

THE CORNWALL COMMUNITY POLICE SERVICE BOARD

BY-LAW # 01, 2008 (REVISED SEPTEMBER 6, 2016)

A By Law to Regulate and Licence the Taxi Industry within the City of Cornwall

WHEREAS the Corporation of the City of Cornwall, through the Cornwall Community Police Services Board, wishes to exercise its powers under Sections 10 and 11 of the Municipal Act, to pass By-laws with respect to business licensing; and

WHEREAS Section 151 of the Municipal Act, 2001, as amended, provides the authority to regulate trades and occupations; and

WHEREAS Section 156 (1) further authorizes a local municipality to:

- 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 conveyance; and
- c) limit the number of taxicabs or any class of them.

NOW THEREFORE be it resolved that the Cornwall Community Police Services Board enacts as follows:

Regulate and govern the licensing of motor vehicles and persons used for hire for the conveyance of goods and passengers to ensure:

- that health, safety and protection are provided to members of the general public;
- that barrier free transportation is made available to persons with disabilities; and
- that the privilege of providing transportation service is granted to and retained by only those who demonstrate that they are likely to adhere to the provisions of this By-Law.

DEFINITIONS

In this By-Law:

1. **Applicant** shall mean a person applying for any license under this By-Law.
2. **Board** shall mean the Cornwall Community Police Services Board.
3. **Chief of Police** shall mean the Chief of Police for Cornwall Community Police Services Board, or his/her designate. Designate may include a Clerk, employee, Police Officer or

Special Constable of the Cornwall Community Police Service or a Municipal By-law Enforcement Officer.

4. **City** shall mean The Corporation of the City of Cornwall.
5. **Disabilities** as defined by the Accessibility for Ontarians with Disabilities Act , 2005
 - (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
 - (b) a condition of mental impairment or a developmental disability,
 - (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
 - (d) a mental disorder, or
 - (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*; (“handicap”)
6. **Dispatch fees** shall mean any amount charged by a taxicab Broker to a taxicab Owner to receive orders from the taxicab Broker.
7. **Dispatcher** shall mean any person over the age of 16 years who receives or dispatches calls for taxicab service via telephone or any other means in a taxicab office.
8. **Driver** shall mean any person licensed, or required to be licensed under this By-Law to drive a taxicab, limousine or special transportation vehicle and includes the owner.
9. **Driver’s License** shall mean a license granted by the Province of Ontario to operate a motor vehicle.
10. **Fare** shall mean the transportation charge or fee owing by a passenger or passengers for a trip, as outlined in *Schedule A*.
11. **Highway Traffic Act** shall mean the Highway Traffic Act of Ontario, R.S.O. 1990 C.h. 8 as amended.
12. **License** shall mean authorization under this By-Law to carry on the trade or business specified therein and shall include:
 - i) **Taxi driver’s license** means a license issued under this By-Law to drive a taxicab, limousine or special transportation;

- ii) **Owner's license** means a license issued under this By-Law to the owner of a taxicab, limousine or special transportation vehicle.
 - iii) **Taxicab broker's license** shall mean a license issued under this By-Law to a taxicab, limousine or special transportation broker.
13. **Licensee or License Holder** shall mean a person holding a license in accordance with this By-Law.
14. **Limousine** shall mean a full size luxury motor vehicle, without a meter, having a minimum of four doors and a wheel base of not less than 289.5 cm, which does not bear any identification other than the provincial motor vehicle license as well as the appropriate number plate issued for that vehicle by the Board, which is kept or for hire for the conveyance of passengers solely on an hourly or mileage basis, but shall not include a taxicab, van, bus, station wagon, ambulance or hearse.
15. **Number Plate** shall mean a numbered metal plate, issued by the Board with respect to owner of taxicab(s), limousine(s) or special transportation vehicle(s), which shall be attached to that vehicle in accordance with this By-Law.
16. **Order** shall mean a request for service received by a Broker.
17. **Owner** shall mean the person licensed under this By-Law as the owner of a taxicab, limousine or special transportation vehicle and registered as the owner of the motor vehicle according to the records maintained by the Registrar of Motor Vehicles for the Province of Ontario.
18. **Passenger** shall mean an individual or individuals in a taxicab other the taxicab driver.
19. **Person** includes an individual, corporation and a partnership.
20. **Senior Citizen** shall mean an individual who is not less than 60 years of age.
21. **Service** when used, includes to drive the said vehicle and to make it available to the public for use.
22. **Service Animal** shall mean any animal trained to assist a person with a disability. A service animal is typically registered and trained as a guide for a blind or visually impaired individual and having the qualifications prescribed by regulation under the Blind Person's Rights Act, R.S.O.C B-7. A service animal must be kept with the person with a disability by regulation O. 429/07 Accessibility for Ontarians with a Disabilities Act, S.O. 2005, c.11..

23. **Special Transportation** vehicle means a vehicle, without a meter, which does not bear any identification other than a provincial motor vehicle license as well as the appropriate number plate issued for that vehicle by the Board, which is kept or used for hire for the conveyance of passengers solely on an hourly or kilometer basis, but does not include a taxicab or limousine, bus, ambulance or hearse.
24. **Tariff Card** shall mean a card, which is displayed for the passenger's information in each licensed taxicab showing the fares set out in Schedule of Tariffs (*see Schedule A*).
25. **Taxicab** shall mean a vehicle, equipped with a two-way radio or acceptable trans-receiver device, a taximeter and having a minimum of four doors and a seating capacity of not more than nine, used for hire for the conveyance of goods and passengers within the municipality of Cornwall or to any point outside the municipality, but does not include a bus, ambulance, funeral hearse, limousine or special transportation vehicle.
26. **Taxicab Broker** shall mean a person who dispatches for owners operating under that broker's license.
27. **Taxicab Meter** shall mean a measuring device used in a taxicab to calculate the rate payable for a trip and further contains an independent timing device to compute the charge for waiting time.
28. **Taxicab Stand** shall mean an area or zone designated place, office or building with a public waiting area, designed to accept and dispatch calls for taxicabs.
29. **Taxicab Stand Owner** shall mean and include any person who is the owner of a taxi stand and operates it with the consent of the Board and has secured permission to operate same.
30. **Trip** shall mean the distance and time traveled or the distance and time traveled, measured from the time and point at which the passenger first enters the taxicab or when the taxicab meter is first engaged, whichever comes first, to the time and point at which the passenger finally leaves the taxicab or the taxicab meter is disengaged whichever comes first.
31. **Vehicle** shall mean a motor vehicle as defined under the Highway Traffic Act of Ontario R.S.O. 1990, c.H.8.
32. **Taxi Meter Sealer/Technician** shall mean and include any person who is qualified to calibrate and seal taximeters.

PART I- GENERAL PROVISIONS

DUTIES OF THE CHIEF OF POLICE

GENERAL

1. The Chief of Police shall:

- a) have supervision over all persons, vehicles and equipment used or owned by persons licensed under this By-Law;
- b) enforce the provisions of this By-Law;
- c) prosecute all persons who offend against contravention of any provisions of this By-Law;
- d) have the authority to designate any member(s) of the Police Service or a Municipal By-law Enforcement Officer to exercise any power or perform any duty of the Chief of Police referred to in this By-Law.

ADMINISTRATION

1. The duties of the Chief of Police under this By-Law include:

- a) Furnish application of license forms, photo identification/license/cards required by this By-Law.
- b) Review and investigate all applications submitted for any and all licenses and shall retain the right, subject to the Board's approval, to issue, suspend or revoke any license in accordance with the provisions of this By-Law.
- c) Arrange and monitor testing of all new license applicants to ensure compliance with the provisions of this By-Law.
- d) Issue and sign licenses, number plates as authorized by the Board and ensure licensees receive a copy of this By-Law, a photo identification/license card, license card and in the case of taxicab owners, a Tariff card.
- e) Collect licensing fees and keep an account of all money received on licenses, and pay the same over to the City Treasurer and deliver to him a statement of such monies.
- f) Maintain a register of all licenses and transfers issued under this By-Law.
- g) Examine and satisfy himself as to the sufficiency, cleanliness, repair and condition of the place of business or intended place of business of each applicant for a broker's license under this By-Law.

- h) Inspect and satisfy himself/herself as to the sufficiency, cleanliness, repair and condition of any vehicle or its equipment in respect of which a license is applied for or has been issued under this By-Law.
- i) Provide the Board with investigative results in relation to applications, transfers, revocations, suspensions and recommendations on licensing in accordance with this By-Law.
- j) Suspend at his discretion, any license for two (2) weeks or until the next meeting of the Board, and upon suspending any licenses shall notify the Board as to the suspension.
- k) Report to the Board the performance of his duties under this By-Law whenever required or requested by the Board.
- l) Ascertain from time to time as often as may be required by the Board whether the licensees and their equipment continue to comply with the provisions of the law and of this By-Law.
- m) Maintain a register of all vehicle details issued under this By-Law, including but not limited to the Registered Owner, Make, Model, Year, and Vehicle Identification Number.

PART II- ADMINISTRATION AND APPEALS

DUTIES OF THE POLICE SERVICES BOARD

- a) The Board shall retain the right to issue, suspend, transfer or revoke licenses in accordance with the provisions of this By-Law.
- b) The Board may issue a license at its discretion.
- c) The Board may revoke or suspend any or each of the license(s) held by a licensee in the public interest and without limiting the generality of the foregoing:
 - i) For any of the circumstances referred to in Part III, Section 5, subsections a, b, c, d;
 - ii) Any violation of any of the provisions of this By-Law;
 - iii) The conduct of the licensee affords reasonable grounds for the belief that the licensee has not carried on, or will not carry on, his or her trade, business or occupation in accordance with law or with integrity and honesty, or;
 - iv) The conduct of the licensee or other circumstances afford reasonable grounds for the belief that the carrying on of the business has infringed or

would infringe, the rights of members of the public, or has endangered, or would endanger, the health or safety of members of the public; or

- v) Any other reasonable grounds which the Board may consider.
 - vi) In addition to any of the grounds set out in this by-Law for the suspension, revocation, renewal or refusal of licenses, the Board may, upon application of the Chief of Police, suspend, revoke or refuse a license, in the public interest, at its discretion, for reasonable grounds, subject to the Statutory Powers Procedures Act.
- d) The Board may suspend a license for cause for any period that is less than the unexpired part of the period for which it was issued in lieu of revocation as provided for in this Part.
- e) In addition to any grounds set out in this By-Law for the suspension, revocation, renewal or refusal of licenses, the Board may, upon application of the Chief of Police, suspend, revoke or refuse a license, in the public interest, at its discretion, subject to the 'Statutory Powers Procedures Act'.
- f) Upon receipt of a report to suspend, revoke or refusal in the first instance, the Board shall determine the time and date of the hearing which shall be at least fourteen (14) days hence and give notice of its determination to the Chief of Police and the Chief of Police shall forthwith give notice in writing to the licensee, said notice;
- i) is to indicate the time, date, place and purpose of the hearing; and
 - ii) that if the licensee does not attend the hearing, the Board may proceed in his absence and he will not be entitled to any further notice;
 - iii) that it be served personally or by registered mail to the licensee at his address last known to the Chief of Police and;
 - iv) where the good character, propriety of conduct or competence of a licensee, if an issue, contains reasonable information of any allegations with respect thereto.
- g) The Chief of Police shall forthwith transmit to the Board copies of all information relating to the licensee.
- h) The applicant or licensee is entitled to be represented at the review hearing by legal counsel or other agent and is entitled to produce evidence, submit arguments in support of their cause and to cross-examine any witness.
- i) The Board is entitled to be represented at the review hearing by legal counsel or other agent and the Chief of Police is entitled to produce evidence, submit arguments in support of their cause, cross-examine any witnesses and reply to evidence and arguments of the applicant or licensee.

- j) At the review hearing, the onus shall be on the Chief of Police to demonstrate to the satisfaction of the Board that the applicant or licensee is not entitled to the issuance or renewal of the license sought.
- k) The Board shall hear and determine the matter and may revoke, suspend, issue or renew a license subject to such conditions as it deems fit. The Board shall notify the Chief of Police of their decision. The Chief of Police shall forthwith notify the applicant or licensee by delivering a copy of the decision, personally or by registered mail to his address disclosed on the application.
- l) If any Section, subsection, clause or Part of this By-Law is or are declared by any court of law to be void, illegal or ultra vires, such Section, subsection, clause or Part shall be deemed to be severable and all remaining provisions hereof are declared to be separate and independent and enacted as such.

PART III- LICENCES

1. Except where provided, any provisions of this By-Law that applies to taxicabs shall also apply to limousine licenses and special transportation licenses.
2. Applications for licenses issued under this By-Law may be found in the following:
 - a) Broker's License - Form 1 herein
 - b) Taxicab owner's License - Form 2 herein
 - c) Taxicab driver's License - Form 3 herein
 - d) Limousine License - Form 2 herein
 - e) Special Transportation License - Form 2 herein
 - f) Dispatcher's License - Form 4 herein
3. No person shall:
 - a) be required to obtain a license in connection with a trip(s) which concludes or terminates within the geographic boundaries, where such trip(s) commenced outside of the geographic boundaries of the City of Cornwall.
 - b) such person shall, however, in the course of a trip terminating within the geographic boundaries of the City of Cornwall, be prohibited from picking up any passengers within the geographic boundaries of the City of Cornwall.
 - c) Taxi companies operating out of the Akwesasne Territory are exempt from this prohibition and may pick up fares within the City of Cornwall.
4. No person shall provide false, misleading or incorrect information for the purpose of securing any license issued pursuant to this By-Law. In addition to any other penalty imposed, it may disqualify the applicant in securing a license and the fee paid on any such application shall be non-refundable and shall be used to offset the cost of the investigating and processing of the applicant.

5. No applicant shall be considered for a license unless and until the Chief of Police is satisfied that:
 - a) The Applicant has not been found guilty of an offence under the Criminal Code of Canada, or an offence under the Controlled Drugs and Substances Act (The Narcotic Control Act), within;
 - i) five (5) years for a summary conviction offence or
 - ii) ten (10) years for an indictable offence.
 - b) The Applicant has not been found guilty of any sexual offence under the Criminal Code of Canada or any crime of violence.
 - c) The Applicant has not been found guilty of an offence under the Liquor License Act of Ontario pertaining to the illegal sale or purchase of liquor within the preceding three (3) years.
 - d) In the case of an applicant who is not renewing a license, the applicant must not be subject of any outstanding criminal charges or warrants in any jurisdictions.
 - e) The Applicant has not been found guilty of any offence under the Customs and Excise Act.
6. Notwithstanding *Section 5*, but subject to *Section 7*, the following may apply:
 - a) An applicant who has been found guilty of a criminal offence and received an absolute discharge may be granted a license upon completion of the sentence.
 - b) An applicant who has been found guilty of a criminal offence and received a conditional discharge, pardon and/or suspended sentence may be granted a license on condition that it be reviewed after a period of six months after the completion of the sentence.
7. No applications for taxicab driver's licenses will be accepted for reinstatement or issuing in the first instance, for a period of 12 months following the reinstatement of a person's driver's license that has been suspended or canceled as the result of a conviction for a breach of one of the driving sections of the Criminal Code of Canada.
8. Applicants for taxicab driver's licenses shall possess a valid Ontario Driver's License void of any restriction that would prohibit operation of a taxi, and is not a probationary driver, nor a Class G1 or G2 driver.
9. Applicants for any license issued under this By-Law shall be at least 19 years of age, be of good character and habits, and when applying for a license to drive shall submit two (2) colored photographs to be attached to the license and the other to be filed with the Chief of Police. Renewal licenses shall be issued annually. Applicants will be required to provide two (2) up-to-date passport sized photographs when renewing license.

10. Where application is made by an incorporated body for the issuance of a taxicab broker's license, the application must be accompanied by an Affidavit of the Secretary of the incorporated body, which Affidavit sets forth the following, together with application form as set out in Form 1:
 - a) the exact name of the corporation
 - b) the date of incorporation
 - c) whether incorporated under the laws of Ontario or Canada.
11. An applicant that is refused a license shall receive such refusal in writing, with said notice to be served personally or by registered mail to the applicant at the address shown on the application. Such notice shall be in Form 5 or in like form.
12. An applicant in receipt of a notice of refusal may file an application, in writing to the Board for a review, as prescribed *in Part II*, of this By-Law.
13. Notwithstanding any other provisions of this By-Law every license/card issued under this By-Law shall remain the sole and exclusive property of the Board.
14. Every licensed applicant, upon being issued with a renewed license/card, shall return to the Chief of Police, the expired license or card as the case may be.
15. Every applicant for licenses under this By-Law, or renewal of licenses, shall pay the fee provided in *Schedule C* of this By-Law.
16. A license that is suspended, canceled or revoked by the Chief of Police, is subject to an appeal to the Board by the person feeling aggrieved.
17. Every license granted under this By-Law, unless sooner revoked or canceled shall expire on the 31st day of December next, after the date of issue thereof.
18. Where the time for doing an act under this By-Law expires on a Saturday, Sunday or on a statutory holiday, the act may be completed on the next work day.
19. Where a license holder is seeking to renew their license and has not submitted the renewal application prior to the expiry date of their current license, any subsequent application submitted shall be considered to be a new application for a license and the applicant must therefore comply with the application procedures and pay the required fee set out in *Schedule C* of this By-Law. The Chief of Police may in extenuating circumstances allow a delay of not more than 30 days, with a renewal of such license.
20. In the event that the license holder does not wish to renew their license or fails to renew within 14 days after the expiry date of their current license, then the number plate and license(s) shall be forfeited and returned immediately to the Board.
21. No license issued under this By-Law shall be transferable, except as authorized under this By-Law.

22. Where, in accordance with the limitation set out in Sections 27 and 28 of this By-Law, there is no further license available, a person seeking a license may apply to be placed on a waiting list and such application shall be accompanied by the fee prescribed in *Schedule C* to this By-Law.
23. When a license becomes available, the next person on the waiting list referred to in Section 22 shall then be entitled to apply, for that available license.
24. Upon the transfer/leasing/assignment of a license being completed in accordance with Part II hereof, the name of the transferor/lessor/assignor shall be struck off the list maintained in accordance with subsection 23 hereof, if their name is on such waiting list.
25. Every lost, stolen or damaged license shall be reported to the Chief of Police forthwith. Replacement licenses may be issued upon payment of the fee as set out in *Schedule C*, in this By-Law.
26. Every person licensed under this By-Law shall, upon changing his address, notify the Chief of Police, in writing, within six (6) days and give his new address.
27. The maximum number of taxicab (only) Broker's license shall not, at any time exceed one (1) license for every ten thousand (10,000) persons residing in the City of Cornwall.
28.
 - a) The maximum number of taxicab owner's licenses, exclusive of limousine or special transportation licenses, shall not exceed one (1) license for every one thousand (1,000) persons residing in the City of Cornwall.
 - b) Notwithstanding section 28 (a) and due to the total number of taxi cab owners licences, fifty six (56) currently issued in the City of Cornwall, should a Taxi cab owner's license be suspended permanently, that license will be revoked by the Board, thus reducing the total number of fifty six (56) by one (1). This action will continue until the maximum number of taxi cab owner's license does not exceed one (1) license for every one thousand (1000) persons residing in the City of Cornwall.

PART IV- BROKERS' REGULATIONS

1. Except where provided, any provisions of this By-Law that applies to taxicab brokers shall also apply to limousine and special transportation brokers.
2. No person shall act as a taxicab broker to which this By-Law applies without a license from the Board in Form 1 or in the like form and such taxicab broker shall, upon making application for his license, pay the fee as prescribed in *Schedule C* herein. The application for such license is found in Form 1.
3. An applicant for a taxicab broker's license, in addition to the information required shall furnish proof of the location of the premises, from which he proposes to carry

on the business, that the premises comply with the zoning By-Law, building By-Laws and other applicable By-Laws and regulations of the City of Cornwall, and that the premises will be situated within the City of Cornwall. These premises will only be used for carrying on a taxicab stand business. The call taking and dispatching of taxi cabs can be done from this location or from a dispatch centre located outside the City of Cornwall.

4. No person shall be granted a Broker's license until he satisfies the Board that he can and will provide satisfactory 24-hour service to the public.
5.
 - a) A broker may not be entitled to the keeping or renewing of a license under this By-Law subject to the provisions of part 11, section 1, subsections b,c,d,e,f,g.
 - b) Take, consume, be under the influence of or have in his or her possession (except in accordance with the Liquor License Act) any alcohol, drugs or other intoxicants, nor shall the use thereof by him/her be apparent.

6. **Every broker shall:**

- a) Supply the Board with a copy of the Federal Radio License call sign and frequency number, if any.
- b) Provide telephone and properly licensed radio dispatching facilities (no C.B. radios) maintained in proper working condition. Neither Broker can operate their business solely on cellular technology.
- c) Ensure that all taxicabs dispatched by him and all drivers thereof are fully licensed and have complied with the requirements of The Highway Traffic Act and this By-Law.
- d) Make out and deliver to the Chief of Police on a quarterly basis a list of the vehicles owned by the Broker, vehicles owned by Independents and the names and numbers of all drivers. The list of vehicles shall include the name of the registered owner, year, make, model, and Vehicle Identification Number.
- e) Notify the Chief of Police in writing within ten (10) days of any additions or deletions from the list provided.
- f) Take reasonable steps to ensure that all employees behave civilly and courteously in the performance of their duties.
- g) Be responsible for keeping a record of the date, origin, and destination of each trip, the name of the driver and the license number of the taxicab.
- h) Such records shall be retained for 12 months and are open for inspection by the Chief of Police or the Board. Such records may be removed and retained for a reasonable time.

- i) Provide or make available to all drivers a United States currency conversion table on a daily basis.
 - j) Maintain a list of all complaints received concerning taxicab service provided by that broker including, with respect to each complaint, the following information:
 - i) Name and taxicab driver's license number of the driver involved.
 - ii) Name of the person from whom it was received, and
 - iii) A brief description of the allegations contained therein.
 - iv) Submit, on a monthly basis to the Chief of Police, completed reports, including the outcome of such complaints.
7. File, with the Chief of Police, a list of the taxicab brokerage rules and procedures including the terms and conditions of payment by owners or their agents and to abide by them, and display the same list filed prominently in the taxicab brokerage office.
8. Post a copy of this By-Law and a copy of the Schedule of Rates found in Schedule A herein, in a conspicuous location and accessible to all drivers and will ensure that all employees are familiar and abide with the requirements of this By-Law.
9. Brokers are, at all times, to ensure compliance with the applicable human rights legislation, failure of which may result in an investigation, hearing, and possible suspension or revocation of their license.
10. Comply with The Employment Standards Act and The Occupational Health and Safety Act of Ontario.
11. **No Taxicab Broker shall:**
- a) knowingly permit or allow any person, other than a dispatcher:
 - i) to use any radio system, frequency or telephone system in his ownership or under his control to receive or dispatch calls if such owner or driver is not licensed under this By-Law;
 - ii) to use any radio system, frequency or telephone system in his ownership or under his control to receive or dispatch calls if such owner or driver is under suspension or his license is revoked.
 - b) possess or operate or permit the possession or operation of any device capable of receiving the communications of any competitor. The Chief of Police, may upon any breach, suspend for a specified period or revoke the broker's license and in such an event the Chief of Police or the Board shall not be required to

comply with the suspension and revocation procedures described in Part I I, of this By-Law.

- c) Charge dispatch fees or increase dispatch fees unless they have first:
 - i) submitted in writing a notice of intent to the Board at least one calendar month prior to the proposed effective date of any increase; and
 - ii) prominently displayed in the brokerage office a copy of the notice of intent for at least one (1) month prior to the proposed effective date of any increase
- d) Implement any changes in the rules and procedures outlined in Section 7 until said change(s) is filed with the Chief of Police and is displayed prominently in the brokerage office.
- e) Make any charge or financial demand, directly or indirectly, of a taxicab owner or driver of a taxicab other than dispatch fees.
- f) Enter into an agreement for the provision of brokerage service with a taxicab driver or taxicab owner who is already affiliated with another taxicab broker.
- g) Charge a tariff or enter into an agreement to charge a tariff which is not in accordance with the appropriate tariff set out in *Schedule A* of this By-Law. The provision does not apply to any pre-arranged contract(s) negotiated between the brokerage and another firm/company or employee thereof.
- h) Allow any loitering or gambling in the taxi stand.

PART V- OWNERS' REGULATIONS

1. Except where provided, any provisions of this By-Law that apply to taxicab owners shall also apply to limousine and special transportation owners.
2. The owner of any taxicab to which this By-Law applies shall not use or operate the same or allow the same to be used or operated, without a license from the Board which said license is found in Form 6 and such owner, upon making application for his license, shall pay the required fee as prescribed in this By-Law under *Schedule C* herein. The application for such license is found in Form 2.
3. No person shall be licensed as an owner unless he is registered and licensed as the owner thereof with the Ministry of Transportation of Ontario.
4. No person, either directly or indirectly shall be granted more than three licenses until he satisfies the Board that he can and will provide a satisfactory 24-hour service to the public for each license issued.

5. Every owner shall ensure that every driver, and every other person involved in the operation of their taxicab(s) is fully licensed and complies with requirements of The Highway Traffic Act and this By-Law.
6. Every owner shall keep a record of the date, time origin, and destination of each trip, the name of the driver, and the number plate of the taxicab, which shall be maintained for twelve (12) months, and surrendered for examination on request of the Chief of Police.
7. Every owner who hires a driver shall check the driver's trip records and shall require an entry for each trip recorded on the meter.
8. An owner may not be entitled to the keeping or renewing of a license under this By-Law, subject to the provision of Part 11, Section 1, subsections a, b,c,d,e,f,and g.
9. Every owner, at the time of licensing shall deposit with the Chief of Police a policy of liability insurance in a form satisfactory to the Board. The said policy of insurance to be acceptable and approved shall include a passenger hazard clause, and shall be issued by a company authorized to do such insurance business with the Province of Ontario and shall indemnify the applicant in the sum of \$1,000,000.00 to cover public liability and property damage.
10. Every licensed owner shall file with the Chief of Police at least five (5) working days prior to the expiry date of the current insurance policy all insurance renewal policies of insurance. A copy of the renewal shall be forwarded to the Chief of Police.
11. Every owner's license shall expire and become void upon the termination of the said policy. The owner shall forthwith remove the taxicab number plate and return or relinquish it to the Chief of Police.
12. At the time of issue of a license to an owner of a taxicab, such owner shall be supplied with the appropriate number plate, or validation tag, as supplied by the Board, for each vehicle for which such owner is licensed. In case of the number plate, it shall be securely attached to the lower right corner of the trunk of the vehicle for which it was issued and shall be plainly visible from the rear. The number plate shall not be removed or used for any other vehicle except as provided under Section 21 hereof. In case of a validation tag, it shall be attached to the upper left corner of the number plate for which it was issued and shall not be removed or used on any other plate.
13. Notwithstanding any other provisions of this By-Law all number plates, validation stickers issued under this By-Law shall remain the sole and exclusive property of the Board.
14. Every owner who disposes or temporarily replaces his vehicle in respect of which he has been licensed shall be responsible to remove such plate from such vehicle and surrender it to the Chief of Police, unless he acquires another vehicle to replace the one so disposed of, in which case, he shall submit such new vehicle to the Chief of

Police for inspection and if approved the transfer of all pertinent licenses and number plate.

15. The holder of an owner's license may apply to the Board to have the license transferred to any other person who fulfils the requirements. The owner who desires to transfer such license shall file with the Board a Statutory Declaration setting forth the name and address of the transferee, a description of the taxicab and the price paid or to be paid by such holder, the radio together with particulars of the transfer of the said license. If approved, the Board may issue a transfer of the license upon obtaining of a new license and payment of the license fee hereinbefore mentioned.
16. The making of a false or intentionally misleading recital of fact, statement or representation in such agreement, shall be deemed a violation of the provisions of this By-Law.
17. Once the Board has approved the sale of a taxicab, the new owner must, within 30 days, submit an application for an owner's license and successfully obtain an owner's license.
18. If an owner does not provide regular service or discontinues his taxicab service for a period exceeding ninety (90) days or allows a final judgment recorded against him for damages arising from the operation of a cab to remain unsatisfied for ninety (90) days, his or her license will be suspended. If such regular service discontinuance or final judgment continued for a period exceeding three hundred and sixty five (365) days, the Chief of Police may revoke such license but such decision shall be subject to the appeal provisions described in Part II of this By-Law.
19. In the event of the death of the holder of an owner's license, the estate of the deceased shall report it to the Chief of Police within fifteen (15) days of the date of death. The estate shall have a period of one (1) year within which to arrange for continuance of the business without the appropriate license being suspended or cancelled.
20. Every owner shall, within 24 hours; repair any defect(s) in the vehicle as reported to them by a licensed driver or the Chief of Police, and the motor vehicle will not be operated until such repairs have been made. Holidays and weekends will not be counted for purposes of determining the 24-hour period aforesaid. If defect concerns the safety of any person, then the vehicle will be removed from service immediately.
21. Every owner shall comply with the Employment Standards Act and the Occupational Health and Safety Act of Ontario.
22. The owner shall notify the Chief of Police within twenty-four (24) hours upon replacement of the Provincial License Plate(s) for any taxicab, due to loss or theft.
23. The owner shall notify the Chief of Police within twenty-four (24) hours upon any loss or theft of any number plate(s) issued in accordance with this By-Law.

24. Every owner of one or more licensed taxicabs operated by others shall file, in writing, with the Chief of Police, the name and address of each licensed driver employed by him, and shall within two (2) days advise the Chief of Police of all changes in his staff or licensed drivers.
25. An owner's vehicle, to be licensed, shall be submitted for visual inspection by the Chief of Police and the owner shall produce satisfactory proof that, in the case of a taxicab only, the vehicle:
- i) has a manufacturer's rated seating capacity of not less than 5 and not more than 9, including the driver;
 - ii) has operable seatbelt assemblies for all seating positions within the motor vehicle;
 - iii) possesses no less than three (3) side passenger doors;
 - iv) is equipped with at least 5 serviceable tires, one of which shall be available as a spare and each shall comply with The Highway Traffic Act Tire Standards and Specifications, R.R.O. 1990, Reg. 625, as may be amended: and
 - v) with respect to a taxicab only, has reasonably sufficient available luggage space;
 - vi) has a valid Safety Certificate issued for the motor vehicle;
 - vii) is equipped with a taximeter;
 - viii) is equipped with a roof sign, such sign to be installed on the roof of the taxicab while the vehicle is in use as a taxicab. The roof sign shall be illuminated, when the vehicle is in operation as a taxicab from half an hour after sunset to half an hour before sunrise;
 - ix) has a heater in good working order; and
 - x) has an Emergency First Aid Kit and an Emergency Road Kit which shall include: blanket, six (6) road flares, "Call Police" sign, booster cable, and an ABC fire extinguisher.
 - xi) effective December 31, 2017, shall be equipped with a yellow flashing light at the rear of the vehicle with the marking "If Flashing Call 911" above the light. This light must be operable in case of an emergency.
26. Every owner of a licensed taxicab shall, on the 15th of August of each year, provide the Chief of Police with a certificate of mechanical fitness for the vehicle, or each of the vehicles owned and used by the owner.
27. No person shall prevent the Chief of Police from inspecting a taxi that is not engaged, for the purpose of satisfying himself as to the sufficiency, cleanliness, repair and condition of any vehicle or its equipment in respect of which a license is applied for or has been issued under this By-Law and to that end, may give a taxicab owner or driver written notice requiring such owner or driver, at their own expense, cause any vehicle and require the taxicab owner to obtain an Ontario Ministry of Transportation Safety Standards Certificate.
28. The Ontario Ministry of Transportation Safety Standards Certificate provided pursuant to Sections 25(vi) and 26 - must be verified to the satisfaction of the Chief of Police. If it is determined that the said Safety Standards Certificate is false or was fraudulently obtained or issued, the Chief of Police may suspend or revoke the owner's license and number plate for cause. In such an event the Chief of Police, or

the Board, shall not be required to comply with the suspension and revocation procedures described in Part II, of this By-Law.

29. Every owner shall ensure that, where a vehicle is equipped with a propane or natural gas tank, that it has been installed and certified by a licensed, certified gas fitter and in all respect complies with applicable Provincial Regulations. The owner shall produce, upon request by the Chief of Police, for inspection a certificate certifying compliance with the applicable Provincial Regulations with respect to any such vehicle so equipped.
30. The owner of every licensed taxicab shall at all times keep the same in a clean and sanitary condition and in good repair, and the Chief of Police may, upon breach of this provision, suspend the operation of such vehicle, until such time as the same has been put in a clean and sanitary condition and in good repair, and such owner shall thereupon cease to operate, or permit the operation of said vehicle.
31. Owners must assist the Chief of Police in his inquiry where a complaint has been made against an owner or driver and that complaint is being investigated.
32. **A licensed owner must:**
 - i) Be actively affiliated with at least one licensed taxicab broker.
 - ii) Not be actively affiliated with more than one licensed taxicab broker at any one time.
 - iii) Possess or operate or permit the possession or operation of any device capable of receiving the communication of any competitor.
 - iv) The Chief of Police may, upon any breach, suspend for a specified period or revoke such driver's license and in such an event, the Chief of Police or the Board shall not be required to comply with the suspension and revocation procedures described in Part II of this By-Law.
33. Shall not permit a vehicle to be operated with any mechanical, electrical or sanitary defects of which they are aware.
34. Shall not operate or permit a taxicab to be operated under this By-Law without a current (validated) number plate, issued for that vehicle, affixed thereto.
35. Shall not employ, as a taxicab driver, any person who is not the holder of a current taxicab driver's license granted under this By-Law.
36. Shall not permit or require any driver to be on duty more than twelve (12) hours in any twenty-four (24) hour period. A log must be maintained by the Broker of the hours worked by the driver.
37. Shall not require or permit a driver to work when that person's ability to perform his duties is impaired by fatigue, illness or otherwise.
38. While acting as a driver, shall not drive more than twelve (12) hours in any twenty-four (24) hour period.

39. Shall not display any sign, emblem, decal ornament or advertisement on or in the taxicab other than a sign which bears the logo or legend of a respective taxi company. All other form of advertising must be in a form and location approved by the Board.
40. Shall not operate or permit the taxicab to be operated unless the taxicab meter is in proper working condition and sealed according to this By-Law.
41. Every owner shall not:
 - a) Charge a tariff or enter into an agreement to charge a tariff which is not in accordance with the appropriate tariff set out in *Schedule A* herein. The provision does not apply to any pre-arranged contract(s) negotiated between the brokerage and another firm/company or employees thereof.
 - b) Take, consume, be under the influence of or have in his or her possession (except in accordance with The Liquor License Act) any alcohol, drugs or other intoxicants, nor shall the use thereof by him/her be apparent.
42. Every owner shall be a member in good standing of the Association of Taxicab Owners for the City of Cornwall and such membership shall be a precondition to the issuance or renewal of a taxi owner's license.
43. Owners are, at all times, to ensure compliance with the applicable human rights legislation, failure of which may result in an investigation, hearing, and possible suspension or revocation of their license.

PART VI- TAXICAB DRIVERS' REGULATIONS

1. Except where provided, any provisions of this By-Law that apply to taxicab drivers shall also apply to limousine and special transportation drivers.
2. Every driver should have a thorough knowledge of the duties of a taxicab driver as set out in this By-Law and be prepared to submit to a written or oral test upon the request of the Chief of Police.
3. All drivers shall comply with the application and licensing requirements set out in this By-Law.
4. No person shall transport or permit another person or persons to be transported from one point within the City of Cornwall to another point within the City of Cornwall, or to any point not more than five (5) kilometers beyond its limits and charge a fee for said transportation, except as authorized under this By-Law.
5. No person shall drive or act as a driver of any taxicab to which this By-Law applies without having a driver's license issued from the Chief of Police which said license may be in Form 7 herein, or in like form, and such person shall, upon making application for his license, pay to the Chief of Police the license fee prescribed in

Schedule C herein. The fee shall be an annual one and shall not be divisible except as provided in *Schedule C*. The application for such license may be in Form 3 herein, or in the like form.

6. In the case of a taxicab only, applicants for driver's license shall be accompanied by the "CERTIFICATE OF TRAINING", which is supplied by broker and Taxi Association. It shall indicate a forty (40) hour familiarization period with the street locations in the City of Cornwall and its boundaries. The training is to include proper meter operation and knowledge of this By-Law. The certificate shall be signed by both the Association and the broker, attesting to this fact.
7. **Every driver shall:**
 - a) Each day before commencing his shift and similarly at the end of each shift, shall examine the vehicle for mechanical, safety or sanitary defects to the vehicle and shall report forthwith any defects found to the owner of the vehicle.
 - b) Ensure that his taxicab is maintained in a clean condition as to its exterior and in a clean, dry and odor-free interior.
 - c) Report forthwith to his employer any accident or collision in which he or a passenger was involved connected with the operation of his taxicab.
 - d) At the expiration of his shift, return the taxicab to his employer and shall not at any time abandon the taxicab or permit any other person drive same
 - e) Charge a single fare for each trip.
8. A driver may, between the hours of 8 p.m. and 8 a.m. each day, require payment of the taxi fare up front. The amount to be paid shall be a reasonable pre-estimate of the fare, based on the current rate tariff card, and the estimated distance of travel. Should the actual distance traveled prove less than the advance estimate, the balance of the pre-paid fare shall be returned promptly to the person hiring the taxicab. Should a person fail or refuse to pay the fare up front, the driver may refuse to convey the passenger.
9. **Every driver while acting as such, shall:**
 - a) Be properly dressed, neat and clean in his person. Clothing shall be clean, and free from holes, tears and odor in the material. Shirts shall be equipped with a collar, neat properly cuffed knee length shorts, sweaters, jackets, shirts or hats shall not display any graphics or language likely to offend any member of the public. Bush jackets, jogging pants, spandex leggings or sandals shall not be allowed. Socks shall be worn at all times. Sleeveless shirts, shirts with the mid-riff exposed, or cutoffs shall not be permitted. Sideburns, hair, mustaches or beards shall be kept neat and well trimmed. The Chief of Police may, in his discretion, make exceptions to the above.

- b) Be civil, well behaved and refrain from using profanity and shall, when receiving or delivering passengers, give such reasonable assistance in opening of the door and shall deposit all luggage as directed, such request or direction being reasonable. When called to a house or other place for the reception of passengers may notify the person calling of his readiness to receive them, by going to the door or other place and informing an adult of his presence.
- c) Take due care of all property delivered or entrusted to them for conveyance of safekeeping, and immediately upon their termination of any hiring engagement, shall examine the interior of the taxicab for any property lost or left therein, and all property or money left in the taxicab shall be forthwith delivered over to the person owning and if the person owning cannot at once be found, the driver shall deliver the property or money to the nearest police station with all the information in their possession regarding said property or money.
- d) Shall turn off any radio, (except for the taxicab two-way radio) tape player or any other sound producing mechanical device in the taxicab upon being requested to do so.
- e) Shall not smoke in any Taxi cab at any time, Section 9(1) Smoke Free Ontario Act 2005, c. 18, s. 9.
- f) Attend, forthwith at the Cornwall Community Police Service office to respond to any public complaints and/or investigations conducted by the Chief of Police on matters relating to this By-Law.

10. **Every driver shall:**

- a) Give the name of the driver and the owner of the taxicab, if other than the driver, upon request by any passenger, or by any person to whom or to whose property injury has been occasioned by himself or his taxicab.
- b) Take the most direct available route to the destination desired unless the passenger designates otherwise.
- c) Be permitted to operate a taxicab on an hourly basis at the request of a passenger and then only at the rate therefore fixed by *Schedule B*.
- d) Accept as payment for the fare any one or a combination of the following:
 - i) Canadian and American currency or
 - ii) any other method of payment acceptable to the taxicab Broker associated with the relevant taxicab.
- e) Calculate the conversion to Canadian currency, if United States currency is tendered by the passenger in payment of the fare, on the basis of the current rate of exchange as set out by broker on the date that the currency is tendered by the passenger.

- f) Provide to a passenger, upon request, a receipt disclosing
 - i) the signature of the taxicab driver
 - ii) the taxicab number plate
 - iii) the date of the trip
 - iv) the mileage traveled; and
 - v) the amount of the fare
 - g) Keep a trip record of all trips made by the taxicab during a shift, and shall return it to the owner at the end of the shift.
 - h) The trip record shall contain the following information:
 - i) date, name of the driver and taxicab number plate
 - ii) the location and destination of every trip made
 - iii) the amount of fare collected for each trip
 - iv) make available his trip record and give full information thereof to the Chief of Police on being requested to do so.
11. Request the appropriate Police, Fire or Ambulance Service when they become aware that any member of the community is in urgent need of any of the above services.
 12. A taxicab driver's license issued under this By-Law shall be automatically revoked upon that driver's Provincial driver's license being expired, canceled, suspended, disqualified or prohibited from driving a motor vehicle by reason of the legal suspension or cancellation in Ontario of their license to drive a motor vehicle or by reason of an Order made under the Criminal Code prohibiting them from driving a motor vehicle on a highway in Canada, and, subject to Part III, Section 7, they shall not be entitled to again apply for a taxicab driver's license until satisfactory proof is filed with the Chief of Police that such suspension, disqualification or prohibition has been terminated. Upon such revocation, the taxi driver's license shall be surrendered immediately to the Chief of Police.
 13. When a taxicab driver's license is revoked, notice may be delivered personally to the licensee or sent by registered mail addressed to the last known address provided by the licensee. The taxicab driver's license must be surrendered to the Chief of Police immediately upon receipt of the said notice.
 14. a) A driver may not be entitled to keeping or renewing of a license under this By-Law, subject to the provisions of Part 11, section 1, subsections b,c,d,e,f,g.
 - b) A driver, while on duty shall wear their photo identification on their exterior clothing near the left shoulder.
 15. **No driver shall:**
 - a) Operate a taxicab unless the motor vehicle being used has a current (validated) number plate affixed thereto and that the owner of the motor vehicle is licensed as such under this By-Law.

- b) Possess or operate or permit the possession or operation of any device capable of receiving the communication of any competitor. The Chief of Police, may, upon any breach, suspend for a specified period or revoke such driver's license and in such an event the Chief of Police or the Board, shall not be required to comply with the suspension and revocation procedures described in Part II, of this By-Law.
- c) Take, consume, be under the influence of or have in his or her possession (except in accordance with The Liquor License Act) any alcohol, drugs or other intoxicants, nor shall the use thereof by him be apparent while he is in charge of such taxicab.
- d) Refuse a request for a taxicab without sufficient cause. Sufficient cause shall be deemed to include previous unpaid fare(s) or disorderly conduct by the person so refused.
- e) Refuse to provide service to an individual who has disabilities or accompanied by a service animal while such animal is providing service as a guide for individuals with disabilities.
- f) Carry any passenger who is under the influence of any intoxicant while his taxicab is occupied by a person who is not accompanying the person so under the influence.
- g) Operate any taxicab without having the owner's license, operator's taxicab driver's license and in case of taxicab only, a tariff card, displayed in plain view of the passenger, and shall produce the license(s) for inspection when asked to do so by any passenger or the Chief of Police. The driver shall not be entitled to receive any fare or charge whatsoever for services unless said property is so displayed.
- h) Make any charges for time lost through defects or inefficiency of the vehicle or the incompetence of the driver.
- i) Publish or use a tariff or demand or receive rates and charges other than those authorized by this By-Law.
- j) Knowingly drive a person whom he suspects has committed an offence against The Criminal Code of Canada and/or any Federal or Provincial Statutes and is attempting to avoid capture or detection.
- k) Permit any immoral, indecent or disorderly conduct in his taxicab.
- l) Make any loud noise or disturbance or use obscene impertinent or abusive language or molest or annoy or insult any passenger or other person.
- m) Allow any person, other than himself, to act as driver of the taxicab of which he is in charge, except a licensed driver acting as a taxicab trainee.
- n) Be entitled to receive any fare or charge whatever for service if the said driver knowingly or ignorantly misinforms or deceives any person as to the time or place of the arrival or departure of any railway train, or other public conveyance, or the

location of or distance from any part of the City to any railway station, hotel, public place or private residence, or induces any person to employ his taxicab by any false representation, or deceives, insults or ill-treats any passenger, and such person, if convicted of any offence under this subsection shall also incur the penalties hereinafter provided in this By-Law.

- o) Obstruct or interfere with the surrounding traffic patterns.
- p) In the case of a taxicab only, operate a taxicab when the seal affixed to the taximeter is broken.
- q) In the case of a taxicab, only transport any passenger while the taximeter has not been engaged to record the fee to be charged unless the taxicab service is being provided pursuant to flat rate contracts which are supported by a charge slip.
- r) In the case of a taxicab only, operate any taxicab with the taximeter engaged unless he has a passenger in the vehicle or the driver is waiting for a passenger to return to the vehicle which that passenger(s) had previously occupied.
- s) Charge a tariff or enter into an agreement to charge a tariff which is not in accordance with the appropriate tariff set out in *Schedule A* herein. The provision does not apply to any pre-arranged contract(s) negotiated between the brokerage and another firm/company or employee thereof.
- t) In the case of a taxicab only, operate any taxicab when the taximeter has not been adjusted in accordance with the existing current rates set out in *Schedule A*, herein, or is not working properly or with the seal missing or improperly affixed.
- u) While conveying a paying passenger, have in his taxicab any person who is not a paying passenger other than a taxicab driver trainee(s).
- v) Double up on any call, i.e. when a taxicab is hired by a passenger or passengers, the said taxicab shall not again be used for hire by any other passenger until the first passenger has reached his or her destination and has been discharged.
- w) Carry in any vehicle a greater number of passengers than is set out in the manufacturer's rating of seating capacity for such vehicle. Seat belts shall be worn pursuant to the provisions of The Highway Traffic Act of Ontario.
- x) Take on any additional passengers after the vehicle has departed with one or more passengers from any one starting point except under the following conditions:
 - i) when done at the request of a passenger already in the vehicle
 - ii) in an emergency situation
 - iii) when operating a vehicle which is being used exclusively for the transportation of children to and from school

- y) Drive a vehicle with mechanical defects of which they are aware.
 - z) Drive a vehicle with luggage or any object placed in, hung on or attached to the vehicle or in such a manner as will obstruct the driver's view of the highway.
16. In the case of a taxicab only, operate the taxicab without ensuring the roof sign is securely affixed to the roof of the taxicab and is in good working order.
 17. Drivers are, at all times, to ensure compliance with the applicable human rights legislation, failure of which may result in an investigation, hearing, and possible suspension or revocation of their license.

PART VII -DISPATCHERS' REGULATIONS

1. No person shall dispatch taxicabs within the City, unless he possesses a valid dispatcher's license, issued by the Board in Form 4 or in the like form and such dispatcher shall, upon making application for this license, pay the fee as prescribed in *Schedule C*, herein. The application for such license is found in Form 4, or in like form.
2. In absence of an available dispatcher, the broker may acquire the services of a licensed owner or driver to perform such function. No owner or driver shall perform such function while his license is suspended, canceled or revoked.
3. Dispatchers, while on duty shall wear their photo identification on their exterior clothing near the left shoulder.
4. Be civil, well behaved and refrain from using profanity.

PART VIII- LIMOUSINE REGULATIONS

1. Every licensed limousine shall at all times be equipped with at least five serviceable tires, one which shall be available as a spare and each shall comply with The Highway Traffic Act Tire Standards and Specifications, R.R.O. 1990, Reg. 625, as may be amended.
2. The limousine service that is provided pursuant to this By-Law shall only be provided:
 - a) by pre-arrangement, reserved in advance by at least one (1) hour;
 - b) for a minimum of two (2) hours, at an hourly rate of charge of not less than Thirty (\$30.00) Dollars per hour.
3. For the purposes of this tariff the following definitions shall apply:
 - a) "Sedan or Standard Limousine" means a manufactured full size luxury motor vehicle including full size vans with no alterations to the length of the vehicle.

- b) "Mini-Stretch Limousine" means a manufactured full size luxury motor vehicle with a maximum stretch of 55.9 cm..
 - c) "Stretch Limousine" means a manufactured full size luxury motor vehicle, which has been altered to lengthen the motor vehicle in excess of 55.9 cm to a maximum of 152.4 cm.
 - d) "Super Stretch Limousine" means a manufactured full size luxury motor vehicle, which has been altered to lengthen the motor vehicle by more than 152.4 cm.
- 4. Limousines shall not be equipped with a radio or any other device capable of monitoring calls for taxicabs, limousines operated by other Brokers licensed under this By-Law.
 - 5. Notwithstanding, the Board may grant a limousine license to an owner currently operating a limousine service with the City of Cornwall, utilizing a motor vehicle other than defined in this Section on the expressed understanding that such owner agrees to comply with the minimum provisions of this By-Law.

PART IX- RENTAL REGULATIONS

- 1. An owner may provide for the rental of his or her vehicle which has affixed the taxicab, limousine or special transportation license issued to it on a daily, weekly, monthly or yearly basis provided that:
 - a) the owner provides a motor vehicle that complies with the requirements of this By-Law.
 - b) the owner retains the ability and right to obtain possession and control of the vehicle to ensure compliance with the provisions of the By-Law.
 - c) no person shall rent a plate without the concurrent rental of the motor vehicle registered to that plate as the licensed taxicab, limousine or special transportation, of record with the Chief of Police.

PART X -TAXI METER REGULATIONS

- 1. Every owner licensed under this By-Law shall have affixed to each taxicab a taximeter for registering distance traveled and computing fares to be paid, the type of which shall first be submitted to and approved by the Chief of Police, and for all taxicabs so equipped, the following provisions shall apply:
 - a) **Each taximeter shall be:**
 - i) tested by running the taxi to which it is attached over a measured distance, as outlined in *Schedule D*, before being sealed
 - ii) illuminated between dusk and dawn

- iii) so placed as to be conveniently seen at all times by the passenger or passengers thereof
 - iv) used only when the seal thereon is intact
 - v) kept in good working order at all times and not used when defective in any way
 - vi) numbered and not used until approved by the Chief of Police
 - vii) adjusted in accordance with the tariff prescribed by *Schedule A* of this By-Law
 - viii) tested as set out in *Schedule D* for compliance with paragraph vii hereof
 - ix) used for no longer than six (6) months without retesting and resealing
 - x) any subsequent re-sealing in a license year will be subject to a fee as set out in *Schedule C* of this By-Law
 - xi) identified with a serial number
2. The owner or driver of a taxicab equipped with a taximeter shall not operate such taxicab unless and until the taximeter has been tested and sealed by the Chief of Police, nor shall such owner or driver operate such taxicab when the taximeter has been changed, repaired, altered, tampered with or adjusted, unless and until such taximeter has been subsequently so tested and sealed.
 3. The meter testing and sealing service shall be available to the owners upon request, and at the discretion of the Chief of Police, but should his designate not be available, the said taxicab shall be permitted to operate until such time as the service is available.
 4. The seal referred to in Section 3 above consists of the wire and plastic Snap which is installed in the manner prescribed by:
 - i) placing a wire through the eyelet(s) on the taximeter and threaded through a plastic snap in such a manner that it prevents the removal of the cover. Each plastic snap has a serial number on same.

PART XI -TARIFF REGULATIONS

1. The rates or fares to be charged by the owners or drivers of taxicabs, or motor vehicles to which this By-Law applies, for the conveyance of passengers either wholly within the Cornwall City limits, or to any point not more than five (5) kilometers beyond its limits, shall be exactly as shown in *Schedule A* of this By-Law, and no higher or lower amount than that contained in said *Schedule* shall be charged or payable.

2. The tariff card shall be furnished by the Chief of Police and shall show the tariffs as set out in *Schedule A*. The tariff card shall be contained in clear see-through plastic and placed and kept in the taxicab where it will be clearly visible to the passenger.
3. Every lost, stolen or damaged tariff card shall be replaced upon payment of the appropriate fee, as outlined in *Schedule C*.
4. Tariff rates shall be set by the Board, and not adjusted more frequently than once during any twelve (12) month period.
5. The date for implementing the Tariff rate adjustment, if any, shall be October 1st.
6. The Board shall only consider a Tariff rate adjustment upon receiving a written request for such an adjustment from a taxicab driver's license holder or a certified union or association representing taxicab drivers.
7. A written request for a Tariff rate adjustment must be submitted to the Chief of Police on or before June 1st. If no written request for a Tariff rate adjustment is received on or before June 1st in any year, there shall be no adjustment before October 1st of the following year.
8. All Schedules, Forms and Tariff Card appended to this By-Law shall be deemed to form an integral part of this By-Law.


PART XII -PENALTY

Except as otherwise provided herein, or by Statute, any person convicted of a breach of any of the provisions of this By-Law, or any By-Law amending same, shall forfeit and pay, at the discretion of the convicting judge, a penalty not exceeding \$2000.00 for each offence, exclusive of cost, and such fines are recoverable under the Provincial Offences Act.

That By-Laws 002-2001 and 001-2004 are hereby repealed and replaced by this current By-Law.

This By Law shall come into force and take effect on the date of the passing thereof

SIGNED AT CORNWALL, ONTARIO, this 6th day of September, 2016.



BOARD CHAIR



BOARD SECRETARY

**SCHEDULE A
TAXI BY-LAW 01-2008**

TARIFF

Fares shown includes HST

PART 1 (EFFECTIVE JULY 2, 2013)

One or Two Passenger	\$3.50
By meter	
For each additional one-tenth of a Kilometer or part thereof	\$0.175
Waiting time	\$32.30/per hour
Minimum charge per person over two, each	\$1.10

PART 2 (EFFECTIVE JULY 2, 2013)

Use of trunk for luggage, cartons, groceries or baggage handled by the driver - Flat rate	\$1.10
Hand baggage in cab, not to exceed two pieces, or wheelchair or other similar devices to be carried without charge .	

No charge for children under the age of twelve (12) years accompanied by an adult. Children of any age unaccompanied by an adult are to be considered as an adult.

Crossing the Seaway International Bridge	\$6.50
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A. The meter rate shall apply for any trip:

From: Within city boundaries to within city boundaries.

From: Within city boundaries up to 5 kilometers beyond city boundaries.

From: Up to 5 kilometers beyond city boundaries to within city boundaries.

B. With prior agreement by both parties, a flat rate to point of origin shall apply for any trip originating and terminating beyond but remaining within 5 Kilometers of city boundaries, plus meter rate from point of origin.

C. Out of town rates for any trip with an origin, or boundary beyond 5 kilometers of city boundaries, the rate shall be agreed upon by both parties prior to the embarkation of any passenger.

TAXI BY-LAW 01, 2008

SCHEDULE B

LIMOUSINE TARIFF

PART 1

BY THE HOUR

One or two passengers:

- ▶ For the first hour or any part thereof \$20.00
- ▶ For each additional fifteen (15) minutes or any part \$5.00
- ▶ For each passenger in excess of two, per hour, or part thereof \$1.00

NO CHARGE for children under the age of twelve (12) years accompanied by an adult.

Children of any age unaccompanied by an adult are to be considered as an adult.

PART 2

BY THE KILOMETER

Tariff rate by the kilometer may only be charged for trips originating or having a destination of more than five (5) kilometers outside the City of Cornwall, and the tariff rate should be agreed upon by both parties prior to embarkation of any passenger.

TAXI BY-LAW 01, 2008

SCHEDULE C

LICENSE FEES for taxicabs, limousines or Special Transportation.

<u>YEAR 2010</u>	<u>New</u>	<u>Renewal</u>
Broker's License	\$1,200.00	\$500.00
Owner's License	\$200.00	\$175.00
Driver's License	\$60.00	\$50.00
Dispatcher's License	\$25.00	\$15.00
Meter Sealer License	\$15.00	

Replacement licenses:	Cost of \$15.00 (for all licenses)
Replacement Number Plate or Valtag:	Cost of \$25.00
Retesting of taximeter:	Cost of \$10.00
Resealing of taximeter:	Cost of \$5.00
Transfer from one motor vehicle to a replacement vehicle:	Cost of \$10.00
Transfer of ownership fee:	Cost of \$100.00
New license applicant test:	Cost of \$20.00
Replacement tariff card:	Cost of \$10.00

TAXI BY-LAW 01, 2008

**SCHEDULE D
PROCEDURE FOR TESTING OF TAXIMETERS**

PART 1

- (1) The taxicab in which the taximeter is attached shall be driven over a measured track or distance of three (3) kilometers.
- (2) The predetermined fare of three (3) kilometers shall be displayed on the taximeter at the end of three (3) kilometers with a tolerance of + or = 150 feet.

PART 2

- (1) Two (2) separate time checks of forty (40) seconds shall be conducted.
- (2) The predetermined fare of twenty (20) cents shall be displayed on the taximeter at the end of each forty (40) second checks with a tolerance of + or - two (2) seconds.

PART 3

OR tested by such other mechanical means as the Chief of Police may approve.

ROUTE FOR THE TESTING OF TAXI METERS

LOCATION OF ROUTE 1:

Fourth Street East
Fourth Street East to Marlborough Street
Marlborough Street North to Fifth Street
Fifth Street West to Bedford Street

STARTING POINT:

- i. Starting point
- ii. One (1) kilometer
- iii. Two (2) kilometers
- iv. Three (3)kilometers (- 150 feet tolerance)
- v. Three (3) kilometers (- 100 feet tolerance)
- vi. Three (3) kilometers (- 50 feet tolerance)
- vii. Three (3) kilometer point (00 feet tolerance)
- viii. Three (3) kilometers (+ 50 feet tolerance)
- ix. Three (3) kilometers (+ 100 feet tolerance)
- x. Three (3) kilometers (+ 150 feet tolerance)

LOCATION OF ROUTE 2:

From 863 Second Street West
West to Power Dam Drive
North on Power Dam Drive To Saunders Drive

FORM 1



CORNWALL COMMUNITY POLICE SERVICE
TAXI BROKER'S LICENCE APPLICATION



DATE OF APPLICATION:	
NAME:	ADDRESS:
PHONE:	POSTAL CODE
BIRTHDATE:	

- Applicants must be of the age of 18 years of over.
- Any false statement made by applicant for a licence shall be sufficient cause to revoke or deny said licence.

<input type="checkbox"/> TIP TOP/VETS	<input type="checkbox"/> CHOICE	<input type="checkbox"/> OTHER
BROKER'S SIGNATURE		

FOR OFFICE USE ONLY
DATE APPROVED:
BROKER'S LICENCE #:

LOCATION OF PREMISES _____

RADIO LICENSE ATTACHED YES NO

LIST OF VEHICLES ATTACHED YES NO

NUMBER OF DRIVERS _____

RULES & PROCEDURES MANUAL ATTACHED YES NO

Form 2



**CORNWALL COMMUNITY POLICE SERVICE
TAXI OWNER / SPECIAL TRANSPORT / LIMOUSINE OWNER
APPLICATION**



TAXI LIMO SPECIAL TRANSPORT

DATE OF APPLICATION:	DRIVER'S LICENCE:
NAME:	ADDRESS:
PHONE:	POSTAL CODE
BIRTHDATE:	
Has your special transport/limousine licence ever been revoked or suspended? <input type="checkbox"/> No <input type="checkbox"/> Yes	
Have you ever had your Driver's licence suspended? <input type="checkbox"/> No <input type="checkbox"/> Yes	
Give names and addresses of previous employers for the past two (2) years:	

- Applicants must be of the age of 18 years of over.
- Any false statement made by applicant for a licence shall be sufficient cause to revoke or deny said licence

APPLICANT WORKS FOR:
SIGNATURE OF DRIVER:

VEHICLE LICENSE PLATE:

MAKE:

MODEL:

YEAR:

VIN:

FOR OFFICE USE ONLY
DATE APPROVED:
SPECIAL TRANSPORT/LIMOUSINE LICENCE #:

Form 3



**CORNWALL COMMUNITY POLICE SERVICE
SPECIAL TRANSPORT / LIMOUSINE DRIVER / TAXI DRIVER
LICENCE APPLICATION**



DATE OF APPLICATION:	DRIVER'S LICENSE:
NAME:	ADDRESS:
PHONE:	POSTAL CODE:
BIRTHDATE:	
Has your taxi licence ever been revoked or suspended? <input type="checkbox"/> No <input type="checkbox"/> Yes	
Have you ever had your Driver's licence suspended? <input type="checkbox"/> No <input type="checkbox"/> Yes	
Give names and addresses of previous employers for the past two (2) years:	

- Applicants must be of the age of 18 years of over.
- Any false statement made by applicant for a licence shall be sufficient cause to revoke or deny said licence

APPLICANT WORKS FOR: <input type="checkbox"/> TIP TOP/VETS <input type="checkbox"/> CHOICE <input type="checkbox"/> OTHER	CAR #
SIGNATURE OF DRIVER:	

CERTIFICATE OF COMPLETION OF TRAINING ATTACHED YES NO

FOR OFFICE USE ONLY
DATE APPROVED:
TAXI LICENCE #:

Form 4



CORNWALL COMMUNITY POLICE SERVICE
TAXI DISPATCHER LICENCE APPLICATION



DATE OF APPLICATION:

NAME:	ADDRESS:
PHONE:	POSTAL CODE
BIRTHDATE:	
Give names and addresses of previous employers for the past two (2) years:	

- Applicants must be of the age of 18 years of over.
- Any false statement made by applicant for a licence shall be sufficient cause to revoke or deny said licence

EMPLOYER <input type="checkbox"/> TIP TOP/VETS <input type="checkbox"/> CHOICE <input type="checkbox"/> OTHER
DISPATCHER'S SIGNATURE

FOR OFFICE USE ONLY
DATE APPROVED:
DISPATCHER LICENCE #:

**FORM 5
TAXI BY-LAW 01, 2008**

**Notice of intent to refuse an application for license
pursuant to Part III, Section 11**

DATE:

TO:

Reference is made to your application dated _____, for a license.

This is notice to you, pursuant to Part III, Section 11 of the By-Law, that, in my opinion, it is not desirable in the interests of the public that you receive a License.

This is notice also that unless within fourteen (14) days from the day on which this notice is received by you, you request in writing to the Chief of Police that he will refer his opinion to the Cornwall Community Police Services Board for confirmation or verification thereof, your application for a license will be refused.

Attached is a copy of an extract of Part III, section 11, of the By-Law.

Respectfully submitted,

Taxi Liaison Officer

FORM 6
TAXI BY-LAW 01, 2008
DRIVER'S LICENCE

Taxi 0295

Name

DRIVER'S LICENCE NUMBER

X0000-00000-00000



**FORM 7
TAXI BY-LAW 01, 2008**

TAXICAB OWNER'S LICENCE



Taxi:
\$175.00

Limousine:
\$

Special Transportation:
\$

CORPORATION

of the City
de la ville de

CORNWALL

20XX LICENCE

G 00XX

EXPIRATION DECEMBER 31, 2016



This licence is granted to:
Cette License est émise au nom de

According to the provisions of the corresponding By-Law from the 1st day of January 20XX to the 31st day of December 20XX not later.

Selon les dispositions du Règlement en question en vigueur du 1^{er} Janvier, 20XX au 31 Décembre, 20XX inclusivement.

Date : _____

For Issuer / Pour Émetteur

This Licence must be displayed in easy public view and it is not transferable.

Cette Licence doit être visiblement affichée et ne peut être transmise.