

**SCHEDULE 13 TO BY-LAW #2002-0169 (LI-3)**

**Relating to brokers, owners and drivers of taxicabs and limousines**

**1. DEFINITION**

For the purpose of this Schedule:

**Broker** means any person who carries on the business of accepting calls in any manner and of dispatching taxicabs or limousines in any manner;

**Broker's Licence** means the licence issued to a broker pursuant to this schedule;

**Commercial Passenger Vehicle** means a motor vehicle used in the transportation, for hire or reward, of goods and passengers;

**Dispatch** means the communication of an order or information in any manner between a broker and a driver;

**Driver** means any person licensed to drive a vehicle pursuant to this by-law;

**Driver's Licence** means the licence issued to a driver pursuant to this by-law;

**Dues** means any amount charged by a broker to a plate owner or to the lessee to receive orders from the broker;

**Fare** means the amount displayed on the taxicab meter at the conclusion of a trip, or the flat rate allowed pursuant to this schedule for the trip, together with any additional charges allowed pursuant to this schedule;

**Lease** means an agreement between a plate owner and another under which the plate owner provides his owner's plate to be used by that other person for a defined period of time to operate a vehicle as a taxicab or limousine;

**Lessee** means a person who has entered into an agreement with a plate owner for the lease of the owner's plate to be used to operate a vehicle as a taxicab or limousine;

**Limousine** means a luxury class motor vehicle which may either have been specifically constructed as a luxury class limousine or has been altered from the original manufacturers specifications and is not equipped with a taxicab meter, used for hire for the conveyance of passengers within the Town of Georgina or to any point outside the municipality, but shall not include a taxicab, bus, ambulance, funeral hearse, station wagon, panel truck, van or motor vehicle used for funeral processions or a rental motor vehicle without a Driver;

**Meter** means a measuring device used in a taxicab to calculate the fare payable for the trip;

**Motor Vehicle** includes an automobile or any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways or other motor vehicles running only upon rails, or motorized snow vehicles, traction engines, farm tractors, self propelled implements of husbandry or road building machines within the meaning of the *Highway Traffic Act*, R.S.O. 1990, as amended;

**Passenger** means any person in a vehicle other than the driver;

**Plate** means a numbered plate or any other form of identification device issued to a person licensed pursuant to this schedule;

**Plate Owner** means a person who owns a plate pursuant to this schedule, either through issue, renewal, lease or transfer;

**Plate Owner's Licence** means the licence issued to a plate owner pursuant to this schedule;

**Priority List** means a list of applicants for a taxicab plate, which is maintained by the licensing section, recording in chronological order by date of application;

**Tariff Card** is a card, issued by the Town of Georgina showing the rates for taxicab services as approved by Council;

**Taxicab** means a motor vehicle as defined in the *Highway Traffic Act*, other than a car pool vehicle, having a seating capacity of not less than four (4) persons or not more than six (6) persons, exclusive of the driver, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only, being collected or made for the trip and excludes a limousine as herein defined;

**Taxicab Stand** means any area designated to be used by a taxicab while waiting for or picking up passengers;

**Tire** includes the rubber and rim;

**Transfer** means an arrangement between a plate owner and another, whereby the plate owner permanently assigns all interest in the plate to the other;

**Trip** means the distance and time traveled or the distance and time to be traveled, measured from the time and point at which the passenger first enters the taxicab to the point at which the passenger finally leaves the taxicab;

**Trip Record** means a daily written record of the details of each trip;

**Vehicle** includes a motor vehicle, trailer, traction, engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car;

**Vehicle Owner** means a person who is registered with the Registrar of Motor Vehicles for the Province of Ontario as the owner of a motor vehicle.

## 2. DRIVER'S LICENCE REQUIREMENTS

- (1) No person may be licensed as a driver unless he is either a Canadian citizen, a permanent resident, or has a valid employment authorization issued by the Government of Canada to work as a driver, and has a working knowledge of English.
- (2) No person shall be licensed as a driver unless he holds a current, valid driver's licence issued under the *Highway Traffic Act*, R.S.O. 1990, as amended.
- (3) No corporation may be licensed as a driver.

- (4) Every applicant in respect of a driver's licence shall file with the Licence Issuer:
  - (a) a current Ontario Class G Driver's Licence in good standing;
  - (b) two (2) prints of a passport size photograph of applicant;
  - (c) a Canadian Police Clearance Certificate furnished by York Regional Police and dated within thirty (30) days preceding the date of application;
  - (d) a Driver Record Search issued by the Ministry of Transportation (Ontario);
  - (e) a letter of promise of employment from the plate owner, broker or lessee for whom he proposes to drive;
  - (f) if requested, a certificate from a doctor stating that the driver is fit and able to operate a motor vehicle.
- (5) Every applicant in respect of a driver's licence shall successfully complete a test, scoring a minimum of 70%, allowing a minimum of (two) 2 days between test dates, which test shall be set by the Licence Issuer and shall deal with the requirements of the by-law and the geography of the Town such as the location of medical centers, etc. Anybody found attempting to cheat on his or her test will not be allowed to rewrite the test for a period of two (2) years.
- (6) Every applicant in respect of a driver's licence renewal shall file with the Licence Issuer:
  - (a) a current Ontario Class G Driver's Licence in good standing;
  - (b) two (2) prints of a passport size photograph of applicant;
  - (c) a Canadian Police Clearance Certificate furnished by York Regional Police and dated within thirty (30) days preceding the date of application;
  - (d) a Driver Record Search issued by the Ministry of Transportation (Ontario);
  - (e) if requested, a certificate from a doctor stating that the driver is fit and able to operate a motor vehicle;
  - (f) a letter of promise of employment from the plate owner, broker or lessee for whom he proposes to drive.

### **3. PLATE OWNER'S LICENCE REQUIREMENTS**

- (1) Every applicant shall file with the Licence Issuer:
  - (a) a current valid driver's licence issued pursuant to this schedule, or in the case of a Corporate applicant a current valid driver's licence issued pursuant to this schedule for the shareholder which controls fifty-one percent (51%) of the voting rights;
  - (b) a current passenger motor vehicle permit, which is in good standing, issued in the name of the applicant by the Ministry of Transportation (Ontario), for the vehicle of which he is the owner;

- (c) for each vehicle, a policy or certificate of insurance endorsed to the effect that the Licence Issuer will be given at least five (5) days notice in writing of any cancellation, expiry or variation in the amount of the policy, insuring to a limit of at least \$1,000,000.00 (exclusive of interest and costs) against loss or damage resulting in bodily injury to or death of any one person including property damage;
  - (d) a current valid Safety Standards Certificate in accordance with the provisions of the *Highway Traffic Act, R.S.O. 1990, c.H. 8*, as amended.
- (2) Every applicant for a plate owner's licence shall submit for inspection and approval by a Licence Inspector the vehicle for which the plate will be issued or transferred as the case may be.
  - (3) A plate owner's licence will not be issued for a vehicle unless the model year of the vehicle is not older than eight (8) years, calculated from the date of manufacture.
  - (4) A plate owner may on written request to the licensing section, and on payment of the prescribed fee, obtain an extension of up to two (2) years on the model year as set out in this schedule subject to semi-annual inspections and the submission on a semi-annual basis of a current valid Safety Standards Certificate.
  - (5) Every plate owner shall:
    - (a) employ or use only the services of drivers licensed under this schedule;
    - (b) give to each of his drivers at the expiry of the driver's work shift, a receipt for the total of all the fares collected and given to him by the driver;
    - (c) repair immediately any mechanical defect in his vehicle reported to him by a driver.

#### 4. CORPORATE APPLICANTS AND LICENSEES

No corporation may hold a broker's licence or plate owner's licence unless a licensed driver controls at least fifty-one percent (51%) of the voting rights attached to the shares of such corporation.

#### 5. NUMBER OF PLATES

The number of taxicab plates issued shall be based on the ratio of 1 plate for every 2,000 (two thousand) residents using the December 31<sup>st</sup> population statistics from the previous year as provided by the York Regional Planning Department.

#### 6. TRANSFER

- (1) No plate shall be transferred except with the written consent of the Licence Issuer.
- (2) Every plate owner who transfers his plate shall:
  - (a) complete and file a declaration, in the form provided by the licensing section;

- (b) provide to the licensing section, a fully executed copy of the complete transfer agreement with respect to the plate being transferred;
  - (c) return to the licensing section, the owner's licence and plate, which are being transferred.
- (3) No plate may be transferred to any person who does not meet all other relevant requirements of this schedule.

## **7. BROKER'S LICENCE REQUIREMENTS**

- (1) Every applicant shall file with the Licence Issuer:
- (a) a list of all current shareholders, officers and directors, where the broker is a corporation;
  - (b) a list of all owners to whom the broker dispatches or with whom the broker has entered into any arrangement for services. Such list shall include every motor vehicle to whom the broker dispatches and shall identify each vehicle plate number.
- (2) Every broker shall:
- (a) maintain a permanent business office within the Town;
  - (b) require all plate owner's, lessee's and driver's who have entered into arrangements with the broker for the provisions of brokerage services to use a design of roof sign approved by the Licence Inspector;
  - (c) written notification within five (5) days of any additions to or deletions from the list referred to in section 7(1)(b) of this schedule;
  - (d) carry on the brokerage business twenty-four (24) hours a day during the term of his licence, unless otherwise directed by Council;
  - (e) not accept calls for, or in any way dispatch or direct calls to taxicabs or limousine other than those whose owners are licensed under this schedule, unless otherwise approved by Council;
  - (f) not accept calls for, or in any way dispatch or direct calls to taxicabs or limousines where the activity would be an illegal or an unlawful act;
  - (g) serve customers in a "first come, first served" basis;
  - (h) inform customers of the approximate time of day where delay is anticipated before accepting the order;
  - (i) dispatch only to drivers licensed under this schedule.
- (3) No broker shall be compelled to accept an order from a person who has not made payment for any previous trip.

## **8. CANCELLATION OF A LICENCE**

A licence issued to a plate owner, or a broker under this schedule may be cancelled by Council at any time, if the plate owner, or broker fail to actively operate the motor vehicle or carry on the brokerage business for which the licence has been issued for a continuous period of sixty (60) days, unless just cause for such failure can be shown to the satisfaction of Council.

## **9. TARIFF CARD AND PLATES FOR TAXICABS**

- (1) The licensing section shall provide every taxicab plate owner or taxicab lessee with a tariff card;
- (2) Lost, destroyed or defaced taxicab tariff cards or number plates, may be replaced by the Licence Issuer upon the original tariff card or plate being accounted for and, in the case of a plate, upon payment of the cost of a replacement plate;
- (3) No person shall use a plate for which a replacement plate has been issued.

## **10. DRIVER'S DUTIES - GENERAL**

- (1) Every driver shall:
  - (a) each day before commencing the operation of a motor vehicle, examine the motor vehicle for mechanical defects or interior or exterior damage to the vehicle, and report forthwith any defects found, to the owner of the vehicle or the broker;
  - (b) each day upon completion of the operation of a motor vehicle, return the vehicle to his employer and examine the motor vehicle and report all defects in the motor vehicle and all accidents to the owner of the vehicle or the broker;
  - (c) maintain good grooming, and proper hygiene;
  - (d) behave courteously;
  - (e) provide passengers with a receipt on an authorized form, showing the driver's name, licence number and an identifying number for the motor vehicle, whenever requested or whenever there is a dispute over the fare;
  - (f) in an area approved by the Licence Issuer or Licence Inspector, display, his driver's photograph card and in a case of a taxicab, a current tariff card;
  - (g) when a passenger enters a vehicle and gives the driver the destination, the driver shall take the shortest possible route to the destination desired, unless the passenger designates otherwise;
- (2) At all times when operating a Taxicab:
  - (a) immediately engage the meter when a passenger first enters the taxicab, which meter shall remain engaged throughout the trip;

- (b) when the trip is prearranged and the driver has notified the passenger that the taxicab is available and the driver has waited a reasonable time after notifying the passenger, the meter may be engaged by the driver and shall remain engaged through the trip until cancellation;
  - (c) at the conclusion of a trip, the driver shall place the meter in a "hold" position and bring the passenger's attention to the amount of the fare registered on the meter in a non-recording position;
  - (d) only charge the fare shown on the meter, together with any additional charges authorized by Appendix 'C', and when the meter has not been engaged there shall be no charge for the trip;
  - (e) ensure the rates set out in Appendix 'C' under this by-law shall be computed from the time and place the passenger first enters the taxicab to the time and place the passenger finally discharges the taxicab.
  - (f) when a dispute arises between a passenger and a driver about the fare, the driver shall refer the dispute to the nearest police officer for arbitration.
- (3) No driver licensed under this schedule shall:
- (a) carry in any vehicle licensed under this schedule, a greater number of passengers than is set out in the manufacturer's rating of seating capacity for such vehicle;
  - (b) drive a vehicle with luggage or any object placed in, hung on, or attached to the vehicle in such manner as will obstruct the driver's view of the highway;
  - (c) drive a vehicle that does not have an owner's plate affixed at a location on the vehicle in an area approved by the Licence Inspector;
  - (d) take, consume or have in his possession any alcohol, drugs or intoxicants while he is in charge of a vehicle for which he is licensed as a driver under this schedule;
  - (e) take on any additional passenger(s) except:
    - (i) at the request of the passengers already in the vehicle; or
    - (ii) when operating a motor vehicle which is being used exclusively for the transportation of children to and from school.
  - (f) while carrying passengers, smoke any cigar, cigarette, tobacco or other substance while driving the vehicle.

## 11. RE-PHOTOGRAPHING OF DRIVERS

If at any time the driver's photograph is not a reasonable likeness of the driver because of physical changes, passage of time, or poor quality photography the Licence Issuer may require the driver to have another photograph taken.

## 12. RETURNING OF LOST PROPERTY

Every driver shall take due care of all property, delivered or entrusted to him for conveyance, and immediately upon his termination of any hiring engagement shall carefully search the vehicle for any property lost or left therein; and, all property or money left in the vehicle shall be forthwith delivered over to the person owning the property or money and if the owner of the property or money cannot at once be found, the driver shall deliver the property or money to the nearest police station with all the information in his possession regarding the property or money, and immediately notify his dispatcher of such property.

## 13. TAXICAB DRIVER CONDUCT

Every driver shall:

- (1) if he wants to enter a taxicab stand with his taxicab, do so by taking his position at the end of any line formed by taxicabs already in the stand;
- (2) if he is not the first taxi in line at the stand, he must refuse the fare and direct the passenger to the first taxi in line;
- (3) while waiting in the taxicab at a taxicab stand or at any public place not obstruct or interfere in any way with the normal use of the taxicab stand or the public place or interfere with the surrounding traffic patterns;
- (4) not make any loud noise or disturbance while waiting in a taxicab at a taxicab stand or in a public place;
- (5) while waiting at a taxicab stand or public place be sufficiently close to his taxicab to have it under constant observation;
- (6) while waiting with a taxicab at a taxicab stand or public place, not wash the taxicab;
- (7) while waiting with a taxicab at a taxicab stand or public place, not make repairs to the taxicab unless such repairs are immediately necessary;
- (8) not push or bump any other taxicab at the taxicab stand;
- (9) when a vacancy occurs any driver waiting at the taxicab stand must fill the vacancy by advancing his taxicab;
- (10) not pick up any passenger within two hundred (200) metres of a taxicab stand when there are one or more taxicabs upon the stand, except, where an arrangement has been previously made with the passenger to pick him up at that location;
- (11) serve the first person requiring the service of his taxicab, any place within the Town, at any time provided such person is not disorderly or does not refuse to give his destination;
- (12) punctually keep all of his appointments, and shall not make any appointments if a previous engagement would prevent him from fulfilling it; provided however, that he shall not be compelled to accept any order from a person who owes him for a previous fare or service;

(13) when using a taxicab for transportation of passengers not for gain or reward:

- (a) remove the roof light from the taxicab;
- (b) put the meter in a non-recording mode.

#### 14. TRIP RECORD

(1) Every driver shall keep a trip record and this trip record shall include the following:

- (a) the Ontario Motor Vehicle Permit number of the motor vehicle used;
- (b) the name, address and identification number of the driver;
- (c) the date, time and location of the beginning and end of each trip;
- (d) the amount of the fare collected for each trip;
- (e) in the case of a taxicab, the meter readings at the start and finish of each work shift.

(2) Every driver shall turn over a copy of all trip records pertaining to his work shift and shall turn over all fares collected, less the amount of commission or other payment as was previously agreed upon between the driver and the owner, to the owner, broker or their designate;

(3) A driver shall not obstruct traffic while writing up the trip record and each trip shall be completely recorded prior to the commencement of the next following trip;

(4) Every plate owner and lessee shall retain for a period of at least 3 years, all trip records for all vehicles owned by him for which he has a licence under this schedule.

#### 15. VEHICLE MARKINGS

Every plate owner, driver or lessee shall:

- (1) not display on any vehicle licensed under this schedule, any metal vehicle number plate or permit issued by any other municipal licensing authority;
- (2) not operate or permit to be operated as a taxicab or limousine any vehicle without an owner's plate issued pursuant to this schedule affixed thereto;
- (3) not operate or permit to be operated as a taxicab or limousine any vehicle, which is not in good mechanical condition;
- (4) not enter into a lease agreement with respect to the plate unless a copy of such lease agreement is filed with the Licensing Section forthwith;
- (5) securely affix the owner's plate at a location on the vehicle in an area approved by the Licence Issuer or Licence Inspector;

- (6) in the case of a taxicab, affix in a location approved by the Licence Inspector or Licence Issuer, an indicator light and roof sign, which both operate in conjunction with a meter;
- (7) ensure no roof sign is used on a taxicab or limousine unless approved by the Licence Inspector or Licence Issuer;
- (8) ensure there is no display of any emblem, decal, advertisement or other markings on or in the taxicab or limousine, which has not been approved as to form, and location by the Licence Inspector or Licence Issuer;
- (9) in the case of a taxicab, if affiliated with a broker, the broker's name and/or phone number shall be on the roof sign; if not affiliated with a broker the roof sign must indicate in a manner approved by the Licence Inspector that the vehicle is a taxicab;
- (10) ensure the plate is securely affixed to the vehicle with rivets or at least four (4) bolts, inserted through the plate into the body of the vehicle, each bolt being held by a nut, and such plate shall be affixed in a position approved by the Licence Inspector or Licence Issuer;
- (11) ensure the plate number is affixed to the front fender in a location and manner approved by the Licence Inspector. The numbers shall be six (6) inches in height, either black or white in color in contrast to the vehicle colour, and of materials approved by the licensing section.

#### **16. VEHICLE MAINTENANCE**

- (1) A plate owner, lessee or driver shall operate, or permit to be operated, a vehicle only if the following requirements are met:
  - (a) the vehicle is equipped with a spare tire and jack, which are ready for use;
  - (b) the vehicle meets the standards required for the issue of a Safety Standards Certificate;
  - (c) the vehicle is clean, in good repair as to its interior and exterior, free from exterior body damage and with well maintained exterior paint finish, trim and wheel covers;
  - (d) if a taxicab, the meter is sealed;
  - (e) the vehicle is equipped with hubcaps and fenders.
- (2) A plate owner, lessee or driver shall:
  - (a) if a Licence Inspector believes a licensed vehicle may be mechanically defective or unsafe, submit the vehicle for inspection or examination by a qualified mechanic. The Licence Inspector may remove the plate and require the owner or driver to submit his vehicle forthwith for examination by a mechanic;
  - (b) where the Licence Inspector requires a vehicle to be examined or inspected, not operate the vehicle as a taxicab until it has passed such examination or inspection to the satisfaction of the Licence Inspector;

- (c) the Licence Inspector may require any vehicle to be re-examined by a mechanic of the Licence Inspector's choice;
  - (d) where the Licence Issuer has suspended the use of a plate in accordance with this schedule, not operate or permit to be operated as a taxicab the vehicle for which the plate has been suspended.
- (3) Every owner and every operator of a vehicle shall, whenever required to do so by the Licence Issuer bring such vehicle to any person designated by the Licence Issuer to inspect the same, at the place and time indicated by such person.
  - (4) No person shall operate or permit to be operated as a taxicab or limousine any vehicle in respect of which the Licence Inspector has required an examination or inspection be carried out, prior to such examination or inspection being passed to the satisfaction of the Licence Issuer.
  - (5) No person shall fail to submit a vehicle for inspection or examination as required pursuant to this schedule.
  - (6) Where the Licence Inspector conducts his first inspection of any vehicle and such vehicle does not pass such inspection and a subsequent re-inspection by the Licence Inspector is required, the applicant shall pay an additional re-inspection fee as indicated in Appendix "B" to this by-law.

#### **17. METERS AND FARES**

- (1) Every plate owner shall have affixed to each taxicab in respect of which such owner is licensed, a meter that shall register distances traveled, record trips and units, and compute fares to be paid;
- (2) Every plate owner, lessee or driver shall ensure each meter in a taxicab is:
  - (a) submitted for testing, inspection and sealing by the Licence Inspector at such times as required by the Licensing Section and when the Licence Inspector is not available to seal the taxicab meter, the owner or driver who has had the meter altered, repaired or replaced in the taxicab may operate the taxicab on weekends for a period up to 72 hours and, for a period up to 48 hours during the week, provided that the driver has in his possession a certificate or receipt for the repair or installation of the meter signed by the person who made the repairs or installation, and setting out the date, time and nature of the repair or installation;
  - (b) illuminated between sunset and sunrise;
  - (c) in a raised position in plain view of the passengers and approved by the Licence Inspector;
  - (d) adjusted in accordance with the rates prescribed by Tariff as outlined in Appendix 'C' attached;
  - (e) tested by running the taxicab to which it is attached over a measured track or distance before being sealed, or by such mechanical means as the Licence Inspector may approve;

- (f) used only when the seal thereon is sealed and intact;
  - (g) kept in good working condition at all times and not used when defective in any way;
  - (h) numbered, and, subject to the provisions of the schedule, shall be of a make and model approved by the Licence Inspector;
  - (i) equipped with a luminous yellow or illuminated metal plate or flag attached to the top thereof; or a light on the top thereof clearly visible from any direction outside the taxicab which plate, flag or light shall be approved by the Licence Inspector or Licence Issuer.
- (3) Notwithstanding the provisions of this schedule, every driver of a taxicab may, if the destination of a trip extends beyond the boundaries of the Town, agree before the trip with the passenger to a flat rate, but where the driver so agrees the meter must be engaged while the taxicab is within the Town of Georgina.
- (4) No plate owner, lessee or driver shall:
- (a) induce any person to engage his taxicab or limousine by any misleading or deceiving statement or representation about the location or distance to any destination;
  - (b) publish or use any tariff other than the tariff which has been authorized by this by-law;
  - (c) recover or receive any fare or charge from any passenger or persons who has demanded their services which is greater or lesser than the fare or charge authorized by this by-law;
  - (d) recover or receive any fare or charge from any person to whom he has refused to show the Tariff card;
  - (e) make any charge under this by-law for time lost through defects or inefficiency of the vehicle or the incompetence of the driver;
  - (f) make any charge for the time elapsed due to early arrival of the vehicle in response to a call for a vehicle to arrive at a fixed time.
  - (g) In the case of a taxicab, publish or provide any discounts that would result in a reduced tariff fee from that provided on Appendix "C" to this by-law.

#### **18. PLATE OWNER'S PLACEMENT ON THE PRIORITY LIST**

- (1) Where a completed application along with the appropriate fee for a plate owner's licence is received by the Licensing Section, which meets all the requirements of this by-law, but where a licence cannot be issued because of the limitation on the number of licences set out in this By-law or any amending by-law, the applicant's name shall be placed on the priority list by the Licence Issuer for the issuing of owner's plate provided the following requirements are met:
- (a) the applicant has been licensed as a driver for at least twelve (12) months immediately preceding the date that the application for the plate owner's licence is filed with the licensing section;

- (f) used only when the seal thereon is sealed and intact;
  - (g) kept in good working condition at all times and not used when defective in any way;
  - (h) numbered, and, subject to the provisions of the schedule, shall be of a make and model approved by the Licence Inspector;
  - (i) equipped with a luminous yellow or illuminated metal plate or flag attached to the top thereof; or a light on the top thereof clearly visible from any direction outside the taxicab which plate, flag or light shall be approved by the Licence Inspector or Licence Issuer.
- (3) Notwithstanding the provisions of this schedule, every driver of a taxicab may, if the destination of a trip extends beyond the boundaries of the Town, agree before the trip with the passenger to a flat rate, but where the driver so agrees the meter must be engaged while the taxicab is within the Town of Georgina.
- (4) No plate owner, lessee or driver shall:
- (a) induce any person to engage his taxicab or limousine by any misleading or deceiving statement or representation about the location or distance to any destination;
  - (b) publish or use any tariff other than the tariff which has been authorized by this by-law;
  - (c) recover or receive any fare or charge from any passenger or persons who has demanded their services which is greater or lesser than the fare or charge authorized by this by-law;
  - (d) recover or receive any fare or charge from any person to whom he has refused to show the Tariff card;
  - (e) make any charge under this by-law for time lost through defects or inefficiency of the vehicle or the incompetence of the driver;
  - (f) make any charge for the time elapsed due to early arrival of the vehicle in response to a call for a vehicle to arrive at a fixed time.
  - (g) In the case of a taxicab, publish or provide any discounts that would result in a reduced tariff fee from that provided on Appendix "C" to this by-law.

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- (a) the applicant has been licensed as a driver for at least twelve (12) months immediately preceding the date that the application for the plate owner's licence is filed with the licensing section;

- (b) the applicant has been driving a taxicab in the Town of Georgina for an average of at least thirty-five (35) hours a week for forty-four (44) weeks of the twelve (12) month period immediately preceding the date the application is filed with the licensing section, and has filed supporting documentation to that effect to the satisfaction of the Licence Issuer.
  - (c) The applicants name shall only appear once on the priority list save and except those names existing on the priority list on the day of passing of this by-law.
- (2) Any person who transfers an owner's plate shall be ineligible for placement on the priority list for a period of three (3) years following the date of such transfer;
  - (3) Any person, whose name is on the priority list, who transfers an owner's plate, shall be removed from the priority list and shall be ineligible for replacement on the priority list for a period of three (3) years following the date of such transfer.

#### 19. STAYING ON THE PRIORITY LIST

- (1) Every person whose name has been placed on the priority list shall, on or before December 31<sup>st</sup> in every year after his name has been so placed, file with the Licence Issuer;
  - (a) a statement in writing signed by every person by whom the applicant was employed or to whom the applicant provided service as a taxicab or limousine driver, indicating the period during which he worked for or provided such services to each such person;
  - (b) a copy of the applicant's Income Tax Return for the preceding year in the form in which it was submitted to the Federal Government;
  - (c) pay the appropriate fee.
- (2) When a name is placed on the priority list pursuant to this schedule, it shall remain on the list so long as the applicant continues to meet the applicable requirements and he files the required documentation.
- (3) Where an applicant whose name has been placed on the priority list, is unable to continue to drive a taxicab or limousine on account of illness, injury or other medical reasons, his name may nevertheless remain on the list provided:
  - (a) he files a doctor's certificate establishing that throughout the period during which he did not drive a taxicab or limousine, he was physically unable for medical reasons to drive; and
  - (b) such period of time does not exceed two (2) years.
- (4) The provision of subsections 3 only applies if the applicant gives written notification to the Licence Issuer of his intention to rely on the subsections.

## **20. INSPECTION OF PRIORITY LIST**

The priority list shall be available for inspection during business hours, at the Clerk's Department.

## **21. ISSUING OF A PLATE FROM PRIORITY LIST**

Whenever a plate is to be issued, it shall be issued to the person whose name appears first chronologically on the priority list;

## **22. HEARING**

Where an applicant fails to continue to meet the requirements of this by-law, the Licence Issuer shall remove the applicant's name from the priority list and the applicant shall be notified in writing of such removal at his last known address and the applicant may request a hearing before Council and the provisions of this by-law respecting hearings shall apply.

## **23. DESIGNATED AGENT, MANAGER**

- (1) A plate owner may designate a person who is a driver, plate owner or broker as his agent in respect of his plate;
- (2) A notice of designated agent shall include:
  - (a) the full name of the plate owner;
  - (b) the number of the licence and plate(s) for the taxicab or limousine to which such designation relates;
  - (c) the term for which the person designated therein is granted authority by the owner in respect of the taxicab or limousine;
  - (d) the terms of the agency agreement, including any consideration paid therefore.
- (3) If the authority of an agent designated under this section terminates before the end of the term set out in the notice, the plate owner shall forthwith file a written notice thereof with the Licence Issuer and for the purposes of this by-law, the obligations and requirements applicable to such authorized agent shall cease upon the filing of such notice;
- (4) No person shall act as an agent for a plate owner in respect of a taxicab or limousine except as permitted by this section;
- (5) The designation of an agent by a plate owner pursuant to this section shall not be deemed to be a lease for the purposes of this by-law unless the agent operates the taxicab or limousine, in which case the provisions of Section 24 shall apply;
- (6) The taxicab or limousine shall not be operated or permitted to operate through a taxicab broker who is not licensed under this by-law.

## **24. LEASE OF PLATE**

- (1) Every plate owner who leases his plate shall file forthwith with the Licence Issuer, a copy of the lease agreement by which the plate is leased, and shall pay the fee set out in Appendix 'B';
- (2) Every plate owner who leases his plate is responsible for ensuring that the Licence Issuer is informed of any change in the status of the lease;

- (3) Every plate owner who leases his plate shall ensure that the lease agreement requires the lessee to comply with the provisions of this by-law, and every lease agreement is deemed to contain a provision to this effect;
- (4) Every lessee must meet all requirements of this by-law pertaining to plate owners, and must provide the Licence Issuer with any documents required by this by-law;
- (5) No plate owner or lessee shall enter into a lease agreement with respect to the plate unless a copy of such lease agreement is filed with the Licensing Section forthwith.

#### **25. DISPOSAL OF TAXICAB OR LIMOUSINE**

- (1) Where the plate owner or lessee ceases to operate a vehicle as a taxicab or limousine he shall immediately remove from such vehicle:
  - (a) the roof light;
  - (b) the meter;
  - (c) all identifying decals or markings;
  - (d) any other markings which would identify the vehicle as a taxicab or limousine.
- (2) Where the plate owner or the lessee ceases to operate a vehicle as a taxicab or limousine, he shall immediately notify the Licence Issuer.

#### **26. PLATE OWNER OR LESSEE TERMINATION WITH BROKER**

Where a plate owner or lessee ceases to operate through a broker he shall forthwith:

- (1) remove from his vehicle the broker roof light, telephone number, colour scheme and any decals or other broker markings;
- (2) return all business cards and other equipment belonging to the broker.