

Corporation of the Town of Petawawa

By-law 1641/24

Being a By-law to Licence, Regulate and Govern Owners and Drivers of Vehicles for Hire and to repeal By-law 314/04 and all its amending by-laws

Whereas Section 8 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended hereinafter referred to as the "*Municipal Act*" provides that a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising the authority under the Act; and

And Whereas Section 8 (3) of the *Municipal Act* authorizes a municipality to provide for a system of licences; and

And Whereas Section 11 of the *Municipal Act* authorizes a municipality to pass a by-law respecting the health, safety and well-being of persons and respecting the protection of persons and property including consumer protection; and

And Whereas Sections 9, 11 and 391 of the *Municipal Act* authorizes a municipality to impose fees and charges on persons; and

And Whereas Sections 23.1, 23.2 and 23.3 of the *Municipal Act* authorizes a municipality to delegate its powers and duties under the Act to a person; and

And Whereas Section 151 of the *Municipal Act*, provides that a municipality may provide for a system of licences with respect to a business and may:

- a) prohibit the carrying on or engaging in the business without a licence;
- b) refuse to grant a licence or to revoke or suspend a licence;
- c) impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- d) impose special conditions on a business in a class that have not been imposed on all the businesses in that class in order to obtain, continue to hold or renew a licence;
- e) impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence; and
- f) licence, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and

And Whereas Section 431 of the *Municipal Act* authorizes that where any by-law of a municipality under the *Municipal Act* is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter

may make an order prohibiting the continuation or repetition of the offence by the person convicted and requiring the person convicted to correct the contravention; and

And Whereas Section 436 of the *Municipal Act* authorizes a municipality to pass a by-law providing that the municipality may enter on land to conduct inspections; and

And Whereas Sections 444 and 445 of the *Municipal Act* authorizes a municipality to make orders to discontinue, or to correct, the contravention of a by-law; and

And Whereas Section 446 of the *Municipal Act* authorizes a municipality to do a matter or thing in default of it being done by the person directed or required to do it; and

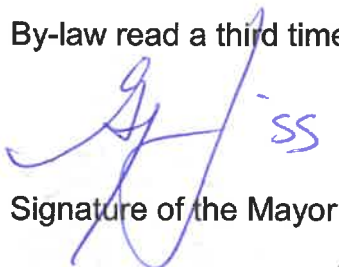
And Whereas the Council for the Town of Petawawa deems it desirable and in the public interest to enact a Vehicle for Hire By-law; and

Now Therefore the Council of the Corporation of the Town of Petawawa enacts as follows:

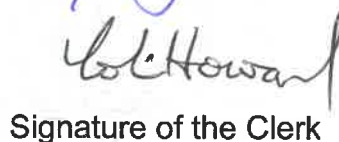
1. That By-law 314/04 and all its amending bylaws, be repealed.
2. That Schedule "A", attached hereto, be inserted to By-law 1641/24.
3. That this by-law shall come into force and take effect following third reading.

By-law read a first and second time this 18th day of March 2024.

By-law read a third time and passed this 18th day of March 2024.



Signature of the Mayor



Signature of the Clerk

Schedule "A" to By-law 1641/24

Vehicles for Hire By-Law

March 2024



The Corporation of the Town of Petawawa

By-law to Licence, Regulate and Govern Owners and Drivers of Vehicles for Hire
within the Town of Petawawa

Legislative Services Department

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1.0 DEFINITIONS

- 1.1 “Applicant” means a person applying for a licence under this by-law and includes the person renewing a licence.
- 1.2 “Council” means the Council of the Corporation of the Town of Petawawa.
- 1.3 “Director of Legislative Services/Clerk” as amended hereinafter referred to as the “Clerk” means the municipal Clerk of the Corporation of the Town of Petawawa or their designate.
- 1.4 “Driver” means the individual who has care and control of a Vehicle for Hire.
- 1.5 “Licence” means a licence issued pursuant to this by-law.
- 1.6 “Limousine” means a full-size luxury motor vehicle, having a minimum of four doors, which does not have either a taximeter, a roof sign or a two-way radio and is used for hire on an hourly or flat rate basis. For the purpose of this by-law, any van seating less than eleven (11) persons including the Driver and used for hire on an hourly or flat rate basis shall be regarded as a limousine. Buses or vans regulated or licenced by statute or regulation is exempt from the conditions of this by-law.
- 1.7 “Municipal Law Enforcement Officer (MLEO)” means the municipal enforcement officer as designated by Council.
- 1.8 “Municipality” means the Corporation of the Town of Petawawa.
- 1.9 “Owner’s Licence” means a licence granted by the Clerk to any person to own or keep or use any Vehicle for Hire that is subject to this by-law.
- 1.10 “Owner’s Plate” means a numbered plate or decal issued by the Clerk.
- 1.11 “Owner” means the person who, alone or with others, fits into any one or more of the following categories:
 - 1.11.1 directs the operation of the motor vehicle or business;
 - 1.11.2 has control over the motor vehicle or business;
 - 1.11.3 is the owner of the motor vehicle or business;
- 1.12 “Passenger” means any person in a Vehicle for Hire except for the Driver.

- 1.13 "Person" includes an individual, corporation, firm, or agent thereof.
- 1.14 "Police Record Check" means a criminal information report that is a result of a search of the local Ontario Provincial Police records where the Applicant resides and the national databases maintained by the Canadian Police Information Centre with a grading of a Pass, Fail or Concern.
- 1.15 "Private Transportation Company" or "PTC" means a person who receives, relays, authorizes, facilitates, enables, or communicates an order for transportation services through a PTC App.
- 1.16 "PTC App" means any software, technology, or service, including a smartphone application or other comparable technology used to connect passengers with a PTC Driver for transportation services.
- 1.17 "PTC Driver" means a person who drives a PTC Vehicle.
- 1.18 "PTC Identifier" means a sign, including a decal, displaying the logo or name of the PTC.
- 1.19 "PTC Vehicle" means a motor vehicle with a seating capacity of not more than seven (7) passengers, including the PTC Driver that provides transportation services through a PTC App but does not include a Taxicab or Limousine.
- 1.20 "Safety Standards Certificate" means a certificate issued by an authorized licenced mechanic that confirms a motor vehicle complies with the equipment and performance standards prescribed by the *Highway Traffic Act*.
- 1.21 "Service Animal" means an animal that can be readily identified as one that is being used by the person for reasons relating to the person's disability, as a result of visual indicators such as the vest or harness worn by the animal, or the person provides documentation from a regulated health professional confirming that the person requires the animal for reasons relating to a disability.
- 1.22 "Smoke" or "Smoking" includes the carrying of a lighted cigar, cigarette, pipe, vaping, or any other smoking device.
- 1.23 "Taxicab" includes any motor vehicle that is equipped with a taximeter, used for hire for the conveyance of passengers, with a manufacturer's rated seating capacity of not more that eight (8) persons including the Driver.

- 1.24 "Taximeter" means a mechanical or electronic device which measures the distance traveled and computes the fare to be charged and further contains an independent timing device to compute the charge for waiting times.
- 1.25 "Vehicle for Hire Driver's Licence" means a licence granted under the provisions of this By-law to own or operate a Vehicle for Hire.
- 1.26 "Vehicle for Hire" means a Taxicab, Limousine, or a PTC Vehicle.

2.0 LICENCE REQUIREMENTS

- 2.1 No person shall operate or drive a Vehicle for Hire for the transportation of passengers or goods from any point within the Municipality except under the authority and accordance of this by-law.
- 2.2 No person shall own, keep, or permit a motor vehicle to be used as a Vehicle for Hire in the transportation of passengers or goods from any point within the Municipality except under the authority and accordance of this by-law.
- 2.3 No Owner or Driver of a Vehicle for Hire duly licenced by another municipality shall respond to requests or operate within the jurisdiction of the Town of Petawawa.
- 2.4 Notwithstanding subsection 2.1, no such licence shall be required of an Owner or Driver of a Vehicle for Hire, duly licenced by another municipality, if the only activity of such Owner or Driver is the result of a conveyance which originated in the municipality in which said licence was issued.

3.0 ADMINISTRATION

- 3.1 Except as expressly stated herein and except as required otherwise by statute, this by-law shall be administered by the Clerk and/or their designate.
- 3.2 The Clerk shall not be bound to issue a licence to any applicant if that applicant is found to be:
 - 3.2.1 in breach of the law;
 - 3.2.2 conducting activities which may be adverse to the public; or
 - 3.2.3 in contravention of this by-law or any other law;

- 3.3 Any person whose application has been refused by the Clerk may request a hearing of Council.
- 3.4 Every licence fee paid in accordance with this by-law may be refundable if the licence applied for is denied for cause.
- 3.5 This by-law may be enforced by a Police Officer or the Municipal Law Enforcement Officer for the Town of Petawawa.

4.0 REQUIREMENT FOR A LICENCE

- 4.1 Within the Town of Petawawa, no person shall:
 - 4.1.1 drive or operate a Vehicle for Hire without having a current valid Vehicle for Hire Driver's Licence, issued under the provisions of this by-law; or
 - 4.1.2 keep or own a Vehicle for Hire without having a current valid Owner's Licence issued under the provisions of this by-law.

5.0 TERMS OF LICENCE

- 5.1 Every licence issued pursuant to this by-law, shall, subject to the provisions hereof, be valid for a period of one (1) year only, being from January 1st to December 31st inclusive.
- 5.2 Applications for renewals of licences must be completed and submitted to the Clerk no later than fifteen (15) days prior to the expiration of each licence.

6.0 FALSE INFORMATION

- 6.1 No person shall provide false, misleading, or incorrect information for the purpose of securing a licence issued pursuant to this by-law.

7.0 NOTICE

- 7.1 Any notice or order required to be given or served under this by-law is sufficiently given or served if delivered personally or sent by registered mail, addressed to the person to whom delivery or service is required to be made at the last address for service appearing on the application record with the Clerk.

8.0 VEHICLE FOR HIRE DRIVER'S LICENCE - CONDITIONS FOR ISSUANCE

- 8.1 Each applicant for a Vehicle for Hire Driver's Licence shall attend the municipal office in person and make a written application for such licence.
- 8.2 No licence shall be issued to an applicant for a Vehicle for Hire Driver's Licence unless and until the Clerk has been furnished with:
- 8.2.1 a current valid Class G (or higher) Driver's licence issued by the Province of Ontario;
 - 8.2.2 satisfactory proof that the applicant is at least eighteen (18) years of age;
 - 8.2.3 documentation showing proof of Canadian Citizenship, Landed Immigrant Status, or a Work Permit to work as a Driver issue by the Government of Canada;
 - 8.2.4 the name, address, and contact information of the Vehicle for Hire Business or PTC with whom they are affiliated;
 - 8.2.5 a Criminal Record Check for persons seeking employment to serve the vulnerable section of the populations dated no less than thirty (30) days prior to the licence application;
 - 8.2.6 a Driver's Abstract dated no later than 30 days prior to the application for a Licence;
 - 8.2.7 a signed declaration by the applicant that there are no outstanding criminal, provincial or regulatory offence charges or warrants against the applicant;
 - 8.2.8 two current colour photographs in passport format of the exact image of the applicant; and
 - 8.2.9 the appropriate licence fee in accordance with Appendix A of this by-law.

9.0 VEHICLE FOR HIRE CODE OF CONDUCT

- 9.1 Every Vehicle for Hire Driver licenced under this by-law shall:
- 9.1.1 carry the Driver's licence issued under this by-law and the Driver's licence issued under the *Ontario Highway Traffic Act* with them at all times when operating a Vehicle for Hire;

- 9.1.2 while operating a Vehicle for Hire, display their Vehicle for Hire Driver's Licence where it is clearly visible and can be read by any passenger;
- 9.1.3 upon request, furnish their photo identification card and their Ontario Driver's Licence to any Police Officer, MLEO or Ministry of Transportation Officer;
- 9.1.4 refrain from parking or stopping a Vehicle for Hire on any portion of a roadway and/or sidewalk that obstructs traffic flow, pedestrian flow, and/or breaches the Parking By-law for the Town of Petawawa;
- 9.1.5 be prohibited from smoking within the Vehicle for Hire or allow any passengers to smoke within the Vehicle for Hire;
- 9.1.6 take, consume, or have in their possession any alcohol, drugs, or intoxicants prior to and/or during the operation a Vehicle for Hire;
- 9.1.7 present a clean appearance and act in an orderly, civil, and courteous manner towards passengers and the public generally;
- 9.1.8 give full information to a Police Officer or MLEO requesting such in regard to any passenger, including names, addresses and other known information;
- 9.1.9 punctually keep all appointments and provide service at any location within the Municipality;
- 9.1.10 take proper care of all baggage and other personal property placed in their care for conveyance;
- 9.1.11 deliver all property, goods or money left in error by any passenger in the Vehicle for Hire to such passenger or notify such passenger where such property, goods or money may be recovered, or if such passenger is unknown, deliver the property, goods, or money to the station of a police force operating in the Municipality;
- 9.1.12 allow a passenger to take with them a reasonable amount of baggage or other personal property free of charge, and load and unload the same free of charge;
- 9.1.13 not demand or receive any higher fare or charge than that specified in accordance with Appendix A of this by-law;

- 9.1.14 drive the Vehicle for Hire in the most direct traveled route from the point of engagement to the point of destination unless otherwise requested by the passenger;
- 9.1.15 provide a receipt for the fare when requested by the customer;
- 9.1.16 not carry more passengers in a Vehicle for Hire than is set out in the manufacturer's rating of seating capacity for the motor vehicle;
- 9.1.17 ensure that each passenger under the age of sixteen years, but not requiring an infant or toddler safety seat, wears a complete seat belt assembly and that it is properly adjusted and securely fastened;
- 9.1.18 while under hire by a passenger, not allow other passengers in the Vehicle for Hire without first obtaining the consent of the original passenger;
- 9.1.19 have the right to refuse to serve or refuse any person on the basis that:
 - 9.1.19.1 they are concerned for their personal safety;
 - 9.1.19.2 the person owes the Driver from a previous fare or service; or
 - 9.1.19.3 has reason to believe that the person is likely to soil or damage the interior of the Vehicle for Hire;
- 9.1.20 not permit any immoral, indecent, or disorderly conduct in the vehicle;
- 9.1.21 provide services that are free from discrimination and respect all grounds protected by the Ontario Human Rights Code;
- 9.1.22 not with respect to any person being accompanied by a service animal:
 - 9.1.22.1 refuse to provide service to a person;
 - 9.1.22.2 refuse to permit a person to enter with the service animal into or upon any place or premise to which the Driver relates; or

9.1.22.3 refuse to permit the person and such service animal to remain in or upon such place or premise by reason only the presence of such service animal;

9.1.23 notwithstanding Section 9.1.22, a Driver may refuse to service a person with a service animal, where the Driver has an allergy, and has filed with the Owner a certificate from their doctor evidencing that due to the allergy the Driver is unable to provide service to a passenger with a service animal. A Driver that is unable to service a passenger with a service animal, shall make arrangements for service of the passenger prior to proceeding to their next engagement; and

9.1.24 immediately advise the Municipality of any change in the information provided pursuant to Section 8.0 hereof.

10.0 VEHICLE FOR HIRE OWNER'S LICENCE - CONDITIONS FOR ISSUANCE

10.1 A separate Vehicle for Hire Owner's Licence shall be obtained by an Owner for each Vehicle for Hire in their possession pursuant to this by-law.

10.2 Each applicant for a Vehicle for Hire Owner's Licence shall attend the municipal office in person and make a written application for such licence.

10.3 No licence shall be issued to an applicant for a Vehicle for Hire Owner's Licence unless the Clerk has been provided with:

10.3.1 proof that applicant is at least eighteen (18) years of age;

10.3.2 documentation showing proof of Canadian Citizenship, Landed Immigrant Status, or a Work Permit to work as a Driver issue by the Government of Canada;

10.3.3 proof of insurance in accordance with the requirements of Section 16.0 hereof;

10.3.4 a copy of the applicant's current Motor Vehicle Permit issued pursuant to the *Ontario Highway Traffic Act*, for the motor vehicle for which the licence is applied, or a signed copy of a leasing agreement for the provision of a motor vehicle in accordance with the requirements set in Section 17.0 hereof;

- 10.3.5 the make, style, model, vehicle identification number and licence plate number of the vehicle to which the application applies;
- 10.3.6 a current Safety Standards Certificate (issued within thirty (30) days prior to the licence application) as prescribed by the *Ontario Highway Traffic Act*, for the vehicle to which the application applies;
- 10.3.7 proof that the licensee intends to operate as a Vehicle for Hire or PTC Owner and carry on the business thereof within the limits of the Town and will continue to do so throughout the term of their licence;
- 10.3.8 in the case of a corporation, the details of the corporate ownership acceptable to the Clerk; and
- 10.3.9 the appropriate licence fee in accordance with the attached Appendix B.

11.0 TAXICAB OWNER'S REQUIREMENTS

11.1 A Taxicab Owner licenced under this by-law shall:

- 11.1.1 hold a separate Owner's Licence for each vehicle used or kept for hire as a Taxicab;
- 11.1.2 affix the Taxicab Owner's Plate issued by the Municipality securely to the left rear end of their Taxicab at a location clearly visible to any person located behind the Taxicab;
- 11.1.3 ensure that the Taxicab Owner's Plate remains securely affixed to their Taxicab during the term of the licence;
- 11.1.4 keep at all times in their Taxicab the original or a photocopy of the original of each of the following documents:
 - 11.1.4.1 the current Ontario Motor Vehicle Permit issued for the licenced Taxicab;
 - 11.1.4.2 the Schedule of Fares issued under this by-law and displayed in such a manner as to be readily visible to passengers;
 - 11.1.4.3 the Taxicab Owner's Licence issued under this by-law and displayed in such a manner as to be readily visible to passengers; and

- 11.1.4.4 the certificate of liability insurance for the motor vehicle conforming to the requirements for insurance coverage set out in Section 16.0 of this by-law;
- 11.1.5 ensure that the interior of each vehicle for which is licenced is neat, clean, dry and in good repair;
- 11.1.6 ensure that the exterior of each vehicle for which is licenced is clean and in good repair, free from exterior body damage, rust and has a well-maintained paint finish;
- 11.1.7 ensure that any person operating a Taxicab for hire is a licenced Taxicab Driver;
- 11.1.8 not permit any Driver employed to be on duty as a Driver for more than twelve (12) consecutive hours;
- 11.1.9 maintain insurance conforming to requirements set out in Section 16.0 of this by-law, for their Taxicab;
- 11.1.10 equip the Taxicab with a sign secured on the roof of the Taxicab which is electric and displays the Taxicab companies name with lettering which is visible to the public;
- 11.1.11 ensure that while the Taxicab is being used for hire, the roof sign on the Taxicab is illuminated;
- 11.1.12 ensure that each Taxicab is equipped with a fully operational taximeter, which has been approved and installed in accordance with manufacture's standards and that each taximeter is calibrated, sealed, and kept in good working condition at all times;
- 11.1.13 provide for off street parking for every vehicle which they own or operates;
- 11.1.14 behave civilly and courteously while carrying on the business of a Taxicab Owner in any provision of service to the general public; and
- 11.1.15 immediately advise the Municipality of any change in the information provided.

12.0 LIMOUSINE OWNER'S REQUIREMENTS

12.1 A Limousine Owner licenced under this by-law shall:

- 12.1.1 hold a separate Owner's Licence for each vehicle used or kept for hire as a Limousine;
- 12.1.2 keep at all times in their Limousine the original or a photocopy of the original of each of the following documents:
 - 12.1.2.1 the current Ontario Motor Vehicle Permit issued for the licenced Limousine;
 - 12.1.2.2 the Limousine Owner's Licence issued under this by-law; and
 - 12.1.2.3 the certificate of liability insurance for the motor vehicle conforming to the requirements for insurance coverage set out in Section 16.0 of this by-law;
- 12.1.3 ensure that any person operating a Limousine for hire is a licenced Limousine Driver;
- 12.1.4 not permit any Driver employed to be on duty as a Driver for more than twelve (12) consecutive hours;
- 12.1.5 ensure that the interior of each vehicle for which is licenced is neat, clean, dry and in good repair;
- 12.1.6 ensure that the exterior of each vehicle for which is licenced is clean and in good repair, free from exterior body damage and rust and has a well-maintained paint finish;
- 12.1.7 maintain insurance conforming to requirements set out in Section 16.0 of this by-law,
- 12.1.8 provide for off street parking for every vehicle which they own or operates;
- 12.1.9 behave civilly and courteously while carrying on the business of a limousine owner in any provision of service to the general public; and
- 12.1.10 immediately advise the Municipality of any change in the information provided.

13.0 PRIVATE TRANSPORTATION COMPANY (PTC) OWNER REQUIREMENTS

13.1 A PTC Owner Licenced under this by-law shall:

- 13.1.1 hold a separate Owner's Licence for each vehicle used or kept for hire as a PTC Vehicle;
- 13.1.2 provide the Clerk with the PTC Identifier;
- 13.1.3 provide the Clerk proof that the applicant has a PTC App system for receiving requests for service and dispatching vehicles for hire;
- 13.1.4 documentation demonstrating that the PTC App used:
 - 13.1.4.1 at the time the transportation service is arranged, provides to the passenger requesting the transportation service:
 - 13.1.4.2 the PTC name and contact information;
 - 13.1.4.3 make, model and Ontario Licence Plate Number of the PTC Vehicle;
 - 13.1.4.4 the estimated fare including any surcharge;
 - 13.1.4.5 the current location of the PTC Vehicle;
- 13.1.5 provides a link to rate or provide comment on the PTC Driver and the PTC Vehicle;
- 13.1.6 provides a process allowing a passenger to accept or refuse the transportation service prior to it commencing and keeps a record of such acceptance or refusal;
- 13.1.7 provides a secure payment mechanism;
- 13.1.8 provides a printed or electronic receipt to the passenger at the end of the transportation service that includes the following information:
 - 13.1.8.1 the fare and any surcharge paid;
 - 13.1.8.2 date, time, duration, and distance of the transportation service;

- 13.1.8.3 pick-up location and the destination;
- 13.1.8.4 the first name of the PTC Driver;
- 13.1.9 incorporates a global positioning system (GPS) in which all transportation services are recorded;
- 13.1.10 permit a maximum of ten (10) PTC Driver's affiliated with a single PTC;
- 13.1.11 is accessible to a person with a disability and compatible with screen readers and other assistive technologies;
- 13.1.12 provide the Clerk with the name, telephone and email contact information for the person authorized to receive and respond on behalf of the PTC to any and all communications from the Municipality relating to the PTC's Owner's Licence or the PTC's conduct of the business;
- 13.1.13 acknowledge there are data security measures in place to protect the personal data collected by the PTC relating to passengers and Drivers;
- 13.1.14 provide the Clerk a list of all PTC Drivers affiliated with the PTC, which list shall include the following information:
 - 13.1.14.1 the name of the PTC Driver;
 - 13.1.14.2 the year, make, model and Ontario Licence Plate Number of the PTC Vehicle operated by the PTC Driver;
- 13.1.15 keep at all times in their PTC Vehicle the original or a photocopy of the original of each of the following documents:
 - 13.1.15.1 the current Ontario Motor Vehicle Permit issued for the licenced PTC Vehicle;
 - 13.1.15.2 the PTC Owner's Licence issued under this by-law and displayed in such a manner as to be readily visible to passengers; and
 - 13.1.15.3 the certificate of liability insurance for the motor vehicle conforming to the requirements for insurance coverage set out in Section 16 of this by-law;

- 13.1.16 ensure that the interior of each vehicle for which is licenced is neat, clean, dry and in good repair;
- 13.1.17 ensure that the exterior of each vehicle for which is licenced is clean and in good repair, free from exterior body damage, rust and has a well-maintained paint finish;
- 13.1.18 ensure that any person operating a PTC Vehicle for hire is a licenced PTC Driver;
- 13.1.19 ensure that Driver training is available for all affiliated PTC Drivers on the use of the PTC App;
- 13.1.20 where transportation service requested requires an accessible vehicle and the PTC is unable to provide such service, direct the person requesting the transportation service to a person who can provide the service;
- 13.1.21 create and maintain information on all orders and transportation services completed by affiliated PTC Drivers which shall include:
 - 13.1.21.1 date, time, and receipt of the order;
 - 13.1.21.2 the name of the PTC Driver and the licence plate number of the PTC Vehicle;
 - 13.1.21.3 pick up location and the destination;
 - 13.1.21.4 distance, date and time the transportation service started and terminated;
 - 13.1.21.5 length of time elapsed between the order and the start of the transportation service; and
 - 13.1.21.6 the fare paid for the transportation service;
- 13.1.22 not permit any Driver employed to be on duty as a Driver for more than twelve (12) consecutive hours;
- 13.1.23 maintain insurance conforming to requirements set out in Section 16 of this by-law, for their PTC Vehicle;
- 13.1.24 provide for off street parking for every vehicle which they own or operates;

- 13.1.25 behave civilly and courteously while carrying on the business of a PTC Vehicle Owner in any provision of service to the general public; and
- 13.1.26 immediately advise the Municipality of any change in the information provided.

14.0 PTC OWNER PROHIBITIONS

14.1 A PTC Owner licenced under this by-law shall ensure that:

- 14.1.1 advertising is not displayed on a PTC vehicle for hire bearing the words "Taxicab", "taxi", or "cab";
- 14.1.2 no roof sign is permitted on a PTC Vehicle;
- 14.1.3 no person shall own or operate as a PTC Driver without a valid PTC Identifier displayed on or within the PTC Vehicle;
- 14.1.4 no meter is used to calculate fares;
- 14.1.5 no two-way radio is in a PTC vehicle; and
- 14.1.6 the PTC Vehicle Drivers do not cruise for fares or "stand" for fares unless awaiting the completion of a pre-arranged engagement and do not accept or solicit passengers without a pre-arranged engagement.

15.0 PTC DRIVER PROHIBITIONS

15.1 In addition to the requirements set out in Section 9.0 of this by-law a PTC Driver licenced under this by-law shall not:

- 15.1.1 solicit other than through the PTC app;
- 15.1.2 accept payment directly from a passenger;
- 15.1.3 charge a higher fare or an additional fee for a person with a disability than for a person without a disability for the same transportation service;
- 15.1.4 charge a fee for the storage of mobility aids or mobility assistive devices; or
- 15.1.5 charge a fee to a person accompanied by a service animal for reasons related to the presence of such service animal.

16.0 VEHICLE INSURANCE REQUIREMENTS

- 16.1 Prior to the issuance of an Owner's Licence, each Vehicle for Hire Owner shall file with the Clerk, proof of insurance in respect of each vehicle owned or leased by the Vehicle for Hire Owner in accordance with the following minimum requirements:
- 16.1.1 coverage for public liability in the amount of not less than two million dollars (\$2,000,000.00) in respect to death, bodily injuries and property damage for damage occasioned by an accident arising out of the operation of the vehicle;
 - 16.1.2 an endorsement to provide no-fault benefits set out in the No-Fault Benefits Schedule under the *Insurance Act of Ontario*; and
 - 16.1.3 an endorsement to provide that the Clerk will be given at least ten (10) days notice in writing of any cancellation, expiration or decrease in the amount of coverage provided by the policy below the requirement in Section 16.1.1.
- 16.2 Where a Vehicle for Hire owner no longer complies with Section 16.1.1. hereof, the Owner's Licence issued under this by-law shall be deemed to be suspended as of the date of the cessation or decrease of the insurance; and
- 16.3 An Owner's Licence shall, subject to this by-law, be re-instated upon production of proof of compliance with Section 16.1.1. hereof to the Clerk.

17.0 LEASING AGREEMENTS

- 17.1 A Vehicle for Hire owner may, instead of purchasing a motor vehicle for use as a Vehicle for Hire, obtain a motor vehicle by a leasing agreement provided that the leasing agreement for the motor vehicle to be used as a Vehicle for Hire:
- 17.1.1 specifies that the lessor is the holder of the current motor vehicle permit issued pursuant to the *Ontario Highway Traffic Act*; and
 - 17.1.2 specifies as a minimum requirement:
 - 17.1.2.1 the date of execution of the leasing agreement;
 - 17.1.2.2 the names and addresses of the lessee and lessor;

- 17.1.2.3 the make, model, serial number, and year of the motor vehicle;
 - 17.1.3 the motor vehicle permit number issued pursuant to the *Ontario Highway Traffic Act*;
 - 17.1.4 the term and expiry date of the leasing agreement;
 - 17.1.5 the terms and conditions under which the lessee has the right to possession and control of the vehicle, under specified terms and conditions;
 - 17.1.6 all of the lessor's and lessee's rights to early termination of the leasing agreement; and
 - 17.1.7 the consideration, and the signatures of the lessee, the lessor, and the witnesses thereto.
- 17.2 A Vehicle for Hire owner licenced under this by-law who has entered into a leasing agreement under Section 17.1 hereof shall file with the Clerk, on the later of the date of issuance of the licence or the effective date of the leasing agreement a copy of the leasing agreement containing all the information referred to in Section 17.1 and
- 17.3 Every Vehicle for Hire Owner shall notify or cause to be notified the Clerk in writing within ten (10) days of the termination of the leasing agreement for the motor vehicle registered in respect of their Owner's Licence with the Municipality.

18.0 PASSENGER CONDUCT

- 18.1 No person hiring a Vehicle for Hire shall refuse, upon demand by a Vehicle for Hire Driver, to pay the fare specified in accordance with Appendix A of this by-law;
- 18.2 When a dispute arises between a person hiring a Vehicle for Hire and a Vehicle for Hire Driver respecting the fare to be charged for service, the person hiring the Vehicle for Hire may refer the dispute to the Municipality for investigation and appropriate action;
- 18.3 A passenger in a Vehicle for Hire is prohibited from smoking; and
- 18.4 the Clerk or MLEO, shall upon receipt of notice of a dispute respecting a fare charged for Vehicle for Hire service, make, or cause to be made an investigation of the dispute and may order re-payment of any excessive charge made by a Driver.

19.0 TRANSFER OF LICENCES

- 19.1 All licences issued by the Municipality pursuant to this by-law shall remain the sole and exclusive property of the Municipality;
- 19.2 No Vehicle for Hire Driver's Licence shall be transferred or otherwise disposed of; and
- 19.3 Transfer of Owner's Licences and plates may be done provided that application for the transfer with supporting documentation as per Sections 9.0 and 11.0 of this by-law are completed to the satisfaction of the Clerk and the required fee as per Appendix B has been paid.

20.0 VEHICLE INSPECTION

- 20.1 Every Vehicle for Hire Owner licenced under this by-law shall submit the motor vehicle for which the licence was issued for inspection when requested by the Clerk, MLEO or a Police Officer.
- 20.2 Inspections shall be held at a time and place as notified by the Clerk, MLEO or a Police Officer. The Licenced Owner shall comply with this notice and shall attend with the motor vehicle for an inspection at the stated location with proof of all the following:
 - 20.2.1 the Ontario Ministry of Transportation Safety Standards Certificate showing that the motor vehicle has been accepted;
 - 20.2.2 the current Vehicle for Hire Owner's Licence;
 - 20.2.3 proof of liability insurance coverage; and
 - 20.2.4 the current passenger motor vehicle permit in good standing issued in the Owner's name by the *Ontario Ministry of Transportation*.
- 20.3 If the inspection results in the Vehicle for Hire being found to be in an unsafe or hazardous condition, the Clerk:
 - 20.3.1 shall require the Vehicle for Hire to be placed in a safe condition within fourteen (14) days therefrom;
 - 20.3.2 may suspend the licence for a period not exceeding fourteen (14) days; and
 - 20.3.3 shall require the submission of the Vehicle for Hire to further inspection to be held within the aforesaid fourteen (14) days.

- 20.4 If the Vehicle for Hire is not submitted as required by this section, or upon the expiration of the time prescribed herein, the Clerk shall suspend the licence of the owner of the Vehicle for Hire for fourteen (14) days, or until the next Council meeting of the Municipality, whichever occurs first.
- 20.5 No person shall obstruct, hinder, or otherwise interfere with any inspections carried out in accordance with this by-law.
- 20.6 Despite the filing of proof of good repair, this section shall be applicable to each Vehicle for Hire operated, provided, or used in the trade, calling, business or occupation of each licenced Vehicle for Hire Owner.

21.0 LICENCE DENIAL, SUSPENSION AND REVOCATION

- 21.1 Council may deny an initial application or after a hearing, may revoke any or each of the licences held by a licensee for cause and without limiting the generality of the foregoing for:
 - 21.1.1 breach of the law;
 - 21.1.2 anything which may be in any way adverse to the public interest;
 - 21.1.3 any other matter which the Municipality is authorized by law to consider;
 - 21.1.4 any violation of the provisions of this by-law; or
 - 21.1.5 if the Vehicle for Hire is not actively being used to pick up passengers.
- 21.2 Council may suspend a licence for cause for any period that is less than the unexpired part of the period for which it was issued.
- 21.3 The Clerk may suspend for cause any licence for up to fourteen (14) days or until the next meeting of Council occurring not less than forty-eight hours after the time of the suspension, whichever occurs first, and upon suspending any licence shall notify Council as to the suspension.
- 21.4 The Clerk may report to Council any breaches by the licensee as referred to in Section 21.1 hereof.
- 21.5 Upon receipt of the report referred to in Section 21.1 hereof, the Clerk shall determine the time and date of the hearing, which shall be the

next meeting of Council, and shall forthwith give notice in writing to the licensee, said notice to:

- 21.5.1 include a statement as to the time, date, place and purpose of the hearing, reasons for the suspension, including reasonable information of any allegations as to the character or propriety of conduct or competence of a licensee if same are in issue; and
- 21.5.2 be served personally or by registered mail to the licensee at their address last known to the Clerk.

21.6 Notwithstanding any of the provisions of this by-law, any proceedings may be disposed of by a decision of Council given:

- 21.6.1 without a hearing; or
- 21.6.2 without compliance with any other requirement of the *Statutory Powers Procedures Act*, or of this by-law incorporating such requirements;

where the licensee has waived such hearing or compliance.

- 21.7 Council shall hold the hearing at the time, date and place set out in the notice referred to in Section 21.3 hereof.
- 21.8 The Municipality may be represented at the hearing by counsel who is entitled to produce evidence and submit argument.
- 21.9 The licensee may, at the hearing:
 - 21.9.1 be represented by counsel or an agent;
 - 21.9.2 call and examine witnesses and present their arguments and submissions; and
 - 21.9.3 conduct cross-examination of witnesses reasonably required for a full and fair disclosure.
- 21.10 Counsel shall give its decision in writing to the Clerk within seven (7) days of the date of the completion of the hearing.
- 21.11 The Clerk, in receipt of the decision referred to in Section 21.10 hereof, shall forthwith notify the licensee of the decision by serving a copy personally or by registered mail to:
 - 21.11.1 the licensee at the address last known to the Clerk; or

21.11.2 the counsel or agent of the licensee, if any, at their address as stated to the Municipality.

21.12 All hearings shall be public hearings unless the licensee requests that the hearing be held in camera and the Council may approve the request by a simple majority.

21.13 Council's decision shall be final and binding.

22.0 OFFENCE AND PENALTY

Any person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction is liable to a fine and/or penalty as provided for in the *Provincial Offences Act* as amended, for each offence and such penalty and/or fine shall be recoverable under the *Provincial Offences Act*.

23.0 SCHEDULES

The schedules attached to this By-law are included in and shall be considered part of this By-law.

24.0 SEVERABILITY

Should any part, section, subsection, or portion of this by-law be repealed or declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or in part thereof, other than for that which was declared to be invalid.

25.0 REPEAL

The current Town of Petawawa by-laws pertaining to the licencing, regulating, and governing Owners and Drivers of Vehicles for Hire, enacted prior to the passing of this by-law, and including the by-laws listed below, are hereby repealed:

By-law 314/04; and all its amending by-laws.

26.0 IN FORCE

This By-law shall come into force and take effect upon the date of final passing thereof.

Appendix A to By-law 1641/24

Schedule of Fares

That Council authorizes the rates charged for Vehicle for Hire fares to be set at the discretion of the Vehicle for Hire Service Provider and said fares shall be communicated to the passenger prior to engagement and said fares shall be posted in a conspicuous place within the Vehicle for Hire for passengers to review, or provided through a Private Transportation Company (PTC) App

Taxi fares shall be paid by the passenger prior to exiting the taxi, or in the case of delivery of goods, immediately upon receipt of the goods by the person engaging the taxi.

PTC Driver's Licenced under this by-law shall not accept payment directly from a passenger. PTC fares shall be paid by the passenger through a PTC App.

Service providers may enter into contractual agreements for services described in this by-law and may establish fees for such contractual services at their discretion. Charges for like services provided outside the scope of this by-law may also be established by the Service Provider. Every owner and operator of a licenced Vehicle for Hire shall not charge a higher fare or additional fee to people with a disability than they would normally charge a passenger without a disability for the same trip, nor charge a fee for storage of mobility aids or mobility assistive devices.

Notes:

1. All Vehicle for Hire fares shall include HST.
2. No charge shall be made for carrying groceries or luggage in the trunk.
3. The Clerk shall conduct a review of the "Schedule of Fares" every 2 years, or at such time as Council requests, and present recommendations to Council for consideration.

Appendix B to By-law 1641/24

Licence Fees

Vehicle for Hire Driver Licence (Initial)	\$ 25.00
Vehicle for Hire Driver Licence (Renewal)	\$ 25.00
Vehicle for Hire Owner Licence (per vehicle)	\$120.00
Vehicle for Hire Owner Licence Transfer (per vehicle)	\$ 50.00
Replacement Licence (Vehicle)	\$ 25.00