



CORPORATION OF THE CITY OF SUMMERSIDE

BYLAW NAME: TAXI BYLAW

BYLAW #: # CS-25

BE IT ENACTED by the Council of the City of Summerville as follows:

1. Title

1.1. This Bylaw shall be known and cited as the “Summerside Taxi Bylaw”.

2. Definitions

2.1. In this Bylaw:

- (a) “Chief of Police” means the Chief of Police of the City of Summerville and includes anyone designated by him to act on his behalf;
- (b) “City” means the City of Summerville;
- (c) “Council” means the Mayor and other members of the Council of the municipality;
- (d) “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;
- (e) “Owner” means any person, corporation, firm or syndicate that owns or operates a taxi or taxi stand in the City of Summerville;
- (f) “Taxi Operator” means any person who drives or is in actual physical control of a taxi cab;
- (g) “Taxi Stand Operator” means any person who is the owner or operator of a taxi stand; and
- (h) “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

- 3.1.** There shall be 3 classifications of licenses regarding taxi cabs:
- (a) Taxi Stand License;
 - (b) Taxi Cab License; and
 - (c) Taxi Driver's License.

4. Validity of License

- 4.1.** 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

- 5.1.** 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

- 6.1.** 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

- 7.1.** 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

- 8.1.** 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 \$2,000,000.00 (two 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.

- 8.2.** 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

- 9.1.** 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

- 10.1.** 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.
- 10.2.** 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.
- 10.3.** 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.
- 10.4.** 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.
- 10.5.** 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

- 11.1.** 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

- 12.1.** 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. Alcoholic Beverages

- 13.1.** The picking up and/or delivery of alcoholic beverages by any taxi driver is strictly prohibited and constitutes an offence under this bylaw.
- 13.2.** No taxi cab driver shall consume or have in his possession, any alcoholic beverages while he is in charge of a taxi cab.

14. Taxi Cab Requirements

- 14.1.** 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.
- 14.2.** Every licensed taxi cab must be affiliated and employed with a licensed taxi stand.
- 14.3.** 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.

15. Taxi Cab Operator

- 15.1.** 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.

16. Fares and Rates

- 16.1. 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.
- 16.2. The maximum taxi cab fares shall be as set from time to time by simple resolution of Council and listed in Schedule "E". No taxi driver shall request a fare higher than that set by City Council.

17. Records

- 17.1. 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.

18. Court Conviction

- 18.1. 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.

19. Loss of License

- 19.1. 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.
- 19.2. 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.
- 19.3. 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.

20. Enforcement

- 20.1. 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.

21. Violation of Bylaw

- 21.1.** 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 14, 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.
- 21.2.** All prosecutions for any violations of this Bylaw, excepting a violation under Section 14, shall be heard before a Judge of the Provincial Court.

22. Resolutions

- 22.1.** Council may, by simple resolution, establish the following for the better administration of the Bylaw:
- (a) Forms of Licenses and Applications;
 - (b) Taxi fares;
 - (c) License fees; and
 - (d) Penalties.
- 22.2.** When matters are established pursuant to subsection 24.1, they shall form schedules to the Bylaw.

23. "Special Purpose" Licenses

- 23.1.** 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.

24. Appeals

- 24.1.** 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.

25. Repeal of Existing Bylaw

- 25.1.** Bylaw Number CS-25, the Summerside Taxi Bylaw which was adopted on November 18, 2019 is hereby repealed.

26. Effective Date

26.1. The effective date of this Bylaw is December 21, 2020.

First Reading:

This Bylaw, Bylaw# CS-25, was read a first time at the Council meeting held on the 19th day of October, 2020.

This Bylaw, Bylaw# CS-25, was approved by a majority of Council members present at the Council meeting held on the 19th day of October, 2020.

Second Reading:

This Bylaw, Bylaw# CS-25, was read a second time at the Council meeting held on the 21st day of December, 2020.


This Bylaw, Bylaw# CS-25, was approved by a majority of Council members present at the Council meeting held on the 21st day of December, 2020.

Approval and Adoption by Council:

This Bylaw, Bylaw# CS-25, was adopted by a majority of Council members present at the Council meeting held on the 21st day of December, 2020.

This Bylaw is declared to be passed on the 21st day of December, 2020.

Signatures



Mayor (signature sealed)



Chief Administrative Officer (signature sealed)

This Bylaw adopted by the Council of the City of Summerside on the 21st day of December, 2020 is certified to be a true copy.



Chief Administrative Officer Signature



Date



CORPORATION OF THE CITY OF SUMMERSIDE

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

BYLAW NAME: TAXI

BYLAW #: # CS-25

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 "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. HST included are listed below.

# of Persons	Maximum Fare	Seniors
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:

SECTION #	DESCRIPTION	MIN. FINE	MAX. FINE
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

