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BY-LAW 2005-289

**A BY-LAW OF THE CITY OF GREATER SUDBURY TO
AMEND BY-LAW #2003-3, BEING A BY-LAW OF
THE CITY OF GREATER SUDBURY FOR THE LICENSING,
REGULATING AND GOVERNING OF TAXI, LIMOUSINE,
AND SHUTTLE TRANSPORTATION IN
THE CITY OF GREATER SUDBURY**

WHEREAS Council of the City of Greater Sudbury deems it advisable to amend By-law 2003-3, a By-law of the City of Greater Sudbury for the Licensing, Regulating and Governing of Taxi, Limousine and Shuttle Transportation in the City of Greater Sudbury;

AND WHEREAS the Council of the City of Greater Sudbury held a public meeting on October 20th, 2005 at which meeting any person who attended had an opportunity to make representation with respect to the proposed amendment to By-law 2003-3, a By-law of the City of Greater Sudbury for the Licensing, Regulating and Governing of Taxi, Limousine and Shuttle Transportation in the City of Greater Sudbury;

AND WHEREAS notice of such meeting was given in accordance with the City Notice By-law, and the *Municipal Act, 2001*;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

1. By-law 2003-3, as amended, is further amended by adding the following Section 3.3A immediately after Section 3.3 and before Section 3.4

3.3A Owner Permit Use - no driver's licence - prohibited

- a) No person being an owner of a taxicab shall permit any person to drive that taxicab unless such person holds a current and valid taxicab drivers's licence.
- b) No person being an owner of a limousine shall permit any person to drive that limousine unless such person holds a current and valid limousine drivers's licence.
- c) No person being an owner of a shuttle shall permit any person to drive that shuttle unless such person holds a current and valid shuttle driver's licence.
- d) No person being an owner of an accessible taxicab shall permit any person to drive that accessible taxicab unless such person holds a current and valid taxicab drivers's licence.

2. By-law 2003-3, as amended, is further amended by repealing Sections 8.17, 8.18 and 8.19 and enacting the following Sections 8.17, 8.17A, 8.18 and 8.19 in their place and stead:

8.17 Schedule Inspections - Requirement - Zone 1, Zone 2 - Plus Airport

A taxicab owner holding a taxi cab owner's licence issued for Zone 1 or for Zone 2 - "Plus Airport", shall present each taxicab operated under such taxicab owner's licence for inspection by the Chief Taxi Inspector twice in each license year at a time and place determined by the Chief Taxi Inspector. At the time of said inspection, the owner shall provide to the Chief Taxi Inspector a Safety Standards Certificate with respect to the taxicab, issued in accordance with the provisions of the Highway Traffic Act, that was issued not more than thirty-six days before the date of the inspection.

8.17A Schedule Inspections - Requirement - Zone 2

A taxicab owner holding a taxicab owner's licence issued for Zone 2 shall present each

taxicab operated under such taxicab owner's licence for inspection by the Chief Taxi Inspector once in each license year at a time and place determined by the Chief Taxi Inspector. At the time of said inspection, the owner shall provide to the Chief Taxi Inspector a Safety Standards Certificate with respect to the vehicle, issued in accordance with the provisions of the Highway Traffic Act, that was issued not more than thirty-six days before the date of the inspection.

8.18 Scheduled inspections - requirements - limousines

A limousine owner holding a limousine owner's licence issued for Zone 2 shall present each limousine operated under such limousine owner's licence for inspection by the Chief Taxi Inspector once in each license year at a time and place determined by the Chief Taxi Inspector. At the time of said inspection, the owner shall provide to the Chief Taxi Inspector a Safety Standards Certificate with respect to the vehicle, issued in accordance with the provisions of the Highway Traffic Act, that was issued not more than thirty-six days before the date of the inspection.

8.19 - Exemption from regular inspection

The Chief Taxi Inspector may waive the requirement for one of the regular inspections under Sections 8.17, 8.17A and 8.18 where the vehicle was inspected as a new or replacement vehicle under Section 8.16 within the license year.

3. By-law 2003-3, as amended, is further amended by repealing Paragraph 9.1 a) and enacting the following 9.1 a)

9.1 Program of Inspection

The Chief Taxi Inspector shall conduct a program of scheduled and unscheduled inspections of vehicles operated under owners' licenses in order to ensure their safety

and good appearance, with regard to the safety and convenience of the traveling public and the efficient provision of taxi, limousine and shuttle service as follows:

- a) Scheduled vehicle inspections shall result in taxicabs licenced to operate in Zone 1 and in Zone 2 Plus Airport and shuttles being inspected a minimum of twice in a licence year and taxicabs licensed to operate in Zone 2 and limousines being inspected a minimum of once in a licence year. In case of taxicabs licenced to operate in Zone 1 or in Zone 2 Plus Airport and shuttles the time between the scheduled inspections shall not exceed two hundred and forty days. The Chief Taxi Inspector shall provide the owner of the vehicle at least twenty-eight days advance notice of the scheduled inspection;

4. By-law 2003-3, as amended, is further amended by repealing paragraph 10.3 a) and enacting the following paragraph 10.3 a) in its place and stead:

10.3 Zone 1 taxicabs - authorities and requirements

A taxicab owner licensed for Zone 1:

- a) shall not pick up fares outside of Zone 1 unless the fare terminates in Zone 1;

5. By-law 2003-3, as amended, is further amended by repealing paragraph 10.4 a) and enacting the following paragraph 10.4 a) in its place and stead:

10.4 Zone 2 taxicabs - authorities and requirements

A taxicab owner licensed for Zone 2:

- a) shall not pick up fares outside of Zone 2 unless the fare terminates in Zone 2, and did not originate in the Airport;

6. By-law 2003-3, as amended, is further amended by repealing paragraph 10.5 a) and enacting the following paragraph 10.5 a) in its place and stead:

10.5 Zone 2 “PLUS AIRPORT” taxicabs - authorities and requirements

A taxicab owner licensed for Zone 2 “Plus Airport”:

- a) shall not pick up fares outside of Zone 2 “Plus Airport” unless the fare terminates in Zone 2 “Plus Airport”;

7. By-law 2003-3, as amended, is further amended by repealing paragraph 11.6 and 11.7 and enacting the following paragraphs 11.6 and 11.7 in its place and stead:

11.6 Taxi Driver Training - Responsibility of Chief Taxi Inspector

The Chief Taxi Inspector shall prepare a curriculum for a taxi driver-training course and arrange for the course to be offered on a regular basis, not less than once per year.

11.7 Taxi Driver - training course - required

No person shall be entitled to obtain a taxi driver’s license or renew a taxi driver’s licence, unless he or she has first attended and successfully completed a taxi driver training course.

8. By-law 2003-3, as amended, is further amended by repealing Subsection 14.7 and enacting the following Section 14.7 in its place and stead:

14.7 Trouble warning system - driver safety

Each electric sign device described in Section 14.6 shall be equipped so that all or a portion will flash intermittently when directed to do so by a button or switch that may be activated by the taxicab driver with his/her foot, while in the driver’s seat of the car or alternatively, the vehicle shall be equipped with an alternative trouble warning system approved in writing by the Chief Taxi Official. The design of the activation mechanism

for the electric sign device described in Section 14.6 or the alternative warning system approved by the Chief Taxi Official in accordance with this Section shall be consistent with the intended purpose of allowing a driver to signal for help when threatened by a passenger, with low probability of alerting the passenger.

9. By-law 2003-3, as amended, is further amended by repealing Section 20.5 and enacting the following Section 20.5 in its place and stead:

20.5 Address - taxi fare pickup and drop off

The dispatch record shall include the address to which the taxicab is dispatched and the address at which the fare is dropped off.

10. By-law 2003-3, as amended, is further amended by repealing Section 28.4 and enacting the following Sections 28.4 and 28.4A in its place and stead:

28.4 Restrictions on operation

Except as provided to the contrary in Section 28.4A, accessible taxicabs shall be restricted to the transportation of disabled persons requiring taxicab service and shall not transport persons except for those requiring the services of an accessible vehicle and individual accompanying such persons.

28.4A - Limitation on Restriction on operation

Despite Section 28.4, accessible taxicabs may be used for the transportation of persons other than disabled persons requiring taxicab service, provided that there is at the time of dispatch, no call for taxicab service for disabled persons and provided further that the provision of taxicab service for disabled persons is the first priority use of such accessible taxicabs.

11. By-law 2003-3, as amended, is further amended by repealing Section 30.2 and enacting the following Sections 30.2 and 30.2A in its place and stead:

30.2 Airport pick-ups - limousine

Any limousine may pick up passengers from the Sudbury Airport, subject to the requirements of this Bylaw, where the passenger has made a previous arrangement with the driver, vehicle owner or broker dispatching the vehicle.

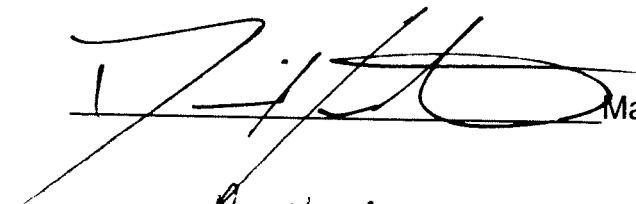
30.2A Airport pickups- shuttles

Any shuttle may pick up passengers from the Sudbury Airport, subject to the requirements of this Bylaw.


Enactment

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

READ A FIRST AND SECOND TIME IN OPEN COUNCIL this 15th day of December, 2005.

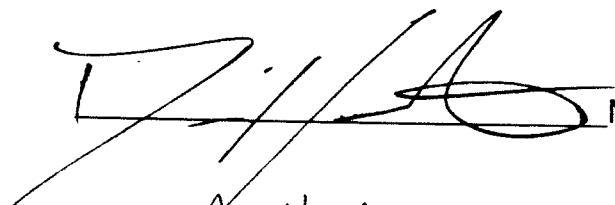


Mayor




Clerk

READ A THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN COUNCIL this 15th day of December, 2005.



Mayor



Clerk