



Hamlet of Cambridge Bay By-Laws

By-Law Name:	Taxi
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By-Law Number:	239
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Description

Law of the Municipal Corporation of the Hamlet of Cambridge Bay in the Nunavut Territory to provide for the licensing, regulation, and supervision of taxis, pursuant to the Hamlets Act, R.S.N.W.T., 1988, c. H-1, s. 113.

By-Law

AS it is deemed to be in the Public Interest to license, regulate and supervise taxis within the Municipal boundaries;

NOW THEREFORE THE HAMLET OF CAMBRIDGE BAY at a duly assembled meeting enacts as follows:

1. Short Title

This By-Law may be cited as the *Taxi By-Law*.

2. Interpretation

In this By-Law:

- a) "Class of License" means as described in regulation to the Motor Vehicles Act, R.S.N.W.T., c. M-16.
- b) "Council" means the Municipal Council of the Hamlet.
- c) "Dispatch Office" means a place from which a taxi business may operate.
- d) "Driver" means the holder of a valid taxi driver permit.
- e) "Hamlet" means the Hamlet of Cambridge Bay in the Nunavut Territory.
- f) "Officer" means a person appointed as a By-Law Officer for the Hamlet of Cambridge Bay.
- g) "SAO" means the Senior Administration Officer of the Hamlet.

- h) "Schedule" means a schedule attached to and forming part of this By-Law.
- i) "Taxi" means a motor vehicle, other than a bus that is used to transport passengers for compensation.
- j) "Taxi Business" means a person, partnership, or business corporation carrying on within the Hamlet the business of transporting passengers for compensation that is licensed under this By-Law.
- k) "Taxi Driver Permit" means a permit to drive a taxi issued pursuant to this By-Law as prescribed in Schedule D.
- l) "Taxi Operating License" means a license issued pursuant to this By-Law and in the form prescribed in Schedule A.

3. Business License

No person, firm, partnership or company shall operate a taxi business within the Hamlet of Cambridge Bay unless a Hamlet Business License has been obtained pursuant to the Business License By-Law.

4. Taxi Operating License

A license shall be issued to a taxi business only.

- 5. No person shall operate a motor vehicle for the purpose of conveying passengers for compensation within the Hamlet unless there is a valid and subsisting license for such vehicle issued pursuant to this By-Law.
- 6. a) An application for a license shall be made to the SAO in the form set out in Schedule A and shall include the following:
 - i) a mechanical inspection certificate issued by a qualified licensed mechanic, no more than 15 days prior to the application;
 - ii) a certificate from an Insurer stating that the Insurer has issued a policy of insurance coverage;
 - iii) and a fee as prescribed in Schedule F.
- b) Upon being satisfied that Section 6. a) has been complied with, the SAO shall issue a license as described in Schedule B.

7. a) An application to transfer a license shall be submitted to the SAO in the form set out in Schedule C and shall include the following:
 - i) a mechanical inspection certificate issued by a qualified licensed mechanic, no more than 15 days prior to the application;
 - ii) a certificate from an Insurer stating that the Insurer has issued a policy of insurance coverage;
 - iii) and a fee as prescribed in Schedule F.
- b) Upon being satisfied that section 7. a) has been complied with, the SAO shall issue a license as described in Schedule B.

8. A license shall be dated from the date of issue and shall expire on March 31st following the date of issue unless revoked earlier.
9. A license issued pursuant to this By-Law shall be prominently displayed in the taxi at all times.

10. **Taxi Driver Permit**

No person shall operate a taxi without a valid permit issued pursuant to this By-Law.
11. No person shall be issued a permit unless that person:
 - a) has a valid class four [4] driver's license issued pursuant to the Motor Vehicles Act, R.S.N.W.T., M-16;
 - b) has attained the age of 21 years;
 - c) has completed and submitted to the SAO an application as set out in Schedule D and Statutory Declaration as set out in Schedule D-1 and;
 - d) paid a fee as prescribed in Schedule F.
12. No permit or renewal thereof shall be issued to any person who:
 - a) has been convicted of an offence punishable by imprisonment of ten years or more and whose imprisonment as a result of the conviction terminates five years immediately preceding the date of application. Offences include:
 - i) a sexual offence;
 - ii) an offence relating to criminal negligence, homicide, bodily harm, assault, kidnapping or abduction;

- iii) an offence relating to robbery or extortion; or
- iv) an offence relating to dangerous driving causing bodily harm or death and an offence relating to impaired driving or driving over the legal blood alcohol limit resulting in injury or death.

b) has been convicted of an indictable offence under the *Controlled Drugs and Substances Act*, S.C. 1996, c.19, as amended or the Food & Drug Act within the five year period immediately preceding the date of application;

c) has been convicted of an offence under the Liquor Act, R. S . N. W. T. within a two year period preceding the date of application of an offence for unlawful sale of liquor, or possession of liquor in a prohibited or restricted area;

d) has been convicted of an offence under the Criminal Code of Canada within a two year period for an offence of impaired driving, driving over the legal blood alcohol limit, or refusing to submit to a road side test device or breathalyzer device.

13. Upon being satisfied that provisions of sections 11 & 12 have been complied with, the SAO shall issue a license as prescribed in Schedule E.

14. A permit shall be dated the day of issue and shall expire on March 31 following the date of issue; unless otherwise revoked earlier.

15. A driver shall display his permit on the passenger side visor of the taxi which he or she is operating so that it is visible to any passenger.

16. **Suspension of Taxi Driver Permit**

A permit issued to a taxi driver shall be conclusively deemed to be suspended during any period which:

- a) his or her driver's license issued pursuant to the Motor Vehicles Act is under suspension;
- b) he or she is charged with an offence as specified under section 12 of this By-Law.

17. A suspended permit shall be re-instated upon application as prescribed in Schedule A including information that:

- a) the driver's license suspension is no longer in force; or
- b) the charges under the Criminal Code of Canada, *Controlled Drugs and Substances Act*, S.C. 1996, c.19, as amended, Food & Drug Act, and/or the Liquor Control Act have been dropped, stayed or cleared.

18. Cancellation of Taxi Driver Permit

A permit or renewal thereof shall be cancelled by the SAO should the permit holder be convicted of an offence referred to in section 12.

The regulation power is subject to the mandatory procedure that Municipal Council conduct a hearing allowing the affected person to make representations prior to suspension or cancellation and notice of the hearing.

19. Appeals

An applicant for a license or permit, may appeal to Council the decision of the SAO to refuse, suspend or cancel a license or permit within ten days of the date of such refusal, suspension or cancellation, and a decision by Council on such appeal will be final.

20. Any person or taxi company may appeal to Council any decision of the SAO to grant or refuse a taxi operating license or taxi driver permit within ten days of the date of issuance, and a decision of Council on such appeal will be final.

21. An appeal made under sections 19 & 20 shall:

- a) be in writing stating the reasons for the appeal;
- b) be delivered to the SAO; and
- c) be heard by Council at a regular or special meeting within 21 days from the date the appeal is received.

Hearing

(1) The council shall allow any person affected, or the representative of that person, an opportunity to be heard.

Who holds hearing

(2) The hearing must be conducted by the council.

Notice

(3) Notice must be served on any person affected at least three days before the date of the hearing.

Content of notice

(4) The notice must

- (a) set out the time and place of the hearing; and
- (b) advise the person of the purpose of the hearing and the right of the person to attend and make representations.

Service of notice

(5) The notice must be served personally or, where personal service cannot be effected because the address of the person is not known, the notice may be

published twice in a newspaper having general circulation in the municipality or the Territories.

22. Drivers

A driver shall not:

- a) use abusive or insulting language;
- b) permit a greater number of passengers to be carried in the taxi than the number of seats provided;
- c) set the taxi in motion while the passenger is entering or leaving the vehicle;
- d) refuse to convey within the Municipality any orderly person, upon request, unless the taxi is engaged or the driver is prohibited by law or the person is an unaccompanied child under the age of six.

23. A driver shall:

- a) unless directed by the passenger, drive the most practicable route to the destination;
- b) upon request, issue a receipt for the fare paid;
- c) notify the SAO of any driver/business change of address;
- d) be neat and clean in his or her dress and appearance.

24. General

No license holder shall operate or permit to operate any taxi unless such taxi:

- a) is clean, in good repair and in safe mechanical condition;
- b) has the company name or the word taxi conspicuously displayed on the exterior of the taxi; and
- c) has effective two way communication with a dispatch office.

25. Every license holder and every driver shall, upon demand, by an Officer:

- a) permit an Officer to inspect any taxi, and the contents thereof; and
- b) submit and deliver each taxi, under the control of such license holder and/or driver, to an Officer for test and inspection, the full cost of which shall be borne by the license holder.

26. Taxi Fares

No driver or license holder shall charge or permit to be charged fares to passengers in a taxi in excess of the fares prescribed in Schedule G.

27. A schedule of fares as authorized by this By-Law shall be prominently displayed at all times in each taxi.

28. Dispatch Offices

The license holder may operate a taxi dispatch office from a residence with the approval of Council.

29. Penalties

Any person violating any provision of this By-Law is guilty of an offence and is liable upon summary conviction to a fine not exceeding:

a) \$200.00 for an individual;

b) \$500.00 for a corporation; or

c) imprisonment for a period not exceeding six months in default of payment of the fine.

30. Any person charged, by means of a ticket, with an offence under section 29 of this By-Law, may, instead of appearing in answer to the summons contained in the ticket, pay a fixed penalty of:

a) \$50.00 for an individual; and

b) \$100.00 for a corporation.

31. By-Law #231 is repealed upon the date this By-Law comes into effect.

Date of First Reading	(Day) 27	(Month) 07	(Year) 2009
Date of Second Reading	(Day) 09	(Month) 11	(Year) 2009
Mayor		Senior Administrative Officer	
Date of Third Reading and Passed	(Day) 09	(Month) 11	(Year) 2009

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Mayor	Senior Administrative Officer



Hamlet of Cambridge Bay NU.

BY-LAW No. 239 – Schedule A

TAXI

APPLICATION FOR A TAXI OPERATING LICENCE

Name of Company: _____

Location of Office: _____

Telephone No. _____

I, _____ of the Hamlet of Cambridge Bay, declare that the company:

- a) holds a valid business license in this Hamlet;
- b) is able to provide and maintain the required hours of service with telephone, two way radio and dispatcher;
- c) has had each car listed below inspected by a certified mechanic as per the attached Certified Mechanical Inspection Report(s);
- d) has received and read a copy of the current Hamlet of Cambridge Bay Taxi By-Law and agrees to operate in accordance with the provisions thereof.

Taxi(s) described as follows:

Make	Year	Model	License No.

Applicant

Date



Hamlet of Cambridge Bay NU.

BY-LAW No. 239 – Schedule B

TAXI

TAXI OPERATING LICENCE

License No. _____
Fee Collected \$ _____

Social Insurance # _____

Name of Business _____

Applicant Surname _____ Given Name _____ Middle Name _____

Date of Birth _____ Place of Birth _____

Present Mailing Address _____

Driver's License No. _____ Class of License _____

Vehicle Serial No. _____

Criminal Record Information Check was completed on this date: _____

Date of Issue:

Term of License – From _____ To _____

Signature of Applicant

Date

Signature of SAO

Date



Hamlet of Cambridge Bay NU.

BY-LAW No. 239 – Schedule C

TAXI

APPLICATION TO TRANSFER TAXI OPERATING LICENCE

(Company) of _____

(Address)

hereby make application to transfer Taxi Operating License # _____ as follows:

FROM:

Make	Year	Model	License No.
_____	_____	_____	_____

TO:

Make	Year	Model	License No.
_____	_____	_____	_____



Hamlet of Cambridge Bay NU.

BY-LAW No. 239 – Schedule D

TAXI

APPLICATION FOR A TAXI DRIVER PERMIT

Name of Applicant: _____

Address: _____

I, _____ of the Hamlet of Cambridge Bay, declare that:

- a) I am 21 years of age or more;
- b) I am able to communicate in the local language;
- c) I have a knowledge of the location of streets, public buildings and points of general interest;
- d) I am a holder of a valid and subsisting Nunavut Territory Motor Vehicle Driver's License of the class that permits me to operate a taxi; and

that I have received and read a copy of the current Hamlet of Cambridge Bay Taxi By-Law and I agree to operate the taxi in accordance with the provisions of this and other By-Laws of the Hamlet, as well as Acts and regulations relating to traffic and Motor Vehicle operation.

Applicant

Date



Hamlet of Cambridge Bay NU.

BY-LAW No. 239 – Schedule D-1

TAXI

STATUTORY DECLARATION

I, _____ of _____
Print name in Full Address

of the Hamlet of Cambridge Bay

DO HEREBY STATE that I have not been convicted of any offenses except as shown below:

STATUTE

OFFENCE

SENTENCE

Criminal code convictions pursuant to Section 12 within 5 years:

Criminal Code/Drinking & Driving Offenses within 2 years

Any Drug offenses under the Narcotics Control Act or the Food & Drug Act within 5 years

Any Liquor Offenses within 2 years

I understand that any false statement made on this declaration may result in cancellation or suspension of my Taxi Driver permit.

I do solemnly declare that this statement made by me is true and correct and know it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the _____
of _____
in the Nunavut Territory this _____ day
of _____, 2009

Commissioner of Oaths in and
for the Nunavut Territory

Signature Declarant

According to records available to mr?
this affidavit appears to be correct/not
correct

Signature - RCMP/Court Clerk

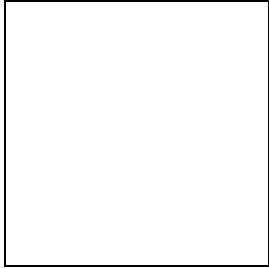


Hamlet of Cambridge Bay NU.

BY-LAW No. 239 – Schedule E

TAXI

TAXI DRIVER PERMIT



Passport photo

Permit No. _____
Fee Collected \$ _____

Social Insurance # _____

Surname _____ **Given Name** _____ **Middle Name** _____

Date of Birth _____ **Place of Birth** _____

Present Mailing Address _____

Driver's License No. _____ **Class of License** _____

Employer for whom you intend to work:

Name: _____ Tel: _____
Address: _____

Criminal Record Information Check was completed on this date: _____

Date of Issue:

Term of Permit – From _____ **To** _____

Signature of Applicant

Date

Signature of SAO

Date



Hamlet of Cambridge Bay NU.

BY-LAW No. 239 – Schedule F

TAXI

FEES

ITEM	FEE
Taxi Operating License	\$50.00
Taxi Driver Permit	\$50.00
Taxi Operating License Transfer	\$50.00



Hamlet of Cambridge Bay NU.

BY-LAW No. 239 – Schedule G

TAXI

TAXI FARES [per person]

ITEM	FARE
Trip within Town	\$7.00
Trip to the Airport from Town	\$14.00
Trip to Town from the Airport	\$14.00
Trips to Hinterland	
a) To Gravel Pit from Town	\$40.00
b) To Town from Gravel Pit	\$40.00
c) To Mt. Pelly from Town	\$40.00
d) To Town from Mt. Pelly	\$40.00