

CITY OF AIRDRIE
PROVINCE OF ALBERTA
BYLAW NO. B-55/2009

Being a bylaw of the City of Airdrie to provide for the licensing
of taxis and limousines.

WHEREAS under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, City Council may pass bylaws respecting business, business activities and persons engaged in business;

AND WHEREAS under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, City Council may pass bylaws respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS City Council may regulate or prohibit any business and provide for a system of licenses, permits or approvals;

AND WHEREAS City Council deems it desirable to regulate taxis and limousines within the City of Airdrie;

NOW, THEREFORE, the Municipal Council of the City of Airdrie in Council duly assembled enacts as follows that:

SHORT TITLE

1. This Bylaw may be cited as the "Taxi Bylaw".

INTERPRETATION

Definitions

2. In this Bylaw, the following terms will have the following definitions:
 - a) **"Appeal Board"** means the General Appeal Board appointed by the City of Airdrie Council.
 - b) **"Application"** means a written application for a Broker License, Taxi License, or Chauffeur License and includes an application to renew, transfer or amend any of the above-noted licenses;
 - c) **"Broker"** means an individual or company who owns and operates a business providing Taxi or Limousine service;
 - d) **"Broker License"** means a license issued to a Broker;
 - e) **"Business Location"** means the premises used or occupied by any person in the conduct of a business;
 - f) **"Chauffeur"** means a person who drives a Taxi or Limousine;
 - g) **"Chief License Inspector"** means the Director of Community Safety, or the designate of that person;
 - h) **"City"** means the City of Airdrie or, where the context permits, the area contained within the corporate boundaries of the City of Airdrie;

- i) **“Criminal Record Check”** means a criminal record check obtained from the Royal Canadian Mounted Police or another Police Service in the Province of Alberta;
- j) **“Driving Record”** means the driving record of a motor vehicle driver issued by or under the authority of the Province of Alberta;
- k) **“Garage”** means a facility licensed to repair motor vehicles that has been certified by the Chief License Inspector for the purposes of this Bylaw;
- l) **“License Inspector”** means a License Inspector employed by the City, a Peace Officer and, where the context permits, includes the Chief License Inspector;
- m) **“Limousine”** means a vehicle used in the operation of a Limousine Service;
- n) **“Limousine Service”** means a vehicle used to convey persons for a fee, where such vehicle is a full size luxury class vehicle with at least four doors, not equipped with a taximeter, and having standard seating capacity for at least five (5) adult persons excluding the Chauffeur;
- o) **“Peace Officer”** means any member of the Royal Canadian Mounted Police, a Peace Officer, a Community Peace Officer and a Bylaw Enforcement Officer of the City;
- p) **“Person”** means a natural person or a body corporate and includes a partnership, a group of persons acting in concert, or an association, unless the context explicitly or by necessary implication otherwise requires;
- q) **“Public Conveyance”** means a Taxi or Limousine;
- r) **“Service Animal”** means an animal that has been trained and certified to assist a person with disabilities;
- s) **“Taxi”** means a vehicle equipped with a Taximeter used to convey persons for a fee;
- t) **“Taxi License”** means a license issued pursuant to the provisions of this Bylaw;
- u) **“Taximeter”** means a device which calculates the fare to be charged for use of a Taxi on the basis of distance travelled, time elapsed or both;
- v) **“Violation Ticket”** means a violation ticket as defined in the Provincial Offenses Procedures Act (Alberta).

BROKER LICENSE

- 3.1 No Broker shall operate a Public Conveyance service in the City unless that Broker is in possession of a valid City business license.
- 3.2 No Broker shall operate a Public Conveyance service in the City unless that Broker is in possession of a valid of City Broker License.
- 3.3 All Broker Licenses shall expire at midnight on March 31st of each year.
- 3.4 An applicant for a Broker License, shall provide to the Chief License Inspector:
 - a) a list of the motor vehicles to be used by the applicant;

- b) a list of all Chauffeurs to be employed or engaged by the applicant or otherwise used in the applicant's business, including their full names, addresses and Alberta driver's license numbers;
 - c) the Broker License fee as set out in Schedule "A" of this Bylaw; and
 - d) any other information required by the Chief License Inspector.
- 3.5 A Broker shall inform the Chief License Inspector within seventy-two (72) hours of any addition to or deletion from either list furnished.
- 3.6 Every Broker shall, not later than the 3rd day of each month, deliver to the Chief License Inspector a list of Chauffeurs employed by that person as of the last day of the preceding month.
- 3.7 Each Broker shall maintain and provide a dispatch system, which:
- a) ensures a staffed twenty-four (24) hour a day on each day in a year providing prompt service except where adverse weather or road conditions or extreme workloads preclude the supply of service; and
 - b) maintains a two-way radio communications network between all taxis used in the business that are on duty for as long as those taxis remain on duty.
- 3.8 A Broker shall at all times ensure that all Public Conveyances owned by or affiliated with that person's business are clean, in good condition and mechanically maintained so as to be safe and suitable for use by the public.

CHAUFFEUR LICENSE

- 4.1 No person shall operate a Public Conveyance in the City unless that person is in possession of a valid Chauffeur License issued by the City.
- 4.2 All Chauffeur Licenses shall expire at midnight on March 31st of each year.
- 4.3 Every Broker shall ensure that each Chauffeur employed in operating any Public Conveyance is in possession of a current Class 4 Alberta driver's license and a Chauffeur license.
- 4.4 No person shall operate a Public Conveyance unless his or her Chauffeur License is openly and prominently displayed at all times in the vehicle in such a manner as to be visible to passengers.
- 4.5 In determining whether to issue a Chauffeur License, the Chief License Inspector shall request a Driver's Abstract and Criminal Records Check for each chauffeur and any other information as determined by the Chief License Inspector.
- 4.6 In determining the suitability of an applicant to operate a Public Conveyance, the Chief License Inspector shall consider the driving record, criminal record, character and state of health of any applicant for a Chauffeur License and shall, in his sole discretion, approve, refuse or revoke the same.
- 4.7 No Chauffeur License or renewal shall be issued to any person who:
- a) has been convicted under the *Criminal Code of Canada* within the five (5) year period immediately preceding the date of application of:
 - i) a sexual offence or offence relating to the corruption of public morals;
 - ii) an offence relating to homicide, assault, kidnapping, arson or abduction;

- iii) an offence relating to robbery or extortion; and
 - iv) an offence of criminal negligence, dangerous driving, impaired driving, operating a motor vehicle with a blood alcohol content over eighty (80)mg per one hundred (100) ml of blood, refusing to provide samples of breath or driving whilst his or her driver's license is suspended;
- b) has been convicted under the *Criminal Code of Canada*, or the *Controlled Drugs and Substances Act* or any successor legislation within the three (3) year period immediately preceding the date of application, of any offence not described in subsection 5.6(a);
 - c) has been charged with any offence under the *Criminal Code of Canada* or the *Controlled Substances Act* until the charge has been withdrawn or the matter is otherwise dealt with in a manner which does not result in a conviction;
 - d) in the opinion of the Chief License Inspector, has been convicted of an excessive number of offences under the *Traffic Safety Act*, or any successor legislation, and/or any Bylaw of the City;
 - e) has received three (3) complaints, that have been determined justified by the Chief License Inspector in any twelve (12) month period.
- 4.8 When an individual with an existing Chauffeur License has been charged with an offence under the *Criminal Code of Canada* or the *Controlled Substances Act*.
- a) the individual shall forthwith notify the Chief License Inspector of the charges;
 - b) upon receiving notification of the charges, the Chief License Inspector shall suspend the Chauffeur's License of the individual until the charge has been withdrawn or the matter is otherwise dealt with in a manner which does not result in a conviction.
- 4.9 A person applying for a Chauffeur License must have either resided within the City for at least thirty (30) days or be able to demonstrate geographic knowledge of the City to the satisfaction of the Chief License Inspector.

BROKER/CHAUFFEUR RESPONSIBILITIES

- 5.1 The Chauffeur of each Public Conveyance in the City shall:
- a) have a reasonable knowledge of the City;
 - b) be neat and clean in person and dress;
 - c) be civil and well behaved to any passenger being transported;
 - d) promptly keep all appointments or engagements and shall not knowingly accept any engagements that he or she is incapable of fulfilling;
 - e) maintain a log book in the form and manner prescribed by the Chief License Inspector;
 - f) take proper care of all baggage and personal property delivered to him or her for conveyance and shall deliver such property as directed;
 - g) after delivering a passenger to his or her destination, inspect the vehicle to determine whether or not the passenger has left any property and, if property is found, take all reasonable steps to return it to the owner;

- h) deliver to the local RCMP detachment within forty-eight (48) hours all property whose owner is unknown;
 - i) not transport a greater number of passengers than the manufacturer's recommended capacity;
 - j) not knowingly, or negligently misinform or deceive any person as to:
 - i) the time, place, arrival or departure of any Public Conveyance; or
 - ii) location of any place, structure or building;
 - k) drive all passengers (unless otherwise directed) to their destinations by the most direct route practicable,
 - l) whenever requested by a passenger, issue a receipt for the amount of the fare paid by such passenger,
 - m) not refuse to serve any person because of his race, colour or creed; and
 - n) be able to refuse service to a passenger if the passenger is impaired by alcohol or drugs; requests that the Chauffeur carry an animal in the taxi, other than an animal that is a Service Animal; insists on smoking or persists in smoking in the Taxi; or is disorderly or abusive to the Chauffeur.
- 5.2 Every Broker or Chauffeur shall, upon being requested by a License Inspector, advise the address of any place to or from which any passenger has been driven.
- 5.3 Upon the request of a License Inspector, a Broker shall advise the name and address of the Chauffeur of any Taxi owned by him or her at any particular time.
- 5.4 No Broker or Chauffeur shall have or permit to be installed a radio scanner or similar device capable of monitoring the radio signals of any other Broker in a dispatch office or other location or carried in any Taxi.
- 5.5 Every Broker or Chauffeur shall report to the Chief License Inspector any collision causing damage to his or her vehicle no later than seventy-two (72) hours after the collision. In the event the vehicle is deemed to be unfit for service by the Chief License Inspector, the Taxi License shall be suspended until such time as any physical damage to the vehicle has been repaired and a mechanical inspection attesting to the roadworthiness of the vehicle has been provided to and accepted by the Chief License Inspector.
- 5.6 Notwithstanding any other provision of this Bylaw, a Public Conveyance in respect of which there is not a valid Taxi License, may be operated in the City provided that:
- a) the passenger or passengers in the taxi are picked up at a location outside the City; and
 - b) the operation of the Taxi while carrying passengers in the City is restricted to proceeding directly from the place where the Taxi enters the City to the location(s) where all passengers are dropped off.
- 5.7 A Broker or Chauffeur of a Taxi may refuse service to any person who is known to habitually order taxi service and subsequently is unable to pay and who refuses to make payment in advance.

TAXI LICENSES

- 6.1 No Public Conveyance shall operate in the City unless that Public Conveyance is in possession of a valid City Taxi License.
- 6.2 All Taxi Licenses shall expire at midnight on March 31st of each year.
- 6.3 An applicant for a Taxi License shall provide to the City:
- a) the name of the registered owner and proof of registration of each vehicle to be licensed for use in the business;
 - b) proof that each such vehicle is insured as required by the Province of Alberta;
 - c) a mechanical fitness report with respect to each vehicle in the form prescribed by the Chief License Inspector, completed by a licensed mechanic at a licensed garage approved by the Chief License Inspector within the period of two (2) weeks prior to the date of the application;
 - d) proof that the Taximeter has been calibrated and sealed by a person approved by the Chief License Inspector to do so within the period of two (2) weeks prior to the date of application;
 - e) the Taxi License fee as set out in Schedule "A" of this Bylaw; and
 - f) any other information required by the Chief License Inspector.
- 6.4 A Taxi License shall be affixed to the Public Conveyance in the manner prescribed by the Chief License Inspector and no person shall use a Taxi License or allow it to be used by any other person or with respect to any vehicle other than the one for which the Taxi License was issued.

TAXIMETERS

- 7.1 A Broker of a taxi service shall ensure that each taxi is equipped with a Taximeter properly calibrated and sealed.
- 7.2 The Taximeter shall reflect the fares set out in Schedule "B."
- 7.3 The Broker shall:
- a) install the Taximeter in a location and illuminate it so that the fare can be read at all times by passengers in the front and rear seats of the taxi; and
 - b) have the Taximeter tested by a person approved by the City if issued an Order to Remedy to do so by a Licence Inspector, and produce to the License Inspector within a period of thirty (30) days, a certificate that the Taximeter has been tested, is in proper working order and has been resealed.
- 7.4 A Taximeter shall be turned on and calculating a fare while transporting a passenger within the City's corporate limits.
- 7.5 A Taximeter shall be tested by a person who has satisfied the City that such a person is qualified to test such Taximeter.
- 7.6 All costs for testing and resealing a Taximeter shall be the responsibility of the Broker.

- 7.7 A Taxi Chauffeur shall not charge more than the amount of the taxi fare shown on the Taximeter.
- 7.8 A Taxi Chauffeur shall not operate a Taxi where the taxi fare shown on the Taximeter differs from the rates displayed on the Taxi.

TAXI IDENTIFICATION

- 8.1 a) A Broker of a taxi service shall register with the City, the colour or combination of colours of the Taxis operated by that Broker; and
- b) The Chief License Inspector may reject a proposed paint or colouring scheme if, in his or her opinion, it would be likely to deceive any person or cause confusion because it is similar to a paint or colouring scheme previously adopted by any other Broker of a taxi service.
- 8.2 Each Taxi shall:
- a) be painted the same colour combination that has been registered with the City by the Broker who operates it;
- b) prominently display on both sides of its exterior the name and phone number of the Broker;
- c) prominently display on both sides of the exterior of the Taxi a Taxi identification number in lettering not less than five (5) centimetres in height;
- d) display on its roof an illuminable dome light; and
- e) display on each rear door window, in a format approved by the Chief License Inspector, the current Taxi fares shown on the Taximeter and acceptable methods of payment.
- 8.3 No person shall operate a Taxi in the City with a colour scheme or identification marking of a Broker that such person does not work for or is not affiliated with.
- 8.4 If a vehicle licensed as a Taxi ceases to be licensed as a Taxi for any reason, its owner shall ensure that all markings of any kind upon or within it, which serve to identify it as a Taxi, are removed within seven (7) days of the date on which it ceases to be licensed as a Taxi.

TAXI ADVERTISING

- 9.1 Advertising material on Taxis shall be restricted to roof top advertising display units which may be placed on the roof of a Taxi provided that:
- a) signs must be standard manufactured units;
- b) illumination of advertising shall not exceed forty (40) watts of power and is non-flashing;
- c) advertising messages do not exceed forty (40) centimetres in height; and
- d) advertising is appropriate and in good taste and approved by the Chief License Inspector.

LIMOUSINES

- 10.1 No person operating a Limousine shall operate on a fixed or regularly recurring scheduled route (similar to one a bus would follow).
- 10.2 No Broker or Limousine Chauffeur shall:
- a) stand his or her Limousine in any public place or public parking lot except while under hire;
 - b) stand his or her Limousine in any taxi stand for the purpose of soliciting or obtaining passengers;
 - c) cruise roads in the City looking for passengers; or
 - d) affix any advertising to the body of any Limousine.
- 10.3 The Chauffeur of a Limousine shall always have a current written contract that was previously arranged with a client and shall produce the contract upon demand of a License Inspector.

PUBLIC CONVEYANCE INSPECTIONS AND QUALITY

- 11.1 A License Inspector may at any time inspect any Public Conveyance to determine the following:
- a) the validity of the Taxi License;
 - b) the validity of the driver's Chauffeur License;
 - c) the accuracy of a Taximeter in a Taxi;
 - d) the mechanical or physical condition of the vehicle; or
 - e) standards of repair and cleanliness of the vehicle.
- 11.2 No Broker or Chauffer shall operate or permit the operation of a Public Conveyance that does not meet the standards for physical condition, repair and cleanliness prescribed by the Chief License Inspector.
- 11.3 A License Inspector may at any time issue an Order to Remedy to require a Public Conveyance be inspected by a garage designated by the City, at such time and place as that License Inspector may designate and the vehicle owner shall deliver such Public Conveyance at the time and place so designated. All costs of the mechanical inspection shall be paid by the vehicle owner.
- 11.4 Where a Peace Officer believes, on reasonable and probable grounds, that an offence has been committed under this Bylaw in relation to a Public Conveyance, the Peace Officer may:
- a) issue an Order to Remedy;
 - b) seize the vehicle and cause it to be removed and stored at a suitable location; and
 - c) suspend and seize the Chauffeur's License and Taxi License.
- 11.5 In the event that a Public Conveyance has been seized in accordance with Section 11.4, said Public Conveyance shall be held by the City for a period of not more than fourteen (14) days unless the Public Conveyance must be released to a garage for repair.

- a) If the offence has been remedied within the said fourteen (14) days, the Public Conveyance shall be returned to the Chauffeur; and the Chauffeur shall be responsible for any and all costs associated with the seizure of the Public Conveyance.
 - b) If the offence has not been remedied within the said fourteen (14) days, the City may dispose of said Public Conveyance in the manner deemed appropriate by the Chief License Inspector. Any proceeds received from the disposition of the Public Conveyance shall be applied firstly against any costs incurred by the City with respect to the seizure and, secondly, to the Chauffeur.
- 11.6 In the event the City uses a third party facility for the storage of a seized Public Conveyance, the Chauffeur must satisfy the Chief License Inspector that all costs associated with said storage have been paid prior to the Chief License Inspector authorizing release of the Public Conveyance.

ORDER TO REMEDY

- 12.1 Any decision of a License Inspector pursuant to this Bylaw may be appealed in writing firstly to the Chief License Inspector, who will render a decision with respect to the complaint within fourteen (14) days of receipt of the complaint.
- 12.2 A Peace Officer is hereby authorized and empowered to issue an Order to Remedy to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 12.3 If the person to whom an Order to Remedy has been issued fails to comply with the Order to Remedy within the time specified therein:
- a) the City may take whatever steps are necessary to remedy the contravention of the Bylaw and the cost of doing so becomes a debt owing to the City by the person to whom the order was issued;
 - b) Any items removed pursuant to this section, if deemed of value by the City, will be removed to a place of safe keeping and will:
 - i) be assessed a daily fee for storage as may be determined from time to time by the Chief Administrative Officer; and
 - ii) if unclaimed within thirty (30) days, be sold at public auction.
- 12.4 Nothing in this Bylaw shall prevent a Peace Officer from issuing a Voluntary Payment Tag or Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

APPEAL PROCESS

- 13.1 Any decision (except one to issue a Voluntary Payment Tag or Violation Ticket) of the Chief License Inspector (in such cases where the authority is derived through delegation) pursuant to this Bylaw may be appealed:
- a) firstly, to the Chief License Inspector (Director of Community Safety); and
 - b) secondly, to the General Appeal Board

by filing a written notice of appeal with the City Clerk within fourteen (14) days of the date of the Chief License Inspector's decision.

- 13.2 An appeal filed pursuant to this Section must be in the form determined by the City Clerk and must be accompanied by the appropriate fee.
- 13.3 The General Appeal Board may confirm, revoke or modify the decision of the Chief License Inspector.

PENALTIES

- 14.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not less than Two Hundred Fifty (\$250.00) Dollars and not more than Ten Thousand (\$10,000.00) Dollars.
- 14.2 The specified fines for an offence committed pursuant to this Bylaw are set out in the attached Schedule "C."
- 14.3 In the case of an offence that is of a continuing nature, a contravention shall constitute a separate offence in respect of each day, or part of a day, on which that offence continues.

VOLUNTARY PAYMENT TAG

- 15.1 A Peace Officer is hereby authorized and empowered to issue a Voluntary Payment Tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 15.2 A municipal Voluntary Payment Tag may be issued to such person:
- a) either personally; or
 - b) by mailing a copy to such person at his last known address.
- 15.3 Where a contravention of this Bylaw is of a continuing nature, further Voluntary Payment Tags or Summons may be issued by a Peace Officer provided that no more than one (1) Voluntary Payment Tag or Summons shall be issued for each calendar day that the contravention continues.
- 15.4 Where a Voluntary Payment Tag is issued pursuant to this Bylaw, the person to whom the Voluntary Payment Tag is issued may, in lieu of being prosecuted for the offence, pay to the City the penalty specified on the Voluntary Payment Tag.
- 15.5 Nothing in this Bylaw shall prevent a Peace Officer from issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

VIOLATION TICKET

- 16.1 If the penalty specified on a Voluntary Payment Tag is not paid within the prescribed time period, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.
- 16.2 Notwithstanding any other provision of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure*

Act to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

MISCELLANEOUS

- 17.1 Nothing in this Bylaw relieves a person from complying with any federal or provincial law or regulation, other bylaw or any requirements of any lawful permit, order, consent or other direction.
- 17.2 Where this Bylaw refers to another Act, Regulation or agency, it includes reference to any Act, Regulation or agency that may be substituted therefor.

EFFECTIVE DATE

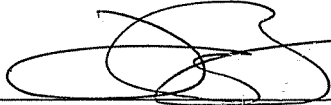
This Bylaw shall come into force and effect on February 1, 2010 with the exception of Sections 13, 14, 15, and 16 which come into force and effect on April 1, 2010.

Read a first time this 21st day of December, 2009.

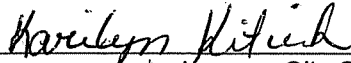
Read a second time this 21st day of December, 2009.

Read a third time this 21st day of December, 2009.

Executed this 13th day of January, 2010.



Mayor



Acting City Clerk

Schedule "A"

License Fees

<u>LICENSE TYPE</u>	<u>YEARLY FEE</u>
Taxi Broker	\$150.00
Chauffeur	\$50.00
Taxi (per vehicle)	\$50.00

Schedule "B"**Taxi Fares**

Base Fare		\$ 3.00
Transport Fare	per 110 metres	\$ 0.20
Standby or Waiting	per hour	\$40.00
Discounts off total fare	Seniors Maximum	10%
	Preferred Passengers Maximum	10%
Flat Rate	to/from Calgary International Airport	\$ 35.00

Schedule "C"**Voluntary Payment Tag**

Section	Offence	Amount
3.1	Operating without a Broker License	\$500.00
4.1	Operating without a Chauffeur License	\$500.00
5.6	Public conveyances picking up passengers within the City of Airdrie when not licensed with the City of Airdrie	\$500.00
6.1	Operating without a Taxi License	\$500.00
7.1	Failure to ensure Taximeter is properly installed, adjusted or sealed	\$500.00
	First offence – all other sections	\$250.00
	Second or subsequent offence within twelve (12) months – all sections	\$500.00