



TOWN OF KENTVILLE BY-LAW

CHAPTER 64

TAXI BY-LAW

1. The transport by vehicle of passengers or goods within the boundaries of the Town of Kentville for a fee shall be deemed to be transport by Taxi-Cab. Where such transport is by a vehicle that is a public utility as defined in the Public Utilities Act or a motor carrier who is required to be licensed under the Motor Carrier Act, this By-law shall not apply to that vehicle.
 2. It shall be an offence for any person to charge a fee for the transport by vehicle of passengers or goods within the boundaries of the Town of Kentville unless such person is the holder of a valid Taxi-Cab License issued by the Town of Kentville.
 3. Before any person operates a Taxi-Cab within the Town of Kentville, such person must make Application for and be issued a Taxi-Cab License. Applications shall be made in writing on a form provided therefor by the Town.
 4. Information required of the Applicant by the Town shall include, but may not necessarily be limited to:
 - a. The full name and address of the Applicant;
 - b. A description of the Taxi-Cab to be used, giving the registration or other number sufficient, in the opinion of the Town, to identify it;
 - c. The age of the Applicant;
 - d. The number of years during which the Applicant has been licensed to operate a motor vehicle;
 - e. The number of the Applicant's chauffeur's license then in force;
 - f. The amount of the insurance in force on the Taxi-Cab with the name and contact information of the insurance company, the name and contact information of the insurance agent, and the number of the policy of insurance;
 - g. A statement of any convictions under any Act or By Law against the Applicant or person in the employ of the Applicant and a consent to allow the Town to inquire of Police and regulatory authorities as to the driving and criminal record of the Applicant.
 5. It shall be an offence under this By Law for a person to make a false statement of fact in the Application.
 6. Every driver of a Taxi-Cab to be licensed under this By Law must:
 - a. Be the holder of a valid chauffeur's license issued under the provisions of the Nova Scotia Motor Vehicle Act;
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- b. Have and maintain at all times in force on the Taxi-Cab public liability, property damage and cargo or passenger hazard insurance in the full minimum amounts of:
 - i. Public Liability \$1,000,000.00
 - ii. Property Damage \$ 500,000.00
 - iii. Passenger and Cargo Insurance \$1,000,000.00
- c. Keep the Taxi-Cab in a clean condition, both inside and outside;
- d. Keep the Taxi-Cab in good mechanical repair.
- 7. No person shall operate a Taxi-Cab unless he has applied to the Town for and the Town has issued to him a valid license, herein referred to as a Taxi-Cab Driver's License.
- 8. Every Application for a Taxi-Cab Driver's License shall be made in writing to the Town in the same manner as an Application for a Taxi-Cab License and shall contain the same information as an Application for a Taxi-Cab License.
- 9. Every Application under this By Law shall be filed with the Town and shall be accompanied by the license fee required by the Town.
- 10. The Town may designate an official or employee of the Town as its delegate to administer and enforce this By-Law. In the absence of a formal designation, the person to whom the function is designated shall be deemed to be the Town's By-Law Enforcement Officer.
- 11. In the case of an Application for a Taxi-Cab License, the Applicant shall cause the Taxi-Cab to be inspected by a licensed garage and shall produce to the Town a vehicle inspection certification.
- 12. The Town shall make such enquiries as it deems appropriate to determine that the Applicant, whether the Applicant for a Taxi-Cab License or a Taxi-Cab Driver's License qualifies, under the provisions of this By-Law, to have a license and the Town may deny a license to those persons who do not so qualify.
- 13. A license shall not be issued or continued unless:
 - a. The Taxi-Cab carries a valid inspection certificate;
 - b. The amount of the license fee has been paid to the Town;
 - c. The Application has been completed in full;
 - d. The amount of the insurance required is in effect;
 - e. The Applicant is in possession of a valid chauffeur's license.
 - f. The Applicant has not been convicted of any offence against the Criminal Code of Canada or The Excise Act of Canada;and the Applicant's Application may be rejected or a Taxi-Cab license and/or Taxi-Cab Drivers license revoked by the Town if the person has been convicted of an offence under the Motor Vehicle Act of Nova Scotia, the Liquor Control Act of Nova Scotia, or under any other Act or By Law.
- 14. A person shall be guilty of an offence and the Town, in addition to such other penalty as is herein provided, may suspend any license for any period, subject to review in one (1) year where:

- a. The Taxi-Cab operated under the license is not kept clean and in good mechanical condition, or
- b. The licensee has, since the date of issue of the license, been convicted of any offence under any Act of the Province of Nova Scotia or under any Town By Law;
- c. The owner of the Taxi-Cab has failed to maintain insurance as required by this By Law.

and shall suspend, without the right of review, the licensee where he has been convicted of any offence against the Criminal Code of Canada since the date of issue of his license.

15. A person whose license has been suspended or revoked or whose Application for a license has been refused, may appeal such action to the Chief Administrative Officer of the Town who may;
 - i. Approve the action;
 - ii. Vary the action; or
 - iii. Allow the appeal and set aside the action;
16. Every Taxi-Cab shall have prominently displayed on its roof a sign bearing the word "Taxi", which sign and word shall be lighted after dark and be clearly visible at all times from a distance of two hundred (200) feet.
17. The amount of the license application fee payable under this By Law shall be:
 - a. Twenty five dollars (\$25.00) per Taxi-Cab License;
 - b. Ten dollars (\$10.00) for every Taxi-Cab Driver's License, and,
 - c. Three dollars (\$3.00) for the transfer of a Taxi-Cab License.
18. No license to drive a Taxi-Cab may be transferred from one person to another.
19. A Taxi-Cab License shall be issued for one Taxi-Cab only, and a description of the Taxi-Cab shall be given on the license. If the owner wishes to discontinue the use of that Taxi-Cab and/or replace it with another Taxi-Cab, the substituted Taxi-Cab shall be subject to and comply with the regulations as to licensing under this By Law at the time of transfer. Such transfers shall not be made without the approval in writing of the Town.
20. All licenses shall be for a period of one (1) year, from the 1st day of April to the 31st day of March of each year. The Town, where a license is issued during the twelve month period, may charge a pro-rated application fee.
21. Any person who contravenes a section of this By-Law punishable by a fine and who is given notice of the option to do so, may pay to the Town at the place specified in the notice, the sum of \$15.00 within 14 days of the date of the notice and shall thereby avoid prosecution for that contravention.
22. Any person who violates any of the provisions of this By Law, in addition to being liable to have his license refused, suspended or cancelled, is guilty of an offence and shall be liable:

Town of Kentville, By Law Chapter 64: Taxi By-Law

- a. for the first offence to a penalty of not less than fifteen dollars (\$15.00) and in default of payment, to imprisonment for a term of not more than thirty (30) days, and
 - b. for a second offence, to a penalty of not less than twenty five dollars (\$25.00) and in default of payment, to imprisonment for a term of not less than thirty (30) days and no more than sixty (60) days, and
 - c. for a third offence or any subsequent offence, to a penalty of not less than fifty dollars (\$50.00) and in default of payment, to imprisonment for a term of not less than thirty (30) days and not more than sixty (60) days.
23. The owner of a Taxi-Cab shall be liable, jointly with the driver thereof, for any violation of this By Law by a driver.
24. The Town may specify, by written notice to licensees, places within the Town to be used as Taxi Stands. If Taxi Stands have been specified, no owner or driver of any Taxi-Cab shall permit the same, when not engaged, to stand on any public street or highway, except at a specified Taxi Stand.

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| Date of first reading: | April 9, 2003 |
| Date of advertisement of Notice of Intent to Consider: | April 22, 2003 |
| | April 29, 2003 |
| Date of second reading: | May 21, 2003 |
| *Date of advertisement of Passage of By-Law: | May 27, 2003 |
| Date of mailing to Minister a certified copy of By-Law: | June 5, 2003 |

I certify that this Taxi Bylaw – Chapter 64 was adopted by Council and published as indicated above.



CAO Mark Phillips

*Effective Date of the By-Law unless otherwise specified in the By-Law