

BE IT RESOLVED by the Municipal Council of the Municipality of the County of Inverness that By-law No. 21, Taxis, be repealed and re-enacted as follows:

BY-LAW 19

TAXIS

INTERPRETATION

1. In this By-Law, unless the context otherwise requires:
 - (a) "Council" means the Municipal Council.
 - (b) "Taxi Driver" means any person who drives a taxicab.
 - (c) "Taxi License" means a license granted by the Council permitting the owning of a taxicab for operation in the Municipality.
 - (d) "Taxi Driver's License" means a license granted permitting the holder thereof to drive a licensed taxicab within the Municipality.
 - (e) "Taxicab" means every motor vehicle used for the transportation of passengers for hire, regardless of size, capacity or type, but excluding any motor vehicle operating under a permit of the Nova Scotia Board of Public Utilities.
 - (f) "Taxicab Owner" or "Owner of a Taxicab" means any person who owns any taxicab or a person who has such in his/her possession or under his/her control either as a legal owner, or under any lease, rental agreement, hire, purchase agreement, or agreement of sale.
 - (g) "Owner" as applied to any motor vehicle means the person who owns such motor vehicle or has such motor vehicle in his/her possession or under his/her control, either as legal owner, or under any lease, rental agreement, hire, purchase agreement, or agreement of sale.
 - (h) "Vehicle" has the meaning given to it by the Motor Vehicle Act.

LICENSE REQUIRED

2. The owner of a motor vehicle shall not use it, or permit it to be used as a taxicab within the Municipality unless a Taxi License is in force in respect of the said vehicle.
3. No person shall drive a taxicab unless he/she has in his/her possession a valid taxi driver's license, which is in force.
4. No person shall drive a taxicab within the Municipality unless there is a taxi license in force in respect of the said vehicle.

APPLICATION FORM

5. Every application for a taxi license or a taxi driver's license shall be made in writing and filed with the Clerk.
6. (1) Every application for a Taxi License shall contain:
- (a) The type of vehicle;
 - (b) Make and year of vehicle;
 - (c) Serial number of vehicle;
 - (d) Record of convictions against applicant;
 - (e) Amount of insurance on vehicle, with name of Company and
 - (f) Two references to character.
- (2) Such application must be accompanied by:
- (a) A certificate signed by a qualified mechanic certifying that the vehicle sought to be licensed is in good mechanical condition, and
 - (b) An automobile insurance policy or a certified copy thereof, providing on the vehicle sought to be licensed, public liability, property damage and cargo or passenger hazard insurance in the following amounts:
 - (i) At least \$500,000.00 (exclusive of interest and costs) for loss or damage resulting from bodily injury to or death of any one person in any one accident, and
 - (ii) At least \$1,000,000.00 (exclusive of interest and costs) for loss or damage resulting from bodily injury to or death to two or more persons in any one accident, and
 - (iii) At least \$10,000.00 (exclusive of interest and costs) for loss or damage to property carried in or on the taxicab, resulting from any one accident.
 - (c) A fee of ten (\$10.00) dollars.

TAXI DRIVER'S LICENSE

7. (1) Every application for a Taxi Driver's License shall be made in writing and shall contain:
- (a) The full name and address of the applicant;
 - (b) Age of applicant;
 - (c) Number of years applicant has been driving;
 - (d) Number of chauffeur's license for current year;
 - (e) Record of convictions against the applicant;
 - (f) Two references to character.

(2) Such application must be accompanied by:

(a) Two passport size photographs of the applicant, unretouched, one to be filed with the application, and the other to be affixed to the license if and when granted;

(b) A fee of Ten (\$10.00) dollars.

8. It shall be an offence for any person to make a false statement of fact in any application for a Taxi Driver's license.

9. A license issued under the provisions of this by-law shall be in force from the date of the issue to the 31st of March in the year of issue, unless sooner suspended or revoked.

REVOCATION

10. (1) A Taxi Driver's License shall be revoked when the holder thereof has been convicted of any offence against the Motor Vehicle Act, the Liquor Control Act or Sections 233 to 235, inclusive, of the Criminal Code.

(2) A taxi license shall be revoked when the holder has been convicted of any offence against the Motor Vehicle Act, the Liquor Control Act or Sections 233, 234 and 235 of the Criminal Code.

SUSPENSION

11. (1) A Taxi Driver's license shall be suspended during such time as the holder thereof does not have a chauffeur's License of the Province of Nova Scotia in force but may be reinstated when he/she produces a license which is in force.

(2) A Taxi License shall be suspended during such time as the vehicle to which it refers is not in good mechanical condition or during such time as the insurance policy required by this by-law in respect of such vehicle is not in force, but may be reinstated when a new certificate of good mechanical condition or a new or renewed insurance policy is produced.

AUTHORITY TO ISSUE LICENSES

12. (1) The Council shall be responsible for the issue, suspension or revocation of licenses under this by-law.

(2) Under the direction of the Council, the Clerk shall have a general supervision over taxis, taxi owners, and taxi drivers, and the enforcement of the provisions of this by-law, and he/she may examine or cause to be examined by a qualified mechanic, any taxicab and make inquiries or cause inquiries to be made of taxi owners and taxi drivers at any time.

13. (1) The owner of every licensed taxicab shall maintain for each taxicab a record book containing a written record of all trips made for hire. Such record shall state in ink or indelible pencil the date, time and destination of each trip made, the name and license number of the driver and shall be retained for at least twelve months.

(2) The Clerk, or any person acting with his/her specific permission, shall at any reasonable time of the day or night be permitted immediate access to such records.

PLACE OF BUSINESS

14. The owner of any taxicab shall have an established place of business within the County of Inverness and shall have a telephone listed in the telephone directory for that area in which his/her place of business is located. Any change of location or of a telephone number shall be reported to the Clerk immediately.

PENALTIES

15. Any person who violates any provision of this by-law shall be guilty of an offence and shall be liable to a penalty of not more than one hundred (\$100.00) dollars and in default of payment of imprisonment for a period of not longer than thirty (30) days.

16. The licenses mentioned in this by-law shall be in the forms provided in Schedule "A" below.

SCHEDULE "A"

TAXI LICENSE

MUNICIPALITY OF THE COUNTY OF INVERNESS

License to Owner of a vehicle to operate the same as a Taxicab within the Municipality of the County of Inverness.

Type of vehicle: _____

Make of vehicle: _____

Year of vehicle: _____

Serial number: _____

A TAXI LICENSE IS HEREBY GRANTED _____

Of _____ in the County of Inverness, to operate the above mentioned vehicle for the transportation of passengers for hire in the said County of Inverness, under the provisions of the By-Laws of the said Municipality.

DATED at Port Hood, Nova Scotia, this ____ day of _____ A.D., 19____.

Municipal Clerk

TAXI DRIVER'S LICENSE

MUNICIPALITY OF THE COUNTY OF INVERNESS

License to drive a taxicab within the Municipality of the County of Inverness:

A TAXI DRIVER'S LICENSE IS HEREBY GRANTED _____

of _____ in the County of Inverness to drive a licensed taxicab in the said County, under provisions of the by-laws of the said Municipality, during the year 19____.

DATED at Port Hood, Nova Scotia, this _____ day of _____ A.D., 19____.

Municipal Clerk

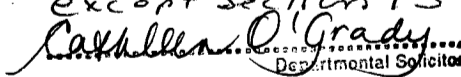
THIS IS TO CERTIFY that the foregoing by law is a true copy of a by-law duly passed at a duly called meeting of the Municipal Council of the Municipality of the County of Inverness duly held on the 15th day of November A.D., 1994.



Municipal Clerk

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

except Section 13

Cathleen O'Grady
Departmental Solicitor

APPROVED this ^{9th} day
of December 1994

except Section 13

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Minister of Municipal Affairs