

**BY-LAW 2012-507  
OF THE  
TOWN OF DAYSLAND  
PROVINCE OF ALBERTA**

**A BY-LAW OF THE TOWN OF DAYSLAND TO PROVIDE FOR LICENSING, REGULATING  
AND CONTROLLING TAXI BUSINESSES IN THE TOWN OF DAYSLAND.**

**WHEREAS** Pursuant to the provisions of the Municipal Government Act, R.S.A. 1994 Chapter M-26.1 as amended, the Council of a Municipality may pass a Bylaw for the licensing, regulating and controlling of certain businesses.

**1. Short Title:**

This By-law may be cited as the Taxi By-Law.

**2. Definitions:**

- (a) "Town" means the Town of Daysland;
- (b) "Council" means the Council of the Town of Daysland;
- (c) "License Officer" means Town Administration, Bylaw Officer, or a person designated by the Town of Daysland;
- (d) "Passenger" means any person, other than the driver, being conveyed in a taxicab;
- (e) "Security Check" means Criminal Record/Driver's license check as conducted by the RCMP;
- (f) "Street" means any roadway or other place where motor vehicles are, or are permitted to be, operated;
- (g) "Taxi Business License" means a license issued by the Town of Daysland authorizing a person to operate a taxi cab business within the Town of Daysland;
- (h) "Taxi Cab" means a motor vehicle which is used or intended to be used in the business of conveying passengers to destinations designated by the passengers for which a fee or fare is charged, including Handi-vans (vans for transporting the elderly or disabled), shuttle-buses (buses for transporting large numbers of people at special events) and Limousines;
- (i) "Taxi Driver" means any person permitted to operate a taxi pursuant to this By-Law;
- (j) "Taxi Driver Permit" means a permit issued by the Town to drive a taxi cab within the Town

**3. By-Law Compliance:**

No person shall operate a vehicle or allow his vehicle to be operated as a taxi cab without first having complied with this By-Law.

**4. Licensing of Taxi Businesses:**

- (a) No taxi business or taxi cab owner shall operate with in the Town of Daysland prior to obtaining a Town of Daysland business license and paying a business license fee.

- (b) The taxi business as licensed with the Town of Daysland must submit its operating hours to the town for approval.
- (c) An applicant for a taxi business license shall produce, upon application of the annual renewal of the business license and at such other time as may be directed by the License Officer, the following:
  - (i) Name(s) of the registered owner and drivers;
  - (ii) Proof of registration of the vehicle or vehicles to be licensed;
  - (iii) Make, year, color and serial number of the vehicle(s);
  - (iv) Name of the taxi company and its identifying color scheme;
  - (v) Written mechanical inspection of vehicle(s);
  - (vi) A certificate from an insurance company licensed to carry on business in the Province of Alberta, showing that the applicant for the license is the holder of a subsisting policy of insurance issued by such insurer in respect of the taxi cab(s) for which the applicant intends to obtain a license to operate a taxi cab(s).
- (d) The License Officer shall issue the said taxi business license upon satisfaction of compliance with the above listed requirements of this By-Law, and payment of fee as set out in the Town's Business License By-Law.
- (e) The License Officer may refuse to issue or renew a taxi business license, or may cancel or suspend a subsisting taxi business license, if in his/her opinion that there are just and reasonable grounds for refusal of the application or for cancellation or suspension of the taxi business license.

#### **5. Taxi Driver's Permit:**

- (a) No person shall operate a taxi in the Town unless he holds a subsisting Taxi Driver's permit in the form set out as Schedule "D" as attached hereto, issued or renewed pursuant to the provisions of this By-Law.
- (b) A person who desires to obtain or renew a Taxi Driver's permit shall submit to the Town a fully completed and signed application in the form set out as Schedule "A" attached to and forming part of this By-Law, together with a driver's abstract from the Motor Vehicles Branch of the Province of Alberta which is dated not more than two weeks prior to the date of the application and a completed Form B or C Request for Criminal Record Name Check
  - (i) Produce a valid and subsisting Alberta Operator's License of a Class which permits the operation of taxis within the Province of Alberta.
- (c) Upon receiving an application to obtain or renew a Taxi Driver's permit the Town shall take such steps deemed necessary to verify the accuracy of the information contained in the application and shall determine whether the applicant is a fit person to operate a taxi cab, having regard to:
  - (i) Whether the applicant has been found guilty or convicted of an offence under the Criminal Code (Canada) or under any other criminal statute of Canada or any other country, within the five years preceding the application;
  - (ii) Whether the applicant has been found guilty or convicted of an offence under the Highway Traffic Act R.S.A. 1980 Chapter H-7 or the Motor Vehicle Administration Act

R.S.A. 1980 Chapter M-22 or any regulation or by-Law passed under the authority of either of those statutes, or under any similar statute or regulation or By-Law of a jurisdiction other than Alberta, within the three years preceding the application; and

- (iii) Any other information within the knowledge of the Town Administration concerning the character or conduct of the applicant.
- (d) If the Town is of the opinion that the applicant is a fit person to operate a taxi cab, a Taxi Driver's permit shall be issued to the applicant or renewed as the case may be, upon receipt of payment of the fee as set out in this By-Law.
- (e) If,
  - (i) After a Taxi Driver's permit has been issued or renewed pursuant to the provisions of this section, and
  - (ii) On the basis of
    - (A) Any or all of the criteria in subsection (c) of this section, or
    - (B) Any non-compliance with the requirements of this By-Law
 The Town Administration decides that the holder of the Taxi Driver's permit is not a fit person to operate a taxi cab, he shall:
    - (iii) Cancel the Taxi Driver's permit, or
    - (iv) Suspend the Taxi Driver's permit for a period of time not exceeding the unexpired term of the permit; or if the suspension is for non-compliance with the requirements of this By-Law, until, in the opinion of the Town Administration, the requirements have been complied with.
- (f) If the Town Administration decides to refuse an application under this section or to suspend or cancel a subsisting Taxi Driver's permit, he shall notify the applicant or permit holder in writing of the refusal, suspension or cancellation, giving written reasons for the decision.
- (g) Every Taxi Driver's permit issued or renewed pursuant to the provisions of this Section shall, unless sooner suspended or cancelled by the Town Administration cease to be subsisting on December 31<sup>st</sup> of the year following which the Taxi Driver's permit was issued or renewed.
- (h) No person shall operate a taxi for hire unless the Taxi Driver's permit is openly displayed at all times in the taxi in such manner as to be visible to passengers.
- (i) When a Taxi Business license has been refused to cancelled or suspended in accordance with Section 4(e), the person so affected may, within 7 days, appeal such action to the Council by notifying the Town Administration of the intention to appeal
  - (i) By personally delivering or giving written notice
  - (ii) By mailing a double registered letter to the Town Office.
- (j) Upon receipt of the appeal the Council or a Committee of the Whole Council shall conduct a hearing within 30 calendar days and render a decision to (a) uphold the appeal and direct that the license or permit be issued or reinstated, or (b) dismiss the appeal, and the decision shall be final.
- (k) When a Taxi Driver Permit has been refused or cancelled or suspended in accordance with Section 5(f), the person so affected may, within 30 days, appeal such action to the Council by notifying the Council of the intention to appeal
  - (i) By personally delivering or giving written notice

(ii) By mailing a double registered letter to the Council.  
 Upon receipt of the appeal the Council shall conduct a hearing within 30 calendar days and render a decision to (a) uphold the appeal and direct that the permit be issued or reinstated, or (b) dismiss the appeal, and the decision of the Council shall be final.

(l) The holder of a Taxi Driver permit shall forthwith:

- (i) Report the loss or theft of his permit to the Town Office
- (ii) Surrender his permit to the Town Office when he ceases his employment as a taxi cab driver in the Town of Daysland, or
- (iii) Surrender his permit to the Town Office when such permit has been cancelled or suspended.

#### **6. Mechanical Inspections:**

- (a) No owner or operator of a taxi cab shall operate a taxi without first having obtained an approved mechanical inspection check, and providing same to the License Officer. An approved mechanical check shall be obtained annually thereafter, before December 31<sup>st</sup> of the current year.
- (b) Each mechanical inspection check shall be carried out and shall be at the expense of the taxi owner or representative.
- (c) The said mechanical inspection check shall be in the form marked Schedule "B", attached hereto and made part of this By-Law, and shall be completed and signed by a Licensed Mechanic.
- (d) If the License Officer has reasonable grounds to believe that a Licensed Mechanic has certified a taxi when such taxi does not meet the requirements in reference to Schedule "B", the License Officer may refuse to accept the taxi cab mechanical inspection certificate signed by that Licensed Mechanic, and in addition may suspend or cancel the approval given to the business.

#### **7. Taxi Cab Appearance and Identification:**

- (a) All taxi cabs, with the exceptions of Handi-vans, Shuttle-buses, and Limousines, shall prominently display on the exterior, the name of the company and phone number that the taxi cab is associated with. This includes each side of the taxi cab.
- (b) All taxi cabs, with the exceptions of Handi-vans, Shuttle-buses, and Limousines shall be equipped with a light mounted on the roof of the taxi cab identifying the taxi company by name and/or telephone number.
- (c) Each taxi cab business, with the exceptions of Handi-van, Shuttle-bus, and Limousines businesses, shall have each of their taxi cabs painted a similar color or color scheme, and an illuminated roof light of a colour or design, to identify the taxi company, which shall be different from the other taxi cab companies.

#### **8. General Regulations:**

- (a) Every taxi cab owner
  - (1) Shall ensure that all persons operating the taxi cab are in possession of a current and valid driver's license for the operation of a taxi cab and a current and valid Taxi Driver Permit.

- (2) Or taxi cab driver shall, upon being requested by a License Officer, give full information concerning the address of a house or place to or from which any passenger has been driven.
- (3) Shall ensure all taxi cabs operating within the Town will be maintained in a clean and sanitary condition at all times.
- (4) Shall ensure that each of his taxi cabs and/or lease owner/operators taxi cabs are equipped with a taxi meter or other device to properly record/or display the existing tariffs.
- (5) Install the taxi meter or device in such taxi so that it is illuminated and that the fare can be read at all times by a passenger in the front and rear of such taxi cab.
- (6) Shall upon demand by a License Officer or Peace Officer submit the taxi cab with the meter or device for inspection and accuracy testing.
- (7) Notwithstanding the foregoing, clauses 8(a) (4), (5) and (6) shall not apply to Limousine owners, Handi-van owners, and Shuttlebus owners.
- (b) Every taxi driver shall
- (1) Prominently display his Taxi Driver's permit in such a position inside the taxi that is clearly visible to all passengers in the taxi.
  - (2) Be neatly dressed, clean, well-behaved and courteous to passengers.
  - (3) Check the taxi and if he finds any article of value lost or left therein, deliver the same to the owner, if known. All unclaimed property of value shall be delivered to the Town Office.
  - (4) Unless otherwise directed by a passenger, drive passengers by the most direct practicable route to their destination.
  - (5) Whenever requested by a passenger, issue a receipt for the amount of the taxi fare paid by such passenger.
  - (6) Be entitled to refuse a person as a customer if such a person:
    - (i) Is drunk or disorderly,
    - (ii) Is indebted to the taxi driver or the taxi owner with which the taxi is affiliated,
    - (iii) Is apparently unable to pay for the taxi service requested,
    - (iv) Requests the taxi driver to carry an animal or any baggage which might be detrimental to the repair, cleanliness or sanitary condition of the taxi, with the exception of a blind person's guide dog.
    - (v) Requests the taxi driver to carry any passengers or baggage which the taxi is incapable of carrying.
- (c) Every Taxi Driver shall not:
- (i) Operate or be in charge of a taxi cab while his ability to drive a motor vehicle is impaired by alcohol or drugs,
  - (ii) Carry or allow to be carried in a taxi cab, alcohol to be consumed in the taxi cab, or by the operator on duty,
  - (iii) Carry or allow to be carried in a taxi cab, alcohol for delivery unless the necessary permit has first been obtained from the Alberta Gaming and Liquor Commission.

- (iv) Carry more, at any one time in a vehicle than the number of passengers equal to the maximum insured capacity of the taxi cab
- (v) Carry any passenger who is under the influence of any intoxicant while his taxi cab is occupied by a person who is not accompanying the person so under the influence except with the express consent of the person not so under the influence.
- (vi) Carry any passenger while on duty or subject to call, other than the person or persons employing his services, unless first approved by that person or persons employing his services.
- (vii) Overcrowd a public taxi cab stand, nor back into the same, nor push or displace any taxi cab already at the stand.

9. No taxi licensee shall suffer, allow or permit a radio scanner or any device capable of monitoring the radio signals of any other taxi licensee to be installed or carried in any taxi or taxi office.

**10. Tariffs:**

No person shall operate a taxi or allow a taxi to be operated within the Town unless there is posted at a location inside the taxi, so as to be clearly visible to passengers, a tariff card which shows the applicable fees and charges for taxi services including but not limited to:

- (a) Rates per flag
- (b) Rates per kilometer
- (c) Rates per waiting time or elapsed time
- (d) Flat rates or per trip rates

**11. Business License Fees and Permit Fees:**

- (a) Taxi Business License fee - \$20.00 per calendar year (or as established by by-law of the Town from time to time)
- (b) Taxi Driver Permit fee - \$20.00 per calendar year (or as established by the Town Office from time to time)

**12.**

- (a) Any person who contravenes any provision of the By-Law is guilty of an offence and liable upon Summary Conviction to a fine of not exceeding \$2,500.00.
- (b) If a person charged with an offence under this ByLaw is alleged to have contravened a provision that is referred to in Schedule "C" attached to and forming this ByLaw, the minimum fine upon conviction by a court shall be the amount set out in Schedule "C" opposite the description of the offence, under the column entitled "Payment Acceptable in Lieu of Prosecution".
- (c) Notwithstanding any other provisions for penalties in this ByLaw, a License Officer or Peace Officer may, in lieu of laying an information in respect to the alleged breach, issue a voluntary penalty for each offense to the accused in respect to the said breach and the accused may within seven (7) days of the issuance of such ticket pay such amount.
- (d) In the event the prescribed voluntary penalty is not paid within the time allotted herein the License Officer or Peace Officer may thereafter lay an information in respect to the offense for which the voluntary penalty ticket was issued.

13. Any Peace Officer or License Officer who has reasonable grounds to believe that any person has contravened any provisions of this By-Law may:

- (a) Serve upon such person a summons for the breach of any Sections stated in this Bylaw;
- (b) Serve upon such person an offence ticket allowing payment of the specified penalty for the breach of any other section of this By-Law, allowing the payment of the specified penalty to the Town which shall be accepted by the Town in lieu of prosecution for the offence;
- (c) Seize and take possession of any permits where the same are cancelled, suspended, or otherwise required to be returned to the Town.

14. This By-Law will come into force January 1<sup>st</sup>, 2013.

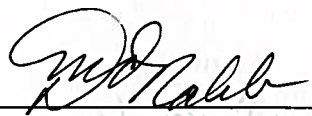
READ a FIRST time in COUNCIL Nov. 14, 2012

  
\_\_\_\_\_  
MAYOR.

  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER.

READ a SECOND time in COUNCIL Nov. 14, 2012

READ a THIRD time and FINALLY PASSED in COUNCIL Nov. 14, 2012

  
\_\_\_\_\_  
MAYOR.

  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER.





**APPLICATION FOR TOWN OF DAYSLAND  
TAXI DRIVER'S PERMIT**

**BY-LAW# 2012-501  
SCHEDULE "A"**

I hereby apply to the Town of Daysland for a permit to drive a taxi cab in the Town of Daysland, Alberta.

NAME: \_\_\_\_\_ PHONE NUMBER \_\_\_\_\_  
(print full name - do not use nicknames or initials)

If married female, show maiden name \_\_\_\_\_

Have you ever used any other names? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, what name(s) and state reasons: \_\_\_\_\_  
\_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ PROVINCE OF BIRTH \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
(give full residential address. do not use Postal Box No. or General Delivery)

Have you resided at this address for the past three years? \_\_\_\_\_ If no, state addresses for past three years from date of this application: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ALBERTA DRIVER'S LICENCE # \_\_\_\_\_ CLASS \_\_\_\_\_ EXPIRY DATE: \_\_\_\_\_

Have you ever held a Driver's Licence issued by a Province other than Alberta? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, when and what Province? \_\_\_\_\_

DRIVING ABSTRACT FROM MOTOR VEHICLE DIVISION REQUIRED. ATTACHED? \_\_\_\_\_

NAME OF TAXI COMPANY PRESENTLY EMPLOYED WITH \_\_\_\_\_

*I certify that the information given is true to the best of my knowledge and belief.*

DATE OF APPLICATION: \_\_\_\_\_ SIGNATURE OF APPLICANT \_\_\_\_\_  
\*\*\*\*\*

APPLICATION APPROVED: \_\_\_\_\_ DENIED \_\_\_\_\_ DATE: \_\_\_\_\_

REASON APPLICATION DENIED IF APPLICABLE \_\_\_\_\_  
\_\_\_\_\_

PERMIT NO. \_\_\_\_\_ DATE ISSUED \_\_\_\_\_

EXPIRES: \_\_\_\_\_ or on expiry date of Driver's Licence whichever date comes first, unless sooner cancelled.

Chief Administrative Officer

\*\*\*\*\*  
PARTICULARS OF CANCELLATION OR SUSPENSION: ON \_\_\_\_\_ TOWN OF DAYSLAND TAXI  
(date)

DRIVER PERMIT NO. \_\_\_\_\_ ISSUED IN THE NAME OF \_\_\_\_\_

WAS CANCELLED \_\_\_\_\_ OR SUSPENDED \_\_\_\_\_ PERMIT NO. \_\_\_\_\_ RETURNED

TO TOWN OF DAYSLAND (office) AND IS ATTACHED TO THIS FORM: YES \_\_\_\_\_ NO \_\_\_\_\_ (IF

NO EXPLAIN) \_\_\_\_\_  
\_\_\_\_\_

Chief Administrative Officer



**TOWN OF DAYSLAND  
BY-LAW #2012-507  
SCHEDULE "B"**

**TAXI CAB MECHANICAL INSPECTION REPORT**

OWNER \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE NUMBER \_\_\_\_\_

YEAR \_\_\_\_\_ MAKE \_\_\_\_\_ MODEL \_\_\_\_\_

SERIAL # \_\_\_\_\_ LICENCE \_\_\_\_\_ ODOMETER \_\_\_\_\_

TAXI-CAB COMPANY \_\_\_\_\_ COLOR \_\_\_\_\_

**MECHANICAL INSPECTION**

OK	REPAIR	BRAKES	OK	REPAIR	STEERING
		PEDAL FREE PLAY			TIE ROD ENDS
		MASTER CYLINDER			IDLER ARM
		BRAKE HOSES-FRONT			LOWER BALL JOINTS
		BRAKE HOSES-REAR			STEERING BOX
		VISUAL LEAKS-FRONT			CONTROL ARM BUSHING
		VISUAL LEAKS-REAR			SHOCK ABSORBERS
		PARKING BRAKE			STEERING ABILITY ON ROAD TEST
		BRAKING ABILITY ON ROAD TEST			
OK	REPAIR	TIRES	OK	REPAIR	EXHAUST SYSTEM
		FRONT - LEFT			MANIFOLD
		FRONT - RIGHT			EXHAUST PIPE
		REAR - LEFT			MUFFLER
		REAR - RIGHT			TAIL PIPE
		SPARE			SUPPORTS
		BALANCE			COMMENTS:
		ALIGNMENT			
		WHEEL BEARINGS			
		AXLE BEARINGS			
OK	REPAIR	LIGHTS - FRONT	OK	REPAIR	LIGHTS - REAR
		Signals			Signals
		4 - Way Flashers			4 - Way Flashers
		Parking Lights			Tail Lights
		Side markers			Side markers
		Headlights - High			Brake Lights
		Headlights - Low			Backup Lights

Page 2. - Taxi Cab Mechanical Inspection Report

OK	REPAIR	Other	OK	REPAIR	Other
		Horn			Hood Latch
		Door Latches			Wipers
		Washers			Signal Light Indicators
		Mirrors			Heater
		Seatbelts			Glass
		Speedometer			Bumpers

General Comments: (vehicle body condition etc).

I HEREBY CERTIFY THAT THE VEHICLE DESCRIBED HAS BEEN MECHANICALLY INSPECTED AND HAVE INDICATED THAT THE ITEMS TO BE INSPECTED ARE EITHER ON ORDER OR NOTED FOR REPAIR.

MECHANIC \_\_\_\_\_

COMPANY \_\_\_\_\_

CERTIFICATE # \_\_\_\_\_

SIGNATURE \_\_\_\_\_ INSPECTION DATE: \_\_\_\_\_

\*\*\*\*\*  
 If the License Officer has reasonable grounds to believe that a Licensed Mechanic has certified a taxi when such taxi does not meet the requirements in reference to Schedule "B"; the License Officer may refuse to accept the taxi cab mechanical inspection certificate signed by that Licensed Mechanic, and in addition may suspend or cancel the approval given to the business.

If the License Officer or a Peace Officer is of the opinion, at any time, that the condition of a taxi does not comply with Schedule "B", the License Officer or a Peace Officer may direct the owner or representative of the owner to have the taxi inspected by a Licensed Bus Inspector at a location specified by the License Officer or a Peace Officer, immediately, and at the expense of the Taxi owner.

TOWN OF DAYSLAND  
 BY-LAW #2012-507  
 SCHEDULE "C"

<u>Description of Offence</u>	<u>By-Law Section</u>	<u>Payment Acceptable in Lieu of Prosecution</u>
1 (a) Operate taxi without holding subsisting taxi driver permit	5 (a)	\$100.00
(b) Taxi owner permitting a taxi driver to operate a taxi without a taxi driver permit	8(a)(1)	\$500.00
2. Taxi Driver permit not properly displayed	5 (h)8 (b)(1)	\$ 25.00
3. Carry on taxi business without taxi business license	4 (a)	\$500.00
4. Failure to make taxi available for inspection	6 (e)	\$ 50.00
5. Taxi not equipped with illuminated light on roof or improperly identified	7 (b)(c)	\$100.00
6. Name of taxi business, or telephone number, not displayed or improperly displayed	7 (a)	\$ 25.00
7. Use taxi prior to inspection	6 (a)	\$250.00
8. Fail to display tariff card.	8(b)(1)10	\$ 50.00
9. Improper fee charged	10	\$ 50.00
10. Fail to supply list of drivers	4 (c) 8(a)(7)	\$ 50.00
11. Fail to provide receipt to passenger	8 (b) (5)	\$ 25.00
12. Failure to operate taxi in clean and sanitary condition	8 (a)(3)	\$ 25.00
13. No taxi meter or device to properly record/or display existing tariffs	8 (a)(4)	\$100.00
14. Taxi meter or device not plainly visible to passengers	8 (a)(5)	\$ 50.00

TOWN OF DAYSLAND  
BY-LAW #2012-507  
SCHEDULE "D"

TOWN OF DAYSLAND TAXI DRIVER PERMIT

In accordance with the provisions of the Town of Daysland Taxi By-Law, the person named hereunder is permitted to drive a taxi-cab in the Town of Daysland, Alberta.

\_\_\_\_\_  
(First Name Only)

\_\_\_\_\_  
(First Initial Last Name Only)

Taxi Driver Permit No. \_\_\_\_\_ Expires \_\_\_\_\_

Issued \_\_\_\_\_ by \_\_\_\_\_  
(Date) (Chief Administrative Officer)

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**This Permit must be produced to any License Officer upon demand.**

**This Permit must be prominently displayed in the taxi clearly visible to all passengers and must be produced to any passenger or fare upon demand.**

**This Permit may be cancelled or revoked for cause by the Town Office.**

**If this Permit is lost Permittee is required to report such loss forthwith to the Town Office.**

**I am aware of the above conditions of this Taxi Driver Permit.**

\_\_\_\_\_  
(Signature of Permittee)