilities than for persons without disabilities for the same trip or for the storage of mobility aids or mobility assistive devices.

16.9 Every driver shall post rates and fares in their vehicles as approved by municipal bylaw.

The By-law for the Licensing, Regulating and Governing of Taxi, Limousine and Shuttle Transportation gives taxi owners the option of charging passengers an interior cleaning fee, as per rates card, in the event that a passenger has soiled the interior of the vehicle. The amendment has been made to assist taxi owners who were previously obligated to fully fund the cost of interior cleaning following incidents related to passenger pick up from local bars.

17.0 - Offences

17.1 Every person who contravenes a provision of this By-law is guilty of an offense and upon conviction, subject to a penalty under the *Provincial Offences Act*.

17.2 Every person or entity who operates a PTC, taxi service or a limousine service without a proper license shall, upon conviction be subject to a minimum penalty of \$500.00.

17.3 Every person or entity who operates a PTC, taxi service or limousine service in the City of Kenora without a broker's license issued by the City of Kenora shall be deemed to commit a separate offense on each day of such service.

18.0 - Drivers Right to Refuse Service

Under the By-law for the Licensing, Regulating and Governing of Taxi, Limousine and Shuttle Transportation, all drivers have the right to refuse a passenger who:

- is or appears to be under the influence of drugs or alcohol or appears disorderly that the driver feels is unsafe for the driver to transport the passenger
- is indebted to the driver, the taxi broker, or the owner of the vehicle,

- is apparently unable to pay for the service requested, and in the case of a passenger requesting taxi service between midnight and 6 a.m., refuses or is unable to pay in advance the estimated fare when requested to do so by the taxi driver,
- requests that the driver carry an animal or baggage which might be detrimental to the repair, cleanliness or sanitary condition of the vehicle, with the exception of service animals for persons with disabilities, and
- requests that the driver carry more baggage than the vehicle is capable or other objects of a type or size which are not suited to the vehicle.

19.0 Taxicab Driver Safety

18.1 For the safety of the drivers and passengers of a taxicab, it is recommended that all taxi cabs include the following:

- b) a security camera which is mounted inside each taxi cab operating under the broker of which the records of such camera are only accessible to an Enforcement Officer for investigative purposes
- c) an automatic vehicle location/global positioning system (GPS) which is appropriately monitored
- d) a shield safety device between the driver and the passenger

An emergency strobe light which is permanently mounted on the vehicle's roof at the back of the vehicle and that can be triggered by the driver to provide warning of an emergency situation within the vehicle.

20.0 Enforcement & Repeal

This By-law shall take effect and come into force on October 15, 2025, at which time By-law 19-2022 and all other amendments for the Corporation of the City of Kenora will be repealed.

By-law read a First & Second time this 16th day of September, 2025

By-law read a Third & Final Time this 16th day of September, 2025

The Corporation of the City Of Kenora:-

.....
Andrew Poirier, Mayor

.....
Heather L. Pihulak, City Clerk

The Corporation of the City Of Kenora



Schedule "A" To By-Law Number 126 - 2025

License Fees

Taxi Broker License OR Limousine Broker License:

There shall be a fee of two hundred (\$200.00) dollars per year applicable to obtain a Taxi Broker License to carry on a taxi business in the city.

There shall be a fee of two hundred (\$200.00) dollars per year applicable to obtain a Limousine Broker License.

Taxi or Limousine Vehicle License:

For every vehicle licensed under this By-Law there shall be a fee of one hundred (\$100.00) dollars per annum.

For every Taxi Vehicle License Registration Bumper Sticker or Limousine License Registration Bumper Sticker, the fee shall be the current cost to the City to purchase the sticker.

Replacement charge for such Registration Bumper Sticker lost etc. shall be the current cost to the City to purchase the sticker.

Taxi or Limousine Driver's License:

For every taxi driver or limousine 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 twenty-five (\$25.00) 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.

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

Dray License Fee:

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

Private Transportation Company (PTC) vehicle licenses:

- 1) For every 1 to 10 PTC affiliated drivers and vehicles, the following fee structure shall apply: \$700 plus \$0.16 toward transit fund per trip per year.
- 2) For every 11 to 24 PTC affiliated drivers and vehicles, the following fee structure shall apply: \$1100 plus \$0.16 per trip toward transit fund per year.
- 3) For every 25 to 54 PTC affiliated drivers and vehicles, the following fee structure shall apply: \$2500 plus \$0.16 toward transit fund per trip per year.
- 4) For every 54 or more PTC affiliated drivers and vehicles, the following fee structure shall apply: \$5000 plus \$0.16 toward transit fund per trip per year.

The Corporation of the City of Kenora



Schedule "B" To By-Law Number 126 - 2025

Taxi Rates and Fares

For trips between any point in the city by meter tax-cab for six (6) passengers or less:-

- \$11.22 at 1 km
- \$8.00 on the flip
- \$14.44 at 2 km
- \$9.06 for 0.33 km
- \$11.17 for 0.985 km
-

Advance Fare: A driver may ask for fare in advance

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 Limousines

1. Maximum Rate: \$100.00 per hour for the first hour with a one hour minimum;
2. Hourly Rates: Weddings and Funerals – minimum 3 hours or \$300.00;
3. Minimum Rate: Wait times above the minimum \$100.00 per hour

The Corporation of the City of Kenora



Schedule “C” To By-Law Number 126 - 2025

Taxi Cab & Passengers

“Bill Of Rights”

Every passenger has the right to a Driver who....

Is Licensed by the City of Kenora

Is Knowledgeable

Knows the major routes and destinations in the City of Kenora

Is Courteous and helpful

Offers a safe, comfortable and smoke-free ride

Maintains a clean vehicle

Knows and obeys all traffic laws

Gives, upon request, a silent ride

Uses a cell phone only in emergencies

Assists passengers into the vehicles with their belongings

Takes the most expeditious route; and Provides, upon request, a receipt for services rendered.

