

CITY OF PRINCE ALBERT BYLAW NO. 29 OF 2020

A Bylaw of The City of Prince Albert respecting the licensing, control and regulations of taxi license holders, drivers, and brokers in the City of Prince Albert

WHEREAS under the provisions of *The Cities Act*, bylaws may be passed by a city in relation to the safety, health and welfare of people and the protection of people and property;

AND WHEREAS under the provisions of *The Cities Act*, bylaws may be passed by a city in relation to businesses, business activities and persons engaged in business;

AND WHEREAS under the provision of *The Cities Act*, the power to pass bylaws includes the power to:

- regulate or prohibit;
- provide for a system of licenses, inspections, permits or approvals;
- prohibit any business until a license has been granted or an inspection performed;
- impose terms and conditions on any license;
- prescribe the rates that may be charged to customers;
- impose conditions that must be met before a license is granted or renewed;
- provide for the duration of licenses and their suspension or cancellation for failure to comply with a term or condition of a bylaw or for any other reason specified in the bylaw;
- determine the manner in which any license is to be allocated;

AND WHEREAS The City of Prince Albert desires to enact a bylaw to regulate and license taxi services in The City of Prince Albert

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PRINCE ALBERT
IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as the "Taxi Bylaw".

Definitions

2. In this bylaw:

- (a) "administrator" means Saskatchewan Government Insurance (SGI) pursuant to *The Traffic Safety Act*.
- (b) "bodily fluids" means, but not limited to, feces, urine or vomit.
- (c) "business license" means a license to operate a business in the City of Prince Albert.
- (d) "Bylaw Enforcement Officer" means any person appointed by Council as a Bylaw Enforcement Officer under Section 337 of *The Cities Act*, and any successor to that legislation.
- (e) "Certificate of Approval to Hold a Taxi License(s)" means a letter of authorization for a person to hold a taxi license, provided by the City in which the taxi is to be driven.
- (f) "Certificate of Police Approval" means the SGI form based on a Criminal Record and Vulnerable Sector check.
- (g) "City" means the City of Prince Albert.
- (h) "City Manager" means the person appointed as City Manager pursuant to *The Cities Act* and including the duly authorized representative or designate of such person.
- (i) "Chief of Police" means the Chief of Police appointed by the Prince Albert Board of Police Commissioners and any member of the Prince Albert Police Service authorized by the Chief of Police to act on behalf of the Chief in the administration of this bylaw.
- (j) "Class PT" means a class of vehicle registered with the administrator of *The Traffic Safety Act* (SGI) and used as a public service vehicle, including the transportation of passengers.

- (k) "Council" means the Council of the City of Prince Albert.
- (l) "dispatch" means the act or service of sending or directing a taxi, by electronic or any other means, to a person or persons who have requested a taxi, including use of a mobile application, text message, internet web page, cell phone or email communication.
- (m) "expiry date" as referred to the 31st day of December in the same year in which the license referred to therein is use.
- (n) "new applicant" means a person making application pursuant to this bylaw for a license for purposes other than renewal or replacement.
- (o) "out of service" means not being dispatched.
- (p) "person" includes an individual, a corporation, a partnership and the heirs, executors, administrators or other legal representative of a person.
- (q) "photo identification card" means a photo identification card issued to a taxi driver by the Chief of Police.
- (r) "police officer" means any sworn member of a police force in Saskatchewan, and any person appointed pursuant to *The Police Act, 1990* as a special constable or peace officer.
- (s) "senior transportation" means a service provided by a vehicle scheduled in advanced for the conveyance of senior persons at a fixed rate from points of origin to predetermined points of destination.
- (t) "taxi" means a vehicle for hire that is registered with SGI in class PT and is equipped with a taximeter or equipment designed to calculate a passenger fare based on distance travelled and standing time.
- (u) "taxi broker" includes a person who receives requests for taxi service or who dispatches taxis on behalf of taxi license holders or taxi drivers.
- (v) "taxi broker license" means a business license issued by the City of Prince Albert.
- (w) "taxi driver" includes any person who is the driver of or de facto in control of a taxi; whether he is a taxi license holder, agent or employee of the taxi license holder, or otherwise.
- (x) "taxi driver license" means a provincial driver license of the class required for the lawful operation of a taxi in the Province of Saskatchewan.

- (y) "taxi license" means a license issued and owned by the City which grants to the holder the right to operate a taxi in the City. The license will indicate the year during which the taxi license is valid and the taxi PRAL number assigned by the City.
- (z) "taxi license holder" means the holder of a taxi license issued and owned by the City.
- (aa) "taximeter" means a mechanical or electronic device by which the charge for transportation by a taxi is mechanically or electronically calculated and upon which the charge is indicated by figures.

Purpose

- 3. This bylaw recognizes that taxis:
 - (a) are an important part of the City's public transportation services; and,
 - (b) are relied upon by both residents and visitors of the City.
- 4. The purpose of this bylaw are the following:
 - (a) to ensure that taxi services be available, safe and economical to use for both citizens and visitors to the City;
 - (b) to establish rates that are fair and reasonable for both the public and persons operating the taxi service;
 - (c) to ensure that taxi services meet the needs of all citizens and visitors,
 - (d) to ensure that taxi services operate in a manner that reflects positively the image of the City;
 - (e) to ensure that all persons involved in the taxi industry are held accountable.

Requirement for License

- 5. No person shall drive a taxi unless that person holds a valid taxi driver license in accordance with the provisions of the *Traffic Safety Act*.
- 6. No person shall own a taxi unless that person holds a valid taxi license from the City in accordance with the provisions of this bylaw.
- 7. No person shall carry on the business of a taxi broker in the City unless that person is a licensed taxi broker.

8. For purposes of this bylaw, a person shall be deemed to be operating a taxi within the City of Prince Albert, if the passenger's trip originates within City limits.

Advertising a Taxi Service

9. No person shall claim to be licensed under this bylaw unless that person is so licensed.
10. No person shall advertise any taxi service unless that person holds a valid license under this bylaw.

Type and Number of Taxi Licenses

11. Taxi licenses issued under this bylaw are property of the City and the City shall have the authority to determine the:
 - (a) type of licenses that may be granted;
 - (b) manner in which any license is to be issued and allocated;
 - (c) number of licenses issued.
12. The City may issue the following licenses:
 - (a) thirty-nine (39) taxi licenses, with three (3) of the thirty-nine (39) designated for senior transportation;
 - (b) taxi business licenses;
 - (c) taxi broker licenses.

Certificate of Approval to Hold a Taxi License(s)

13. Prior to being issue a taxi license, all candidates shall make application to the City for a Certificate of Approval to Hold a Taxi License(s).
14. The application should be completed in the prescribed form; together with the following:
 - (a) payment of administration fee as provided under Schedule A for criminal record and vulnerable sector check;
 - (b) certificate of Police Approval;
 - (c) proof of residency within the City of Prince Albert.

15. The Chief of Police may review the Certificate of Approval to Hold a Taxi License(s) at any time. In such cases as he deems appropriate, the Chief of Police may withdraw such certificates and given notice of such withdrawal to the City.
16. If the Chief of Police or the City are of the opinion that it may be in the public interest to withdraw a Certificate of Approval to Hold a Taxi License(s), their decision shall be final.

Photo Identification Card

17. All taxi drivers must hold a photo identification card issued by the Chief of Police and shall show:
 - (a) on the front, a picture of the applicant, the number assigned by the Chief of Police, and the expiry date;
 - (b) on the back. The taxi driver license type, provincial driver license number and the date of issue of the photo identification card.
18. The taxi driver must submit criminal record and vulnerable sector checks to obtain a new or renewal of the photo identification card.
19. Photo identification card expiration must not exceed three (3) years.
20. If the Chief of Police is of the opinion at any time that the photo identification card requires replacement due to its poor condition or if the information shown requires corrections, upon notice to the taxi driver the Chief of Police may require the taxi driver to apply for a renewal of the photo identification card for the prescribed fee outlined in Schedule A.
21. If the Chief of Police is of the opinion that it may not be in the public interest to issue or renew a photo identification card, their decision shall be final.

Taxi License

22. Prior to operating a taxi, all candidates shall make application to the City for a taxi license.
23. The applicant shall complete an application in the prescribed form, together with the following.
 - (a) a Certificate of Approval to Hold a Taxi License(s);
 - (b) a copy of an unexpired and valid photo identification card;
 - (c) a copy of an unexpired and valid taxi driver license;

- (d) written proof of vehicle registration and insurance for the taxi identifying the applicant, vehicle owner as the owner of the vehicle and class PT designation;
 - (e) a valid Light Vehicle Inspection Certificate for the taxi completed by a Saskatchewan Government Insurance accredited mechanic dated no earlier than ninety (90) days prior to the license application;
 - (f) payment of administration fee as provided under Schedule A for issuing a taxi business license.
24. If either the Chief of Police or the City's Director delegated responsibility for the enforcement of this bylaw are of the opinion that it may not be in the public interest to issue or renew a taxi license, their decision shall be final.
- The taxi license is valid from January 1 to December 31, and must be renewed annually within 5 business days of expiry.
25. The City must be notified within seven (7) days of any change of address, ensuring the holder of the taxi license maintains a place of business within the City.

Transfer of Taxi License

26. Taxi licenses may be transferred upon:
- (a) compliance by the transferee with all administrative requirements for obtaining and holding a taxi license;
 - (b) submission by the transferee of a completed of a Certificate of Approval to Hold a Taxi License;
 - (c) submission by the transferee of the complete bill of sale for the taxi license including the sale price; and,
 - (d) payment by the transferee of the transfer fee set out in Schedule A.

Transfer of Taxi License to a New Vehicle

27. The taxi license may be moved from one (1) vehicle to another if:
- (a) the vehicle to which the taxi license is assigned requires repairs or servicing and is temporarily unavailable for service; or,
 - (b) the vehicle to which the taxi license is assigned is being permanently replaced with a different vehicle.

28. If transferring the taxi license the taxi license holder shall within three (3) business days for the transfer provide the City with:
- (a) a validated Light Vehicle Inspection Certificate for the replacement vehicle;
 - (b) a certificate of vehicle registration for the replacement vehicle showing a class PT designation;
 - (c) payment for the applicable replacement fees.

Fees

29. Schedule A, the fees to be paid by taxi license holders, taxi drivers and brokers, as same may be amended from time to time, is incorporated into and forms part of this bylaw.

Conduct of Taxi Brokers

30. Every taxi broker shall:
- (a) obtain a business license from the City;
 - (b) maintain a permanent office in the City;
 - (c) maintain a process to promptly investigate and respond to complaints from the public;
 - (d) establish a process that documents all complaints and responses;
 - (e) provide details of all complaints and responses to The City upon request;
 - (f) maintain a list of all licensed taxi drivers and taxi license holders with whom the broker is affiliated;
 - (g) within three (3) business days, notify the City if a licensed taxi license holder ceases affiliation with the broker;
 - (h) provide and ensure that dispatch services are provided 24 hours per day, seven (7) days a week;
 - (i) ensure the taxi drivers and taxi license holders adhere to all provisions outline in the bylaw;

- (j) keep a record of every car dispatched on a trip, the date and time of dispatch, the place of pick-up and destination of such trip. Records shall be retained for at least twelve (12) months following each trip and produce trip records promptly when requested by the City or Police Services.

Conduct of Taxi Drivers

31. Every taxi driver shall:

- (a) be the holder of an unexpired and valid taxi driver license as defined in the bylaw, and display the license and photo identification card in the taxi;
- (b) be affiliated with a licensed taxi broker;
- (c) ensure that all trips are logged in through the dispatch system of the broker;
- (d) proceed by the most direct route to the point of destination unless otherwise directed by the passenger;
- (e) permit no more passengers than the number of seatbelts available for use in the taxi;
- (f) upon the request of the passenger, provide a receipt for the trip;
- (g) provide service to any passenger unless the passenger engages in abusive, violent or threatening behavior;
- (h) at all times while the taxi is in operation ensure the taximeter is in a recording position, and charge a fare in accordance with the tariff of fees posted in the taxi;
- (i) while in charge of any taxi, be clean and neat in his or her person and dress and conduct themselves in a courteous, prudent and safe manner;
- (j) ensure the taxi is clean as to its exterior and interior, including trunk; while waiting for hire or at any taxi stand:
 - (i) keep the taxi under constant observation;
 - (ii) not obstruct any sidewalk or pedestrian;
- (k) upon being requested to do so by any passenger, except for the taxi's radio communication with the taxi broker, turn off any radio, tape player or other sound-producing device in the taxi;

- (l) while he is in charge of the taxi, shall not be under the influence of, consume or have in his or her possession any alcoholic beverage or any drug capable of causing impairment;
- (m) not knowingly transport or assist, or allow the transport of any drugs or narcotics within the meaning of the *Controlled Drugs and Substances Act* or the *Food and Drugs Act*;
- (n) not smoke tobacco in any form while in a taxi;
- (o) not operate a taxi at any time through an off-sale drive-thru liquor outlet.

Conduct of Taxi License Holder

32. No taxi license holder shall permit the taxi to be operated if it is:
- (a) not clean and in good repair as to its exterior, including trunk;
 - (b) not free from mechanical defects;
 - (c) not free of visible body damage including but not limited to dented, missing or damaged body pieces and panels;
 - (d) not equipped with seat belts plainly visible and accessible to passengers;
 - (e) not equipped with fully functioning air conditioning and heating systems;
 - (f) not equipped with extra tire and wheel ready for use;
 - (g) not equipped with four (4) snow tires or all weather tires from December 1 to April 30;
 - (h) equipped with any mechanism or device, other than a child safety lock, that prevents a passenger from opening its doors;
 - (i) not displaying contact information for the taxi broker and bylaw enforcement to report complaints or bylaw infractions.
33. Where there are reasonable and probable grounds to believe that a taxi is dangerous or unsafe, the taxi shall not provide trips, and must be submitted immediately for inspection by a accredited mechanic.
34. No taxi license holder shall allow the taxi to be out of service for more than fifteen (15) consecutive days, or more than a total of fifteen (15) days in thirty (30) consecutive days.

35. No taxi license holder shall place or permit any advertising material on the taxi that:
- (a) it is not safe for the taxi driver, passengers, or general public;
 - (b) covers the windows or obstructs the visibility of the interior;
 - (c) is not securely attached to the vehicle;
 - (d) extends beyond the dimensions of the vehicle, with the exception of rooftop signs;
 - (e) reduces the visibility of any taxi markings and identification required by this bylaw.
36. Every vehicle must be equipped with a(n):
- (a) in-car camera that must:
 - (i) be mounted on the inside of the vehicle
 - (ii) fully show the interior of the vehicle; and,
 - (iii) be fully operational at all times when the vehicle is available for hire to the public;
 - (b) decal affixed to both rear side window notifying potential passengers of the presence of in car cameras.
37. Every taxi license holder shall:
- (a) ensure that the taxi is equipped at all times with a sealed taximeter;
 - (b) in the event of a broken seal of a taximeter or any tampering, interference with or damage to a taximeter in the taxi, ensure any repair or replacement is promptly effected;
 - (c) upon request, submit the taxi for inspection including, but not limited to, tests for accuracy and calibration of the taximeter.

Taxi Fares

38. A taxi fare must be charged for each taxi trip in accordance with Schedule B of this bylaw except when a trip with fare less than tariff is:
- (a) booked directly with the taxi broker;

- (b) the broker has set and posted the discounted rate;
- (c) the trip is to transport:
 - (i) children to or from school;
 - (ii) persons to or from the airport;
 - (iii) persons over the age of 65; or,
 - (iv) persons with disabilities.

39. No fare shall be charged for time lost through inefficiency or incompetency of the driver, or for time consumed by arrival of the taxi in advance of the time the taxi was requested to arrive when the trip was booked.

At all times a driver shall ensure that they have at least \$20 in coins and bills of denominations less than \$20 to provide change to passengers.

Delegation of Authority

- 40. The administration of this bylaw is hereby delegated to the City Manager.
- 41. The enforcement of this bylaw is hereby delegated to the Chief of Police and to the City's Director to whom the City Manager has assigned responsibility for bylaw enforcement.

Enforcement

- 42. Without restricting any other power, duty or function granted by this Bylaw, a Police Officer or a Bylaw Enforcement Officer may:
 - (a) carry out any inspections to determine compliance with this Bylaw;
 - (b) take any steps or carry out any actions required to enforce this Bylaw;
 - (c) take any steps or carry out any actions required to remedy a contravention of this Bylaw; and,
 - (d) perform any other duties and may exercise any other power that may be delegated.

Offences and Penalties

43. An offence is considered to be committed under this this bylaw if a person:
- (a) contravenes a provision of the bylaw;
 - (b) consents to, allows, or permits an act or thing to be done contrary to this bylaw; or,
 - (c) neglects or refrains from doing anything required by a provision of this bylaw.
44. Every person who contravenes a provision of this bylaw is guilty and liable for the correlating penalty fine.
45. Each day that a contravention of a provision of this bylaw continues is a continuing offence.
46. For each day a continuing offence occurs, the penalty will be equivalent to the penalty listed before the offence.
47. Every person who contravenes any position of this bylaw shall be guilty of an offence and liable on summary conviction, in addition to any surcharge imposed by the Courts. Maximum penalties as per section 338(3) of *The Cities Act*.
- (a) in the case of an individual, to a fine of not less than \$500 and not more than \$2,000;
 - (i) on an offence, a fine of \$500
 - (ii) on a second offence, a fine of \$750
 - (iii) on a third offence, a fine exceeding \$750 but not exceeding \$2,000;
 - (b) in the case of a corporation, to a fine of not less than \$1,000 and not more than \$5,000;
 - (i) on a first offence, a fine of \$1,000
 - (ii) on a second offence, a fine of \$1,500
 - (iii) on a third offence, a fine exceeding \$1,500 but not exceeding \$5,000.

When a Police Officer issues a summary ticket for a violation to this bylaw that Police Officer may enter on the ticket an amount, as per Section 47, which if paid within the time prescribed, will be accepted as a guilty plea to the offence.

Interpretation

48. Nothing in this bylaw limits the right of Council to suspend or revoke a Certificate of Approval to Hold a Taxi License(s), a taxi license, a taxi broker license, or limits the ability of policing authorities to enforce the provisions of The City's Traffic Bylaw and *The Traffic Safety Act* with respect to seizure and impoundment of vehicles as provided therein.
49. In this bylaw and schedule hereto; unless the context otherwise requires reference:
- (a) to individuals includes corporations, executors, administrators, successors, and permitted assigns;
 - (b) in the singular number includes the plural number, and reference in the plural number includes the singular; and,
 - (c) in the masculine includes the feminine or the neuter gender.
50. If any section, subsection sentence, clause, phrase or other portion of this bylaw is for any reason held invalid or unconstitutional by a court of competent jurisdiction that portion shall be deemed to be a separate distinct and independent provision, and the holding of the court shall not affect the validity of the remaining portions of this bylaw.

Repeal of Bylaws

51. Bylaw No. 29 of 2002 and all applicable amendments and subsequent amending Bylaws are hereby repealed, including but not necessarily limited to Bylaw No. 16 of 2019.

Notwithstanding the repeal, every term license, ticket or fine issued or outstanding pursuant to Bylaw No. 29 of 2002 as amended and Bylaw No. 16 of 2019 shall not be invalidated by such repeal, and shall remain in force for its term until expiration or until paid as if made pursuant to this Bylaw, as circumstances may apply, and may be dealt with as if made pursuant to this Bylaw.

Coming into Force

52. This bylaw shall come into force and take effect on, from and after the final passing thereof.

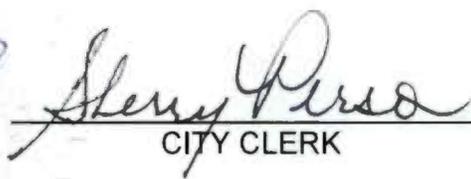
INTRODUCED AND READ A FIRST TIME THIS 13th DAY OF October , AD 2020.

READ A SECOND TIME THIS 13th DAY OF October , AD 2020.

READ A THIRD TIME AND PASSED THIS 13th DAY OF October , AD 2020.



MAYOR



CITY CLERK

SCHEDULE A

1.	Taxi License	
	New	\$ 400
	Renewal	\$ 400
	Transfer to new taxi license holder	\$ 400
	Transfer to an alternate vehicle	\$ 50
	Replacement	\$ 50
2.	Taxi Broker License	\$ 300
3.	Photo Identification Card	
	New	\$ 50
	Renewal	\$ 50
	Replacement	\$ 50
4.	Criminal Record and Vulnerable Sector Check	\$ 70
5.	Seal replacement	\$ 200

SCHEDULE B

General Taxi Fares

1. \$3.50 for the first 33 meters or portion thereof;
2. \$0.10 for each additional 33 meters or portion thereof; and,
3. \$0.80 for each additional minute of time while the taxi is on a trip, including waiting at the request of passengers.

Rates for Destinations Outside of City Limits

4. \$1.85 per kilometer; and,
5. \$45 for each hour of wait time.

General Provisions

6. All taxi fares as prescribed in this schedule shall include the Federal Goods and Services Tax.
7. There shall be no extra charge for normal hand baggage.
8. In addition to any taxi fare prescribed in this schedule, when payment is made by debit or credit card transaction an optional surcharge of up to \$1.50 may be added to the taxi fare for each transaction.
9. An amount of \$100 may be added to the taxi fare when a passenger soils the interior of a taxi with bodily fluids.