



**BY-LAW NUMBER 2012-**

**A By-law of The Corporation of the City of Barrie to amend By-law 2006-265 being a by-law to license, regulate and govern transportation related businesses carried on within the municipality.**

**WHEREAS**, Section 8 of the *Municipal Act*, S.O. 2001, c. 25, ("the *Municipal Act*, 2001") provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS**, Section 9 of the *Municipal Act*, S.O. 2001, provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

**AND WHEREAS**, Section 11 of the *Municipal Act*, S.O. 2001, provides that a single-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein;

**AND WHEREAS**, the Council of the Corporation of the City of Barrie passed By-law 2006-265, on October 30, 2006 being a by-law to licence, regulate and govern transportation related businesses carried within the municipality;

**AND WHEREAS** pursuant to motion 12-G-108 the Council of The Corporation of the City of Barrie deems it expedient to amend By-law 2006-265.

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

1. **THAT** By-law 2006-625, Section 1.0.0.0.0 be amended by deleting sections 1.1.37.0.0, 1.1.37.1.0, 1.1.37.2.0, 1.1.37.3.0 and 1.1.37.4.0 and replacing the sections with the following:

"1.1.37.0.0      **SAFETY FEATURES** - shall mean

1.1.37.1.0      911 emergency lights on the rear of the cab with a small reflective sign affixed near the light reading "IF FLASHING CALL 911"; or

1.1.37.2.0      Protective safety glass barriers between the driver and passenger areas; or

1.1.37.3.0      Security Video cameras to protect the drivers; or

1.1.37.4.0      An emergency button that ties into the taxicab's central dispatch system and immediately notifies the dispatch centre of the vehicle's location through the use of a Global Positioning System (GPS)."

2. **THAT** By-law 2006-265, Section 7.2.0.0.0 through until Section 7.2.13.0.0., related to Taxicab – Class A be amended in its entirety by deleting all references to "**Taxicab - Class A**" and replacing them with the word "**Taxicab**".

3. **THAT** By-law 2006-265, Section 7.3.0.0.0 through until Section 7.3.15.0.0 "**Taxicab Class B**" be deleted in its entirety.

4. **THAT** By-law 2006-265, Section 7.2.0.0.0, **Taxicab Operating Criteria** be amended by adding the following:

"**7.2.14.0.0**      A moratorium be placed on the issuance of new taxicab licences.

**7.2.15.0.0**      A cap be established on taxicab licences based on a per capita ration of 1:1500. Any person holding a valid taxicab licence as of the date of the moratorium will be entitled to renew such licence annually or transfer the licence to a new taxicab but shall not be entitled to transfer the cab or licence to a new owner.

- 7.2.16.0.0** All Taxicabs be required to have installed and operational at all times a minimum safety feature. No person shall be precluded from installing any additional safety features as may be deemed necessary for the safety of the driver and/or patrons
- 7.2.17.0.0** In order to maintain a clear and unimpeded view of passengers and activities inside a taxicab to better ensure the safety and welfare of the driver or passenger, after market tinting of any window of the taxicab or the installation of any decals or other treatment which would impede or interfere with the transparency of any window of the vehicle be prohibited.
- 7.2.18.0.0** A taxicab owned by a person other than a Taxicab Company shall submit, at the time of application and maintain with the Issuer of Licences:
- a) proof of liability insurance for such vehicle being operated as a taxicab in the minimum amount of \$2,000,000;
  - b) proof of H.S.T. registration;
  - c) a current list of individuals authorized to provide services as a taxicab driver for such owner of a taxicab; and
  - d) the name of the Taxicab Company(ies) for which the taxicab will provide service or otherwise be engaged.
- 7.2.19.0.0** The owner of a taxicab, not being an owner of a company shall also be required to:
- a) submit the vehicle being operated as a taxicab for inspection annually or at any time as required;
  - b) maintain the taxicab in the same manner as set out under the provisions for a Taxicab Company; and
  - c) engage the services only of a licensed Taxicab Driver.
5. **THAT** By-law 2006-265, Section 8.2.0.0.0, **TAXICAB DRIVER OPERATING CRITERIA** be amended by adding the following:
- “8.2.13.0.0** Where a taxi driver ceases to provide services for the taxi company identified on his/her business licence, such driver be entitled, within 30 calendar days of ceasing such services, to amend his/her licence to identify a new company to which the driver will provide service, at an amendment fee as set out in the fees by-law, and the driver shall not be required to apply for a new licence, subject to confirmation of such dates by the taxi companies.
- 8.2.14.0.0** With respect to the road test to which every applicant for a taxi driver’s licence must submit, the applicant shall be limited to three attempts to pass the road test in any twelve month period.”
6. **THAT** By-law 2006-265, Section 9.2.0.0.0, **TAXICAB COMPANY OPERATING CRITERIA** be amended by adding the following:
- “9.2.12.0.0** i) Every Taxicab Company be required to provide to the Issuer of Licences at the time of application and upon change to such information:
- a) a list of all taxicabs owned by the company identifying the Licence Plante Number, make of vehicle and Vehicle Identification Number;
  - b) a list of all vehicles not owned by the Taxicab Company but which are intended to be used as a taxicab for the Taxicab Company and operated on behalf of the Taxicab Company identifying the Licence Plante Number, make of vehicle and Vehicle Identification Number;
  - c) a list of all persons providing a taxicab for use by the Taxicab Company and to be operated on behalf of the Taxicab Company; and

- d) the name(s) of any person operating as a Taxicab Driver for the Taxicab Company regardless of whether such driver operates a taxicab owned by the Taxicab Company or another person.”
7. **THAT** By-law 2006-265, Section 9.3.0.0.0 **TAXI TARIFF – RATES AND FARES**, be amended by adding the following:
- “**9.3.5.0.0** Every owner or driver of a taxicab shall ensure that a sign or decal visible to all passengers is displayed at all times stating “If the meter is not activated to record your fare, the taxi ride is free”.
- 9.3.6.0.0** Where the meter has not been activated to record the fare in accordance with the provisions of this by-law and where no contract has been established as provided for in Section 9.3.3.0.0 every Taxicab Driver shall ensure that the ride is provided to the customer at no charge.”
8. **THAT** Table 1 – Business Licence Inspections and Approvals be repealed and replaced with Schedule “A” Table 1 Business Licence Inspections and Approvals attached to and forming part of this By-law.
9. **THAT** this By-law shall come into force and have effect immediately upon the final passing thereof.

**READ** a first and second time this 14<sup>th</sup> day of May, 2012.

**READ** a third time and finally passed this 14<sup>th</sup> day of May, 2012.

**THE CORPORATION OF THE CITY OF BARRIE**

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**MAYOR – J.R. LEHMAN**

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**CITY CLERK – DAWN A. MCALPINE**

## SCHEDULE "A"

TABLE 1 – BUSINESS LICENCE INSPECTIONS AND APPROVALS

CATEGORY	INSPECTION/APPROVAL
Limousine (each)	<ul style="list-style-type: none"> <li>Liability Insurance-\$2,000,000</li> <li>Vehicle Identification #</li> <li>Ontario Licence Plate #</li> <li>Vehicle Safety Standards Certificate</li> </ul>
Limousine Driver	<ul style="list-style-type: none"> <li>Criminal Record Cheque</li> <li>Ontario Driver's Licence</li> <li>Ministry of Transportation Driver's Abstract</li> <li>Letter/offer of employment</li> </ul>
Limousine Company	<ul style="list-style-type: none"> <li>Building Services/Zoning</li> <li>Finance</li> <li>HST registration</li> <li>List of all vehicles to be used as limousines, Vehicle Identification # and Ontario Licence Plate #</li> <li>Schedule of Rates and Charges</li> <li>List of Limousine Drivers</li> </ul>
Pedicab	<ul style="list-style-type: none"> <li>Liability Insurance-\$2,000,000</li> </ul>
Taxi Cab	<ul style="list-style-type: none"> <li>Liability Insurance-\$2,000,000</li> <li>Vehicle Identification #</li> <li>Ontario Licence Plate #</li> <li>Vehicle Safety Standards Certificate</li> <li>List of Taxicab Drivers</li> </ul>
Taxi Cab Not Owned By Company	<ul style="list-style-type: none"> <li>Liability Insurance-\$2,000,000</li> <li>HST Registration</li> <li>Vehicle Identification #</li> <li>Ontario Licence Plate #</li> <li>Vehicle Safety Standards Certificate</li> <li>Current List of Individuals Authorized to Provide Services as a Taxicab Driver for such Owner of a Taxicab</li> <li>The name of the Taxicab Company(ies) for which the Taxicab will provide service or otherwise be engaged</li> </ul>
Taxi Cab Company	<ul style="list-style-type: none"> <li>HST registration</li> <li>List of all vehicles to be used as taxicabs,</li> <li>Vehicle Identification #</li> <li>Ontario Licence Plate #</li> <li>List of all Taxicab Drivers</li> </ul>
Taxi Cab Driver	<ul style="list-style-type: none"> <li>Criminal Record Check</li> <li>Ontario Driver's Licence</li> <li>Ministry of Transportation Driver's Abstract</li> <li>Letter/offer of employment</li> <li>Successful completion of road test administered by City.</li> </ul>
Tow Truck (each)	<ul style="list-style-type: none"> <li>Liability Insurance-\$2,000,000</li> <li>Vehicle Identification #</li> <li>Ontario Licence Plate #</li> <li>Vehicle Safety Standards Certificate</li> </ul>
Towing Company	<ul style="list-style-type: none"> <li>Building Services/Zoning</li> <li>Finance</li> <li>HST registration</li> <li>List of all vehicles to be used as tow trucks,</li> <li>Vehicle Identification #</li> <li>Ontario Licence Plate #</li> <li>Schedule of Rates and Charges</li> <li>List of Tow Truck Drivers</li> </ul>
Tow Truck Driver	<ul style="list-style-type: none"> <li>Criminal Record Check</li> <li>Ontario Driver's Licence</li> <li>Ministry of Transportation Driver's Abstract</li> <li>Letter/offer of employment</li> </ul>
Change of Name (same owner)	Proof of previous City Licence
Replacement / Duplicate Licence	Proof of Ownership
Photo ID card Replacement	Proof of City Licence
Vehicle Transfer	<ul style="list-style-type: none"> <li>Vehicle Safety Certificate</li> <li>Proof of ownership</li> <li>Insurance - \$2,000,000</li> <li>Proof of City Licence</li> </ul>

