

Taxicab & Limousine Licensing By-law

L-126-256 – Consolidated – December 14, 2009

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**OFFICE CONSOLIDATION
INCLUDING AMENDMENT L.-126(g)-25 (Dec 14, 2009)**

Bill No. 428
2004

By-law No. L. – 126- 256

A by-law to provide for THE LICENSING,
REGULATING AND GOVERNING OF TAXICABS,
NAMELY CAB, ACCESSIBLE CAB, LIMOUSINE
AND GROUP TRANSPORTATION VEHICLE
DRIVERS, OWNERS AND BROKERS

WHEREAS s. 151(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may provide for a system of licences with respect to a business:

AND WHEREAS s. 156(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a by-law for licensing, regulating and governing the owners and drivers of taxicabs may:

- (a) establish rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality;
- (b) provide for the collection of the rates and or fares charged for the conveyance; and
- (c) limit the number of taxicabs or any class of them;

AND WHEREAS the Council of the City of London considers it desirable and necessary to license, regulate and govern Drivers, Owners and Brokers for the purposes of Health and Safety: to enhance and encourage safe maintenance and operational practices; to ensure that services are provided by experienced and qualified Drivers; and, to enhance the accountability of Drivers, Owners and Brokers for health and safety issues;

AND WHEREAS the Council of the City of London considers it desirable and necessary to license, regulate and govern Drivers, Owners and Brokers for the purposes of Consumer Protection: to enhance and encourage the equal, fair and courteous treatment of Passengers; to ensure consistency in the application of Fares; and, to enhance the accountability of Drivers, Owners and Brokers for consumer protection issues;

AND WHEREAS the Council of the City of London considers it desirable and necessary to license, regulate and govern Drivers, Owners and Brokers for the purpose of Nuisance Control to limit unsightliness, unnecessary noise and other nuisances;

AND WHEREAS a public meeting has been held in accordance with the requirements of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended:

BE IT THEREFORE ENACTED by the Corporation of the City of London as a By-law thereof as follows:

INDEX

Section	Title
1	Definitions
2	General Provisions
3	Exemptions
4	Severability
5	Compliance with Other By-laws and Regulations
6	Defined Terms
7	Limitations
8	General Prohibitions
9	Driver Application for Licences, Responsibilities and Restrictions
10	Owner Application for Licences, Responsibilities and Restrictions
11	Broker Application for Licences, Responsibilities and Restrictions
12	Number of Cab and Accessible Cab Owner Licences
13	Cab Priority List and Issuing New Cab Owner Licences
14	Leasing of Cabs and Accessible Cabs
15	Transfer of Cab and Accessible Cab Owner Licences
16	Transfer of Cab and Accessible Cab Owner Licences by an Estate
17	Tariffs
18	Cab Meter
19	Licence Fees
20	By-law Enforcement
21	Appeal Process
22	Penalties
23	Accessible Cab Grant
24	Repeal

SECTION 1 – DEFINITIONS

In this By-law:

- (a) “Accessible Cab” means a Cab that is wheelchair-accessible permitting the loading, transportation and off-loading of a Person with a Disability confined to a wheelchair, or other similar device, without transfer, and is available for or providing a Conveyance Service, but does not include a Limousine or Group Transportation Vehicle;
- (b) “Accessible Cab Driver” means a Licensed Cab Driver whose Licence has been endorsed by the Licence Manager to permit him or her to drive an Accessible Cab;
- (c) “Accessible Cab Owner” means a Person who holds an Accessible Cab Owner Licence and corresponding Owner Plate;
- (d) “Accessible Cab Priority List” means the list of Applicant’s for Accessible Cab Owner Licences maintained by the Licence Manager in accordance with this By-law;
- (e) “Applicant” means a Person applying for a Licence in the first instance or for a renewal under this By-law;

- (f) “Broker” means any Person who accepts Orders for or Dispatches City Plated Vehicles that are owned by someone other than the Person, his or her immediate family or the Person’s employer;
- (g) “Brokerage” means the business of a Broker and shall be deemed to include the premises where the business is carried on;
- (h) “Cab” means a motor vehicle that is available for or providing Conveyance Service, but does not include a Limousine or Group Transportation Vehicle;
- (i) “Cab Meter” means a measuring device approved by the Licence Manager and used in a Cab or Accessible Cab to calculate, amongst other things, the rate payable for a Trip;
- (j) “Cab Priority List” means the list of Applicant’s for Cab Owner Licences maintained by the Licence Manager in accordance with this By-law;
- (k) “Cab Priority List” means a list of Applicants for Cab Owner Licences;
- (l) “CIR” means a Criminal Information Report containing the result of a search of the Canadian Police Information Centre;
- (m) “City” means The Corporation of the City of London;
- (n) deleted
- (o) “City Plated Vehicle” means a Cab, Accessible Cab, Limousine or Group Transportation Vehicle that has an Owner Plate;
- (p) “Conveyance Service” means conveying one or more persons in exchange for a fee or other consideration;
- (q) “Dispatch” means the communication of an Order or other information in any manner between a Broker and a Driver;
- (r) “Dispatcher” means a Person who is in the employ of or contracted by a Broker and whose duties include accepting Orders for a Conveyance Service or Dispatching Drivers;
- (s) “Driver” means the individual who has care and control of a Cab, Accessible Cab, Limousine or Group Transportation Vehicle;
- (t) “Enforcement Officer” means a police officer or any Person appointed by the City to enforce this By-law;
- (u) “Fare” means:
 - (i) in the case of Cabs or Accessible Cabs, the amount of money displayed on the Cab Meter at the termination of a Trip, calculated as set out in Schedule ‘A’ of this By-law;
 - (ii) in the case of Limousines (Executive), the amount of money calculated for a Trip using the zone or hourly rate as set out in Schedule “B” of this By-law;
 - (iii) in the case of Limousines (Stretch) and Limousines (Classic), the amount of money calculated for a Trip using the hourly rate as set out in Schedule “C” of this By-law; or
 - (iv) in the case of Group Transportation Vehicles, the amount of money calculated for a Trip using the hourly rate as set out in Schedule “D” of this By-law;
- (v) “Fleet” means one or more City Plated Vehicle being Dispatched by a Broker;
- (w) “Grossly Unclean Individual” means an individual covered in dirt or other material to such an extent that he or she is likely to leave the interior of a City Plated Vehicle in an unclean state;

- (x) “Group Transportation Vehicle” means a van, minivan, minibus or sports utility motor vehicle with a seating capacity for not less than 6 and not more than 10 individuals that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab or Limousine;
- (y) “Group Transportation Vehicle Owner” means a Person who holds a Group Transportation Vehicle Owner Licence and corresponding Owner Plate;
- (z) “Highway Traffic Act” means the *Highway Traffic Act*, R.S.O. 1990, c. H. 8, as amended, and the regulations thereunder;
- (aa) “Lease” means any contract, agreement, understanding or other arrangement whereby an Owner permits another Person to manage, operate, control, have custody of, or otherwise employ his or her Cab or Accessible Cab, but does not include permitting a Driver to drive a Cab or Accessible Cab for one regular shift when the Cab or Accessible Cab is returned to the Owner at the end of the shift;
- (bb) “Licence” means a licence issued under this By-law;
- (cc) “Licensing Appeal Committee” means the Licensing Appeal Committee for the City appointed by by-law to conduct hearings under this By-law;
- (cc.1) “Licence Manager” means the Director of Building Controls and includes her or his designates.
- (dd) “Limousine” means Limousine (Executive), Limousine (Stretch), or Limousine (Classic);
- (ee) “Limousine (Executive)” means a manufacturer’s top-of-the-line, full-size, four-door, luxury class sedan motor vehicle, including a Cadillac Seville, Chrysler 300, Lincoln Town Car or equivalent motor vehicle, which has carpeted floors, tinted power windows, a stereo system, climate control and either a leather or superior quality upholstered interior with a seating capacity for not less than 5 and not more than 6 individuals that is not equipped with a Cab Meter, a top light or a roof sign and is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab, Limousine (Stretch), Limousine (Classic) or Group Transportation Vehicle;
- (ff) “Limousine (Stretch)” means a luxury class motor vehicle manufactured or modified with an extended wheel-base with a seating capacity for not more than 10 individuals that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab, Limousine (Executive), Limousine (Classic) or Group Transportation Vehicle;
- (gg) “Limousine (Classic)” means a motor vehicle for which a historic permit has been issued under the Highway Traffic Act that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab, Limousine (Executive), Limousine (Stretch) or Group Transportation Vehicle;
- (hh) “Limousine Owner” means a Person who holds a Limousine (Executive), Limousine (Stretch) or Limousine (Classic) Owner Licence and corresponding Owner Plate;
- (ii) “Maintenance Log” means a written record of the repair of a City Plated Vehicle, including the vehicle identification number, Ontario licence plate number, Owner Plate number, make, model and year, the nature and date of each repair, name of the Person carrying out the repair and confirmation that the Owner was notified of it;
- (jj) “Model Year” means the model year shown for a City Plated Vehicle on the registration for it issued under the Highway Traffic Act;
- (kk) “Municipal Act” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, and any regulations thereunder;

- (ll) “Operate” means to drive a Cab, Accessible Cab, Group Transportation Vehicle or Limousine while it is available for or providing a Conveyance Service;
- (mm) “Order” means a request for a City Plated Motor Vehicle to provide a Conveyance Service;
- (nn) “Owner” means the Person who holds a Cab Owner Licence, Accessible Cab Owner Licence, a Limousine Owner Licence or a Group Transportation Vehicle Owner Licence issued under this By-law;
- (oo) “Owner Plate” means a metal number plate issued to the Owner under this By-law corresponding to his or her Owner Licence;
- (pp) “Passenger” means any individual, not including the Driver, seated in a Cab, Accessible Cab, Group Transportation Vehicle or Limousine and includes a Person engaging or attempting to engage a Cab, Accessible Cab, Group Transportation Vehicle or Limousine to provide a Conveyance Service;
- (qq) “Person” means an individual, association, firm, partnership, corporation, trust, organization, trustee or agent, and the heirs, executors or legal representatives of the Person to whom the context can apply according to law;
- (rr) “Persons with Disabilities” means individuals with any degree of physical disability, infirmity, malformation or disfigurement caused by bodily injury, birth defect or illness and includes, but is not limited to:
- diabetes mellitus;
 - epilepsy;
 - a brain injury;
 - any degree of paralysis;
 - amputation;
 - lack of physical co-ordination;
 - blindness or visual impediment;
 - deafness or hearing impediment;
 - muteness or speech impediment; or
 - physical reliance on a guide dog or other animal, or on a wheelchair or other remedial appliance or device;
- A condition of mental impairment or a developmental disability;
- A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- A mental disorder; or
- An injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*;
- (ss) “Plated” means to have the Owner Plate affixed to the Cab, Accessible Cab, Limousine or Group Transportation Vehicle for which it was issued;
- (tt) “Safety Standards Certificate” means a safety standards certificate issued under the Highway Traffic Act;
- (uu) “Tariff Card” means a card, showing the current tariff, issued by the Licence Manager for display in a Cab or Accessible Cab;
- (vv) “Trip”
- (i) for a Cab or Accessible Cab means the distance and time traveled, measured from the place and time at which a Passenger first enters a Cab or Accessible Cab or when a Cab Meter is first engaged, whichever comes first, to the place and time at which the Passenger

finally leaves the Cab or Accessible Cab or the Cab Meter is disengaged, whichever comes last;

(ii) for a Limousine (Executive) means the distance or time traveled, measured from the place or time at which a Passenger first enters a Limousine (Executive) to the place or time at which the Passenger finally leaves the Limousine (Executive); and

(iii) for a Limousine (Stretch), Limousine (Classic) or Group Transportation Vehicle means the time traveled, measured from the time at which a Passenger first enters a Limousine (Stretch), Limousine (Classic) or Group Transportation Vehicle to the time at which the Passenger finally leaves the Limousine (Stretch), Limousine (Classic) or Group Transportation Vehicle; and

(ww) "Trip Sheet" means a written record of each Trip.

SECTION 2 - GENERAL PROVISIONS

2.1 General Provisions

(a) Schedules 'A', 'B', 'C' and 'D' of this By-law shall apply to the conveyance of Passengers or property:

(i) wholly within the geographic boundaries of the City; or,

(ii) from any point within the geographic boundaries of the City to any point outside the City.

(b) All motor vehicles that provide Conveyance Service within the geographic boundaries of the City shall have attached an Owner Plate.

(c) The Licence Manager shall have all necessary authority to administer this By-law.

(d) Without limiting subsection 2.1(c) of this By-law, the Licence Manager shall have the authority to:

(i) prescribe administrative forms required under this By-law;

(ii) issue any Licence where the Applicant meets the requirements of this By-law; and

(iii) verify any information provided by an Applicant or Licensee;

(e) The Licence Manager shall review Schedules 'A' and 'B' at regular intervals and in any case not less than once every two years to determine that the Schedule 'B' Option 1 Fare for a Trip is at least 15% greater than the Schedule 'A' Fare for a Trip.

2.2 Term of Licence and Renewal

(a) A Licence shall expire on October 31st of each year, unless renewed or previously suspended or revoked.

(b) A Licence may be renewed upon payment of the fee required under this By-law, if the Applicant is in compliance with this By-law.

2.3 Licence Form

Every Licence shall show on its face the type of Licence granted, the date it was granted on and the make, model, Model Year and vehicle identification number of the motor vehicle, if any, to which it pertains.

2.4 Inspection

- (a) Every Person having possession of a Cab, Accessible Cab, Limousine or Group Transportation Vehicle shall, when required by the Licence Manager or an Enforcement Officer, submit his or her Cab, Accessible Cab, Limousine or Group Transportation Vehicle for inspection.
- (b) No Person shall obstruct the Licence Manager or an Enforcement Officer from entering any Cab, Accessible Cab, Limousine or Group Transportation Vehicle for the purposes of an inspection.

SECTION 3 – EXEMPTIONS

3.1 General Exemptions

This By-law does not apply to the operation of:

- (a) a motor vehicle with a seating capacity of 11 or more individuals, including the Driver;
- (b) an ambulance or funeral hearse;
- (c) a motor vehicle that is inspected as a bus under Regulation 611 of the Highway Traffic Act; or,
- (d) a school bus, as defined under subsection 175(1) of the Highway Traffic Act, that is licensed under the *Public Vehicles Act*, R.S.O. 1990, c. 54, as amended, while it conveys students to and from school, as defined under subsection 175(1) of the Highway Traffic Act.

3.2 City Service Exemptions

This By-law does not apply to:

- (a) the London Transit Commission;
- (b) the London Community Transportation Brokerage; or,
- (c) any Person the London Transit Commission or the London Community Transportation Brokerage enters into an agreement with for the conveyance of senior citizens or Persons with Disabilities.

SECTION 4 – SEVERABILITY

If any provision or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

SECTION 5 – COMPLIANCE WITH OTHER BY-LAWS

If there is a conflict between a provision of this By-law and a provision of any other City by-law, then the more restrictive provision shall apply.

SECTION 6 – DEFINED TERMS

- (a) Wherever the first letter of a term is capitalized, the term shall have the meaning set out for it in section 1 of this By-law and shall include the plural, past and future tense with any necessary modification in interpretation required by the context.
- (b) Wherever the first letter of a term is in lower-case, the term shall have the meaning ordinarily attributed to it.

SECTION 7 – LIMITATIONS – NO VESTED RIGHT

Every Licence and Owner Plate is the property of the City and no Person shall enjoy a vested right to a Licence or an Owner Plate.

SECTION 8 – GENERAL PROHIBITIONS

8.1 Holding a Valid Licence

No Person shall:

- (a) own or Operate a Cab, Accessible Cab, Limousine or Group Transportation Vehicle without first having obtained a Licence from the Licence Manager;
- (b) act as a Broker without first having obtained a Licence from the Licence Manager; or
- (c) own or Operate a Cab, Accessible Cab, Group Transportation Vehicle or Limousine without a valid Owner Plate affixed to the Cab, Accessible Cab, Group Transportation Vehicle or Limousine.

8.2 False Advertising

No Person shall:

- (a) advertise the use of:
 - (i) a Cab without first having obtained a Cab Owner Licence;
 - (ii) an Accessible Cab without first having obtained a Cab Owner Licence;
 - (iii) a Limousine without first having obtained an Limousine Owner Licence; or
 - (iv) a Group Transportation Vehicle without first having obtained an Group Transportation Vehicle Owner Licence; or
- (b) publish or cause to be published any representation that he or she is Licensed if he or she is not.

8.3 Obstruct Enforcement or Administration

No Person shall:

- (a) obstruct or attempt to obstruct the Licence Manager or an Enforcement Officer from exercising a power or performing duty under this By-law; or
- (b) fail to produce immediately his or her Licence or any other relevant documents required under this By-law when requested to do so by the Licence Manager or an Enforcement Officer.

SECTION 9 – DRIVER APPLICATION FOR LICENCES, RESPONSIBILITIES AND RESTRICTIONS

9.1 New Driver Licence Application

Every Applicant in the first instance for a Cab, Accessible Cab, Limousine or Group Transportation Driver Licence shall:

- (a) attend at the office of the Licence Manager and complete a written Application for such Licence;
- (b) be at least 18 years of age;

- (c) as of October 1st, 2005 have completed an English assessment exam administered by the Licence Manager with a passing grade;
- (d) have a valid Class G driver's licence issued under the Highway Traffic Act;
- (e) attend at the Office of the Licence Manager and have his or her photograph taken
- (f) file with the Licence Manager proof of completion of a training course approved by the Licence Manager and, subsequently, complete a written examination administered by the Licence Manager with:
 - a. a minimum grade of 75% for a first attempt; or,
 - b. a minimum grade of 85% for a subsequent attempt made at least one month after a previous attempt;
- (g) supply proof of:
 - (i) Canadian Citizenship;
 - (ii) Landed Immigrant Status; or,
 - (iii) a Work Permit to work as a driver issued by the Government of Canada;
- (h) provide:
 - (i) a CIR from the City Police dated no later than 30 days prior to the Application for a Licence; and
 - (ii) a Ministry of Transportation driver's abstract dated no later than 30 days prior to the Application for a Licence; and
- (i) pay all fees required under this By-law.

9.2 Driver Licence Renewals

Every Applicant for a renewal of a Cab, Accessible Cab, Limousine or Group Transportation Vehicle Driver Licence shall:

- (a) attend at the office of the Licence Manager and complete a written Application for such Licence renewal;
- (b) provide commencing with applications on October 1, 2005:
 - (i) a CIR from the City Police, dated no later than 30 days prior to the Application for a Licence; and
 - (ii) a Ministry of Transportation driver's abstract dated no later than 30 days prior to the Application for a Licence;
- (c) pay all outstanding fines or penalties imposed for contraventions of this By-law;
- (d) file:
 - (i) every 4 years or sooner as required by the Licence Manager, proof of completion of a training course or written test approved by the Licence Manager with a minimum grade of 80%; and
 - (ii) as required by the Licence Manager when he or she believes it to be in the public interest, a certificate prepared by a qualified medical practitioner attesting to the Applicant's fitness to drive;

- (e) attend at the Office of the Licence Manager and have his or her photograph taken; and
- (f) pay all fees required under this By-law.

9.2.1 New Accessible Cab Driver Licence Applications

In addition to complying with the requirements under subsection 9.1 of this By-law for a Cab Driver Licence Application, every Applicant in the first instance for an Accessible Cab Driver Licence shall;

- (a) be a Licensed Cab Driver;
- (b) satisfactorily complete a sensitivity course approved by the Licence Manager pertaining to the transportation of Persons with Disabilities and, subsequently, complete a written examination administered by the Licence Manager with:
 - (i) a minimum grade of 75% for a first attempt; or
 - (ii) a minimum grade of 85% for a subsequent attempt made at least one month after a previous attempt; and
- (c) submit his or her Cab Driver Licence to the Licence Manager for endorsement as an Accessible Cab Driver Licence.

9.2.2 Accessible Cab Driver Licence Renewals

In addition to complying with the requirements under subsection 9.2 of this By-law, every Applicant for a renewal of an Accessible Cab Driver Licence shall:

- (a) be a Licensed Cab Driver;
- (b) submit his or her Accessible Cab Driver Licence to the Licence Manager for endorsement as an Accessible Cab Driver Licence; and
- (c) every 4 years or sooner as required by the Licence Manager, proof of completion of a sensitivity course approved by the Licence Manager pertaining to the transportation of Persons with Disabilities or complete a written examination approved by the Licence Manager with a minimum grade of 80%.

9.3 Driver Responsibilities

When Operating a Cab, Accessible Cab, Group Transportation Vehicle or Limousine, every Driver Licensed under this By-law shall:

- (a) punctually keep all appointments and engagements;
- (b) take care of all property delivered or entrusted to him or her and accepted by him or her;
- (c) immediately upon termination of a Trip, search his or her Cab, Accessible Cab, Group Transportation Vehicle or Limousine for any property left therein and deliver the property to its owner, or if its owner cannot be found, to the City Police;
- (d) retain all Trip Sheets for at least 12 months;
- (e) notify the Licence Manager within 6 days of a change of address;
- (f) immediately before commencing and after ceasing to Operate a Cab, Accessible Cab, Group Transportation Vehicle or Limousine, examine it for mechanical defects or interior or exterior damage and report any defects or damage to the City Plated Vehicle's Owner;

- (g) be civil and courteous, refrain from using profanity and offer to assist any Passenger when it is evident that the Passenger is a Person with a Disability, elderly or in need of assistance;
- (h) keep in the Cab, Accessible Cab, Group Transportation Vehicle or Limousine a current street guide for the City and surrounding area;
- (i) report immediately to the Licence Manager when he or she is charged or convicted of an offence under the *Criminal Code*, R.S. 1985, c. C-46, the *Controlled Drugs and Substances Act*, 1996, c. 19, or the Highway Traffic Act;
- (j) when he or she has had his or her driver's licence issued under the Highway Traffic Act cancelled, suspended or revoked or when the driver's licence has expired, immediately report this to the Licence Manager and surrender his or her Driver Licence to the Licence Manager;
- (k) maintain the interior and exterior of the Cab, Accessible Cab, Group Transportation Vehicle or Limousine, while he or she is Operating it, in a clean and tidy condition, including maintaining the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the motor vehicle;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows designed to open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light;

and maintaining the exterior:

- (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item that can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
- (xii) in good repair;
- (xiii) free from exterior body damage;
- (xiv) with no missing or removed fender, grill or molding;
- (xv) with securely closing doors and trunk lid;
- (xvi) with all handles and catches in good repair;
- (xvii) paint or finish; and
- (xviii) with four matching hubcaps.

9.4 Cab Driver Responsibilities

Every Cab Driver shall:

- (a) at all times when Operating a Cab, have displayed the current Tariff Card and Driver Licence in a location approved by the Licence Manager;
- (b) at all times when Operating a Cab, be clean, wearing clothes that are neat and free from soil, grease and dirt with no unrepaired rips or tears;
- (c) unless his or her Cab has been previously engaged, Operate at any place within the City and provide Conveyance Service to any Person who may require his or her Cab, refusing only when:
 - (j) the Driver is concerned for his or her personal safety;
 - (i) the Person has not paid a previous Fare or cancellation charge;
 - (ii) the Person is, in the opinion of the Driver, unable or unwilling to the pay the Fare and has been unable or unwilling, when given the opportunity to do so, to satisfy the Driver that he or she has funds to pay the Fare; or
 - (iii) the Person is a Grossly Unclean Individual;
- (d) upon the request of a Passenger, provide a receipt for the Fare or other charge made and paid, indicating thereon:
 - (i) Cab or Accessible Cab;
 - (ii) the place of pick up and discharge;
 - (iii) the distance traveled;
 - (iv) the number of his or her Driver Licence; and
 - (v) the number of the Owner Licence for the Cab or Accessible Cab;
- (e) prepare a daily Trip Sheet, updated at the termination of each Trip, of all Trips made by the Driver during each period of continuous Operation or shift indicating thereon:
 - (i) the number of the Owner Licence for the Cab or Accessible Cab;
 - (ii) the Driver's name;
 - (iii) the number of his or her Driver Licence;
 - (iv) the date, time and place of the beginning and termination of each Trip and the number of Passengers carried;
 - (v) the balance of Trips against Cab Meter readings; and
 - (vi) the amount of the Fare collected for each Trip;
- (f) take the most expeditious route to a Passenger's destination, unless the Passenger directs the Driver to take another route;
- (g) engage the Cab Meter at the commencement of each Trip when the Passenger enters the Cab or Accessible Cab and keep it engaged throughout the Trip;
- (h) at the termination of the Trip, disengage the Cab Meter at the time-off status and, after payment, at the vacant status;

- (i) turn off any radio, tape player or other sound-producing mechanical device and turn down the volume on any two-way radio upon being requested to do so by a Passenger until the termination of the Trip; and
- (j) enter a Cab Stand by positioning his or her Cab at the end of any line formed by other Cabs and remain in the driver's seat, ready to provide a Conveyance Service, when first or second in the line.

9.5 Accessible Cab Driver Responsibilities

In addition to complying with the Cab Driver responsibilities under section 9.4 of this By-law, every Accessible Cab Driver shall:

- (a) ensure that all wheelchairs being transported within the Accessible Cab are securely fastened so as to prevent them from moving when the Accessible Cab is in motion;
- (b) ensure that the Accessible Cab:
 - (i) is equipped with an extra tire, wheel and jack ready for use for that Accessible Cab;
 - (ii) has wheelchair tie downs; and,
 - (iii) is in compliance with Regulation 629 of the Highway Traffic Act, the Canadian Standards Association's Standard D409-M84 and all other applicable federal and provincial legislation;
- (c) record the number Trips of Persons with Disabilities and Persons without Disabilities on his or her Trip Sheets; and
- (d) give priority for Conveyance Service for Persons with Disabilities over Persons without Disabilities.

9.6.1 Limousine Driver Responsibilities

Every Limousine Driver shall:

- (a) at all times when Operating a Limousine, be clean, wearing clothes that are neat and free from soil, grease and dirt with no unrepaired rips or tears, and wear a uniform approved by the Limousine Owner and the Licence Manager;
- (b) unless his or her Limousine has been previously engaged, Operate at any place within the City and provide Conveyance Service to any Person who may require his or her Limousine, refusing only when:
 - (i) the Driver is concerned for his or her personal safety;
 - (ii) the Person is, in the opinion of the Driver, unable or unwilling to pay the Fare and has been unable or unwilling, when given the opportunity to do so, to satisfy the Driver that he has funds to pay the Fare; or
 - (iii) the Person is a Grossly Unclean Individual;
- (c) if Operating a Limousine (Executive):
 - (i) upon the request of any Passenger, provide a receipt for the Fare or other charge made and paid indicating thereon:
 1. Limousine (Executive);
 2. the place of pick up and discharge;
 3. the distance traveled;

4. the number of his or her Driver Licence; and
 5. the number of the Owner Licence for the Limousine (Executive)
- (ii) prepare a daily Trip Sheet, updated at the termination of each Trip, of all Trips made by the Driver during each period of continuous operation or shift indicating thereon:
1. the number of the Limousine Owner Licence for the Limousine;
 2. the Driver's name;
 3. the number of his or her Driver Licence;
 4. the date, time and place of the beginning and termination of each Trip and the number of Passengers carried; and
 5. the amount of the Fare collected for each Trip.

9.6.2 Group Transportation Vehicle Driver Responsibilities

Every Group Transportation Vehicle Driver shall:

- (a) at all times when Operating a Group Transportation Vehicle, be clean, wearing clothes that are neat and free from soil, grease and dirt with no unrepaired rips or tears; and
- (b) unless his or her Group Transportation Vehicle has been previously engaged, Operate at any place within the City and provide Conveyance Service to any Person who may require his or her Group Transportation Vehicle, refusing only when:
 - (i) the Driver is concerned for his or her personal safety;
 - (ii) the Person is, in the opinion of the Driver, unable or unwilling to the pay the Fare and has been unable or unwilling, when given the opportunity to do so, to satisfy the Driver that he has funds to pay the Fare; or
 - (iii) the Person is a Grossly Unclean Individual.

9.7 Cab and Accessible Cab Driver Restrictions

No Cab Driver or Accessible Cab Driver shall:

- (a) Operate a Cab without having a valid Cab Driver Licence that is visible in the Cab at all times and the Owner Plate issued for the Cab affixed to the Cab;
- (b) Operate an Accessible Cab without having a valid Accessible Cab Driver Licence that is visible in the Accessible Cab at all times the Owner Plate issued for the Accessible Cab affixed to the Accessible Cab;
- (c) solicit or permit the solicitation of any Person to become a Passenger;
- (d) be under the influence of any intoxicant or take, consume or have in his or her possession any intoxicant while Operating a Cab or Accessible Cab;
- (e) provide a Conveyance Service to more than 9 Passengers in a Cab or Accessible Cab;
- (f) induce any individual to become a Passenger by misleading such individual as to the time or place of the arrival or departure of any train, boat or other public conveyance, or as to the location of or distance from any part of the City, including any railway station, boat landing or hotel;

- (g) provide a Conveyance Service to an individual who is under the influence of an intoxicant when his or her Cab or Accessible Cab is occupied by a Passenger who is not in the company of that individual;
- (h) provide a Conveyance Service to an individual when his or her Cab or Accessible Cab is occupied by a Passenger, unless:
 - (i) first approved by the Passenger;
 - (ii) in an emergency situation; or
 - (iii) on a Trip exclusively taking students to or from school;
- (i) overcrowd a Cab Stand or displace any Cab or Accessible Cab already at the Cab Stand;
- (j) interfere in any way with the normal use of a Cab Stand or public place or with surrounding traffic;
- (k) make any disturbance, including a loud noise at a Cab Stand or public place;
- (l) wash a Cab or Accessible Cab at a Cab Stand or public place;
- (m) contravene or permit the contravention of the City's Smoke Free Public Places By-law, PH-10, as amended, or Smoke Free Workplaces By-law, PH 11, as amended, in his or her Cab or Accessible Cab;
- (n) Operate a Cab or Accessible Cab when he or she is aware it would not comply with requirements of a Safety Standards Certificate;
- (o) Operate a Cab whose owner does not have a Cab Owner Licence and Owner Plate;
- (p) Operate an Accessible Cab whose owner does not have an Accessible Cab Owner Licence and Owner Plate;
- (q) Operate a Cab or Accessible Cab when the Cab Meter:
 - (i) has not been adjusted in accordance with Schedule 'A' of this By-law;
 - (ii) has not been approved by the Licence Manager;
 - (iii) does not operate properly; or
 - (iv) is not affixed or is improperly affixed;
- (r) Operate a Cab or Accessible Cab without side numbers and a properly functioning roof light; or
- (s) Operate a Cab or Accessible Cab for which there is no current insurance under the *Compulsory Automobile Insurance Act*, R.S.O. 1990, c. C. 25., or other applicable legislation.

9.8.1 Limousine Driver Restrictions

No Limousine Driver shall:

- (a) operate a Limousine without having a valid Limousine Driver Licence that is visible in the Limousine at all times and the Owner Plate issued for the Limousine affixed to the Limousine;
- (b) solicit or permit the solicitation of any Person to become a Passenger;
- (c) be under the influence of any intoxicant or take, consume or have in his or her possession any intoxicant while Operating a Limousine;

- (d) if driving a Limousine (Executive), induce any individual to become a Passenger by misleading such individual as to the time or place of the arrival or departure of any train, boat or other public conveyance, or as to the location of or distance from any part of the City, including any railway station, boat landing or hotel;
- (e) provide a Conveyance Service to an individual who is under the influence of an intoxicant when his or her Limousine is occupied by a Passenger who is not in the company of that individual;
- (f) provide a Conveyance Service to an individual when his or her Limousine is occupied by a Passenger, unless:
 - (i) first approved by the Passenger; or
 - (ii) in an emergency situation;
- (g) use a Cab Stand or other place set aside for Cabs or Accessible Cabs;
- (h) Operate a Limousine when he or she is aware it would not comply with requirements of a Safety Standards Certificate;
- (i) Operate a Limousine whose owner does not have a Limousine Owner Licence and Owner Plate; or
- (j) Operate a Limousine for which there is no current insurance under the *Compulsory Automobile Insurance Act*, R.S.O. 1990, c. C. 25, or other applicable legislation.

9.8.2 Group Transportation Vehicle Driver Restrictions

No Group Transportation Vehicle Driver shall:

- (a) Operate a Group Transportation Vehicle without having a valid Group Transportation Vehicle Driver Licence that is visible in the Group Transportation Vehicle at all times the Owner Plate issued for the Group Transportation Vehicle affixed to the Group Transportation Vehicle;
- (b) solicit or permit the solicitation of any Person to become a Passenger;
- (c) be under the influence of any intoxicant or take, consume or have in his or her possession any intoxicant while Operating a Group Transportation Vehicle;
- (d) provide a Conveyance Service to an individual who is under the influence of an intoxicant when his or her Group Transportation Vehicle is occupied by a Passenger who is not in the company of that individual;
- (e) provide a Conveyance Service to an individual when his or her Group Transportation Vehicle is occupied by a Passenger, unless:
 - (i) first approved by the Passenger; or
 - (ii) in an emergency situation;
- (f) use a Cab Stand or other place set aside for Cabs or Accessible Cabs;
- (g) Operate a Group Transportation Vehicle when he or she is aware it would not comply with requirements of a Safety Standards Certificate;
- (h) Operate a Group Transportation Vehicle whose owner does not have a Group Transportation Vehicle Owner Licence and Owner Plate; or
- (i) Operate a Group Transportation Vehicle for which there is no current insurance under the *Compulsory Automobile Insurance Act*, R.S.O. 1990, c. C. 25, or other applicable legislation.

SECTION 10 – OWNER APPLICATION FOR LICENCES, RESPONSIBILITIES AND RESTRICTIONS

10.1 Cab Owner Application Requirements

Every Applicant for a Cab Owner Licence shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (b) if the Applicant is partnership, have a partner attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (d) if the Applicant is an individual, hold a valid Cab Driver Licence;
- (e) if the Applicant is a corporation, have:
 - (i) one officer of the corporation hold a valid Cab Driver Licence; and
 - (ii) each officer of the corporation provide a CIR from the City Police, dated no later than 36 days prior to the Application for a Licence;
- (f) file with Licence Manager proof:
 - (i) that the motor vehicle to be Plated as a Cab has a valid vehicle permit issued under the Highway Traffic Act and is either registered in his or her name or leased by him or her; and
 - (ii) of insurance in respect of each motor vehicle to be Plated as a Cab indemnifying and protecting the Cab Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 30 days prior to the date of its cancellation or expiry;
- (g) submit a Safety Standards Certificate issued within the previous 36 days with respect to any used motor vehicle to be Plated as a Cab;
- (h) submit a certificate of accuracy with respect to the Cab Meter installed in the motor vehicle to be Plated as a Cab completed within 10 days by a qualified and authorized representative of the manufacturer of the Cab Meter on his or her letterhead stating that the Cab Meter is properly sealed and registers accurately;
- (i) if the Applicant is a corporation, submit a copy of the incorporating documentation, a copy of the last initial notice or notice of change which has been filed with the provincial or federal government and a Certificate of Status issued by the Ministry of Consumer and Business Services;
- (j) if the Applicant is a partnership, details of each partner's interests in the partnership; and
- (k) pay all fees required under this By-law.

10.2 Accessible Cab Owner Application Requirements For Licences Issued in the First Instance On or Before October 31, 2008

In addition to complying with all of the Cab Owner Application requirements under subsection 10.1 of this by-law, every Applicant for an Accessible Cab Owner Licence issued in the first instance prior to October 31, 2008 and numbered 100-699 and every renewal subsequent thereto shall:

- (a) be a Licensed Cab Owner;
- (b) submit an Application to the Licence Manager for an Accessible Cab Owner Licence;
- (c) provide proof of insurance in respect of each motor vehicle to be Plated as an Accessible Cab indemnifying and protecting the Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 30 days prior to the date of its cancellation or expiry; and
- (d) file with the Licence Manager proof that the Accessible Cab to be Plated complies with motor vehicle safety requirements in this By-law, as well as with all requirements of the Highway Traffic Act and all other applicable legislation.

10.2.1 Accessible Cab Owner Licences Issued in the First Instance After October 31, 2008

Every Applicant for an Accessible Cab Owner Licence to be issued in the first instance after October 31, 2008 and every renewal subsequent thereto:

- (a) shall, if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (b) shall, if the Applicant is a partnership, have each partner attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (c) shall, if the Applicant is an individual, hold a valid Accessible Cab Driver Licence;
- (d) if the Applicant is a partnership, each partner shall hold a valid Accessible Cab Driver Licence;
- (e) shall, if the Applicant is a partnership, provide details of each partner's interests in the partnership;
- (f) shall file with the Licence Manager proof;
 - (i) that the motor vehicle to be Plated as an Accessible Cab has a valid vehicle permit issued under the Highway Traffic Act, complies with motor vehicle safety requirements in this By-law and is either registered in his or her name or leased by him or her;
 - (ii) of insurance in respect of each motor vehicle to be Plated as an Accessible Cab indemnifying and protecting the Accessible Cab Owner and the public, including Passengers, in the amount of \$2,000,000.00 which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 30 days prior to the date of its cancellation or expiry; and
 - (iii) that the motor vehicle to be Plated as an Accessible Cab complies with the motor vehicle safety requirements in this By-law, as well as with all requirements of the Highway Traffic Act and all other applicable legislation;

- (g) shall submit a Safety Standards Certificate issued within the previous 36 days with respect to any used motor vehicle to be Plated as an Accessible Cab;
- (h) shall submit a certificate of accuracy with respect to the Cab Meter installed in the motor vehicle to be Plated as an Accessible Cab completed within 10 days by a qualified and authorized representative of the manufacturer of the Cab Meter on his or her letterhead stating that the Cab Meter is properly sealed and registers accurately;
- (i) shall file with the Licence Manager proof, satisfactory to the Licence Manager, that the Applicant is affiliated with a Broker licensed under this By-law; and
- (j) shall pay all fees required under this By-law.

10.2.1.1 Accessible Cab Owner Licence Restrictions for Licences Issued in the First Instance After October 31, 2008

Despite subsection 10.2.1 an Applicant shall not be eligible for an Accessible Cab Owner Licence if:

- (a) the Applicant is a corporation;
- (b) the Applicant is an individual that holds a Cab Owner Licence or an Accessible Cab Owner Licence;
- (c) the Applicant is a partnership that holds a Cab Owner Licence or an Accessible Cab Owner Licence;
- (d) the Applicant is an officer, director or a shareholder in a corporation that holds a Cab Owner Licence or an Accessible Cab Owner Licence; or
- (e) the Applicant is a partner in a partnership that holds a Cab Owner Licence or an Accessible Cab Owner Licence.

10.2.1.2 Accessible Cab Owner Application Requirements For Licenses Issued In the First Instance After October 31, 2008

Subsections 10.2.1.1 (b) and (c) do not prevent an Applicant who holds an Accessible Cab Owner Licence issued in the first instance after October 31, 2008 from applying for a renewal for that Licence.

10.3.1.1 Limousine Owner Application Requirements

Every Applicant for a Limousine Owner Licence shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (b) if the Applicant is partnership, have a partner attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the Corporation having signing authority attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (d) if the Applicant for a Limousine Owner Licence is an individual, hold a valid Limousine Driver Licence;

- (e) if the Applicant for a Limousine Owner Licence is a corporation, have:
 - (i) one officer of the corporation hold a valid Limousine Driver Licence; and
 - (ii) each officer of the Corporation provide a CIR from the City Police, dated no later than 30 days prior to the Application for a Licence;
- (f) file with Licence Manager proof:
 - (i) that the motor vehicle to be Plated as a Limousine has a valid vehicle permit issued under the Highway Traffic Act for the current year and is either registered in his or her name or leased by him or her; and
 - (ii) of insurance in respect of each motor vehicle to be Plated as a Limousine indemnifying and protecting the Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 30 days prior to the date of its cancellation or expiry;
- (g) submit a Safety Standards Certificate issued within the previous 36 days with respect to any used motor vehicle to be Plated as a Limousine; and
- (h) pay all fees required under this By-law.

10.3.2 Group Transportation Vehicle Owner Application Requirements

Every Applicant for a Group Transportation Vehicle Owner Licence shall:

- (a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (b) if the Applicant is partnership, have a partner attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (c) if the Applicant is a corporation, have an officer or director of the Corporation having signing authority attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (d) if the Applicant for a Group Transportation Vehicle Owner Licence is an individual, hold a valid Group Transportation Vehicle Driver Licence;
- (e) if the Applicant for a Group Transportation Vehicle Owner Licence is a corporation, have:
 - (i) one officer of the corporation hold a valid Group Transportation Vehicle Driver Licence; and
 - (ii) each officer of the Corporation provide a CIR from the City Police, dated no later than 30 days prior to the Application for a Licence;
- (f) file with Licence Manager proof:
 - (i) that the motor vehicle to be Plated as a Group Transportation Vehicle has a valid vehicle permit issued under the Highway Traffic Act for the current year and is either registered in his or her name or leased by him or her; and
 - (ii) of insurance in respect of each motor vehicle to be Plated as a Group Transportation Vehicle indemnifying and protecting the Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 30 days prior to the date of its cancellation or expiry;

- (g) submit a Safety Standards Certificate issued within the previous 36 days with respect to any used motor vehicle to be Plated as a Group Transportation Vehicle; and
- (h) pay all fees required under this By-law.

10.4 Cab and Accessible Cab Owner Responsibilities

10.4.1 Licensing and Insurance

Every Cab and Accessible Cab Owner shall:

- (a) hold a separate Cab or Accessible Cab Owner Licence for each Cab or Accessible Cab;
- (b) maintain insurance on each Cab as required under subsection 10.1(f)(ii) of this By-law;
- (c) maintain insurance on each Accessible Cab as required under subsection 10(2)(c) of this By-law;
- (d) notify the Licence Manager in writing within 6 days of a change of address;
- (e) if the Cab or Accessible Cab Owner is a corporation:
 - (i) notify the Licence Manager immediately of a change in ownership in holding shares; and,
 - (ii) when more than 20% of the holding shares have changed ownership from when the corporation made its first Application for a Cab or Accessible Cab Owner Licence, make a new Application for a Cab or Accessible Cab Owner Licence under subsection 10.1 or subsection 10.2 of this By-law; and
- (f) file with the Licence Manager at least 5 days prior to the expiry date of any current insurance policy an insurance renewal policy or certificate of insurance.

10.4.1.2

In addition to complying with the requirements under subsection 10.4.1 of this By-law, every Accessible Cab Owner who holds a Licence issued in the first instance after October 31, 2008 and renewed subsequent thereto shall :

- (i) ensure that all Drivers in his or her Accessible Cab are affiliated with the same Broker as the Accessible Cab Owner;
- (ii) maintain an affiliation with a Broker as required under subsection 10.2.1(i) of this By-law; and
- (iii) notify the Licence Manager in writing of any change of its affiliation with a Broker within 6 days of any such change.

10.4.2 Operations

Every Cab or Accessible Cab Owner shall:

- (a) ensure that all Cab or Accessible Cab Drivers in his or her Cab or Accessible Cab retain Trip Sheets for no less than 12 months; and
- (b) display and maintain, in good, legible condition, one copy of the Cab and Accessible Cab Passenger Bill of Rights as set out in Schedule 'F' of this By-law and including the telephone number of the Licence Manager's Office

where service compliments and complaints can be made in a location approved by the Licence Manager in his or her Cab or Accessible Cab.

10.4.2.1 Operations - Accessible Cab Owner Licences Issued in the First Instance After October 31, 2008

- (a) In addition to complying with the requirements under subsection 10.4.2 of this By-law, for Accessible Cab Licences issued in the first instance after October 31, 2008 and every renewal subsequent thereto, every Accessible Cab Owner shall:
 - (i) operate his or her Accessible Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31 in each year; and
 - (ii) if the Applicant is a partnership, each partner shall drive his or her Accessible Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31 in each year;
- (b) Notwithstanding subsection 10.4.2.1(a) of this By-law, the Licence Manager may exempt an Accessible Cab Owner from the minimum hours of operation required if, on account of illness, injury or other medical disability, he or she has been unable to meet the requirements of that subsection, if he or she files with the Licence Manager a Statutory Declaration so stating, together with supporting documentation including a medical certificate from a physician certified to practice in Ontario and such other evidence as the Licence Manager may require and the Statutory Declaration shall also state that he or she did meet the requirements of subsection 10.4.2.1(a) before the onset of his or her medical disability.

10.4.3 Vehicle Requirements

Every Cab or Accessible Cab Owner shall:

- (a) notify the Licence Manager of the colour(s) to be used on his or her Cab or Accessible Cab;
- (b) maintain the interior and exterior of his or her Cab or Accessible Cab in a clean and tidy condition, including maintaining the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Cab or Accessible Cab;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (vi) in good repair;
 - (vii) with working seat belts;
 - (viii) with side windows designed to open and close;
 - (ix) with every seat securely mounted maintaining its position and adjustment;
 - (x) with a working dome light;

and maintaining the exterior:

- (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) paint or finish; and
 - (xviii) with four matching hubcaps;
- (c) submit each Cab or Accessible Cab for a safety inspection annually by a motor vehicle inspection mechanic at a motor vehicle inspection station as defined by the Highway Traffic Act and at other times as requested to do so by the Licence Manager or an Enforcement Officer;
- (d) submit to the Licence Manager a valid Safety Standards Certificate at the time of a Cab or Accessible Cab Owner Licence renewal or transfer;
- (e) securely affix:
- (i) the Owner Plate issued for each Cab or Accessible Cab to its right rear trunk;
 - (ii) a holder for the Tariff Card on the sun visor of each Cab or Accessible Cab that is visible to any Passenger; and
 - (iii) an illuminated electric sign to the top of each Cab or Accessible Cab connected to the Cab Meter so as to be lit from dusk to dawn when the Cab or Accessible Cab is not providing a Conveyance Service and indicating that that the motor vehicle is a Cab or Accessible Cab and the name of the Fleet it belongs to;
- (f) display the number of the Owner Plate issued for a Cab or Accessible Cab on the exterior sides of both front doors and right rear trunk hood in contrasting colours at least 8 centimetres high;
- (g) keep at all times in each Cab or Accessible Cab the original or a photocopy of the original of:
- (i) the current vehicle permit issued under the Highway Traffic Act for the Cab or Accessible Cab;
 - (ii) the current Cab or Accessible Cab Owner Licence; and
 - (iii) the certificate of insurance for the Cab or Accessible Cab;
- (h) repair all of each Cab's or Accessible Cab's mechanical defects immediately when reported by a Driver, the Licence Manager or an Enforcement Officer;
- (i) maintain in each Cab or Accessible Cab a Maintenance Log recording all maintenance and repairs performed on the Cab or Accessible Cab within the preceding 12 months;
- (j) maintain the Cab or Accessible Cab in good condition at all times, including:
- (i) all drive train components, the engine, transmission, suspension and braking system in accordance with Regulation 611 of the Highway Traffic Act;

- (ii) all factory and after-market parts such as lamps, latches, seats, body parts, windows, heater and defroster systems free of defects or damage and in complete operational order; and
 - (iii) the vehicle generally to allow for its safe operation;
- (k) commencing on October 31st, 2005, equip each Cab or Accessible Cab with 2 exterior emergency lights in a location approved by the Licence Manager that:
 - (i) have an intermittent flasher to continuously flash until reset or disengaged and a silent activation switch within easy reach of the Driver; and
 - (ii) are amber in colour, at least 5 centimetres in diameter, shock resistant, wired on an independent circuit, upon activation visible from the front and rear of the Cab or Accessible Cab at a distance of not less than 15 metres but not visible to any individual in the Cab or Accessible Cab, and installed at and facing toward the front and the back of the Cab or Accessible Cab;
- (l) commencing on January 31,2010, equip each Cab or Accessible Cab with a fully-operational security camera satisfactory to the Licence Manager and shall be capable of recording images of persons in Cabs and Accessible Cabs. Access to the information recorded by the camera system shall be limited to the London Police Services to access the information for law enforcement purposes only; and
- (m) ensure that their Cab or Accessible Cab has:
 - (j) a seating capacity of not less than 5 and not more than 10 individuals; and
 - (ii) 4 doors including 2 rear passenger doors.

10.4.4 Vehicle Age

Every Cab or Accessible Cab Owner shall:

- (a) in accordance with Table 1, for all Cabs or Accessible Cabs with proof of a valid vehicle permit filed with the Clerk before November 15th, 2004, ensure that each Cab or Accessible Cab is no more than 9 years old, with the Cab's or Accessible Cab's Model Year counted as the first year and the current year counted as the last year and that it is not used as a Cab or Accessible Cab after October 31st of the year in which it is 9 years old; and
- (b) in accordance with Table 2, for all Cabs or Accessible Cabs with proof of a valid vehicle permit filed with the Clerk on or after November 15th, 2004, ensure that each Cab or Accessible Cab is no more than 7 years old, with the Cab's or Accessible Cab's Model Year counted as the first year and the current year counted as the last year, and that it is not used as a Cab or Accessible Cab after October 31st of the year in which it is 7 years old.

TABLE 1

CAB MODEL YEAR ACCESSIBLE CAB MODEL YEAR	TO BE REPLACED BY:
1996	December 15, 2004
1997	October 31, 2005
1998	October 31, 2006
1999	October 31, 2007
2000	October 31, 2008
2001	October 31, 2009

TABLE 2

CAB MODEL YEAR ACCESSIBLE CAB MODEL YEAR	TO BE REPLACED BY:
1999 and all earlier Model Years	October 31, 2005
2000	October 31, 2006
2001	October 31, 2007
2002	October 31, 2008
2003	October 31, 2009

10.5 Accessible Cab Owner Responsibilities

In addition to complying with all of the Accessible Cab Owner responsibilities under subsection 10.4 of this By-law,, every Accessible Cab Owner shall:

- (a) ensure that the Driver of each Accessible Cab keeps an accurate record of the number Trips made for Persons with Disabilities and for Persons with Disabilities on his or her Trip Sheets;
- (b) record the total number of Trips made for Persons with Disabilities and for Persons without Disabilities from the Trip Sheets for each month;
- (c) ensure that each Accessible Cab:
 - (i) is equipped with an extra tire, wheel and jack ready for use for that Accessible Cab;
 - (ii) has wheelchair tie downs;

- (iii) has a first aid kit;
 - (iv) has a dry chemical fire extinguisher having an effective total rating of at least 4-B c and weighing 2.27 kilograms;
 - (v) has operable air-conditioning and heating;
 - (vi) meets standards for a Safety Standard Certificate; and,
 - (vii) is in compliance with Regulation 629 under the Highway Traffic Act, the Canadian Standards Association's Standard D409-M84 and all other federal and provincial legislation, including without limitation to all federal and provincial legislation applicable to the transportation of Persons with Disabilities;
- (d) ensure that only an individual Licensed as an Accessible Cab Driver Operates an Accessible Cab; and
 - (e) ensure that priority is given for providing Conveyance Service to Persons with Disabilities over Persons without Disabilities.

10.6 Cab and Accessible Cab Owner Restrictions

No Cab or Accessible Cab Owner shall:

- (a) permit a Cab or Accessible Cab to be Operated except a Plated Cab or Plated Accessible Cab;
- (b) keep a Cab without having:
 - (i) a valid Cab Owner Licence; and
 - (ii) a valid Owner Plate affixed to the Cab;
- (c) keep an Accessible Cab without having:
 - (i) a valid Accessible Cab Owner Licence; and
 - (ii) a valid Owner Plate affixed to the Accessible Cab;
- (d) permit any individual to Operate his or her Cab who does not have a valid Cab Driver Licence;
- (e) permit any individual to Operate his or her Accessible Cab who does not have valid Accessible Cab Driver Licence;
- (f) permit a Cab or Accessible Cab to be Operated when the Cab Meter is out of order or defective in any way;
- (g) use or permit to be used on a Cab or Accessible Cab a colour scheme that is not approved by the Licence Manager or simulates a colour scheme used by another Broker; or
- (h) use or permit to be used in a Cab or Accessible Cab a scanning device or more than one two-way radio communication system and one cellular telephone.

10.7.1.1 Limousine Owner Responsibilities - Licensing and Insurance

Every Limousine Owner shall:

- (a) hold a separate Limousine Owner Licence for each Limousine;
- (b) maintain insurance on each Limousine as required under subsection 10.3.1 (f)(ii) of this By-law;
- (c) notify the Licence Manager in writing within 6 days of a change of address;

- (d) if the Limousine Owner is a corporation:
 - (j) notify the Licence Manager immediately of a change in ownership in holding shares; and,
 - (ii) when more than 20% of the holding shares have changed ownership from when the corporation made its first Application for a Limousine Owner Licence, make a new Application for a Limousine Owner Licence under subsection 10.3.1 of this By-law; and
- (e) file with the Licence Manager at least 5 days prior to the expiry date of any current insurance policy and insurance renewal policy or certificate of insurance.

10.7.1.2 Group Transportation Vehicle Owner Responsibilities - Licensing and Insurance

Every Group Transportation Vehicle Owner shall:

- (a) hold a separate Group Transportation Vehicle Owner Licence for each Group Transportation Owner Vehicle;
- (b) maintain insurance on each Group Transportation Vehicle as required under subsection 10.3.2 (f)(ii) of this By-law;
- (c) notify the Licence Manager in writing within 6 days of a change of address;
- (d) if the Group Transportation Vehicle Owner is a corporation:
 - (i) notify the Licence Manager immediately of a change in ownership in holding shares; and,
 - (ii) when more than 20% of the holding shares have changed ownership from when the corporation made its first Application for a Group Transportation Vehicle Owner Licence, make a new Application for a Group Transportation Vehicle Owner Licence under subsection 10.3.2 of this By-law; and
- (e) file with the Licence Manager at least 5 days prior to the expiry date of any current insurance policy and insurance renewal policy or certificate of insurance.

10.7.2.1 Operations - Limousines

- (a) Every Limousine Owner shall ensure that Limousine Drivers wear a uniform approved by the Licence Manager and the Limousine Owner.
- (b) Every Limousine Owner shall maintain for no less than 12 months an accurate record of all Orders for Limousines together with:
 - (i) the number of the Limousine Owner Licence;
 - (ii) the date and time that the Limousine was dispatched;
 - (iii) the Driver's name and Limousine Driver Licence number; and
 - (iv) the address to which the Limousine was dispatched.
- (c) No Limousine (Stretch) or Limousine (Classic) Driver or Owner shall provide a Conveyance Service unless the Conveyance Service provided is by pre-arrangement, reserved in advance by at least 15 minutes.

10.7.2.2 Operations – Group Transportation Vehicles

- (a) Every Group Transportation Vehicle Owner shall maintain for no less than 12 months an accurate record of all Orders for Group Transportation Vehicles together with:

- (i) the number of the Group Transportation Vehicle Owner Licence;
 - (ii) the date and time that the Group Transportation Vehicle was dispatched;
 - (iii) the Driver's name and Group Transportation Vehicle Driver Licence number; and
 - (iv) the address to which the Group Transportation Vehicle was dispatched.
- (b) No Group Transportation Vehicle Driver or Owner shall provide a Conveyance Service unless the Conveyance Service provided is by pre-arrangement, reserved in advance by at least 15 minutes

10.7.3.1 Vehicle Requirements - Limousines

Every Limousine Owner shall:

- (a) maintain the interior and exterior of his or her Limousine in a clean and tidy condition, including maintaining the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Limousine;
 - (iii) free of noxious substances;
 - (iv) free of excess wear including tears and cigarette burns in the upholstery;
 - (v) in a dry condition;
 - (iv) in good repair;
 - (v) with working seat belts;
 - (vi) with side windows designed to open and close;
 - (vii) with every seat securely mounted maintaining its position and adjustment;
 - (viii) with a working dome light;

and maintaining the exterior:

- (ix) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
- (x) in good repair;
- (xi) free from exterior body damage;
- (xii) with no missing or removed fender, grill or molding;
- (xiii) with securely closing doors and trunk lid;
- (xiv) with all handles and catches in good repair;
- (xv) paint or finish; and
- (xvi) with four matching hubcaps;

- (b) submit each Limousine for a safety inspection annually by a motor vehicle inspection mechanic at a motor vehicle inspection station as defined by the Highway Traffic Act and at other times as requested to do so by the Licence Manager or an Enforcement Officer;
- (c) submit to the Licence Manager a valid Safety Standards Certificate at the time of a Limousine Owner Licence renewal or transfer;
- (d) securely affix the Owner Plate issued for each Limousine to the back of the Limousine in a visible location;
- (e) keep at all times in each Limousine the original or a photocopy of the original of:
 - (i) the current vehicle permit issued under the Highway Traffic Act for the Limousine;
 - (ii) the current Limousine Owner Licence; and
 - (iii) the certificate of insurance for the Limousine;
- (f) repair all of each Limousine's mechanical defects immediately when reported by a Driver, the Licence Manager or an Enforcement Officer;
- (g) maintain in each Limousine a Maintenance Log recording all maintenance and repairs performed on the Limousine within the preceding 12 months;
- (h) maintain the Limousine in good condition at all times, including:
 - (i) all drive train components, the engine, transmission, suspension and braking system in accordance with Regulation 611 of the Highway Traffic Act;
 - (ii) all factory and after-market parts such as lamps, latches, seats, body parts, windows, heater and defroster systems free of defects or damage and in complete operational order; and
 - (iii) the vehicle generally the allow for its safe operation; and
- (i) commencing on October 31st, 2005, equip each Limousine (Executive) with a Global Positioning System or 2 exterior emergency lights in a location approved by the Licence Manager that:
 - (i) have an intermittent flasher to continuously flash until reset or disengaged and a silent activation switch within easy reach of the Driver; and
 - (ii) are amber in colour, at least 5 centimetres in diameter, shock resistant, wired on an independent circuit, upon activation visible from the front and rear of the Limousine (Executive) at a distance of not less than 15 metres but not visible to any individual in the Limousine (Executive), and installed at and facing toward the front and the back of Limousine (Executive).

10.7.3.2 Vehicle Requirements – Group Transportation Vehicle

Every Group Transportation Vehicle Owner shall:

- (a) maintain the interior and exterior of his or her Group Transportation Vehicle in a clean and tidy condition, including maintaining the interior:
 - (i) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on to the person, clothing or possessions of a Passenger;
 - (ii) free of all waste paper, cans, garbage or any other item not intrinsic to the Operation of the Group Transportation Vehicle;

- (iii) free of noxious substances;
- (iv) free of excess wear including tears and cigarette burns in the upholstery;
- (v) in a dry condition;
- (vi) in good repair;
- (vii) with working seat belts;
- (viii) with side windows designed to open and close;
- (ix) with every seat securely mounted maintaining its position and adjustment;
- (x) with a working dome light;

and maintaining the exterior:

- (xi) free from all dust, dirt, grease, oil, adhesive resin and any other item which can be transferred on the person, clothing or possessions of a Passenger, except water or snow;
 - (xii) in good repair;
 - (xiii) free from exterior body damage;
 - (xiv) with no missing or removed fender, grill or molding;
 - (xv) with securely closing doors and trunk lid;
 - (xvi) with all handles and catches in good repair;
 - (xvii) paint or finish; and
 - (xviii) with four matching hubcaps;
- (b) submit each Group Transportation Vehicle for a safety inspection annually by a motor vehicle inspection mechanic at a motor vehicle inspection station as defined by the Highway Traffic Act and at other times as requested to do so by the Licence Manager or an Enforcement Officer;
 - (c) submit to the Licence Manager a valid Safety Standards Certificate at the time of a Group Transportation Vehicle Owner Licence renewal or transfer;
 - (d) securely affix the Owner Plate issued for each Group Transportation Vehicle to the back of the Group Transportation Vehicle in a visible location;
 - (e) keep at all times in each Group Transportation Vehicle the original or a photocopy of the original of:
 - (i) the current vehicle permit issued under the Highway Traffic Act for the Group Transportation Vehicle;
 - (ii) the current Group Transportation Vehicle Owner Licence; and
 - (iii) the certificate of insurance for the Group Transportation Vehicle;
 - (f) repair all of each Group Transportation Vehicle's mechanical defects immediately when reported by a Driver, the Licence Manager or an Enforcement Officer;
 - (g) maintain in each Group Transportation Vehicle a Maintenance Log recording all maintenance and repairs performed on the Limousine within the preceding 12 months; and
 - (h) maintain the Group Transportation Vehicle in good condition at all times, including:

- (i) all drive train components, the engine, transmission, suspension and braking system in accordance with Regulation 611 of the Highway Traffic Act;
- (ii) all factory and after-market parts such as lamps, latches, seats, body parts, windows, heater and defroster systems free of defects or damage and in complete operational order; and
- (iii) the vehicle generally the allow for its safe operation.

10.7.4.1 Vehicle Age - Limousines

Every Limousine Owner shall:

- (a) in accordance with Table 3, for all Limousines (Executive) or with proof of a valid vehicle permit filed with the Clerk before November 15th, 2004, ensure that each Limousine (Executive) is no more than 7 years old, with the Limousine (Executive)'s Model Year counted as the first year and the current year counted as the last year and that it is not used as a Limousine (Executive) after October 31st of the year in which it is 7 years old;
- (b) in accordance with Table 4, for all Limousines (Executive) with proof of a valid vehicle permit filed with the Clerk on or after November 15th, 2004, ensure that each Limousine (Executive) is no more than 6 years old, with the Limousine (Executive)'s Model Year counted as the first year and the current year counted as the last year and that it is not used as a Limousine (Executive) after October 31st of the year in which it is 6 years old;
- (c) in accordance with Table 5, ensure that each Limousine (Executive) being Plated for the first time is no more than 4 years old, with the Limousine (Executive)'s Model Year counted as the first year and the current year counted as the last year; and
- (d) in accordance with Table 6, commencing October 31st, 2006, ensure that each Limousine (Stretch) is no more than 10 years old, with the Limousine (Stretch)'s Model Year counted as the first year and the current year counted as the last year and that it is not used as a Limousine (Stretch) after October 31st of the year in which it is 10 years old.

TABLE 3

LIMOUSINE (EXECUTIVE) MODEL YEAR	TO BE REPLACED BY:
1997 & 1998	December 15, 2004
1999	October 31, 2005
2000	October 31, 2006
2001	October 31, 2007
2002	October 31, 2008

TABLE 4

LIMOUSINE (EXECUTIVE) MODEL YEAR	TO BE REPLACED BY:
1999 and all earlier Model Years	October 31, 2004
2000	October 31, 2005
2001	October 31, 2006
2002	October 31, 2007
2003	October 31, 2008
2004	October 31, 2009

TABLE 5

LIMOUSINE	OLDEST MODEL YEAR
Plated in the licensing year beginning December 15, 2004	2001
Plated in the licensing year beginning October 31, 2005	2002
Plated in the licensing year beginning October 31, 2006	2003
Plated in the licensing year beginning October 31, 2007	2004
Plated in the licensing year beginning October 31, 2008	2005
Plated in licensing year beginning October 31, 2009	2006

TABLE 6

STRETCH LIMOUSINE MODEL YEAR	TO BE REPLACED BY:
1997	October 31, 2006
1998	October 31, 2007
1999	October 31, 2008
2000	October 31, 2009

10.7.4.2 Vehicle Age- Group Transportation Vehicles

Every Group Transportation Vehicle shall:

- (a) in accordance with Table 7, for all Group Transportation Vehicles with proof of a valid vehicle permit filed with the Clerk before November 15th, 2004, ensure that each Group Transportation Vehicle is no more than 7 years old, with the Group Transportation Vehicle's Model Year counted as the first year and the current year counted as the last year and that it is not used as a Group Transportation Vehicle after October 31st of the year in which it is 7 years old;
- (b) in accordance with Table 8, for all Group Transportation Vehicles with proof of a valid vehicle permit filed with the Clerk on or after November 15th, 2004, ensure that each Group Transportation Vehicle is no more than 6 years old, with the Group Transportation Vehicle's Model Year counted as the first year and the current year counted as the last year and that it is not used as a Group Transportation Vehicle after October 31st of the year in which it is 6 years old; and
- (c) in accordance with Table 9, ensure that each Group Transportation Vehicle being Plated for the first time is no more than 4 years old, with the Group Transportation Vehicle's Model Year counted as the first year and the current year counted as the last year.

TABLE 7

GROUP TRANSPORTATION VEHICLE MODEL YEAR	TO BE REPLACED BY:
1997 & 1998	December 15, 2004
1999	October 31, 2005
2000	October 31, 2006
2001	October 31, 2007
2002	October 31, 2008
2003	October 31, 2009

TABLE 8

GROUP TRANSPORTATION VEHICLE MODEL YEAR	TO BE REPLACED BY:
1999 and all earlier Model Years	October 31, 2004
2000	October 31, 2005
2001	October 31, 2006
2002	October 31, 2007
2003	October 31, 2008
2004	October 31, 2009

TABLE 9

GROUP TRANSPORTATION VEHICLE	OLDEST MODEL YEAR
Plated in the licensing year beginning December 15, 2004	2001
Plated in the licensing year beginning October 31, 2005	2002
Plated in the licensing year beginning October 31, 2006	2003
Plated in the licensing year beginning October 31, 2007	2004
Plated in the licensing year beginning October 31, 2008	2005
Plated in licensing year beginning October 31, 2009	2006

10.8.1 Limousine Owner Restrictions

No Limousine Owner shall:

- (a) permit any Limousine to be Operated except a Plated Limousine;
- (b) keep a Limousine without having:

- (i) a valid Limousine Owner Licence; and
- (ii) a valid Owner Plate affixed to the Limousine;
- (c) permit an individual to Operate his or her Limousine who does not have a valid Limousine Driver Licence;
- (d) use or permit to be used in any Limousine a scanning device or more than one two-way radio communication system or cellular telephone; or
- (e) use or permit to be used any roof sign or top light on a Limousine.

10.8.2 Group Transportation Vehicle Restrictions

No Group Transportation Vehicle Owner shall:

- (a) permit any Group Transportation Vehicle to be Operated except a Plated Group Transportation Vehicle;
- (b) keep a Group Transportation Vehicle without having:
 - (i) a valid Group Transportation Vehicle Owner Licence; and
 - (ii) a valid Owner Plate affixed to the Group Transportation Vehicle;
- (c) permit an individual to Operate his or her Group Transportation Vehicle who does not have a valid Group Transportation Vehicle Driver Licence;
- (d) use or permit to be used in any Group Transportation Vehicle a scanning device or more than one two-way radio communication system or cellular telephone; or
- (e) use or permit to be used any roof sign or top light on a Group Transportation Vehicle.

SECTION 11 – BROKER APPLICATION FOR LICENCES, RESPONSIBILITIES AND RESTRICTIONS

11.1.1 Broker Application Requirements

Every Applicant for a Broker Licence shall:

- (a) attend at the office of the Licence Manager in person and complete a written Application for such Licence;
- (b) provide proof to the satisfaction of the Licence Manager that:
 - (i) the premises from which he or she intends to carry on business as a Broker are within the geographical boundaries of the City, are appropriately zoned and will continue to be so located and zoned throughout the term of the Licence; and;
 - (ii) he or she has a system for receiving Orders and Dispatching City Plated Vehicles in his or her Fleet and that the system will not interfere with any other Broker, Owner or Fleet;
- (c) be Licensed as a Cab, Accessible Cab Driver, Limousine or Group Transportation Vehicle Driver or Owner; and
- (d) pay all fees required under this By-law.

11.1.1 Global Positioning System for Accessible Cabs Issued Owner Licences in the First Instance after October 31, 2008

Every Broker shall ensure all Accessible Cabs in his or her Fleet that were Licensed in the first instance after October 31, 2008 are equipped with a fully functioning global positioning system that:

- (i) is approved by the Licence Manager;
- (ii) is capable of tracking and locating the position of the Accessible Cab;
- (iii) includes a vehicle location system;
- (iv) is equipped with an emergency call button; and
- (v) is fully operational at all times when the Accessible Cab is available for or providing a Conveyance Service.

11.2.1.1 Broker Responsibilities

Every Broker shall:

- (a) keep a record of all Owners in association with him or her, such record to show the number of City Plated Vehicles of each Owner, including the Owner's name and address and the number of his or her Owner Licence;
- (b) ensure that every Driver or Owner in association with him or her complies with this By-law, including being Licensed;
- (c) maintain an accurate record of all Orders together with the following for at least 12 months for each City Plated Vehicle Dispatched:
 - (i) the Owner Licence number;
 - (ii) the date and time of Dispatch;
 - (iii) the Driver's name and Driver Licence number; and
 - (iv) the address to which the City Plated Vehicle is Dispatched;
- (d) make or cause to be made a inspection of all City Plated Vehicles Operated in association with him or her prior to each period of continuous Operation or shift, ensuring that the City Plated Vehicles are clean, properly equipped and identified;
- (e) carry on the Brokerage 24 hours a day during the term of the Broker Licence;
- (f) upon request, inform anyone Ordering of the anticipated length of time for a City Plated Vehicle to arrive at the pick-up location;
- (g) before accepting an Order, inform anyone Ordering of the anticipated length of time of any delay, due the volume of Orders, for a City Plated Vehicle to arrive at the pick-up location;
- (h) notify the Licence Manager within 72 hours of any addition to or deletion of an Owner from association with him or her; and
- (i) when Dispatching Accessible Cabs:
 - (i) give priority for Conveyance Service for Persons with Disabilities over Persons without Disabilities; and
 - (ii) record the number of Trips each Accessible Cab has made for Persons with Disabilities and Persons without Disabilities.

11.3 Broker Restrictions

No Broker shall:

- (a) operate as a Broker without having a valid Licence to do so;
- (b) dispatch calls to any City Plated Vehicle if the Driver or Owner has contravened this By-law;
- (c) accept any Order or Dispatch any City Plated Vehicle if:
 - (i) the Order is for an illegal service under this By-law, any other by-law or provincial or federal legislation; or
 - (ii) the Fare is less than that prescribed by this By-law.

SECTION 12 – NUMBER OF CAB AND ACCESSIBLE CAB OWNER LICENCES

- (a) A limitation is imposed on the issuance of Cab Owner Licences at whichever number is greater:
 - (i) the number of licences issued under By-law No. L-125-139 immediately before its repeal; or,
 - (ii) a ratio of one Licence for each 1,100 residents of the City, the total number of residents of the City to be determined annually from the latest revised population figures available from Statistics Canada.
- (b) A limitation is imposed on the number of Accessible Cab Owner Licences at the ratio of one Licence for every 34 Cab Owner Licences.
- (c) Commencing on November 1, 2008, the limitation imposed on the issuance of Accessible Cab Owner Licences shall be at the ratio of one Licence for every 18 Cab Owner Licences.
- (d) Nothing in this By-law shall be construed as preventing an Owner from converting a Cab Owner Licence to an Accessible Cab Owner Licence.
- (e) To regulate the distribution of available Cab Owner Licences and Accessible Cab Owner Licences, the Licence Manager shall issue new Cab Owner Licences and Accessible Cab Owner Licences only at such times as the formula referred to in subsection 12(a) and (b) of this By-law warrants the issuance of new Cab Owner Licences and Accessible Cab Owner Licences. If warranted, the new Licences shall be issued within 3 months of the population figures being available from Statistic Canada, in order from the Cab Priority List or the Accessible Cab Priority List.
- (f) Notwithstanding any provisions of this By-law, no individual corporation or group of corporations having a common shareholder or part Owner with a total of more than 50% of the shares of ownership shall have more than 35% of the total number of Cab Owner Licences.

SECTION 13 – CAB AND ACCESSIBLE CAB PRIORITY LIST AND ISSUING NEW CAB AND ACCESSIBLE CAB OWNER LICENCES

13.1 General Provisions – Cab Priority List

- (a) The Licence Manager shall maintain a Cab Priority List of Applicants for Cab Owner Licences in order of the date on which the Applications are submitted and, subject to the provisions of this By-law, this Cab Priority List shall be used in determining the priority of for issuing new Cab Owner Licences.

- (b) When a complete Application for a Cab Owner Licence is submitted to the Licence Manager and the Applicant meets all of the requirements of subsections 10.1(a)(b)(c)(d)(e)(i)(j) and (k) of this By-law, but a Cab Owner Licence cannot be issued because of the limitation on the number of Cab Owner Licences set out in subsection 12(a) of this By-law, the Applicant's name shall be placed at the end of the Cab Priority List by the Licence Manager.
- (c) No Person shall hold more than one position on the Cab Priority List at any one time.
- (d) Once a Person receives a Cab Owner Licence, either by means of the Cab Priority List or by other means, such as a transfer, the Person is no longer eligible to receive a Cab Owner Licence by means of the Cab Priority List.
- (e) No Person who has been issued a Cab Owner Licence from the Cab Priority List may re-enter his or her name on the Cab Priority List.
- (f) If the Applicant whose name appears on the Cab Priority List is:
 - (i) an individual, then he or she;
 - (ii) a partnership, then a partner; or
 - (ii) a corporation, then an officer or director

shall complete a Statutory Declaration attesting to his or her continued eligibility to remain on the Cab Priority List within 30 days following the date the Licence Manager mails by registered letter a notice requiring the Statutory Declaration to his or her last known address and Persons who fail to complete the Statutory Declaration shall have their names removed from the Cab Priority List without further notice.

13.2 Issuing a Cab Owner Licence From the Cab Priority List

- (a) When a Cab Owner Licence becomes available for issuance, the Licence Manager shall send a letter to the Applicant whose name is at the top of the Cab Priority List by first class prepaid mail requesting that he or she, or a partner if the Applicant is a partnership or an officer or director if the Applicant is corporation, attend at the office of the Licence Manager within 14 days of the date of the letter to;
 - (i) complete a written Application for such Licence; and
 - (ii) pay the required fee.
- (b) The Applicant referred to in subsection (a) shall place his or her Cab in operation within 30 days from the date the Cab Owner Licence is granted, failing which the Cab Owner Licence and the Owner Plate shall be returned to the Licence Manager who may proceed to issue the Cab Owner Licence and Owner Plate to another eligible Applicant on the Cab Priority List.
- (c) When a Cab Owner Licence is issued or denied to an Applicant on the Cab Priority List, the name of that Applicant shall be removed from the Cab Priority List by the Licence Manager and all other names below shall be moved forward one position.
- (d) No Person issued a Cab Owner Licence from the Cab Priority List after the enactment of this By-law shall:
 - (i) Lease or give up possession, transfer, assign or convey any right, title or interest in the Cab Owner Licence, except in accordance with this By-law; or

- (ii) give up possession, custody or control of his or her Cab except to Drivers engaged by him or her to Operate his or her Cab on a shift basis.
- (e) Every Cab Owner shall maintain his or her Cab in operation at least 10 days each month and shall become the Cab Driver on a full-time basis.
- (f) Should any Cab Owner fail to maintain the operation of his or her Cab for a period of at least 120 successive days, his or her Cab Owner Licence shall be recommended for suspension or revocation by the Licence Manager.

13.3 No Vested Interest or Binding Effect – Cab Priority List

- (a) No Person, by virtue of the submission of an Application for a Cab Owner Licence or by virtue of the placing of his or her name on the Cab Priority List shall obtain a vested right to a Cab Owner Licence, or to remain on the Cab Priority List.
- (b) The City may at any time amend or repeal this By-law and any successor By-laws and place further or additional requirements or restrictions on such Persons at any time or to purge or eliminate the Cab Priority List.
- (c) The Cab Priority List shall not oblige the City to issue a Cab Owner Licence to any Person on it, regardless of he or she being at the top or the earliest entry. The Cab Priority List shall not give such Person a vested interest in a Cab Owner Licence and its use shall be solely for establishing the order of priority of Persons seeking a Cab Owner Licence.

13.4 Eligibility Criteria for Cab Priority List

- (a) An Applicant's name shall be placed on the Cab Priority List by the Licence Manager if the Applicant is an individual, or a partner if the Applicant is a partnership, or an officer or director if the Applicant is a corporation:
 - (i) has been Licensed as a Cab Driver for at least 2 years and Operating a Cab at least 35 hours a week for 40 weeks in each of the two years prior to the date that his or her Application for a Cab Owner Licence is filed with the Licence Manager together with a Statutory Declaration confirming this;
 - (ii) holds his or her Cab Driver Licence in good standing with no outstanding charges or convictions under this By-law; and
 - (iii) has not held, either directly or indirectly, a Cab Owner Licence during the 5 years prior to the date that his or her Application for a Cab Owner Licence is filed with the Licence Manager.

13.5 Maintaining Status on the Cab Priority List

Notwithstanding subsection 13.4 of this By-law, when an Applicant's name has been added to the Cab Priority List, his or her name shall remain on the Cab Priority List if he or she is an individual, or a partner if the Applicant is a partnership, or an officer or director if the Applicant is a corporation:

- (a) continues to drive a Cab for an average of at least 35 hours a week for 40 weeks each year or he or she works as a Dispatcher, a Broker general manager, telephone operator or mechanic and has worked in that capacity, or any combination thereof, for an average of at least 35 hours a week for 40 weeks each year and has filed a Statutory Declaration with the Licence Manager confirming this;
- (b) renews his or her Application annually, signing a Statutory Declaration and paying a fee as required by the Licence Manager; and

- (c) continues not to have held, either directly or indirectly, a Cab an or an Accessible Cab Owner Licence.

13.6 Permitted Breaks in Service

- (a) Notwithstanding subsection 13.5 of this By-law, when an Applicant is an individual, or a partner if the Applicant is a partnership, or an officer or director if the Applicant is a corporation has, on account of illness, injury or other medical disability, been unable to meet the requirements of that subsection, the Applicant's name may remain on the Cab Priority List if he or she files with the Licence Manager a Statutory Declaration so stating, together with supporting documentation including a medical certificate from a physician certified to practice in Ontario and such other evidence as the Licence Manager may require and the Statutory Declaration shall also state that the Applicant did meet the requirements of subsection 13.5 before the onset of his or her medical disability.
- (b) Notwithstanding subsection 13.5 of this By-law, when an Applicant's name has been on the Cab Priority List for 4 years or more, his or her name may remain on the Cab Priority List while he or she if the Applicant is an individual, or a partner if the Applicant is a partnership, or an officer or director if the Applicant is a corporation attends, on a full-time basis, an Ontario Government accredited educational institution, provided such attendance is for no more than 2 years and the Applicant gives written notification to the Licence Manager of his or her intention to enroll within 60 days of enrolment and proof of enrolment.

13.7 Removing Persons from the Cab Priority List

- (a) When a Person fails to meet the requirements of section 13 of the By-law, the Licence Manager shall remove his or her name from the Cab Priority List.
- (b) When a Person acquires, by transfer or otherwise, a Cab Owner Licence or Accessible Cab Owner Licence, or an interest of any kind, directly or indirectly, in a Cab Owner Licence or Accessible Cab Owner Licence, or becomes a shareholder or partner or acquires some other interest in a partnership or corporation having an interest in Cab Owner Licence or Accessible Cab Owner Licence, the Licence Manager shall remove his or her name from the Cab Priority List.
- (c) The Licence Manager shall remove the name of an individual from the Cab Priority List immediately upon learning of his or her death.
- (d) The Licence Manager shall review the Cab Priority List at regular intervals, but in any case not less than once annually, to determine that those Persons listed on it remain in compliance with the requirements of this By-law.
- (e) Any Person whose name is on the Cab Priority List and who is determined by the Licence Manager not to comply with the requirements of section 13 of this By-law shall be notified by registered letter mail to his or her last known address on file with the Licence Manager that his or her name is to be removed from the Cab Priority List and the Person may appeal this removal by requesting a hearing before the Licensing Appeal Committee no more than 14 days following the date of mailing the registered letter, whether the registered letter is received or not.
- (f) When a request for a hearing before the Licensing Appeal Committee has been made in accordance with subsection 13.7(e) of this By-law, the Licence Manager shall:
 - (i) not remove the name of the Person appealing from the Cab Priority List until the Licensing Appeal Committee has heard the appeal and City Council has disposed of it;
 - (ii) note beside the name on the Cab Priority List that an appeal has been requested; and

- (iii) not issue any Cab Owner Licences or Owner Plates until such time as Council has disposed of all outstanding appeals, unless the Cab Owner Licence and Owner Plate are not issued due to the Cab Priority List.

13.8 Inspection of Cab Priority List

The Cab Priority List shall be available for inspection by the public during normal business hours at the office of the Licence Manager.

13.9 General Provisions – Accessible Cab Priority List

- (a) The Licence Manager shall establish and maintain an Accessible Cab Priority List of Applicants for Accessible Cab Owner Licences to be used in determining the priority of for issuing new Accessible Cab Owner Licences, using the following criteria:
 - (i) Applicants that are on the Cab Priority List on or before July 21, 2008 who meet all the requirements in subsections 10.1(a)(b)(c)(d)(e)(i)(j) and (k) and subsections 10.2.1(a)(b)(e) and (i) of this By-law, have until September 5, 2008 to attend the office of the Licence Manager to complete an Application to have their name placed on the Accessible Cab Priority List and maintain their order;
 - (ii) all other Applicants who submit a completed Application to the Licence Manager on or before September 5, 2008 shall be added to the Accessible Cab Priority List using a lottery system and placed at the end of the Accessible Cab Priority List; and
 - (iii) when a complete Application for an Accessible Cab Owner Licence is submitted to the Licence Manager after September 5, 2008 and the Applicant meets all of the requirements in subsections 10.2.1(a)(b)(c)(e)(i) and (j) of this By-law, but an Accessible Cab Owner Licence cannot be issued because of the limitation on the number of Accessible Cab Owner Licences set out in subsection 12(b) of this By-law, the Applicant's name shall be placed at the end of the Accessible Cab Priority List by the Licence Manager.
- (b) No Person shall hold more than one position on the Accessible Cab Priority List at any one time.
- (c) Once a Person receives a Cab or an Accessible Cab Owner Licence either by means of the Cab or Accessible Cab Priority List or by other means, such as a transfer, the Person is no longer eligible to receive an Accessible Cab Owner Licence by means of the Accessible Cab Priority List.
- (d) No Person who has been issued an Accessible Cab Owner Licence from the Accessible Cab Priority List may re-enter his or her name on the Accessible Cab Priority List.
- (e) If the Applicant whose name appears on the Accessible Cab Priority List is:
 - (i) an individual, then he or she; or
 - (ii) a partnership, then each partner

shall complete a Statutory Declaration attesting to his or her continued eligibility to remain on the Accessible Cab Priority List within 30 days following the date the Licence Manager mails by registered letter a notice requiring the Statutory Declaration to his or her last known address and Persons who fail to complete the Statutory Declaration shall have their names removed from the Accessible Cab Priority List without further notice.

13.10 Issuing an Accessible Cab Owner Licence From the Accessible Cab Priority List

- (a) When an Accessible Cab Owner Licence becomes available for issuance, the Licence Manager shall send a letter to the Applicant whose name is at the top of the Accessible Cab Priority List by first class prepaid mail requesting that he or she, or each partner if the Applicant is a partnership, attend at the office of the Licence Manager within 45 days of the date of the letter to;
 - (i) file with the Licence Manager proof of completion of an Accessible Cab Training Course approved by the Licence Manager, and, subsequently, complete a written examination administered by the Licence Manager with:
 - 1. a minimum grade of 75% for a first attempt; or
 - 2. a minimum grade of 85% for all subsequent attempts.
 - (ii) complete a written Application for such Licence; and
 - (iii) pay the required fee.
- (b) Every newly Licensed Accessible Cab Owner shall place his or her Accessible Cab in operation within 45 days from the date the Accessible Cab Owner Licence is granted, failing which the Accessible Cab Owner Licence shall be returned to the Licence Manager who may proceed to issue the Accessible Cab Owner Licence to another eligible Applicant on the Accessible Cab Priority List.
- (c) When an Accessible Cab Owner Licence is issued or denied to an Applicant on the Accessible Cab Priority List, the name of that Applicant shall be removed from the Accessible Cab Priority List by the Licence Manager and all other names below shall be moved forward one position.
- (d) No Person issued an Accessible Cab Owner Licence from the Accessible Cab Priority List after the enactment of this By-law shall:
 - (i) Lease or give up possession, transfer, assign or convey any right, title or interest in the Accessible Cab Owner Licence, except in accordance with this By-law; or
 - (ii) give up possession, custody or control of his or her Accessible Cab except to Drivers engaged by him or her to Operate his or her Accessible Cab on a shift basis.
- (e) Every Accessible Cab Owner shall become the Accessible Cab Driver on a full-time basis.
- (f) Should any Cab Owner fail to maintain the operation of any Accessible Cab he or she Owns for a period of at least 120 successive days, his or her Accessible Cab Owner Licence shall be recommended for suspension or revocation by the Licence Manager.

13.11 No Vested Interest or Binding Effect – Accessible Cab Priority List

- (a) No Person, by virtue of the submission of an Application for an Accessible Cab Owner Licence or by virtue of the placing of his or her name on the Accessible Cab Priority List shall obtain a vested right to an Accessible Cab Owner Licence, or to remain on the Accessible Cab Priority List.
- (b) The City may at any time amend or repeal this By-law and any successor By-laws and place further or additional requirements or restrictions on such Persons at any time or to purge or eliminate the Accessible Cab Priority List.

- (c) The Accessible Cab Priority List shall not oblige the City to issue a Licence to any Person on it, regardless of he or she being at the top or the earliest entry. The Accessible Cab Priority List shall not give such Person a vested interest in an Accessible Cab Owner Licence and its use shall be solely for establishing the order of priority of Persons seeking an Accessible Cab Owner Licence.

13.12 Eligibility Criteria for Accessible Cab Priority List

- (a) An Applicant's name shall be placed on the Accessible Cab Priority List by the Licence Manager if the Applicant is an individual, or a partner if the Applicant is a partnership:
 - (i) has been Licensed as a Cab Driver for at least 2 years and Operating a Cab at least 35 hours a week for 40 weeks in each of the two years prior to the date that his or her Application for a Cab Owner Licence is filed with the Licence Manager together with a Statutory Declaration confirming this;
 - (ii) holds his or her Cab Driver Licence in good standing with no outstanding charges or convictions under this By-law; and
 - (iii) has not held, either directly or indirectly, a Cab Owner Licence or an Accessible Cab Owner Licence during the 5 years prior to the date that his or her Application for an Accessible Cab Owner Licence is filed with the Licence Manager.

13.13 Maintaining Status on the Accessible Cab Priority List

Notwithstanding subsection 13.12 of this By-law, when an Applicant's name has been added to the Accessible Cab Priority List, his or her name shall remain on the Accessible Cab Priority List if he or she is an individual, or a partner if the Applicant is a partnership:

- (a) continues to drive a Cab for an average of at least 35 hours a week for 40 weeks each year or he or she works as a Dispatcher, a Broker general manager, telephone operator or mechanic and has worked in that capacity, or any combination thereof, for an average of at least 35 hours a week for 40 weeks each year and has filed a Statutory Declaration with the Licence Manager confirming this;
- (b) renews his or her Application annually, signing a Statutory Declaration and paying a fee as required by the Licence Manager; and
- (c) continues not to have held, either directly or indirectly, a Cab an or an Accessible Cab Owner Licence

13.14 Permitted Breaks in Service – Accessible Cab Priority List

- (a) Notwithstanding subsection 13.13 of this By-law, when an Applicant is an individual, or a partner if the Applicant is a partnership, has, on account of illness, injury or other medical disability, been unable to meet the requirements of that subsection, the Applicant's name may remain on the Accessible Cab Priority List if he or she files with the Licence Manager a Statutory Declaration so stating, together with supporting documentation including a medical certificate from a physician certified to practice in Ontario and such other evidence as the Licence Manager may require and the Statutory Declaration shall also state that the Applicant did meet the requirements of subsection 13.13 before the onset of his or her medical disability.
- (b) Notwithstanding subsection 13.13 of this By-law, when an Applicant's name has been on the Accessible Cab Priority List for 4 years or more, his or her name may remain on the Accessible Cab Priority List while he or she if the Applicant is an individual, or a partner if the Applicant is a partnership, attends, on a full-time basis, an Ontario Government accredited educational institution, provided such attendance is for no more than 2 years and the Applicant gives written notification to the

Licence Manager of his or her intention to enroll within 60 days of enrolment and proof of enrolment.

13.15 Removing Persons from the Accessible Cab Priority List

- (a) When a Person fails to meet the requirements of Section 13 of the By-law, the Licence Manager shall remove his or her name from the Accessible Cab Priority List.
- (b) When a Person acquires, by transfer or otherwise, a Cab Owner Licence or Accessible Cab Owner Licence, or an interest of any kind, directly or indirectly, in a Cab Owner Licence or Accessible Cab Owner Licence, or becomes a shareholder or partner or acquires some other interest in a partnership or corporation having an interest in Cab Owner Licence or Accessible Cab Owner Licence, the Licence Manager shall remove his or her name from the Accessible Cab Priority List.
- (c) The Licence Manager shall remove the name of an individual from the Accessible Cab Priority List immediately upon learning of his or her death.
- (d) The Licence Manager shall review the Accessible Cab Priority List at regular intervals, but in any case not less than once annually, to determine that those Persons listed on it remain in compliance with the requirements of this By-law.
- (e) Any Person whose name is on the Accessible Cab Priority List and who is determined by the Licence Manager not to comply with the requirements of Section 13 of this By-law shall be notified by registered letter mail to his or her last known address on file with the Licence Manager that his or her name is to be removed from the Accessible Cab Priority List and the Person may appeal this removal by requesting a hearing before the Licensing Appeal Committee no more than 14 days following the date of mailing the registered letter, whether the registered letter is received or not.
- (f) When a request for a hearing before the Licensing Appeal Committee has been made in accordance with subsection 13.16(e) of this By-law, the Licence Manager shall:
 - (i) not remove the name of the Person appealing from the Accessible Cab Priority List until the Licensing Appeal Committee has heard the appeal and City Council has disposed of it;
 - (ii) note beside the name on the Accessible Cab Priority List that an appeal has been requested; and
 - (iii) not issue any Accessible Cab Owner Licences until such time as Council has disposed of all outstanding appeals, unless the Accessible Cab Owner Licence is not issued due to the Accessible Cab Priority List.

13.16 Inspection of the Accessible Cab Priority List

The Accessible Cab Priority List shall be available for inspection by the public during normal business hours at the office of the Licence Manager.

13.17 Names on Cab and Accessible Cab Priority List

No person shall have their name on or hold a position on both the Cab Priority List and the Accessible Cab Priority List at any one time.

SECTION 14 – LEASING OF CABS AND ACCESSIBLE CABS

- (a) No Person shall enter into or be party to any Lease or otherwise convey rights over a Cab or Accessible Cab Licence or Owner Plate or give or receive any consideration or remuneration therefore.

- (b) Notwithstanding subsection 14(a) of this By-law, a Cab Owner may Lease his or her Cab and an Accessible Cab Owner holding a Licence issued in the first instance prior to October 31, 2008 and numbered 100-699 and every renewal subsequent thereto may Lease his or her Accessible Cab, provided that;
- (i) the Lessee is Licensed as a Driver, Owner or Broker;
 - (ii) under the terms of the Lease, the Cab or Accessible Cab Owner provides a Cab or Accessible Cab that is Plated and otherwise meets all of the requirements of this By-law;
 - (iii) under the terms of the Lease, the Cab or Accessible Cab Owner is responsible for the maintenance of and insurance on the Cab or Accessible Cab;
 - (iv) the Lease is for one Cab or one Accessible Cab and expires upon the sale, replacement or other disposition of the Cab or Accessible Cab;
 - (v) the Cab or Accessible Cab Owner - an individual or a partner, if the Applicant is a partnership, or an officer or director, if the Applicant is a corporation - signs a Statutory Declaration stating that the Owner Plate will not be transferred during the term of the Lease;
 - (vi) the Lease is in writing and signed by the parties thereto; and
 - (vii) a copy of the Lease is filed with the Licence Manager together with the fee required under this By-law.
- (c) The written Lease may be in any form agreed to by the parties thereto, provided that it includes:
- (i) the date of its signing;
 - (ii) the names and business addresses of the parties thereto;
 - (iii) its effective date;
 - (iv) its termination date;
 - (v) a full description of the Cab or Accessible Cab which is the subject of the Lease, including the vehicle identification number, the make, the Model Year, the licence plate number and the number of the Owner Licence and Owner Plate;
 - (vi) the parties' rights to early termination of the Lease; and
 - (vii) the signatures of the parties and witnesses thereto.
- (d) No Lessee shall sub-lease or purport to sub-Lease a Cab or Accessible Cab that is the subject of a Lease.
- (e) No Owner shall, by a term in a Lease or otherwise, permit any Lessee or other Person to Lease or sub-Lease or purport to Lease or sub-Lease a Cab or Accessible Cab that is the subject of a Lease.
- (f) No Person shall be a party to a Lease or purported Lease of a Cab or Accessible Cab to which the Owner is not the Lessor.
- (g) Every Cab or Accessible Cab Owner shall notify the Licence Manager in writing of the expiration or other sooner termination of any Lease to which he or she is a party within 10 days.
- (h) Every Cab or Accessible Cab Owner shall:

- (i) ensure that every Driver or Lessee and every other Person involved in the Operation of his or her Cab or Accessible Cab complies with all of the requirements of this By-law; and
- (i) know at all times the identity of any person having custody of or control over his or her Cab or Accessible Cab.
- (i) No Cab or Accessible Cab Owner shall enter into or be a party to more than one Lease at any one time with respect to any one Cab or one Accessible Cab.
- (j) No Cab or Accessible Cab Driver shall Lease:
 - (i) more than a total of 2 Cabs and Accessible Cabs; or
 - (ii) one Cab or one Accessible Cab or a total of 2 Cabs and Accessible Cabs for more than a total of 10 years.
- (k) City Council may refuse to renew a licence or suspend or revoke a Licence when a Lease does not meet or continue to meet the requirements of this By-law.

SECTION 15 – TRANSFER OF CAB AND ACCESSIBLE CAB OWNER LICENCES

15.1 Cab and Accessible Cab Owner Licences issued prior to October 31st, 2004

Cab and Accessible Cab Owner Licences and the corresponding Owner Plates numbers 100 to 699 are transferable, provided that:

- (a) the transferee meets the eligibility criteria as set in this By-law for the Cab Priority List or holds a valid Cab or Accessible Cab Owner Licence;
- (b) the transferee - an individual or a partner, if the transferee is a partnership, or an officer or director, if the transferee is a corporation - signs a Statutory Declaration as set out by the Licence Manager;
- (c) The transferor- an individual or a partner, if the transferor is a partnership, or an officer or director, if the transferor is a corporation - has completed a written application for such a transfer;
- (d) the transferee meets all of the requirements of a Cab or Accessible Cab Owner under this By-law, including submitting the Cab or Accessible Cab to which the Owner Plate will be affixed for inspection, and will be issued a Cab or Accessible Cab Owner Licence at the time of the transfer;
- (e) if the Cab is an Accessible Cab, the transferee is an Accessible Cab Owner who will use the transferred Accessible Cab Owner Licence to provide an Accessible Cab Conveyance Service; and
- (f) all fees required under this By-law are paid.

15.2 Cab and Accessible Cab Owner Licences issued after October 31st, 2004

Cab and Accessible Owner Licences and the corresponding Owner Plates numbered 1000 or greater shall not be transferred.

SECTION 16 – TRANSFER OF CAB AND ACCESSIBLE CAB OWNER LICENCES BY AN ESTATE

- (a) Within 30 days following the death of an individual holding one or more Cab or Accessible Cab Owner Licences and Owner Plates, the executor or administrator of the individual's estate shall file with the Licence Manager:
 - (i) proof of death of the individual; and

- (ii) proof of the executor's or administrator's capacity.
- (b) On the death of an individual holding one or more Cab or Accessible Cab Owner Licences and Owner Plates:
- (i) the executor or administrator of the individual's estate may continue to hold any Cab or Accessible Cab Owner Licences and Owner Plates for up to one year following the date of death, subject to all of the requirements of this By-law;
 - (ii) during the year following the date of death, the executor or administrator of the individual's estate may transfer the Cab or Accessible Cab Owner Licences and Owner Plates to anyone meeting the eligibility requirements of the Cab Priority List or currently Licensed as a Cab or Accessible Cab Owner;
 - (iii) after the year following the date of death, the executor or administrator of the individual's estate may continue to hold one Cab Owner Licence and Owner Plate or one Accessible Cab Owner Licence and Owner Plate, if he or she meets all of the requirements for holding such Owner Licence and Owner Plate under this By-law; and
 - (iv) after one year following the date of death, all Cab and Accessible Cab Owner Licences and Owner Plates that have not been transferred in accordance with subsections 16(b)(ii) or 16(b)(iii) of this By-law shall be revoked and returned to the Licence Manager by the executor or administrator of the individual's estate immediately.
- (c) Notwithstanding subsection 16(b)(iv) of this By-law, if the executor or administrator of the individual's estate has not transferred all Cab and Accessible Cab Owner Licences and Owner Plates in accordance with subsections 16(b)(ii) or 16(b)(iii), he or she may request a hearing of the Licensing Appeal Committee to consider an extension of up to 2 years before revocation.
- (d) Notwithstanding subsection 16(b) of this By-law, Accessible Cab Owner Licences issued in the first instance after October 31, 2008 shall not be transferable and shall be returned to the Licence Manager within 30 days following the death of an individual holding an Accessible Cab Licence

SECTION 17 - TARIFFS

17.1 Cabs and Accessible Cabs

- (a) Every Cab and Accessible Cab Owner and Cab and Accessible Cab Driver shall charge a Fare for each Trip as set out in Schedule 'A' of this By-law.
- (b) Notwithstanding subsection 17.1(a) of this By-law, a Cab Owner or Accessible Cab Owner and a Passenger or other Person may enter into an agreement for parcel handling at an agreed upon charge, provided that the charge shall not apply to luggage accompanying a Passenger on a Trip to or from a transportation terminal.
 - (i) Every Cab or Accessible Cab Driver shall draw his or her Passenger's attention to amount of the Fare on the Cab Meter at the conclusion of the Trip.
 - (ii) No Cab or Accessible Cab Owner or Cab or Accessible Cab Driver shall receive a Fare or charge from any Person unless the current Tariff Card is on display in the Cab or Accessible Cab in the holder provided for it.

17.2 Limousine (Executive)

Every Limousine (Executive) Owner and Limousine (Executive) Driver shall charge at least the Fare for each Trip as set out in Schedule 'B' of this By-law.

17.3 Limousine (Stretch) and Limousine (Classic)

Every Limousine (Stretch) and Limousine (Classic) Owner and Limousine (Stretch) and Limousine (Classic) Driver shall charge at least the Fare for each Trip as set out in Schedule 'C' of this By-law.

17.4 Group Transportation Vehicle

Every Group Transportation Vehicle Owner and Limousine Group Transportation Vehicle Driver shall charge at least the Fare for each Trip as set out in Schedule 'D' of this By-law.

SECTION 18 – CAB METER

Every Cab and Accessible Cab Owner shall:

equip each of his or her Cabs or Accessible Cabs with a Cab Meter for registering distance traveled, waiting time and for computing Fares;

- (a) submit each Cab Meter for testing, inspection and sealing by such Person as the Licence Manager directs at any time;
- (b) submit a satisfactory certificate of accuracy for any Cab Meter for testing, inspection and sealing completed between October 1st and November 30th each year no later than November 30th each year; and
- (c) ensure his or her Cab Meters are:
 - (i) illuminated between dusk and dawn;
 - (ii) clearly visible to Passengers;
 - (iii) adjusted in accordance with rates in Schedule 'A' of this By-law;
 - (iv) used only when the seal is intact;
 - (v) used for not longer than one year without retesting, reinspection and resealing; and
 - (vi) kept in good working condition at all times.

SECTION 19 – LICENCE AND OTHER FEES

- (a) The annual Licence fees to be paid to the City shall be as listed in Schedule 'E' of this By-law.
- (b) The annual fees for the Cab Priority List, Lease Agreements, Vehicle Substitution, Owner Transfers and Reinspections to be paid to the City are as set out in Schedule 'E' of this By-law.

SECTION 20 – BY-LAW ENFORCEMENT

20.1 Vehicle Inspection

- (a) Every Owner and Driver shall submit or cause to be submitted their City Plated Vehicle for inspection when required to do so by the Licence Manager or an Enforcement Officer to a place designated by the Licence Manager or an Enforcement Officer:

- (i) forthwith if the Vehicle is in the presence of the Licence Manager, an Enforcement Officer or an Ontario Ministry of Transportation Inspector and the Vehicle is in Operation; or
 - (ii) within 24 hours of receipt of the request, at a time set by the Licence Manager or an Enforcement Officer, if the vehicle is not in the presence of the Licence Manager, an Enforcement Officer or an Ontario Ministry of Transportation Inspector.
- (b) Every Cab, Accessible Cab, Limousine (Executive) and Group Transportation Vehicle Owner and Driver, for Cabs, Accessible Cabs, Limousines (Executive) and Group Transportation Vehicles that are no more than 4 years old, with the Cab's, Accessible Cab's, Limousine (Executive)'s or Group Transportation Vehicle's Model Year counted as the first year and the current year counted as the last year, shall submit to the Licence Manager one Safety Standards Certificate each year, dated within 30 days of a City inspection of the Cab, Accessible Cab, Limousine (Executive) or Group Transportation Vehicle.
- (c) Every Cab, Accessible Cab, Limousine (Executive) and Group Transportation Vehicle Owner and Driver, for Cabs, Accessible Cabs, Limousines (Executive) and Group Transportation Vehicles that are more than 4 years old, with the Cab's, Accessible Cab's, Limousine (Executive)'s or Group Transportation Vehicle's Model Year counted as the first year and the current year counted as the last year, shall submit to the Licence Manager one Safety Standards Certificate every 6 months, dated within 30 days of a City inspection of the Cab, Accessible Cab, Limousine (Executive) or Group Transportation Vehicle, and one dated immediately prior to the issuance or renewal of the Owner Licence.
- (d) Every Owner shall submit his or her City Plated Vehicle to at least two random inspections by the Licence Manager or an Enforcement Officer each year.
- (e) Every Owner or Driver shall, upon the request of the Licence Manager or an Enforcement Officer during an inspection, produce all relevant licences, permits, invoices, vouchers, appointment books, Trip Sheets or like documents and the Licence Manager or an Enforcement Officer may remove any of these documents for photocopying provided that the Owner or Driver is given a receipt and the documents are returned to him or her within 48 hours.
- (f) Notification of an inspection under subsection 20.1 of this By-law or an order made under this section of the By-law shall be served on an Owner:
- (i) personally;
 - (ii) by registered letter mail to the last known address of the Owner, whether actually received or not;
 - (iii) personally on the Driver Operating the City Plated Vehicle;
 - (iv) by leaving a copy with an individual at a Brokerage associated with the Owner; or
 - (v) by facsimile to the last known facsimile number of a Broker associated with Owner.
- (g) When the Licence Manager or an Enforcement Officer believes on reasonable grounds that a City Plated Vehicle is being Operated such that it is a danger to the health or safety of the public, he or she may:
- (i) remove the Owner Plate;
 - (ii) order the Driver to have the Vehicle towed to a place of repair or other private property at the Driver or the Owner's expense; and
 - (iii) order the Owner not to Operate or permit to the Operation of the Vehicle until the danger is remedied, the Vehicle has been inspected

by the Licence Manager or an Enforcement Officer and, in the case of a Cab or Accessible Cab, the Cab Meter has been resealed; or

- (iv) order the Owner to file a Safety Standards Certificate after the date of the order,
- (h) When the Licence Manager or an Enforcement Officer believes on reasonable grounds that a City Plated Vehicle does not comply with the requirements of this By-law, he or she may order the Owner to bring it into compliance, and the order shall:
 - (i) state the Owner Plate number of the Vehicle;
 - (ii) give reasonable particulars of any repairs to be made;
 - (iii) indicate the time for compliance with the order;
 - (iv) give notice that if the order is not complied with the Owner Licence may be suspended;
 - (v) require that the Owner Plate be returned to Licence Manager immediately; and
 - (vi) state the final date for the Owner to appeal the order to the Licensing Appeal Committee.

20.2 Licence Photograph

If at any time the Driver's photograph required for an Application for a Driver Licence is not a reasonable likeness of the Driver because of physical changes, the passage of time or poor quality photograph, the Driver shall, at the request of the Licence Manager, submit another photograph.

SECTION 21 – APPEAL PROCESS

21.1 Refusal to Grant or Renew, Suspension and Revocation

- (a) City Council, in addition to any other penalty or remedy, may refuse to grant or to renew, or may suspend or revoke a Licence under the By-law by reason of the following grounds:
 - (i) the conduct of an Applicant or Licensee affords reasonable cause to believe that the Applicant or Licensee will not carry on or engage in his or her business in accordance with the law or with honesty and integrity;
 - (ii) there are reasonable grounds to believe that an Application or other documents provided to the Licence Manager by or on behalf of an Applicant or a Licensee contains a false statement;
 - (iii) in the case of a corporate Applicant or Licensee, the conduct of its officers, directors, employees or agents affords reasonable cause to believe that an Applicant or a Licensee will not carry on or engage in his or her business in accordance with the law or with honesty and integrity;
 - (iv) an Applicant or a Licensee is carrying on activities that are in contravention of this By-law;
 - (v) an Applicant or a Licensee cannot provide proof of insurance as required by this By-law;

- (vi) an Applicant or a Licensee has not paid any fines imposed by a court as a sentence arising from convictions for a breach of this By-law or By-law L-125-139 or By-law L-123-155; or
 - (vii) in the case of a Driver, a complaint which in the opinion of the Licence Manager or an Enforcement Officer is not frivolous or vexatious, has been received relating to the Driver's Operation of a City Plated Vehicle in accordance with this By-law.
- (b) For greater certainty, "law" under subsection 21.1.(a) of this By-law includes the laws and regulations of Canada and the Province of Ontario and the by-laws of the City, including this By-law and any other municipality.
 - (c) Before acting under subsection 21.1(a) of this By-law, a hearing shall be held by the Licensing Appeal Committee whereupon the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S. 22, or any successor thereof, with the exception of sections 17, 17.1, 18 and 19, shall apply.
 - (d) Upon the conclusion of a hearing under subsection 21.1(c) of this By-law, the Licensing Appeal Committee shall, as soon as practicable, provide its recommendations to Council after which Council may make the decision.
 - (e) Where reasonably appropriate, Council when acting under subsection 21.1(d) of this By-law and as an alternative or in addition to refusing to grant or renew, or revoke or suspend a licence, may impose special conditions upon the Applicant or Licensee as a requirement of being issued or holding a Licence.
 - (f) When a Licence has been revoked or suspended by Council, the Licensee shall return the Licence, together with any Owner Plate, to the Licence Manager within 24 hours of service of written notice of suspension or revocation.
 - (g) Notice under subsection 21.1(f) of this By-law is sufficiently given if delivered personally to the Licensee or is sent by registered mail to the last address given by the Licensee to the Licence Manager.
 - (h) When service is affected by registered mail under subsection 21.1(g) of this By-law, notice shall be deemed to have been made on the 5th day after the date of mailing.

SECTION 22 – PENALTIES

22.1 Fine – For Contravention

Every Person who contravenes any provision of this By-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$25,000 exclusive of costs, for each offence.

22.2 Fine – For Contravention – Corporation

Every corporation who contravenes a provision of this By-law is guilty of an offence and on conviction is liable to a fine not exceeding \$50,000 exclusive of costs, for each offence.

22.3 If this by-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order,

- (a) prohibiting the continuation or repetition of the offence by the person convicted; and
- (b) requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

SECTION 23 – ACCESSIBLE CAB GRANTS

Annual grants may be provided by the City for the provision of Accessible Cabs, in accordance with City policy. The provision of a grant in any year is discretionary and nothing herein shall be construed to require it.

SECTION 24 – REPEAL

- (a) By-law No. L-125-139 and all amendments thereto shall repealed on the date this by-law comes into force.
- (b) This By-law shall come into force on November 15, 2004.

PASSED in Open Council on November 15, 2004.

Anne Marie DeCicco
Mayor

Kevin Bain
City Clerk

First Reading – November 15, 2004
Second Reading – November 15, 2004
Third Reading – November 15, 2004

SCHEDULE "A"
CAB AND ACCESSIBLE CAB TARIFF FARES

1. \$3.50 for up to the first 61 metres or for up to the first 12 seconds while travelling 17 kilometres per hour or less, or a combination thereof;
2. \$0.25 for each additional 140 metres or part thereof;
3. \$0.25 each additional 28 seconds of time while the Cab or Accessible Cab is on a Trip, travelling at a speed of 17 kilometres per hour or less; and
4. A 10% discount on the tariff will be given, on a 24-hour per day basis, to Senior Citizens. The discount is calculated on the highest full dollar registered on the Taxicab Meter (i.e. the discount on a \$2.50 Fare would be calculated on \$2.00 only and would equal \$0.20);

The Fares shall be calculated from the time of pickup of the first Passenger to the time of the discharge of the last Passenger. The Driver of a Cab may make a charge, to be negotiated with the Passenger or Passengers prior to the Trip, for parcel handling; such charge shall not apply to luggage or baggage accompanying a Passenger transported between any transportation terminal and the pick-up or destination point of the Passenger or Passengers.

**SCHEDULE “B”
LIMOUSINE (EXECUTIVE) TARIFFS**

There are two fare structures that are permitted in the City of London for Limousine (Executive).

Option 1 – Zone Fare Structure

The permitted fares for Limousine (Executive) operating within the City of London shall be as follows:

Zones	General Rate	Senior Rate
1	\$8.00	\$7.25
2	\$8.00	\$7.25
3	\$10.50	\$9.50
4	\$13.50	\$12.25
5	\$16.50	\$15.00
6	\$20.00	\$18.00
7	\$22.50	\$20.25
8	\$26.00	\$23.50
9	\$29.00	\$26.25
10	\$32.00	\$29.00
11	\$35.00	\$31.50
12	\$38.00	\$34.25
13	\$41.50	\$37.50
14	\$44.00	\$39.75

Option 2 – Hourly

The permitted fares for Limousine (Executive) operation within the City of London shall be as follows:

- a minimum fare of \$40.00 for the first hour or part thereof, and thereafter,
- a minimum fare of \$40.00 per hour.

SCHEDULE "C"
LIMOUSINE (STRETCH) AND LIMOUSINE (CLASSIC) TARIFF

The permitted fares for Limousine (Stretch) and Limousine (Classic) in the City of London shall be as follows:

- a minimum fare of \$65.00 for the first hour of part thereof, and thereafter,
- a minimum fare of \$65.00 per hour.

SCHEDULE "D"
GROUP TRANSPORTATION VEHICLE TARIFF

The permitted fares for Group Transportation Vehicles operation within the City of London shall be as follows:

- a minimum fare of \$40.00 for the first hour of part thereof, and thereafter,
- a minimum fare of \$40.00 per hour.

SCHEDULE "E"
LICENCE, EXAMINATION AND OTHER FEES

Each licence fee listed herein shall be the maximum annual licence fee charged by the City in each particular licence Category.

Category	Annual Fee
Driver Licence (Cab, Accessible Cab, Limousine, Group Transportation)	\$75
Cab/Accessible Cab/Limousine/Group Transportation Vehicle Owner Licences	\$520
Broker Licences	\$250
Cab Priority List (add or to maintain name on Cab Priority List)	\$25
Accessible Cab Priority List (add or to maintain name on Accessible Cab Priority List)	\$25
Accessible Cab Exam (per sitting)	\$40
English Assessment Exam (per sitting)	\$30
Final Training Exam (per sitting)	\$40
Lease Agreements	\$45
Vehicle Substitution	\$55
Owner Transfer (Lease Agreement & Vehicle Substitution Fees are in addition to this fee.)	\$210
Replacement of Driver's Licence	\$15
Replacement of Owner's Plate	\$25
Re-inspection of Vehicle	\$50
Request for Appeal	\$50

SCHEDULE 'F'

CAB AND ACCESSIBLE CAB PASSENGER BILL OF RIGHTS

Every passenger has the right to a driver who is

licensed by the City of London,

knowledgeable,

knows the major routes and destinations in the City of London,

is courteous and helpful,

offers a safe ride,

knows and obeys all traffic laws,

gives, upon request, a silent ride,

uses a cell phone only in emergencies,

physically assists passengers into his or her vehicle and with their belongings,

takes the most expeditious route, and

provides, upon request, a receipt with the date and time, the distance traveled, the driver's City of London licence number and the fare charged.

And a Cab or Accessible Cab

in good mechanical and physical condition,

with a clean passenger area and trunk,

that is heated upon request,

with easy access to seat belts, and

smoke-free.