

Town of Gillam

By-Law 690.2008

BEING A BY-LAW OF THE TOWN OF GILLAM TO AUTHORIZE THE LICENSING OF TAXI-CABS.

WHEREAS Section 23 of The Highway Traffic Act provides, in part, as follows:

- 23(1) *The Council of a municipality may, by by-law, require every person conducting or carrying on an automobile livery, or letting or having motor vehicles, including drive-yourself automobiles and taxi-cabs for hire or gain, within the municipality, or using the streets thereof in connection with such a business, to take out an annual license from the municipality, and to pay a license fee therefore of such amount as is fixed by by-law for or in respect of, each motor vehicle so used.*
- 23(2) *The Council of a municipality may, by by-law, make rules and regulations for prohibiting, limiting, controlling and regulating any such business or occupation including without restricting the generality of the foregoing, the definition of various classes of vehicles, the fixing of rates or tolls to be charged, either by zones, meters or any other method, the creation of zones, the installation and inspection of meters in taxi-cabs, the powers and duties of inspectors, the placing of insurance for the protection of persons and property, and the location or use of taxi-cab ranks or stands.*
- 23(3) *Any written undertaking signed by an insurer, or its' duly authorized agent, whereby the insurer agrees not to cancel a policy of insurance issued by it in respect of a vehicle used or intended to be used for hire or gain within a municipality, except upon ten days prior written notice to the inspector of licenses or other officer of the municipality, is valid and binding on the insurer, and the policy to which reference is made in any such undertaking remains in full force and effect until ten days after such a notice has been given, or until the policy lapses.*

NOW THEREFORE the Council of the Town of Gillam, duly assembled, hereby enacts as follows:

1. Definitions:
 - (a) "C.A.O." means the Chief Administrative Officer of the Town of Gillam.
 - (b) "Town" means the Town of Gillam.
 - (c) "Compensation" and "hire" means the fare, toll, gain, fee, or rate charged, collected or intended to be charged or collected for the carriage of a person or persons or property by or in a taxicab and includes remuneration of any kind, promises, paid or demanded, direct or indirect, as well as personal services or the sharing of any expense of the operation of or work done by or upon a taxi-cab or bus.
 - (d) "Person" includes a firm or corporation.
 - (e) "Operator" means the person carrying on a taxi-cab or bus business.
 - (f) "Operation" means the conduct or carrying on of a taxi-cab or bus business.
 - (g) "Taxi-cab" means any motor vehicle as defined in "The Highway Traffic Act", had, kept, garaged, under repair, used, intended for use, or operated for the transportation of persons for compensation in the Town, except such motor vehicle or class thereof exempted from this definition by the C.A.O.

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2. No person, by himself or by an agent or employee may carry on the business of keeping a taxi-cab or taxi-cabs for hire, or hold himself out or advertise that he is carrying on that business, or keep or hire or operate any taxi-cab in the Town in any year unless he holds a subsisting license from the Town permitting him to do so.
- 3.(a) Applications for operation of a taxi-cab business shall be submitted to the Town of Gillam in writing, and the application shall be as outlined in schedule "B".
 - (b) The total applicable license fee shall accompany each application.
 - (c) In issuing licenses the Town shall consider the public convenience and necessity in respect of the number of taxi-cabs required in the Town and to that end may limit the number that may be operated under their authority at any one time.
 - (d) The Town shall return the application fee or applicable portion thereof to the application for an operator's license in the event that the license is refused or amended.
- 4.(a) The following annual license fee shall be paid to the Town:
 - (i) \$50.00 to operate a taxi-cab business and \$15.00 for each taxi-cab operated;
 - (ii) \$10.00 to drive a taxi-cab;
- (b) All licenses shall expire on the 28th day of February next after the license becomes effective.
- (c) Renewal, from year to year, of an approved operation, shall be granted by the C.A.O., provided that the application is accompanied by the appropriate license fee, and that the terms or conditions of the license, as previously approved by the Town of Gillam, is not altered.
5. An operator's license shall not be issued unless the applicant satisfies the Town that he is of good moral character and to that end the C.A.O. may make such inquiries as he may deem advisable.
- 6.(a) Every driver of a taxi-cab, whether an employee or another person or the driver of his/her own taxi-cab, shall hold a taxi-cab driver's license issued by the Town.
 - (b) Applications for driving a taxi-cab or bus, shall be submitted to the Town of Gillam in writing, and the application shall be as outlined in Schedule "C".
 - (c) The applicable license fee shall accompany each application.
 - (d) A taxi-cab driver's license shall not be issued by the Town unless the applicant proves his good moral character, his safe driving habits and his medical fitness and ability to drive a taxi-cab, and to those purposes the C.A.O. may make such inquiries and require the applicant to undergo such inspections and examinations as the C.A.O. may deem advisable.

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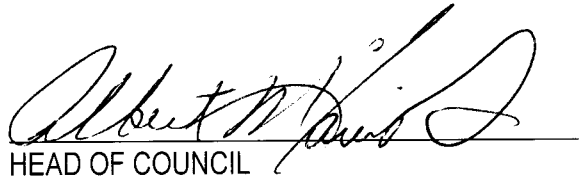
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- (e) No person will be issued a taxi-cab driver's license unless he/she has and shall continue to hold a subsisting Class 4 license under "The Highway Traffic Act" for the current year. A copy of this license shall accompany the application.
- 7. The Town may suspend or cancel a license to operate or drive a taxi-cab at any time if it appears:
 - (a) that the holder thereof is unfit to hold the same by virtue of his physical condition or,
 - (b) that the holder thereof has not conducted himself on the streets and highways of the Town with due regard for the safety of the public or,
 - (c) that the holder thereof has not conducted himself within the Town with a due regard for the traffic laws of the Town, Province of Manitoba, or the terms of this By-Law.
- 8. The Town shall have a general supervision over taxi-cabs, their owners, operators and drivers in the Town and shall,
 - (a) Require every operator to furnish adequate safe and sanitary taxi-cab service and to equip and maintain his vehicle in such condition as will enable him to do so;
 - (b) Establish the rates and tolls that operators and drivers shall charge or collect. Rates and tolls of taxi-cabs as established from time to time shall be attached hereto as Schedule "A".
- 9. All vehicles used in the operation of a taxi-cab business shall be identifiable to the public by means of identification as approved by the Town. No driver shall operate a vehicle with such identification within the Town if the vehicle is not licensed for use as a taxi-cab.
- 10. Proof of insurance shall be filed with the Town of Gillam prior to the operation of any vehicle as a taxi-cab within the Town. The Town shall be notified forthwith if the insurance of any vehicle used in the operation of a taxi-cab business is transferred or cancelled.
- 11. Every driver shall have available within his vehicle the rates and tolls effective within the Town and shall produce them to any passenger upon request.
- 12. Every driver of a taxi-cab shall have available within his vehicle a valid taxi-cab driver's license issued by the Town of Gillam and produce it to any passenger upon request.
- 13. (a) Any driver may, in writing, request the Town to authorize the availability of service for a specified period of time to any, or to a specific destination, free of charge to all members of the public, as a community service or promotion campaign.
 - (b) Any driver granted such authority shall operate in accordance with any special provisions as ordered by the Town.
- 14. Every operator shall provide adequate communications between potential customers and his operation.

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15. No operator shall permit more than one person to sit in the front seat of a taxi-cab with the driver.
16. Every person who operates or drives a taxi-cab within the Town without holding a subsisting license therefore is guilty of an offense to a fine of not more than \$500.00 and costs. In default of payment of such fine and costs, such person shall be liable to imprisonment for a period not exceeding 30 days.
17. By-Law No. 654.2002 be and is hereby rescinded.

DONE AND PASSED as a By-Law of the Town of Gillam, at the Town of Gillam in the Province of Manitoba, this 13th day of August, 2008.


HEAD OF COUNCIL


CHIEF ADMINISTRATIVE OFFICER

Read a first time this 23rd day of July, 2008.
Read a second time this 27th day of August, 2008.
Read a third time this 27th day of August, 2008.

Town of Gillam
“SCHEDULE A” TO BY-LAW NUMBER 690.2008
Rates and tolls for Taxi-Cabs within the Town of Gillam

1.	One way trip within the Townsite	\$9.00
2.	Return trip within Townsite	\$15.00
3.	Extra Stop	\$2.00
4.	Waiting Time/Per Minute	\$2.00
5.	Excessive Freight	\$2.00
6.	Empty Bottles or Cans/Per Dozen	\$0.16
7.	Gillam to Garbage Dump	\$12.00
8.	Gillam to Airport	\$10.00
9.	Gillam to Landing Lake Beach	\$14.00
10.	Gillam to Dyke Four	\$14.00
11.	Gillam to Landing Lake Plane Base	\$14.00
12.	Gillam to Dyke Six	\$15.00
13.	Gillam to Kettle Station	\$16.00
14.	Gillam to Radisson Station	\$16.00
15.	Gillam To Dyke One	\$18.00
16.	Gillam to “B” Pit	\$25.00
17.	Gillam to Butneau Marina	\$25.00
18.	Gillam to Long Spruce Station	\$45.00
19.	Gillam to Henday Station	\$72.00
20.	Gillam to Limestone Station	\$75.00
21.	Gillam to Bird	\$75.00
22.	Gillam to Bird – Pensioners	\$60.00

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Rates and tolls for Taxi-Cabs within the Town of Gillam

23.	Gillam to Kettle River Weir	\$10.00
24.	Gillam to Pump House Beach (Airport)	\$10.00

Town of Gillam
“SCHEDULE B” TO BY-LAW NUMBER 690.2008
Application For Taxi-Cab Operator’s License

NAME OF BUSINESS: _____

ADDRESS OF BUSINESS: _____

TYPE OF BUSINESS: Taxi

NAME OF APPLICANT: _____

ADDRESS OF APPLICANT: _____

LOCATION OF BUSINESS: _____

HOURS OF OPERATION: Monday _____
 Tuesday _____
 Wednesday _____
 Thursday _____
 Friday _____
 Saturday _____
 Sunday _____

Town of Gillam
“SCHEDULE B” TO BY-LAW NUMBER 690.2008
Application For Taxi-Cab Operator’s License

Will additional service be available if advance arrangements are made?

Yes No

If yes, provide details:

Method of Communication:

Telephone Hours: _____

Answering Service Hours: _____

Dispatch Service Hours: _____

Telephone Number:

VEHICLES:

	YEAR	MAKE	MODEL	SERIAL NO.	SEATS
(a)					
(b)					
(c)					
(d)					
(e)					

Type of identification on vehicle:

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Application For Taxi-Cab Operator’s License

Additional information:

I, _____ hereby certify that I have received a copy of
By-Law No. 690. 2008 and agree to abide by its' terms and conditions.

_____ Date _____ Signature

EXPIRY DATE: FEBRUARY 28th, _____.

ADDITIONAL REQUIREMENTS:

AMENDMENTS:

Town of Gillam
“SCHEDULE C” TO BY-LAW NUMBER 690.2008
Application For Taxi-Cab Driver’s License

Name of Applicant: _____

ADDRESS OF APPLICANT: _____

CLASS OF DRIVER’S LICENSE: _____

MANITOBA DRIVER’S LICENSE NUMBER: _____

DATE OF MEDICAL EXAMINATION _____

I, _____ hereby certify that I have received a copy of
By-Law No. 690. 2008 and agree to abide by its' terms and conditions.

Date

Signature

EXPIRY DATE: FEBRUARY 28th, _____.