

29 130

TAXI BYLAW

1. This By-law shall be known and may be cited as the "Taxi By-law" of the Town of New Glasgow.
2. In this By-law, unless the context otherwise requires:
 - (a) "Taxi Cab" has the meaning given to it by the Motor Vehicle Act;
 - (b) "Town" means the Town of New Glasgow;
 - (c) "Vehicle" has the meaning given to it by the Motor Vehicle Act.
3. (1) No person shall engage in the business of transporting persons by vehicle for compensation, without a valid taxi operator's license in respect of such vehicle, issued under this By-law, hereinafter called a "taxi operator's license".

(2) No person shall drive a taxi cab to transport persons for compensation without a valid taxi driver's license issued under this By-law, hereinafter referred to as a "taxi driver's license".

(3) No taxi driver shall operate a taxi except under the employ and jurisdiction of a licensed taxi operator.
4. Every application for a license under this By-law shall be made in writing, on a form provided therefor by the Town Clerk and signed by the person applying therefor.
5. (1) The application shall contain:
 - (a) the full name and address of the applicant;
 - (b) a description of the vehicle to be used, giving the registration or other number sufficient to identify it;
 - (c) the age of the applicant;
 - (d) the number of years during which the applicant has been driving;
 - (e) the registration number of the applicant's chauffeurs license then in force;
 - (f) proof of insurance in force on the vehicle to be operated, with the name of the Insurance Company and the number of the policy and all relevant particulars thereto;
 - (g) a statement of any criminal or motor vehicle related convictions against the applicant or any loss or suspension of driving privileges, either within the Province of Nova Scotia or elsewhere
(2) It shall be an offence for a person to make a false statement in any such application.

6. Every person who holds a license under this By-law, whether owner or driver, shall at all times while engaging in the taxi cab business or driving a taxi cab for compensation,

- (a) hold a Class 4 Driver's License issued pursuant to the provisions of the Motor Vehicle Act of Nova Scotia.
- (b) have in force on the vehicle licensed and operated, public liability, property damage and cargo/passenger hazard insurance in the following minimum amounts:
 - (i) at least \$1,000,000 (exclusive of pre-judgment interest and taxed costs) for loss or damage resulting from bodily injury to or death of one or more persons in any one accident; and
 - (ii) at least \$5,000.00 (exclusive of pre-judgment interest and taxed costs) for loss or damage to property, carried in or upon the taxi cab, resulting from any one accident.
- (c) keep the vehicle with respect to which the license is in force, in clean condition and excellent mechanical condition while in use as a taxi cab.

7. Every application shall be deposited with the Town Clerk and shall be accompanied by the license fee required by this By-law.

8. The Clerk shall refer the application to the Chief of Police as traffic authority. The applicant shall produce to the Chief of Police the appropriate approval sticker issued pursuant to the Motor Vehicle Act of Nova Scotia indicating that the vehicle has been inspected and complies with the requirements of the Motor Vehicle Act and Regulations. The Chief of Police shall submit his recommendation as to whether the License should be issued.

9. (1) All applications for licenses as described herein shall be considered by Council.

(2) A license shall not be granted if

- (a) the application has not been completed in full;
- (b) the amount of the license fee has not been paid to the Town Clerk;
- (c) the insurance coverages required by Section 6 are not in effect;
- (d) the vehicle is not in clean condition or in excellent mechanical condition;

- (e) the applicant has been convicted within the preceding five years of any offence under the Criminal Code involving a motor vehicle, or under the Liquor Control Act for an offence involving a motor vehicle, or the Excise Act (Canada), or sustained a loss or suspension of driving privileges under the Motor Vehicle Act for more than 14 days within the preceding two years.

10. A license issued under this By-law shall be valid until the first day of May next following its issue, unless sooner revoked or suspended.

11. (1) A Traffic Authority may suspend, for such period not exceeding one year as he may determine, or may revoke any license issued under this By-law for any of the following reasons:

- (a) that the insurance required by Section 6 hereof is no longer in effect;
- (b) that the vehicle operated under the license has not been kept in clean condition or in excellent mechanical condition;
- (c) that the licensee has since the date of issue of the license been convicted of an offence under the Criminal Code involving a motor vehicle, an offence under the Liquor Control Act involving a motor vehicle, an offence under the Excise Act (Canada), or sustained a loss or suspension of driving privileges under the Motor Vehicle Act, for more than fifteen (15) days.
- (d) that the Applicant provided a false statement in or in support of the application for license.

(2) The person whose license has been suspended or revoked may appeal from the decision of the Traffic Authority to the Town Council of New Glasgow, and the said Council may either

- (a) approve the action of the Traffic Authority, or
- (b) vary the action of the Traffic Authority, or
- (c) allow the appeal and set aside the action of the Traffic Authority.

12. Council shall consider and rule upon any application for license within forty-five (45) days of receipt of completed application by the Town Clerk.

13. (1) Every taxi cab shall have prominently displayed on its exterior a sign bearing the word "taxi", which sign shall be lighted after dark and shall be clearly visible at all times from a distance of two hundred feet.

(2) Every taxi cab shall have prominently displayed within view of the passengers, the name of the owner, the name of the driver, and a recent photograph of the driver.

14. The Traffic Authority for the Town of New Glasgow under authority of Section 132(1) of the Motor Vehicle Act shall from time to time specify places within the Town to be taxi cab stands and to so designate the taxi cab stands by appropriate signs. Upon designation of taxi cab stands all taxi cabs when not actually hired shall park at designated taxi cab stands only and refrain from parking on any other public highway or street within the Town, except that this provision shall not prevent the driver of any taxi cab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

15. The amount of the annual license fees shall be as follows:

- (a) for a taxi operator's license the sum of \$ 5.00 plus \$ 25.00 for each registered taxi cab operating under the said license;
- (b) for a taxi driver's license the sum of \$ 5.00.

16. (1) No license under this By-law shall be transferable.

(2) A taxi operator's license shall specify each vehicle registered as a taxi cab and a license shall be issued for each such specific vehicle with the description thereon.

17. Nothing in this By-law shall apply to a bus, a public utility as defined in the Public Utilities Act, or a taxi principally carrying on business outside the Town of New Glasgow and which only operates within the Town of New Glasgow on an incidental basis while picking up or dropping off customers.

18. Any person who violates any of the provisions of the By-law shall be liable on conviction to a penalty of not more than Five Hundred Dollars (\$500.00).

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for
approval of the Minister
James D. W. Wallace
APPROVED this 27th
of July, 1988
A. L. Stirling

I, J. K. Langille, Clerk of the Town of New Glasgow do hereby certify that the foregoing is a true copy of a by-law duly passed at a duly called meeting of the Town Council of the Town of New Glasgow duly convened and held on the 20th day of June, A.D., 1988.

GIVEN under the hand of the Town Clerk and under the Corporate Seal of the said Town this 11th day of July, A.D., 1988.

J. K. Langille
J. K. Langille

AMENDMENT TO TAXI BYLAW


The Taxi Bylaw of the Town of New Glasgow is hereby amended as follows:

1. By including in Section 2 the following:
 - (d) Chief Administrative Officer means the Chief Administrative Officer for the Town of New Glasgow.
 - (e) Traffic Authority means the Traffic Authority for the Town of New Glasgow including the Deputy Traffic Authority for the Town of New Glasgow.
2. By replacing the words "Town Clerk" and "Clerk" throughout the bylaw with the words "Chief Administrative Officer".
3. By repealing Section 8 and substituting the following section therefor:
 - 8 (1) The Council shall appoint the Traffic Authority to carry out the duties prescribed for that office by this bylaw.
 - (2) The Chief Administrative Officer shall have the general control, supervision and direction over the Traffic Authority carrying out any of the various duties set out in this bylaw.
4. By repealing Section 9(1) and substituting the following subsection therefor:
 - 9 (1) The powers and duties of the Traffic Authority shall be to;
 - a. report to the Chief Administrative Officer respecting the performance of the duties under this bylaw whenever required by the Chief Administrative Officer to do so;
 - b. make all necessary inquiries concerning applications for licenses;
 - c. examine or cause to be examined all applicants for drivers' licenses as to their ability to operate a vehicle for transporting passengers for hire and as to their compliance with all requirements of this bylaw;
 - d. examine or cause to be examined every vehicle to be used as a taxi cab;

- e. keep a register of all licenses granted under the authority of this bylaw containing the name and complete mailing address of each applicant and the date upon which the license was issued;
 - f. issue any license required by this bylaw provided the terms of this bylaw have been met;
 - g. determine by inspection and inquiry from time to time whether licensees and licensed vehicles continue to comply with the provisions of all applicable laws;
 - h. cause to be prosecuted in appropriate cases, persons who offend against any of the provisions of the law and of this bylaw.
 - i. any other duties and powers set out elsewhere in this bylaw.
5. By repealing Section 12 and substituting the following section therefor:
12. Any application for license shall be considered and ruled upon within 45 days after receipt of the application pursuant to Section 7 of this bylaw.
6. By replacing the amount of "\$5.00" in line 1 of Clause (a) of Section 15 with "\$25.00".
7. By replacing the amount of "\$5.00" in line 1 of Clause (b) Section 15 with "\$25.00".

I, Gary R. Rankin, CAO/Town Clerk of the Town of New Glasgow, do certify that the foregoing is a true copy of a bylaw duly passed at a duly called meeting of the Town Council duly convened and held on the 17th day of December, 2001.

Given under the hand of the CAO/Town Clerk and under the seal of the said Town this 21st day of December, 2001.


CAO/Town Clerk

TOWN OF NEW GLASGOW TAXI BYLAW AMENDMENT

1st Reading - November 19, 2001

Advertisement of Intent to Consider - November 23, 2001

2nd Reading - December 17, 2001

Publication - December 29, 2001