



# CORPORATION OF THE CITY OF SUMMERSIDE

**BYLAW NAME:** TAXI BYLAW [CONSOLIDATED MARCH 2012]

**BYLAW #:** SS-21

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## **Consolidated**

**Taxi Bylaw – Effective Date December 2, 2002**

**Amendments SS-05-A1 – Effective Date April 19, 2010**

A bylaw respecting the regulation and licensing of taxi cabs, taxi stands and taxi drivers operating in the City of Summerside.

Be it enacted and it is hereby enacted by the City Council of the City of Summerside, pursuant to Section 21 of the City of Summerside Act R.S.P.E.I. 1994, Cap. 59 and amendments thereto:

**1. Name**

This bylaw may be referred to as the "Summerside Taxi Bylaw".

**2. Definitions**

In this Bylaw:

"Chief of Police" means the Chief of Police of the City of Summerside and includes anyone designated by him to act on his behalf;

"City" means the City of Summerside as established by the City of Summerside Act R.S.P.E.I. 1994, Cap. 59;

"Council" means the duly elected council of the city;

"Cab or Taxi or Taxi Cab " means a motor vehicle which bears identification designating it as a taxi cab, having a designed seating capacity of not more than six (6) persons exclusive of the driver and used/intended to be used for hire for the transportation of passengers for gain;

"Owner" means any person, corporation, firm or syndicate that owns or operates a taxi or taxi stand in the City of Summerside;

"Taxi Operator" means any person who drives or is in actual physical control of a taxi cab;

"Taxi Stand Operator" means any person who is the owner or operator of a taxi stand;

"Taxi Stand" means a station or dispatching station for taxi cabs utilized by taxi owners and taxi operators in the ordinary course of their business.

**3. Licenses**

There shall be 3 classifications of licenses regarding taxi cabs:

- (1) Taxi Stand License
- (2) Taxi Cab License
- (3) Taxi Driver's License

**4. Validity of License**

Each license shall be valid from the date of issuance until the 30th day of April next following, subject to cancellation, suspension or revocation as hereinafter provided.

**5. Fees**

The fees payable to the City by the applicant for each classification of license shall be as set by Council from time to time, and shall be payable to the City of Summerside, upon issuance of the license. In the event that any license is canceled, suspended, revoked or otherwise voided pursuant to this bylaw, no refund or part or all of the license fee shall be given.

**6. Form of License**

Each classification of license shall be in such form as shall be determined from time to time by the Chief of Police.

**7. Application Form**

Every person desirous of obtaining a taxi stand license, taxi cab license, or taxi driver's license, or renewal thereof, shall file with the Chief of Police an application in the form annexed hereto as Schedule "A", Schedule "B" or Schedule "C", as the case may be, which application must be complete in all respects.

**8. Insurance**

An applicant for a taxi cab license shall file with the Chief of Police, proof of a policy of insurance issued by an insurance company authorized to carry on business in the Province of Prince Edward Island. The policy shall cover a period that extends to or beyond the expiry of the current license period. In the said policy, the applicant shall be insured for at least \$1,000,000.00 (one million dollars) against liability in respect of any accident arising out of the operation of the vehicle for which application for a license is being made, for loss or damage resulting from bodily injury to, or the death of one or more persons, and the loss or damage to property, and passenger hazard insurance, and without limits on any particular claim on those above referenced, regardless of the number of persons involved or the nature of the damages.

If a license is issued, the said insurance policy shall be kept in force by the licensee during the period for which it or any renewal is in effect. Should the licensee fail to renew the same from time to time and pay the premiums due, the Chief of Police shall cancel the license. The licensee shall immediately advise the Chief of Police if the said insurance policy is cancelled, suspended or revoked. Upon said notification, whether by the licensee or otherwise, the Chief of Police shall cancel the license and said cancellation, suspension or revocation shall be retroactive to the date of the said cancellation, suspension or revocation.

**9. Issuance of License**

Upon receipt of a completed license application, the Chief of Police shall review the application and may:

- (a) approve same and issue the license; or
- (b) deny same for any reason in the public interest appearing to him to be sufficient; or
- (c) forward same to Council for approval or denial in circumstances he deems appropriate.

**10. Offences**

- (a) Any owner who operates, or causes to be operated, a taxi stand within the City of Summerside without a valid taxi stand license shall be guilty of an offence and liable, on summary conviction, to the fines as set out in Schedule "F" attached hereto.
- (b) Any owner of a taxi cab who operates or causes to be operated by any person a taxi cab within the City of Summerside without a valid license shall be guilty of an offence and liable, on summary conviction, to the fines as set out in Schedule "F" attached hereto.
- (c) Any person who operates a taxi cab within the City of Summerside without a valid taxi driver's license shall be guilty of an offence and liable, on summary conviction, to the fines as set out in Schedule "F" attached hereto.
- (d) Any owner of a taxi cab who permits a person who is not the holder of a taxi driver's license to operate the taxi cab within the City of Summerside shall be guilty of an offence and liable, on summary conviction, to the fines as set out in Schedule "F" attached hereto.
- (e) Any person who violates any other provision of this bylaw shall be guilty of an offence and liable, on summary conviction, to the fines as set out in Schedule "F" attached hereto.

**11. Assignment of License**

The holder of a taxi driver's license shall not assign, transfer or convey the said license. In the event that a person holding a taxi driver's license ceases to be employed or to act as a driver, the taxi stand owner shall take possession of the license and shall surrender it to the Chief of Police for cancellation.

**12. Out of Service**

Each and every taxi cab licensed by the City of Summerside is expected to be in service throughout the term of its license. The owner of any taxi cab which is taken out of service for a period exceeding one week shall notify the Chief of Police. The Chief of Police, upon receiving such notice, or learning of it in any other way, shall cancel the taxi cab license unless sufficient proof is given to the Chief of Police that the taxi cab shall be kept in continuous service for the remainder of the term of its license.

**13.** The picking up and/or delivery of alcoholic beverages by any taxi driver is strictly prohibited and constitutes an offence under this bylaw.

**14.** Every licensed taxi cab must be affiliated with a licensed taxi stand.

**15.** Every licensed taxi driver must be employed by a license taxi stand.

**16. Condition of Taxi Cab**

- (a) Every taxi driver of a taxi cab, at all times, shall be clean and neat in appearance.

- (b) The taxi owner and taxi driver of every cab shall keep the interior and exterior of such taxi cab clean, dry and in good repair.
- (c) The taxi stand owners shall keep the premises in good repair, neat and clean, shall provide a waiting room with chairs and washroom facilities, and shall be accessible to the public during all hours of operation.
- (d) The Chief of Police or his designate may, after warning given to the taxi driver, suspend or cancel the taxi driver's license of a taxi who habitually violates section 16(a) above.
- (e) Every taxi cab and taxi stand shall be liable to be inspected for adherence with minimum acceptable standards of cleanliness and repair, and if upon any inspection the taxi cab or the taxi stand is found to be in violation of section 16(b) and (c), the owner shall be notified and given an opportunity to repair, clean or provide proper facilities as the case may be. The Chief of Police or his designate shall then conduct an additional inspection after the first inspection and if the taxi cab or taxi stand remains in violation of section 16 (b) or (c), the Chief of Police may suspend or cancel the taxi stand's or the taxi cab's license.
- (f) If any taxi cab or taxi stand, upon inspection, shall be found to be in violation of section 16 (b) or (c) on any three occasions during the license period, the Chief of Police may suspend or cancel the taxi cab or taxi stand license, as the case may be.

**17. Taxi Cab Requirements**

Every taxi cab operating within the City of Summerside shall be equipped with at least four doors, safety restraints for at least four persons, and suitable for taxi purposes as established by the Chief of Police.

**18. Inspections**

Every motor vehicle licensed as a taxi cab in the City of Summerside shall be subject to inspection of mechanical fitness and road worthiness every 6 months, or at anytime as deemed necessary by the Chief of Police, and upon completion of inspection shall present proof of same at the Police Station.

**19. Taxi Cab Operator**

Every taxi cab operator shall, while operating a taxi cab, display his taxi driver's license where it can be clearly read by any passenger.

**20.** Every taxi owner shall post in every cab the current rates of fares being charged by the owner where they can be clearly read by any passenger.

**21.** Every taxi cab shall be clearly marked in such a way as to designate it as a taxi cab and shall have a taxi cab identification sign on the roof of the vehicle which shall identify the taxi stand with which the taxi cab is affiliated and which shall be illuminated during hours of darkness.

**22.** The 'maximum' Amended April 19, 2011 taxi cab fares shall be as set from time to time by the City Council by simple resolution and listed in Schedule E. No taxi driver shall request a fare 'higher' Amended April 19, 2011 than that set by City Council.

**23.** Daily records of all calls and dispatches shall be kept by any taxi stand doing business in the City of Summerside and such records shall be open for inspection by any Police Officer without a warrant.

- 24** No taxi cab driver shall consume or have in his possession, any alcoholic beverages while he is in charge of a taxi cab.
- 25** In the event that the holder of a taxi owner's or taxi driver's license issued under this Bylaw shall be convicted by a Court of any offense committed while operating a taxi cab, whether under the Criminal Code, the Controlled Drugs and Substances Act, the Food and Drug Act, the P.E.I. Liquor Control Act, the P.E.I. Highway Traffic Act, or any offense under this Bylaw, the taxi license of that holder may be revoked or suspended by the Chief of Police.
- 26** Any taxi driver whose driver's license has been suspended, revoked or cancelled shall, during such suspension or after such revocation or cancellation, be construed to be without a taxi license.
- 27** The Chief of Police, or his designate, may, at any time, for any good and sufficient cause, suspend a taxi stand license, a taxi cab license or a taxi driver's license, as the case may be, by serving the taxi stand owner, the taxi cab owner or taxi driver, as the case may be, a written notice of suspension indicating the reason or reasons therefore, and shall in such event report such suspension to the City Council.
- 28** Any act or duty of this Bylaw may be performed by any City of Summerside Police Officer, and/or any designate of the Chief of Police.
- 29.** Any person who violates, causes to violate or fails to comply with any of the provisions of this Bylaw, except for a violation under Section 16, shall for each violation or failure be guilty of an offense and shall for each offense be liable to a penalty as set out in Schedule F of this Bylaw.
- 30.** Any notice of suspension or revocations of any license required to be given, or any other notice required under this Bylaw, shall be effectively given if served personally or if sent by registered mail addressed to the party entitled to such notice, at his last known address.
- 31.** The provisions of this Bylaw shall come into force and take effect on the date of passing thereof.
- 32.** All prosecutions for any violations of this Bylaw, excepting a violation under Section 16, shall be heard before a Judge of the Provincial Court.
- 33.** City Council may from time to time by resolution, establish the following:
- (a) Taxi fares
  - (b) License fees
  - (c) Penalties

and when so are established, they shall form schedules to the Bylaw.

**34. "Special Purpose" Licenses**

City Council may establish "special purpose" taxi stand, taxi cab and taxi driver licenses for the conveyance only of elderly or disabled persons and those persons accompanying them. Unless otherwise stated, all provisions of this Bylaw shall apply to the "Special Purpose" classifications.

**35 Appeals**

Any person who is aggrieved by a decision issued by Police Services pursuant to this bylaw, including the suspension, revocation, cancellation of, or refusal to issue any taxi driver's license, taxi cab license or taxi

stand license may, within 20 days of the decision, appeal the decision to City Council who shall hear the reasons of all parties involved and who shall issue a decision not contrary to the provisions of this bylaw. Council's decision shall be final and binding.

**36. Regulations**

Council may, by simple resolution, make such regulations to this bylaw as are necessary for the carrying out of the purposes of this bylaw.

**37 Effective Date**

The effective date of the Bylaw is December 2, 2002



# CORPORATION OF THE CITY OF SUMMERSIDE

**SCHEDULE:** Schedule "A, B, C, D, E & F"

**REGULATIONS:**

**BYLAW NAME:** Taxi Bylaw

**BYLAW #:** SS-21

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Schedule "A"	Taxi Stand License
Schedule "B"	Taxi Cab License Application
Schedule "C"	Taxi Driver's License Application
Schedule "D"	License Fees for Taxi Stands
Schedule "E"	Taxi Fares
Schedule "F"	Offences & Fines

SCHEDULE 'A'

**TAXI STAND LICENSE**

LICENSE NO. \_\_\_\_\_  
(issued Under City of Summerside Taxi By-law)

NAME OF STAND: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

ISSUED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

EXPIRES MIDNIGHT, THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

Received by the Taxi Stand Owner

\_\_\_\_\_  
CHIEF OF POLICE  
SUMMERSIDE, PEI

THE LICENSE TO BE DISPLAYED IN TAXI STAND IN PLAIN VIEW OF CUSTOMERS

INSPECTIONS	SUBSEQUENT INSPECTIONS [IF NECESSARY]
1. _____ (a) Date (b) condition (c) inspector	_____
2. _____ (b) Date (b) condition (c) inspector	_____
3. _____ (c) Date (b) condition (c) inspector	_____
4. _____ (d) Date (b) condition (c) inspector	_____



SCHEDULE 'B'

TAXI CAB LICENSE APPLICATION

DATE \_\_\_\_\_

NAME OF COMPANY \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE \_\_\_\_\_

• OWNER[S] OF VEHICLE

1. NAME \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_

2. NAME \_\_\_\_\_  
DATE OF BIRTH \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
TELEPHONE \_\_\_\_\_

• DESCRIPTION OF VEHICLE

MAKE \_\_\_\_\_ MODEL \_\_\_\_\_

SERIAL # \_\_\_\_\_ P.E.I. PLATE # \_\_\_\_\_

• INSURANCE PARTICULARS

POLICY # \_\_\_\_\_ PL. & PD. AMOUNT \_\_\_\_\_

INSURANCE AGENT \_\_\_\_\_

ADDRESS \_\_\_\_\_

NOTE: CERTIFICATE OF INSURANCE MUST ACCOMPANY APPLICATION

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of Applicant

APPROVAL OF THE CHIEF OF POLICE \_\_\_\_\_

DATE \_\_\_\_\_

SCHEDULE 'C'

**TAXI DRIVER'S LICENSE APPLICATION**

NAME \_\_\_\_\_  
[Surname] [Given Names]

ADDRESS: \_\_\_\_\_

TELEPHONE [Residence] \_\_\_\_\_ [Business] \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_

CHAFFEUR'S LICENSE NO. \_\_\_\_\_ S.I.N. \_\_\_\_\_

List all resident addresses for the past 2 years and the period of time resided at each

Address \_\_\_\_\_ From \_\_\_\_\_  
To \_\_\_\_\_

Address \_\_\_\_\_ From \_\_\_\_\_  
To \_\_\_\_\_

Will you be employed as a taxi driver full-time or part-time? \_\_\_\_\_

If part-time, give names/addresses of all other Employers and hours worker per day :

\_\_\_\_\_ Hours per day \_\_\_\_\_

\_\_\_\_\_ Hours per day \_\_\_\_\_

NAME OF TAXI COMPANY \_\_\_\_\_

\_\_\_\_\_  
Signature of Employer

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

SCHEDULE 'D'

**LICENSE FEES**

Taxi Stand	\$100.00
Taxi Cab	\$ 10.00
Taxi Driver	\$ 15.00
Renewal of Taxi Driver License	\$ 15.00

Plus a deposit of \$10.00 which shall be returned without interest upon surrender of current license within the current year

SCHEDULE 'E'

**MAXIMUM FARES**

The Schedule of maximum fares within the City Limits. GST included are listed below.

<b># of Persons</b>	<b>Maximum Fare</b>	<b>Seniors</b>
1 Person	\$11.00	\$10.50
2 Persons	\$12.00	\$11.50
3 Persons	\$13.00	\$12.50
4 Persons	\$14.00	\$13.50
5 Persons	\$15.00	\$14.50

SCHEDULE 'F'

**OFFENCES & FINES**

The offences and fines under this Bylaw shall be as follows:

<b>SECTION #</b>	<b>DESCRIPTION</b>	<b>MIN. FINE</b>	<b>MAX. FINE</b>
Section 10	Operate a Taxi Stand without a license	\$500.00	\$1,000.00
Section 10	Operating a Taxi Cab without a license	\$ 50.00	\$ 200.00
Section 10	Operating without a Taxi Driver license	\$ 50.00	\$ 200.00
Section 10	Permitting someone else to operate taxi cab without a Taxi Driver license	\$ 50.00	\$ 200.00
Section 11	Transfer of Taxi Cab license	\$ 50.00	\$ 200.00
Section 11	Transfer of Taxi Driver license	\$ 50.00	\$ 200.00
Section 12	Operating Taxi Cab when out of service	\$ 50.00	\$ 200.00
Section 13	Operating Taxi Cab for pickup/delivery of alcoholic beverages	\$ 50.00	\$ 200.00
Section 14	Operating a Taxi Cab not affiliated with a Taxi Stand	\$ 50.00	\$ 200.00
Section 15	Taxi Driver not affiliated with a Taxi Stand	\$ 50.00	\$ 200.00
Section 16	Substandard appearance of Taxi Stand/Taxi/Driver	\$ 50.00	\$ 200.00
Section 17	Failure to meet Taxi Cab requirements	\$ 50.00	\$ 200.00
Section 19	Failure to display Taxi Driver license	\$ 25.00	\$ 100.00
Section 20	Failure to display current rate of fares	\$ 25.00	\$ 100.00
Section 21	Failure to display Taxi Cab I.D.	\$ 25.00	\$ 100.00
Section 22	Charging a rate higher than the maximum fare set in Schedule 'E'	\$100.00	\$ 250.00
Section 23	Failure to keep proper records	\$100.00	\$ 250.00
Section 24	Operating Tax Cab under the influence of drugs/alcohol	\$100.00	\$ 250.00