

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, Limousines and Transportation Network Companies.

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, Limousines and Transportation Network Companies 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 pursuant to Bylaw No. B-33/2007;
- 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;
Bylaw No. B-36/2008
- 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;
Bylaw No. B-36/2008
- f) "**Bylaw Enforcement Officer**" means a Person employed by the City for the purpose of enforcing City bylaws;
Bylaw No. B-27/2016
- g) "**Chauffeur**" means a Person who drives a Taxi, Limousine or a Vehicle for Hire for or in connection with a Transportation Network Company;

- h) **“Chauffeur License”** means a license issued to a Chauffeur;
Bylaw No. B-27/2016
- i) **“Chief Administrative Officer”** means the Person appointed to the position and title of City Manager by Council, or his designate.
Bylaw No. B-36/2008, Bylaw No. B-16/2014 and Bylaw No. B-27/2016
- j) **“Chief License Inspector”** means the Director of Community Safety, or the designate of that Person;
Bylaw No. B-36/2008
- k) **“City”** means the City of Airdrie or, where the context permits, the area contained within the corporate boundaries of the City of Airdrie;
- l) **“Criminal Record Check”** means a criminal record check obtained from the Royal Canadian Mounted Police or another police agency in the Province of Alberta;
Bylaw No. B-36/2008 and B-27/2016
- m) **“Council”** means the duly elected council for the City;
Bylaw No. B-27/2016
- n) **“Driving Record”** means the driving record of a Class 1, 2 or 4 motor vehicle driver issued by or under the authority of the Province of Alberta;
Bylaw No. B-13/2016 and Bylaw No. B-27/2016
- o) **“Garage”** means a facility licensed to repair motor vehicles that has been certified by the Chief License Inspector for the purposes of this Bylaw;
Bylaw No. B-27/2016
- p) **“License Inspector”** means a License Inspector employed by the City, an Officer and, where the context permits, includes the Chief License Inspector;
- q) **“Limousine”** means a vehicle used in the operation of a Limousine Service that is either a Lincoln or Cadillac, has not been altered in any way, except by the manufacturer, and has a seating capacity for at least five (5) adult persons excluding the driver;
Bylaw No. B-07/2013 and Bylaw No. B-27/2016
- r) **“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 (4) doors, not equipped with a Taximeter, and having standard seating capacity for at least five (5) adult persons excluding the Chauffeur;
- s) **“Officer”** means a Bylaw Enforcement Officer, Peace Officer or a member of the Royal Canadian Mounted Police;
Bylaw No. B-27/2016

- t) **“Peace Officer”** means a person appointed as a Peace Officer pursuant to the **Peace Officer Act**, R.S.A. 2000 Chapter P-3.5, and any amendments thereto;

Bylaw No. B-27/2016

- u) **“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;

- v) ~~**“Public Conveyance”** means a Taxi or Limousine;~~

Bylaw No. B-27/2016

- w) **“Service Animal”** means an animal that has been trained and certified to assist a Person with disabilities;

Bylaw No. B-36/2008

- x) **“Taxi”** means a vehicle equipped with a Taximeter used to convey persons for a fee;

- y) **“Taxi License”** means a license issued pursuant to the provisions of this Bylaw;

- z) **“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;

- aa) **“Transportation Network Company”** or **“TNC”** means any Person that offers or provides pre-arranged transportation services to passengers via a mobile application or other electronic service that receives requests for transportation services from prospective passengers and connects such requests to a Chauffeur operating a Vehicle for Hire;

Bylaw No. B-27/2016

- bb) **“Transportation Network Company License”** or **“TNC License”** means a license issued to a Transportation Network Company;

Bylaw No. B-27/2016

- cc) **“Transportation Network Company Chauffeur License”** or **“TNC Chauffeur License”** means a license issued to a Chauffeur who operates a Vehicle for Hire for or in connection with a Transportation Network Company;

Bylaw No. B-27/2016

- dd) **“Transportation Network Company Vehicle for Hire License”** or **“TNC Vehicle License”** means a license issued for a vehicle which is to be operated as a Vehicle for Hire for or in connection with a Transportation Network Company;

Bylaw No. B-27/2016

- ee) **“Vehicle for Hire”** means a motor vehicle used or offered for the transportation of at least one (1) passenger in return for a fee from any place within the City to a destination either within or outside of the City, and includes but is not limited to:

- i. a Taxi;
- ii. a Limousine; and
- iii. a vehicle operated for or in connection with a Transportation Network Company; and

Bylaw No. B-27/2016

- ff) **“Violation Ticket”** means a violation ticket as defined in the *Provincial Offences Procedures Act* (Alberta).

Bylaw No. B-36/2008

BROKER LICENSE (TAXIS/LIMOUSINES)

- 3.1 No Broker shall operate a Vehicle for Hire service in the City unless that Broker is in possession of a valid City business license.

Bylaw No. B-27/2016

- 3.2 No Broker shall operate a Vehicle for Hire service in the City unless that Broker is in possession of a valid City Broker License.

Bylaw No. B-27/2016

- 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;

Bylaw No. B-36/2008

- 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) A Broker shall inform the Chief License Inspector within seventy-two (72) hours of any addition to or deletion from either list furnished.

Bylaw No. B-06/2011

- b) No Chauffeur's licenses will be issued to drivers unless the Chief License Inspector has been made aware of changes to the list of Chauffeurs.

Bylaw No. B-36/2008 and Bylaw No. B-06/2011

- 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 Broker as of the last day of the preceding month.

Bylaw No. B-27/2016

- 3.7 Each Broker shall maintain a service system which:

- a) ensures twenty-four (24) hour coverage on each day in a year providing prompt service except where adverse weather or road conditions or extreme workloads preclude the supply of service;
- b) maintains a two-way communications network between all taxis used in the business that are on duty for as long as those taxis remain on duty; and

- c) must provide copies, or access to an electronic database where dispatch records are stored.

Bylaw No. B-13/2016 and Bylaw No. B-27/2016

- 3.8 A Broker shall at all times ensure that all Vehicles for Hire owned by or affiliated with that Broker's business are clean, in good condition and mechanically maintained so as to be safe and suitable for use by the public.

Bylaw No. B-27/2016

- 3.9 Any new Broker's License issued subsequent to May 16, 2016, shall only be issued if an applicant has at least three (3) licensed Taxis or Limousines registered for use in the taxi business.

Bylaw No. B-36/2008, Bylaw No. B-13/2016 and Bylaw No. B-27/2016

TAXI LICENSES (TAXI/LIMOUSINE)

- 4.1 No Vehicle for Hire shall operate in the City unless that Vehicle for Hire is in possession of a valid City Taxi License.

Bylaw No. B-27/2016

- 4.2 All Taxi Licenses shall expire at midnight on March 31st of each year.

- 4.3 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.

- 4.4 A Taxi License shall be affixed to the Vehicle for Hire 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.

Bylaw No. B-36/2008 and Bylaw No. B-27/2016

- 4.5 Sale of Vehicles to another Licensed Broker

- a) Should a licensed Broker desire to purchase another vehicle (from another licensed Broker) previously licensed in the City, the purchasing Broker shall deliver to the License Inspector, the identification tag number issued and the information concerning the vehicle to be substituted including:
 - i. Mechanical Fitness Report;
 - ii. Evidence of Registration;
 - iii. Evidence of Insurance;

- iv. Verification of Meter Lock; and
- v. Such other information as the Chief License Inspector may reasonably require to ensure conformity with this Bylaw.

Bylaw No. B-36/2008, Bylaw No. B-06/2011 and Bylaw No. B-27/2016

- b) When the Chief License Inspector is satisfied that the motor vehicle proposed to be added complies with this Bylaw and is safe, fit and suitable for use and that the above conditions have been met, he or she shall, upon payment by the Broker of the fee required in Schedule A, make changes to the vehicle record.

Bylaw No. B-06/2011

CHAUFFEUR LICENSE (TAXIS AND LIMOUSINES)

- 5.1 No person shall operate a Vehicle for Hire in the City unless that person is in possession of a valid Chauffeur License issued by the City.

Bylaw No. B-13/2016

- 5.2 All Chauffeur Licenses shall expire at midnight on March 31st of each year.

- 5.3 Every Broker shall ensure that each Chauffeur employed in operating any Vehicle for Hire is in possession of either a current Class 1, 2 or 4 Alberta driver's license and a Chauffeur License. In the event the Alberta provincial license is suspended or voided, the Chief License Inspector must be informed within five (5) working days and the Chauffeur License is also suspended or voided.

Bylaw No. B-36/2008, Bylaw No. B-06/2011, Bylaw No. B-27/2016

- 5.4 a) no Person shall operate a Vehicle for Hire 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.

Bylaw No. B-06/2011, B-36/2008 and Bylaw No. B-27/2016

- b) if a Chauffeur License is lost, misplaced or stolen, the Chauffeur must report this to the Chief License Inspector within five (5) working days. In order to obtain a replacement, the Person must re-apply with a current Driver's Abstract and Criminal Record Check.

Bylaw No. B-36/2008 and Bylaw No. B-06/2011

- 5.5 In determining whether to issue a Chauffeur License, the Chief License Inspector shall request for each Chauffeur a Driver's Abstract, a Criminal Record Check conducted by a police agency, and any other information as determined by the Chief License Inspector. A CSIS search and an international search may be required if determined by the Chief License Inspector but shall not be required if the Chauffeur has never lived outside of Canada. A Criminal Record Check shall be valid for ninety (90) days from the date of issue.

Bylaw No. B-13/2016 and Bylaw No. B-27/2016

- 5.6 In determining the suitability of an applicant to operate a Vehicle for Hire, the Chief License Inspector shall consider the driving record, criminal record, and any recommendation, including one as to character, made by the RCMP or other law enforcement agency (with respect to the safe operation of a Vehicle for Hire) of any applicant for a Chauffeur License and shall, in his or her sole discretion, approve, refuse or revoke the same. The Chief License Inspector does not have the expertise or authority to interpret or override any recommendation made by the RCMP or other law enforcement agency. Applicants must disclose any pending charges under the *Criminal Code of Canada* or the *Controlled Drugs and Substances Act*.

Bylaw No. B-36/2008, Bylaw No. B-13/2016 and Bylaw No. B-27/2016

5.7 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 five (5) year period immediately preceding the date of application, of any offence not described in subsection 5.7(a);

Bylaw No. B-06/2011 and Bylaw No. B-27/2016
- c) has been charged with any offence under the *Criminal Code of Canada* or the *Controlled Drugs and 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;

Bylaw No. B-36/2008
- d) in the opinion of the Chief License Inspector, has been convicted of an excessive number of offences that could pose a risk to public safety under the *Traffic Safety Act*, or any successor legislation, and/or any Bylaw of the City; or

Bylaw No. B-16/2014
- e) has received three (3) complaints that have been determined justified by the Chief License Inspector in any twelve (12) month period.

5.8 When an individual with an existing Chauffeur License has been charged with an offence that could pose a risk to public safety under the *Criminal Code of Canada* or the *Controlled Drugs and Substances Act*.

Bylaw No. B-36/2008 and Bylaw No. B-16/2014

- 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.

5.9 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.

5.10 An individual may, when facing a denial, revocation or suspension of their Chauffeur License, make written representations to the Chief Administrative Officer in support of their case within fourteen (14) days prior to the final decision being issued by the Chief License Inspector to deny, revoke or suspend the Chauffeur License. The Chief Administrative Officer shall issue a written decision, including reasons, for the denial, revocation or suspension of the Chauffeur License within fourteen (14) days of receiving the individual's submission. The Chauffeur License shall be temporarily suspended during the time the matter is being reviewed and up until such time a decision is made by the Chief Administrative Officer or, upon further appeal, the Appeal Board. If

the decision by the Chief License Inspector is upheld by the Chief Administrative Officer to deny, revoke or suspend a Chauffeur Licence, the individual may then make a written application to the Appeal Board within fourteen (14) days of receipt of the notice of the Chief Administrative Officer's decision together with grounds for the appeal and the appeal fee as determined by the City Clerk.

Bylaw No. B-16/2014 and Bylaw No. B-27/2016

5.11 The Appeal Board shall:

- a) hold a hearing within thirty (30) days after receipt of the notice of appeal;
- b) ensure that the notice of hearing is mailed to the appellant at least five (5) days prior to the date of the hearing; and
- c) consider each appeal having due regard to the circumstances and merits of the case and to this Bylaw.

Bylaw No. B-27/2016

5.12 When hearing an appeal, the Appeal Board shall be governed by the rules and procedures established for the Subdivision and Development Appeal Board.

Bylaw No. B-27/2016

BROKER/CHAUFFEUR (TAXI, LIMOUSINE) RESPONSIBILITIES

6.1 No Chauffeur License will be issued unless currently employed by a recognized licensed Broker in the City. If the driver becomes unemployed by a licensed Broker, the license becomes void and he/she must surrender the Taxi License to the Chief License Inspector within five (5) working days of unemployment.

Bylaw No. B-36/2008 and Bylaw No. B-06/2011

6.2 The Chauffeur of each Vehicle for Hire in the City shall:

Bylaw No. B-27/2016

- a) successfully complete an assessment of geographical knowledge of the City of Airdrie;

Bylaw No. B-07/2013

- b) be neat and clean in person and dress;

Bylaw No. B-06/2011

- c) be civil and well behaved to any passenger being transported;

Bylaw No. B-06/2011

- d) promptly keep all appointments or engagements and shall not knowingly accept any engagements that he or she is incapable of fulfilling;

Bylaw No. B-06/2011

- e) maintain a log book showing:

- i. driver name on each page;
- ii. vehicle license plate number of each page;
- iii. driver license number on each page; and
- iv. driver signature on each page;

Bylaw No. B-07/2013 and Bylaw No. B-13/2016

- f) take proper care of all baggage and personal property delivered to him or her for conveyance and shall deliver such property as directed;

Bylaw No. B-06/2011

- 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;

Bylaw No. B-06/2011

- h) deliver to the local RCMP detachment within forty-eight (48) hours all property whose owner is unknown;

Bylaw No. B-06/2011

- i) not transport a greater number of passengers than the manufacturer's recommended capacity;

Bylaw No. B-06/2011

- j) not knowingly, or negligently misinform or deceive any person as to:

- i. the time, place, arrival or departure of any Vehicle for Hire; or
- ii. location of any place, structure or building;

Bylaw No. B-06/2011 and Bylaw No. B-27/2016

- k) drive all passengers (unless otherwise directed) to their destinations by the most direct route practicable;

Bylaw No. B-06/2011

- l) whenever requested by a passenger, issue a receipt for the amount of the fare paid by such passenger;

Bylaw No. B-06/2011

- m) not refuse to serve any Person because of his race, colour or creed;

Bylaw No. B-36/2008 and Bylaw No. B-06/2011

- 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; and

Bylaw No. B-06/2011

- o) be required to prove English proficiency in one of two ways:

- i. proof of birth and/or education in an English speaking country; or
- ii. proof of a Canadian Language Benchmark score of six (6) or better on speaking and listening as well as a score of four (4) or better on reading and writing.

All English assessments must be less than six (6) months old and applicants who are unable to provide these documents must attend a centre that offers a Canadian Language Benchmark Assessment test;

Bylaw No. B-07/2013

- p) have eight (8) consecutive hours off duty in any twenty-four (24) hour period.

Bylaw-No. B-07/2013

- 6.3 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.
- 6.4 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.
- 6.5 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.
- 6.6 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.
- 6.7 Notwithstanding any other provision of this Bylaw, a Vehicle for Hire in respect of which there is not a valid Taxi License, may be operated in the City provided that:

Bylaw No. B-27/2016

- 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.
- 6.8 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.

Bylaw No. B-36/2008

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.

Bylaw No. B-36/2008

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.

Bylaw No. B-36/2008

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 in a permanent manner and not by way of removable decals;

Bylaw No. B-07/2013

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;

Bylaw No. B-36/2006

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.

f) prominently display in the vehicle a decal advising customers of the telephone number at the City of Airdrie to call in case of questions or concerns. The phone number will be provided to the Broker by the Chief License Inspector; and

Bylaw No. B-36/2008 and Bylaw No. B-07/2013

g) separate from the Taxi identification number referred to in Section 13.2(c) above, display an individual number on either side of the front bumper and on the rear trunk of each Taxi or Limousine. Such individual number shall be issued by the Chief License Inspector and will measure (3) inches long and one and a quarter (1.25) inches wide.

Bylaw No. B-13/2016

- 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.

Bylaw No. B-36/2008

- 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 or rear window advertising provided that:

- a) signs must be standard manufactured units;

Bylaw No. B-06/2011

- b) illumination of advertising shall not exceed forty (40) watts of power and is non-flashing;

Bylaw No. B-06/2011

- c) advertising messages do not exceed forty (40) centimetres in height;

Bylaw No. B-06/2011

- d) advertising is appropriate and in good taste and approved by the Chief License Inspector; and

Bylaw No. B-06/2011

- e) perforated vinyl window film advertising is used on the rear window and has the approval of the Chief License Inspector prior to installation of window film.

Bylaw No. B-06/2011

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).

Bylaw No. B-36/2008

- 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.

VEHICLE FOR HIRE INSPECTIONS AND QUALITY (TAXI AND LIMOUSINE)

Bylaw No. B-27/2016

11.1 A License Inspector may at any time inspect any Vehicle for Hire 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.

Bylaw No. B-27/2016

11.2 No Broker or Chauffer shall operate or permit the operation of a Vehicle for Hire that does not meet the standards for physical condition, repair and cleanliness prescribed by the Chief License Inspector.

Bylaw No. B-27/2016

11.3 A License Inspector may at any time issue an Order to Remedy to require a Vehicle for Hire to 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 Vehicle for Hire at the time and place so designated. All costs of the mechanical inspection shall be paid by the vehicle owner.

Bylaw No. B-27/2016

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 Vehicle for Hire, 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.

Bylaw No. B-27/2016

11.5 In the event that a Vehicle for Hire has been seized in accordance with Section 11.4, said Vehicle for Hire shall be held by the City for a period of not more than fourteen (14) days unless the Vehicle for Hire must be released to a garage for repair.

- a) If the offence has been remedied within the said fourteen (14) days, the Vehicle for Hire shall be returned to the Chauffeur; and the Chauffeur shall be responsible for any and all costs associated with the seizure of the Vehicle for Hire.
- b) If the offence has not been remedied within the said fourteen (14) days, the City may dispose of said Vehicle for Hire in the manner deemed appropriate by the Chief License Inspector. Any proceeds received from the disposition of the Vehicle for Hire shall be applied firstly against any costs incurred by the City with respect to the seizure and, secondly, to the Chauffeur.

Bylaw No. B-27/2016

11.6 In the event the City uses a third party facility for the storage of a seized Vehicle for Hire, 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 Vehicle for Hire.

Bylaw No. B-27/2016

TRANSPORTATION NETWORK COMPANY LICENSE

12.1 No Transportation Network Company shall operate a Vehicle for Hire or offer or provide transportation services in the City unless that Transportation Network Company is in possession of a valid City business license and a valid Transportation Network Company License.

Bylaw No. B-27/2016

12.2 An applicant for a Transportation Network Company License shall provide to the Chief License Inspector:

- a) the TNC License fee as set out in Schedule "A" of this Bylaw;
- b) a list of all Chauffeurs to be engaged by the TNC;
- c) the name of the registered owner and proof of registration of each Vehicle for Hire which will be operated for or in connection with the TNC as required by the Province of Alberta;
- d) proof of adequate insurance for all Vehicles for Hire which will be operated for or in connection with the TNC as required by the Province of Alberta;
- e) a mechanical fitness report with respect to each Vehicle for Hire which will be operated for or in connection with the TNC 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 application; and
- f) any other information reasonably required by the Chief License Inspector.

Bylaw No. B-27/2016

12.3 Each Transportation Network Company must provide copies or access to an electronic database where dispatch records are stored.

Bylaw No. B-27/2016

TRANSPORTATION NETWORK COMPANY VEHICLE FOR HIRE LICENSES

13.1 No Person shall operate a Vehicle for Hire for or in connection with a TNC in the City unless that Person is in possession of a valid TNC Vehicle License.

Bylaw No. B-27/2016

13.2 An applicant for a TNC Vehicle License shall provide to the Chief License Inspector with:

- a) the TNC Vehicle License fee as set out in Schedule "A" of this Bylaw;
- b) name of the registered owner of the Vehicle for Hire together with his/her written consent that the vehicle be used as a Vehicle for Hire for or in connection with a TNC;
- c) name of the TNC for which the Vehicle For Hire will be operated for or in connection with;
- d) name(s) of the TNC Chauffeur(s) who will be operating the Vehicle For Hire;
- e) proof of registration for the Vehicle for Hire;

- f) proof of adequate insurance for the Vehicle for Hire as required by the Province of Alberta;
- g) a current mechanical fitness report with respect to the Vehicle for Hire 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 application; and
- h) any other information reasonably required by the Chief License Inspector.

Bylaw No. B-27/2016

13.3 No Person shall operate a Vehicle for Hire for or in connection with a Transportation Network Company in the City unless that Person is in possession of all valid operating requirements for the Vehicle for Hire including:

- a) a valid TNC Vehicle License;
- b) proof of current registration of the Vehicle for Hire;
- c) proof of adequate insurance for the Vehicle for Hire as required by the Province of Alberta; and
- d) a current mechanical fitness report with respect to the Vehicle for Hire in the form prescribed by the Chief License Inspector, completed by a licensed mechanic at a licensed garage approved by the Chief License Inspector.

Bylaw No. B-27/2016

TRANSPORTATION NETWORK COMPANY CHAUFFEUR LICENSE

14.1 No Person shall operate a Vehicle for Hire for or in connection with a TNC in the City unless that Person is in possession of a valid TNC Chauffeur License issued by the City.

Bylaw No. B-27/2016

14.2 All TNC Chauffeurs' Licenses shall expire at midnight on March 31st of each year.

Bylaw No. B-27/2016

14.3 Every TNC shall ensure that each Chauffeur engaged in operating any Vehicle for Hire for or in connection with the TNC is in possession of either a current Class 1, 2 or 4 Alberta driver's license. In the event the TNC Chauffeur's Alberta provincial license is suspended or voided, the TNC Chauffeur must inform the Chief License Inspector within five (5) working days and the TNC Chauffeur License shall be suspended or voided until such time as the Chauffeur provides proof of a current Class 1, 2 or 4 Alberta driver's license. Where the Alberta driver's license is revoked or voided, the TNC Chauffeur's License shall be voided and the Chauffeur must re-apply for a Chauffeur License with a current Class 1, 2 or 4 Alberta's driver's license, a Driver's Abstract and Criminal Record Check.

Bylaw No. B-27/2016

14.4 If a TNC Chauffeur License is lost, misplaced or stolen, the Chauffeur must report this to the Chief License Inspector within five (5) workings days. In order to obtain a replacement license,

the Chauffeur must re-apply for a TNC Chauffeur License with a current Driver's Abstract and Criminal Record Check.

Bylaw No. B-27/2016

- 14.5 In determining whether to issue a TNC Chauffeur License, the Chief License Inspector shall request for each applicant for a TNC Chauffeur License, a Driver's Abstract, a Criminal Record Check conducted by a police agency, and any other information as determined necessary by the Chief License inspector.

Bylaw No. B-27/2016

- 14.6 In determining the suitability of a Person who is applying for a TNC Chauffeur License to operate a TNC Vehicle for Hire, the Chief License Inspector shall consider the Person's driving record, criminal record, and any recommendation, including one as to character, made by the RCMP or other law enforcement agency (with respect to the safe operation of a Vehicle for Hire) and shall, in his or her sole discretion, approve, refuse or revoke the TNC Chauffeur License application. The Chief License Inspector does not have the expertise or authority to interpret or override any recommendation made by the RCMP or other law enforcement agency. Applicants for a TNC Chauffeur License must disclose any pending charges under the *Criminal Code of Canada* or *Controlled Drugs and Substances Act*.

Bylaw No. B-27/2016

- 14.7 No TNC 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.

Bylaw No. B-27/2016

- 14.8 When an individual with an existing TNC Chauffeur License has been charged with an offence that could pose a risk to public safety under the *Criminal Code of Canada* or the *Controlled Drugs and Substances Act*.

- a) the TNC Chauffeur shall forthwith notify the Chief License Inspector of the charges; and
- b) upon receiving notification of the charges, the Chief License Inspector shall suspend the TNC Chauffeur's License issued to the individual until the charge has been withdrawn or the matter is otherwise dealt with in a manner which does not result in conviction.

Bylaw No. B-27/2016

- 14.9 An individual may, when facing a denial, revocation or suspension of their TNC Chauffeur License, make written representations to the Chief Administrative Officer in support of their case within fourteen (14) days prior to the final decision being issued by the Chief License Inspector to deny, revoke or suspend the TNC Chauffeur License. The Chief Administrative Officer shall issue a written decision, including reasons, for the denial, revocation or suspension of the TNC Chauffeur License within fourteen (14) days of receiving the individual's submission. The TNC Chauffeur License shall be temporarily suspended during the time the matter is being reviewed

and up until such time a decision is made by the Chief Administrative Officer or, upon further appeal, the Appeal Board. If the decision by the Chief License Inspector is upheld by the Chief Administrative Officer to deny, revoke or suspend a TNC Chauffeur Licence, the individual may then make a written application to the Appeal Board within fourteen (14) days of receipt of the notice of the Chief Administrative Officer's decision together with grounds for the appeal and the appeal fee as determined by the City Clerk.

Bylaw No. B-27/2016

TRANSPORTATION NETWORK COMPANY/TNC CHAUFFEUR RESPONSIBILITIES

- 15.1 The Chauffeur of each Vehicle for Hire operated for or in connection with a TNC in the City shall:
- a) hold a valid TNC Chauffeur License;
 - 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) take proper care of all baggage and personal property delivered to him or her for conveyance and shall deliver such property as directed;
 - f) 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 the property is found, take all reasonable steps to return it to the owner;
 - g) deliver to the local RCMP detachment within forty-eight (48) hours all property whose owner is unknown;
 - h) not transport a greater number of passengers than the vehicle manufacturer's recommended capacity;
 - i) not knowingly or negligently misinform or deceive any Person as to:
 - i. the time, place, arrival or departure of any Vehicle for Hire; or
 - ii. the location of any place, structure or building;
 - j) drive all passengers (unless otherwise directed) to their destinations by the most direct route practicable; and
 - k) not refuse to serve any Person because of his race, colour or creed.

Bylaw No. B-27/2016

- 15.2 Every TNC shall ensure that each TNC Chauffeur employed in operating any Vehicle for Hire is in possession of either a current Class 1, 2 or 4 Alberta driver's license and a TNC Chauffeur License. In the event the Alberta provincial license is suspended or voided, the Chief License Inspector must be informed within five (5) working days and the Chauffeur License is also suspended or voided.

Bylaw No. B-27/2016

- 15.3 A Person driving for a TNC provider must charge a minimum of \$3.20 per trip, or \$3.20 for any request for service cancelled upon arrival without prior notice. For any service provided where

the fare charged does not comply with this part of the Bylaw, the Transportation Network Company is deemed to have contravened this Part.

Bylaw No. B-27/2016

- 15.4 At the end of each quarter, the TNC shall provide a trip sheet showing each and every fare during that quarter and pay the City an amount as set out in Schedule D based on the per trip fares during that quarter.

Bylaw No. B-27/2016

TRANSPORTATION NETWORK COMPANY VEHICLE FOR HIRE IDENTIFICATION

- 16.1 a) a Transportation Network Company shall issue each Vehicle for Hire which is operated for or in connection with the TNC a magnetic identifier which can be removed when the Vehicle for Hire is not in service as public transportation;
- b) this magnetic identifier shall not be less than five (5) centimetres in height and not less than five (5) centimetres in width.

Bylaw No. B-27/2016

VEHICLE FOR HIRE LICENSE INSPECTIONS (TNCs)

- 17.1 A License Inspector may, at any time, inspect any TNC Vehicle for Hire to determine the validity of the driver's TNC Chauffeur License.

Bylaw No. B-27/2016

ORDER TO REMEDY

- 18.1 Any decision of a License Inspector made or issued pursuant to this Bylaw may be appealed in writing firstly to the Chief License Inspector, who will render a written decision together with reasons with respect to the complaint within fourteen (14) days of receipt of the complaint.

Bylaw No. B-27/2016

- 18.2 An Officer is hereby authorized and empowered to issue an Order to Remedy to any Person whom the Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

Bylaw No. B-27/2016

- 18.3 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.

Bylaw No. B-36/2008

- 18.4 Nothing in this Bylaw shall prevent an 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

- 19.1 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 Administrative Officer; and

Bylaw No. B-16/2014

b) secondly, to the Appeal Board

by filing a written notice of appeal setting out the reasons for the appeal with the City Clerk within fourteen (14) days of the date of the Chief License Inspector's or Chief Administrative Officer's decision.

Bylaw No. B-27/2016

- 19.2 An appeal filed pursuant to Section 19.1(b) must in the form determined by the City Clerk and must be accompanied by the appropriate fee as set out by the City Clerk.

Bylaw No. B-13/2016 and Bylaw No. B-27/2016

- 19.3 The Chief Administrative Officer, or his designate, may confirm, revoke or modify the decision of the Chief License Inspector and the Appeal Board may confirm, revoke or modify the decision of either the Chief License Inspector or the Chief Administrative Officer.

Bylaw No. B-27/2016

- 19.4 The Appeal Board shall:

a) hold a hearing within thirty (30) days after receipt of the notice of appeal;

b) ensure that the notice of hearing is mailed to the appellant at least five (5) days prior to the date of the hearing; and

c) consider each appeal having due regard to the circumstances and merits of the case and to this Bylaw.

- 19.5 When hearing an appeal, the Appeal Board shall be governed by the rules and procedures established for the Subdivision and Development Appeal Board.

Bylaw No. B-13/2016 and Bylaw No. B-27/2016

PENALTIES

- 20.1 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.

Bylaw No. B-36/2008

- 20.2 The specified fines for an offence committed pursuant to this Bylaw are set out in the attached Schedule "C."
- 20.3 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

- 21.1 An Officer is hereby authorized and empowered to issue a Voluntary Payment Tag to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

Bylaw No. B-36/2008

- 21.2 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.

Bylaw No. B-36/2008

- 21.3 Where a contravention of this Bylaw is of a continuing nature, further Voluntary Payment Tags may be issued by an Officer provided that no more than one (1) Voluntary Payment Tag shall be issued for each calendar day that the contravention continues.

Bylaw No. B-27/2016

- 21.4 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.

Bylaw No. B-36/2008

- 21.5 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

- 22.1 If the penalty specified on a Voluntary Payment Tag is not paid within the prescribed time period, then an Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

Bylaw No. B-27/2016

- 22.2 Notwithstanding any other provision of this Bylaw, an Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any Person who the Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

Bylaw No. B-36/2008 and Bylaw No. B-27/2016

MISCELLANEOUS

- 23.1 Nothing in this Bylaw relieves a Person from complying with any Federal, Provincial or City law or regulation, other bylaw or any requirements of any lawful permit, order, consent or other direction.

Bylaw No. B-36/2008 and Bylaw No. B-27/2016

23.2 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, 2011.

Executed this 13th day of January, 2010.

"Linda Bruce"
Mayor

"Karilyn Kitiuk"
Acting City Clerk

DRAFT

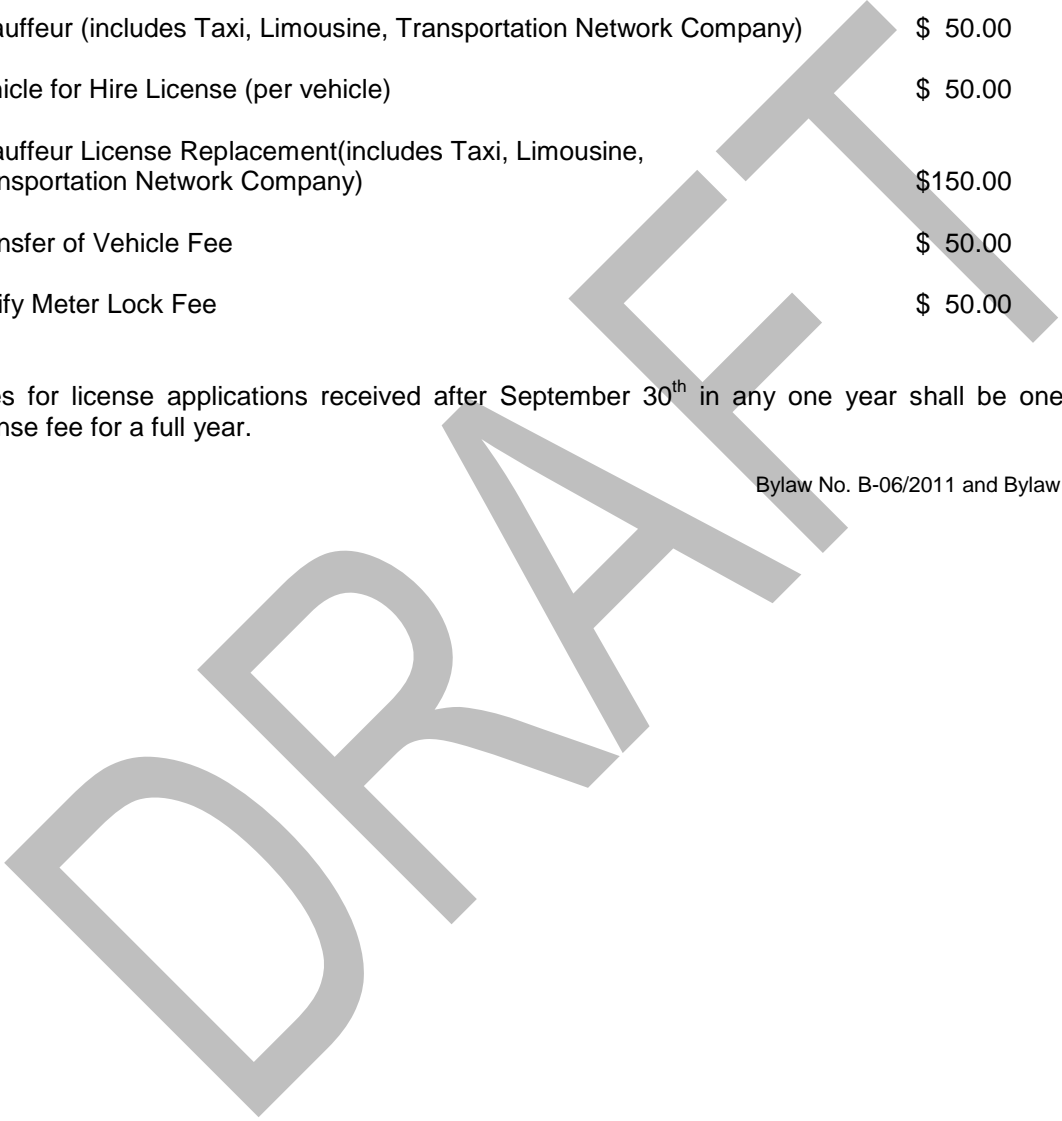
Schedule "A"

License Fees

<u>LICENSE TYPE</u>	<u>YEARLY FEE</u>
Taxi Broker	\$150.00
Transportation Network Company License	\$150.00
Chauffeur (includes Taxi, Limousine, Transportation Network Company)	\$ 50.00
Vehicle for Hire License (per vehicle)	\$ 50.00
Chauffeur License Replacement(includes Taxi, Limousine, Transportation Network Company)	\$150.00
Transfer of Vehicle Fee	\$ 50.00
Verify Meter Lock Fee	\$ 50.00

Fees for license applications received after September 30th in any one year shall be one half of the license fee for a full year.

Bylaw No. B-06/2011 and Bylaw No. B-27/2016



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
Luggage Fee	The Chauffeur of a van with a seating capacity of more than four occupants may charge a surcharge of \$6.50 in addition to the meter rate when a customer requires or requests such a van to accommodate luggage or cargo and the customer agrees to the surcharge in advance of the trip.	\$6.50
Airport Fee	Upon leaving Calgary International Airport	\$4.00

Bylaw No. B-07/2013 and Bylaw No. B-27/2016

Schedule "C"**Fines**

Section	Offence	Fines	Voluntary Payment
3.2	Operating without a Broker License	\$500.00	\$300.00
6.1/7.1(a)	Operating without a Chauffeur License/TNC Chauffeur License	\$500.00	\$300.00
5.6	Vehicles for Hire picking up passengers within the City of Airdrie when not licensed with the City of Airdrie	\$500.00	\$300.00
6.1	Operating without a Taxi License/TNC License	\$500.00	\$300.00
7.1	Failure to ensure Taximeter is properly installed, adjusted or sealed	\$500.00	\$300.00
	First offence – all other sections	\$250.00	\$150.00
	Second or subsequent offence within twelve (12) months – all sections	\$500.00	\$300.00

Bylaw No. B-27/2016

Schedule D

Transportation Network Company Fee

\$0.20/trip

Bylaw No. B-27/2016

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