

**TOWN OF ANNAPOLIS ROYAL  
TAXI BY-LAW**

**DEFINITIONS**

1. In this By-law:

- (a) "Council" means the Council of the Town of Annapolis Royal;
- (b) "Issuing Authority" means the Chief of Police of the Town of Annapolis Royal.
- (c) "Taxi" means a motor vehicle used to transport passengers or goods for compensation but does not include any motor vehicle owned or operated by a public utility as defined in the Public utilities Act, R.S.N.S., 1989, and amendments thereto and does not include vehicles duly licensed under the Motor Carrier Act, R.S.N.S., 1989, and amendments thereto;
- (d) "Town" means the Town of Annapolis Royal;

**TAXI VEHICLE LICENSE**

- 2. No person shall engage in the business of transporting persons for compensation, or operate a taxi as owner thereof to transport persons for compensation, within the Town of Annapolis Royal unless a valid license is in effect in respect of such vehicle and such a license shall hereinafter be referred to as a Taxi Vehicle License.
- 3. Every Taxi Vehicle License shall be conspicuously displayed on the inside of the door post or on the rear portion of the front seat of the vehicle for which it is issued.
- 4. Every applicant for a Taxi Vehicle License shall submit to the issuing authority a written application form, copies of which may be obtained from the Town Office, containing the following:
  - (a) full name and address of applicant;
  - (b) registration number of the vehicle involved;
  - (c) year, make, model and other description of the vehicle involved;
  - (d) a statement of the amount of insurance in force on the vehicle - a copy of the insurance policy shall accompany the application;
  - (e) a copy of the most recent safety inspection report on the vehicle involved.

5. (1) The applicant must provide proof of a valid insurance policy in force at the time of the application and in relation to the vehicle in question, which policy shall include the following coverages:

- (a) Public Liability Insurance - minimum One Million Dollars;
- (b) Property Damage Coverage - minimum One Million Dollars;
- (c) Passenger and Cargo Insurance - minimum One Million Dollars;

(2) The said policy must indicate that the vehicle is insured to operate as a Taxi and must contain a statement that no change to decrease coverage or cancel coverage may be made without the Town being notified beforehand.

6. The fee for a Taxi Vehicle License shall be \$25.00 annually.

7. A Taxi License shall be issued for one (1) vehicle only and that vehicle shall be the one as described in the application. If the applicant wishes to discontinue the use of that vehicle and to substitute another, the applicant must submit a new application form with the new information but need not pay an additional \$25.00 fee for the same licensing year.

#### **REFUSAL OF VEHICLE LICENSE**

8. A Taxi Vehicle License shall not be issued if:

- (a) the vehicle is not in good mechanical condition;
- (b) the vehicle is not in a state of cleanliness;
- (c) the amount of insurance called for by this By-law is not in full force and effect.

9. Any person who is refused a Taxi Vehicle License may appeal to the Town Council.

#### **TAXI DRIVER'S LICENSE**

10. No person shall drive a taxi unless that person has obtained a Taxi Driver's License.

11. Every Taxi Driver's License shall be conspicuously displayed, along with the Taxi Vehicle License, on the inside door post or on the rear portion of the front seat of the taxi while the taxi is being operated.

12. Every applicant for a Taxi Driver's License shall submit, to the issuing authority, a written application form, copies of which may be obtained from the Town Office, containing the following:

- (a) full name and full address of applicant;
- (b) a photocopy of a Class 4 License issued to the applicant under the Motor Vehicle Act;
- (c) number of years the applicant has been driving;
- (d) grounds to show the applicant is familiar with Town roads;
- (e) a statement, made by the applicant, advising of any convictions of the applicant for any offense involving harm to the body of another person or any offense involving possession or use of an offensive weapon or any offense involving the illegal sale or use of liquor or drugs or any conviction of any other violation of the Motor Vehicle Act (N.S.), the Liquor Control Act (N.S.) or the Criminal Code (Canada) all of the above relate to the two year period preceding the date of the application.

13. The fee payable for a Taxi Driver's License shall be \$15.00 annually.

14. No person shall transfer a Taxi Driver's License to another person.

#### **REFUSAL OF TAXI DRIVER'S LICENSE**

15. A Taxi Driver's License shall not be issued if:

- (a) the amount of the License Fee has not been paid;
- (b) the application has not been completed in full;
- (c) the applicant is not in possession of a valid Class 4 license, issued pursuant to the provision of the Motor Vehicle Act;
- (d) the applicant has been convicted of any offense as described in Section 12(e) above.

16. Any person who is refused a Taxi Driver's License may appeal to the Town Council.

#### **GENERAL**

17. Every License, whether a Taxi Vehicle License or a Taxi Driver's License, issued under this By-law, shall expire on the 31st of December of each year.

18. The owner of a taxi shall not allow such taxi to be operated by a person who does not hold a valid Taxi Driver's License under this By-law.

19. Licenses which have been destroyed, lost or stolen may be replaced upon sufficient proof of destruction or loss being presented to the issuing authority and upon payment of a replacement fee in the amount prescribed by Council by Administrative Order.

20. Every Taxi licensed under this By-law shall have permanently displayed on its exterior a sign bearing the word "Taxi", which sign shall be lighted after dark and which sign shall be clearly visible at all times from a distance of two hundred (200) feet.

21. Any person operating a vehicle licensed under this By-law shall, at all times, keep such vehicle clean and in good mechanical condition.

### **LICENSE CANCELLATION**

22. (1) The issuing authority may cancel a Taxi Vehicle License on the following grounds:

- (a) the vehicle operated under the License is not kept in good mechanical condition;
- (b) the said vehicle is not kept in a state of cleanliness;
- (c) the owner of the vehicle has failed to maintain the insurance as required by this By-law.

(2) The issuing authority may cancel a Taxi Driver's License on the following grounds:

- (a) a Licensee has, since the date of issue of the License, been convicted of one of the offenses as described in section 12(e) of this By-law;
- (b) the Chief Administrative Officer has in her or his possession evidence which indicates that the License was issued on false information.

(3) Before cancelling a License, the issuing authority shall notify the License holder of the proposed cancellation, by letter mailed to the License holder's last known place of operations and by providing a date and time for an opportunity for the License holder to hear the reasons for the proposed cancellation and to respond to those reasons;

(4) After the date and time for the opportunity for the hearing has passed, a License may be cancelled by the issuing authority pursuant to this section by mailing a formal notice of cancellation to the License holder at the License Holder's last known place of operation. The License cancelled hereunder shall be valid for only two (2) clear days after the date of mailing of the notice of cancellation;

(5) Any person whose License has been cancelled pursuant to this section may appeal the decision to the Town Council.

## **TAXI STANDS**

23. The Traffic Authority of the Town of Annapolis Royal may specify a place or places to be put in the Town to be used as a Taxi Stand or Taxi Stands pursuant to its powers described in section 146 of the Motor Vehicle Act.

24. No owner or driver of any Taxi shall park the same, when not engaged, on any public street or highway except at a specified Taxi Stand; however, if no Taxi stand has been provided pursuant to section 23, the vehicle may be parked in the same manner and in the same place as any other vehicle.

## **TRAFFIC AUTHORITY**

25. Town Council delegates to the Traffic Authority the powers set out in section 305(3) (a) (d) (c) and in section 146 of the Motor Vehicle Act, supra, and any amendments thereto.

## **PENALTIES AND VIOLATIONS**

26. Any person who violates any provision of this By-law shall be guilty of an offence and shall be liable, upon conviction:

(a) for the first offence to a penalty of not less than Fifteen Dollars (\$25.00) and, in default of payment, to imprisonment for a term of not more than thirty (30) days; and

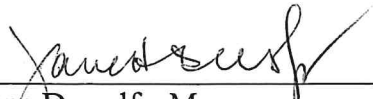
(b) for the second offence to a penalty of not less than Twenty Five Dollars (\$50.00) and, in default of payment, to imprisonment for a term of not less than thirty (30) days nor more than sixty (60) days; and

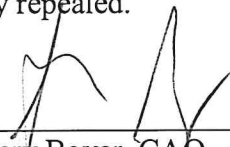
(c) for the third offence or any subsequent offence to a penalty of not less than Fifty Dollars (\$100.00) and, in default of payment, to imprisonment for a term of not less than thirty (30) days nor more than sixty (60) days or to both.

## **REPEAL**

27. The Annapolis Royal By-law dealing with Taxis, which forms part of Chapter 13 in the Annapolis Royal Book of By-law's and which was approved by the Minister of

Municipal Affairs on the 5th of October, 1983 and which carries By-law No. 69 on the records of the Department of Municipal Affairs is hereby repealed.

  
Jane Dewolf, Mayor

  
Amery Boyer, CAO

This is to certify that the foregoing is a true copy of a Bylaw passed at a duly convened meeting of the Council of the Town of Annapolis Royal, held the 21st of May, 2008.

Given under the hand of the Mayor and Chief Administrative Officer and the seal of the Town of Annapolis Royal this 21<sup>st</sup> day of May, 2008.

FIRST READING	<b>April 21, 2008</b>
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