

**BYLAW NO. L-3**

**A BYLAW TO REGULATE AND LICENSE THE OWNERS AND OPERATORS  
OF TAXI CABS WITHIN THE TOWN OF ST. STEPHEN**

BE IT ENACTED BY THE COUNCIL OF THE TOWN OF ST. STEPHEN AS  
FOLLOWS:

**1. DEFINITIONS**

In this bylaw,

"bylaw enforcement officer" means the Bylaw Enforcement Officer of The Town of St. Stephen and includes anyone designated by him or her to act on his or her behalf,

"council" means the Mayor and Councillors of The Town of St. Stephen,

"license" means a license issued by the Bylaw Enforcement Officer, or his or her designate, under the provisions of this bylaw,

"street" means all roads or paths located in the Town and includes highway, road, lane, alley, avenue, drive, bridge, way of public nature, sidewalk, boulevard, court, courtyard, common, public square, park and any other public place in the Town,

"taxicab" means a motor vehicle used for the transport of passengers for hire but does not include,

- (a) a public carrier licensed under the *Motor Carrier Act*, or
- (b) a motor vehicle having seating capacity of more than eight persons including the operator thereof,

"taxicab owner" means the legal owner of a motor vehicle used as a taxicab, unless such motor vehicle is the subject of a contract under the terms of which another person has possession and may acquire legal title thereto, in which event while that person has possession against the legal owner, "taxicab owner" means that other person,

"taxicab operator" means any person who drives or is in actual physical control of a taxicab,

"taxicab business" means and includes any person, corporation, association or partnership operating independently or together under a common name, the business of transporting passengers for hire or gain in a taxicab.

**BYLAW NO. L-3**

**A BYLAW TO REGULATE AND LICENSE THE OWNERS AND OPERATORS  
OF TAXI CABS WITHIN THE TOWN OF ST. STEPHEN**

-2-

**2. DUTIES OF THE BYLAW ENFORCEMENT OFFICER**

The Bylaw Enforcement Officer shall be charged with the enforcement of this bylaw and shall,

- (a) make all necessary enquiries concerning applications for licenses as may be required to secure a due observation of the law, and this bylaw,
- (b) examine, or cause to be examined, every vehicle for which a license is required under this bylaw,
- (c) submit to the Town Council reasons for not granting a license or for cancelling or suspending any license under this bylaw,
- (d) keep a register of all licenses granted which shall contain
  - i the name of the applicant,
  - ii the number of taxicabs kept by each applicant with a full description thereof including make, model, year and colour, the amount paid for the license, and
  - iii such further particulars as the Bylaw Enforcement Officer may consider appropriate from time to time,
- (e) cause to be made out, and signed, all licenses issued under this bylaw, the fees as required hereunder first having been paid and such fees shall be remitted to the Town Treasurer and a receipt therefore issued,
- (f) furnish every taxicab owner receiving a license under this bylaw with a copy of the bylaw,
- (g) ascertain by inspection and inquiry from time to time, and as often as may be required, whether persons holding a license issued hereunder continue to comply with the provisions of this bylaw.

BYLAW NO. L-3

A BYLAW TO REGULATE AND LICENSE THE OWNERS AND OPERATORS  
OF TAXI CABS WITHIN THE TOWN OF ST. STEPHEN

-4-

**4. APPLICATION FOR TAXICAB OWNERS LICENSE**

4.01 An application for a taxicab owner's license shall be made to the Bylaw Enforcement Officer in the form prescribed in schedule "A" hereto, or on the said form as amended from time to time by resolution of Council.

4.02 No person shall be issued a taxicab owners license

(a) unless the vehicle(s) in respect of which the application is made is registered for the current year under the provisions of the *Motor Vehicle Act*,

(b) unless the applicant pays a license fee of Fifty Dollars (\$50.00) for each vehicle, ✓

(c) unless the applicant produces and maintains an insurance policy issued by a bona fide insurance company providing public liability and property damage insurance coverage in an amount not less than One Million Dollars (\$1,000,000.00), and

(d) unless all vehicles to be licensed, and each additional vehicle acquired thereafter, are presented for inspection to the Bylaw Enforcement Officer, or his or her designate, and such vehicles shall display a current valid safety inspection as required under the *Motor Vehicle Act* of the Province of New Brunswick or by regulations.

4.03 No taxicab owner shall operate, or permit to be operated, a taxicab unless it is equipped on its rooftop with a sign indicating that the vehicle is a taxicab, and the said sign shall be illuminated at all times during the night while the said vehicle is being operated as a taxicab.

4.04 The holder of a taxicab owner's license shall number each taxicab as one of one or more taxicabs operated under a taxicab owners license, and each vehicle shall have signs bearing the name of the owner, or the company it represents.

**5. APPLICATION FOR TAXICAB OPERATORS LICENSE**

5.01 An application for a taxicab operator's license shall be made to the Bylaw Enforcement Officer, and signed by the Town Clerk, in the form prescribed in schedule "B" hereto, or on such form as amended from time to time by resolution of Council.

**BYLAW NO. L-3**

**A BYLAW TO REGULATE AND LICENSE THE OWNERS AND OPERATORS  
OF TAXI CABS WITHIN THE TOWN OF ST. STEPHEN**

-5-

5.02 No person shall be issued a taxicab operator's license

(a) unless the applicant is in possession of a valid Class 4 drivers license from the Province of New Brunswick, and

(b) unless the applicant pays a taxicab operator's license fee of Twenty-Five Dollars (\$25.00), and

(c) unless security clearance by the St. Stephen RCMP Detachment is received.

**6. DUTIES AND RESPONSIBILITIES OF TAXICAB OWNER'S**

6.01 The holder of a taxicab owner's license shall file with the Bylaw Enforcement Officer the name, address and telephone number of each taxicab driver employed by the owner and the driver who has left or been terminated from such employment.

6.02 The holder of a taxicab owner's license shall ensure that the license issued hereunder is kept with the vehicle for which it was issued, and shall produce that license, on demand, for inspection by the Bylaw Enforcement Officer, or his or her designate.

6.03 Every taxicab owner shall keep all taxicab(s) in good repair and appearance, clean condition and, without limiting the generality of the foregoing, shall ensure that there is no accumulation of food, food wrappers, beverage containers, cigarette butts, ashes, packages or wrappers in the passenger compartment of the vehicle(s).

6.04 Whenever the holder of a taxicab owner's license disposes of a taxicab and substitutes another in its place, or acquires additional taxicabs, the owner shall inform the Bylaw Enforcement Officer, in writing, and comply with the provisions of section 4.

**7. DUTIES AND RESPONSIBILITIES OF TAXICAB DRIVER'S**

7.01 The holder of a taxicab operator's license shall not refuse nor neglect to convey in the Town any orderly person upon request, unless previously engaged, or unable, or prohibited by the provisions of this bylaw.

7.02 Every taxicab driver shall ensure that the conditions for the issuance of taxicab driver's license shall continue in full force and effect during the period for which a license is issued hereunder.

**BYLAW NO. L-3**

**A BYLAW TO REGULATE AND LICENSE THE OWNERS AND OPERATORS  
OF TAXI CABS WITHIN THE TOWN OF ST. STEPHEN**

-6-

7.03 A taxicab driver, while engaged in the operation of a taxicab, shall be neat and clean in appearance.

**8. CANCELLATIONS OR SUSPENSION OF LICENSE**

8.01 The Bylaw Enforcement Officer is authorized to suspend by notice a taxicab owner's license or a taxicab operator's license if,

- (a) the holder of the license no longer meets the requirements for the issuance of a license under this bylaw,
- (b) the holder of a license has violated any provision of this bylaw or has violated any of the duties prescribed in this bylaw,
- (c) the holder of a license is convicted of an offence under the *Controlled Substance Drug Act (CSDA)*, the *New Brunswick Liquor Control Act (NBLCA)*, or a driving offence under the *Criminal Code of Canada*,
- (d) the holder's driving privileges has been suspended or revoked in the Province of New Brunswick.

8.02 A notice under this bylaw shall be in writing, be signed by the Bylaw Enforcement Officer, state the grounds upon which the license is cancelled or suspended, and state the period during which the license is to be cancelled or suspended.

8.03 A notice under this bylaw shall be served personally, or by mailing the notice by registered mail addressed to the person named at his or her address of residence.

8.04 The Bylaw Enforcement Officer shall report all cancellations and/or suspensions forthwith to the Council.

**9. APPEALS**

9.01 A person who is served notice pursuant to section 8 shall have the right of appeal and hearing before the Council and Council shall dispose of the appeal as it shall see fit and in accordance with this bylaw.

**BYLAW NO. L-3**

**A BYLAW TO REGULATE AND LICENSE THE OWNERS AND OPERATORS  
OF TAXI CABS WITHIN THE TOWN OF ST. STEPHEN**

-7-

9.02 Notice of Council's decision shall be served on the appellant in the manner herein provided within a reasonable time after the hearing before Council.

**10. FEES**

10.01 Taxi fees imposed by the authority of this by-law, and now in effect, are set forth in Schedule "C" hereto attached.

10.02 The Council may by resolution amend the taxi fees set forth in Schedule "C" hereto attached from time to time.

10.03 This bylaw shall apply to all taxicabs owned and operated in the Town except those duly licensed by other municipalities that do not pick up passengers in the Town or otherwise initiate the fare within the Town.

**11. RENEWALS**

The provisions of this bylaw apply to the renewal of any license issued hereunder.

**12. PENALTY PROVISION**

12.01 Every person who violates any provision of this bylaw is guilty of an offence.

12.02 Every person charged with an offence under this bylaw may, on or before the date a charge pertaining to the offence has been laid in Provincial Court, make a voluntary payment of Fifty Dollars (\$50.00) to the Town of St. Stephen at which time the ticket or ticket number shall be surrendered to the Town of St. Stephen and such payment shall be deemed payment in full.

12.03 If the voluntary payment set out in section 12.02 has not been received on or before the hearing scheduled for entering of a plea before the Provincial Court, the person charged with the offence is liable on conviction to a fine of not less than One Hundred Dollars (\$100.00) and not more than Two Hundred Dollars (\$200.00).

BYLAW NO. L-3

A BYLAW TO REGULATE AND LICENSE THE OWNERS AND OPERATORS  
OF TAXI CABS WITHIN THE TOWN OF ST. STEPHEN

-8-

**13. REPEAL PROVISION**

13.01 Bylaw No. 97-4, A Bylaw To Regulate And License The Owner's And Operator's Of Taxicabs Within The Town of St. Stephen, passed by Town Council on July 21, 1997, and amendments thereto, is hereby repealed.

13.02 Bylaw No. 97-4, A Bylaw To Regulate And License The Owner's And Operator's Of Taxicabs Within The Town of St. Stephen, and amendments thereto, shall not affect any penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any matter or thing whatsoever completed, existing or pending at the time of repeal.

Read a first time this 20<sup>th</sup> day of November, 2003

Read a second time this 15<sup>th</sup> day of December 2003

Read a third time and passed this 19th day of January, 2004

  
\_\_\_\_\_  
W. Robert Brown, Mayor

  
\_\_\_\_\_  
Brenda Knight, Town Clerk

**APPLICATION FOR A TAXI CAB OWNER'S LICENSE**

Company: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

**VEHICLES:**

Make	Model	Year	Colour	License #	Fleet #

**INSURANCE:** The taxicab owner is required to provide a letter from their insurance company indicating that all vehicles being operated by the company as taxi cabs are covered by a policy of insurance, providing public liability and property damage coverage in an amount not less than One Million Dollars (\$1,000,000.00). The letter shall indicate the name of the insurance company, agent, and policy number and policy expiration date.



**DRIVERS:**

Please provide the names of all persons presently employed by the company as drivers. Include both full and part-time drivers.

<b>Name</b>	<b>Birth Date</b>	<b>Driver's License #</b>	<b>Class</b>

**I hereby declare the above information to be true and correct to the best of my knowledge and belief. I authorize the Insurer of my vehicles to notify the Town of St. Stephen of any changes or cancellation of my policy.**

Signature: \_\_\_\_\_  
Manager or Chief Executive Officer

APPLICATION FOR A TAXI CAB OPERATOR'S LICENSE

Name: \_\_\_\_\_  
(Family) (Given Name) (Middle Name)

Date of Birth: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Year Month Day

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

**Please answer the following questions:**

Do you hold a valid New Brunswick, Class 4 driver's license? \_\_\_\_\_  
Please provide license number: \_\_\_\_\_ Class: \_\_\_\_\_  
Expiry date of license: \_\_\_\_\_

Have you ever been convicted of an offence under the:  
→ Criminal Code of Canada (CCC)? \_\_\_\_\_  
→ Controlled Substance Drug Act (CSDA)? \_\_\_\_\_  
→ New Brunswick Liquor Control Act (NBLCA)? \_\_\_\_\_  
→ Motor Vehicle Act? \_\_\_\_\_  
→ Any other Federal Statute? \_\_\_\_\_

If so, provide details: \_\_\_\_\_  
\_\_\_\_\_

Has your license to drive ever been suspended or revoked? \_\_\_\_\_

If so, provide details: \_\_\_\_\_  
\_\_\_\_\_

Have you previously driven taxicabs or vehicles for hire? \_\_\_\_\_  
If so, when and where?

\_\_\_\_\_  
\_\_\_\_\_

For which taxi company do you intend to drive? \_\_\_\_\_

**I, the undersigned, do hereby consent to the disclosure of information concerning my police record to the Town Council, Fire and Police Committee, of the Town of St. Stephen, or any person authorized to act on its behalf. This information shall be used for a security clearance in regard to this application for a taxi operator's license.**

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**FOR DEPARTMENT USE ONLY  
DO NOT COMPLETE**

Checks conducted:

CPIC: \_\_\_\_\_ PORS: \_\_\_\_\_ MVB: \_\_\_\_\_

License #: \_\_\_\_\_ Fee Collected: \_\_\_\_\_

Approved: \_\_\_\_\_  
Bylaw Enforcement Officer                      Chief Administrative Officer

**FEES FOR A TAXI CAB OPERATOR AND OWNERS LICENSE**

The following fees shall be paid to The Town of St. Stephen upon application for a license under this By-Law:

- (a) For a Taxicab Owner's License - \$50.00 per vehicle, per year
- (b) For a Taxicab Driver's License - \$25.00 per vehicle, per year