

THE CORPORATION OF THE TOWN OF HEARST

BY-LAW NO. 101-2024

Being a by-law for the purpose of
licensing, regulating and governing
certain businesses operating within
the territorial limits of the town of
Hearst

WHEREAS pursuant to the provisions of Part IV of the Municipal Act, 2001, S.O. 2001, C.25, as amended, ("the Act") the Council of the Corporation of the Town of Hearst ("Council") may provide for a system of licences with respect to certain businesses; and

WHEREAS pursuant to Section 156 of the Act, a municipality may establish taxi rates of fares to be charged for conveyance purposes and limit the number of taxicabs operating within the municipality,

WHEREAS pursuant to Sections 391 and 425 of the Act, Council considers it desirable to provide for a system of fees and of offences and penalties as an additional means of encouraging compliance with this By-law,

WHEREAS Section 436 of the Act authorizes a municipality to pass by-laws providing that it may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not there is compliance with a by-law, a direction or order, or a condition of a licence, and

WHEREAS the Council of the Town of Hearst deems it desirable to enact a Licensing By-law respecting hawkers and peddlers and taxi businesses,

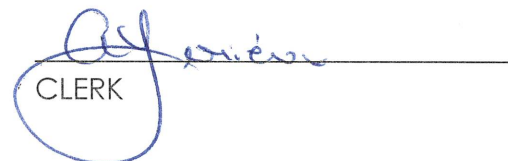
NOW THEREFORE BE IT ENACTED by the Council of the Corporation of the Town of Hearst as follows:

1. THAT this By-law, including its schedules, shall be referred to as the Town of Hearst Business Licensing By-law.
2. THAT By-laws Nos. 70-81 and 108-02 be hereby repealed.
3. THAT the Clerk is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, or descriptive nature to this By-law and schedule, as may be deemed necessary after the adoption of this By-law.
4. THAT this By-law shall come into effect on January 1st, 2025.

READ AND PASSED IN OPEN COUNCIL

THIS 17TH DAY OF DECEMBER 2024.


MAYOR


CLERK

Note: In case of any discrepancy between the English and French versions of this by-law, the English version shall prevail.

Town of Hearst Licensing By-law

1. Definitions

For the purpose of this By-law:

"Business" – shall mean the following trades, callings, businesses, or occupations (and includes the sale or hire of goods or services in those trades, callings, businesses or occupations):

- Hawker and Peddler;
- Taxi.

"By-law Enforcement Officer" means the official or his replacement designated as By-law Enforcement Officer by the Council of the Town of Hearst;

"Certificate of Offence" – means a notice issued pursuant to section 2.7 of this By-law;

"Clerk" – means the Licence Issuer and person appointed by the Council of the Town of Hearst in accordance with the Municipal Act;

"Corporation" – means a body corporate with share capital to which this By-law applies;

"Council" – means the Council of the Corporation of the Town of Hearst;

"Fare" – means an amount payable in provision of a business licence issued pursuant to this By-law;

"Food" – means edible substances and/or perishable items that are fit for human consumption;

"Hawker/Peddler" - means a non-resident person who:

- a) Performs door to door sales of goods, food, wares or merchandise for sale, or who carries and displays samples, patterns or specimens of any goods, wares or merchandise for which immediate sales are made or for which orders are taken with delivery to follow; or
- b) Sells from a permanent/mobile structure on a temporary basis, goods, food, wares or merchandise for sale, or who carries and displays samples, patterns or specimens of any goods, wares or merchandise for which immediate sales are made and for which orders are taken with delivery to follow.

"Person" – means an individual, firm, corporation, company, association, partnership or party and the heirs, executors, administrators, or other legal representative of such person; shall include any group of persons comprising a society or other organization and shall include the plural wherein the context requires;

"Licence" - means a licence granted under the provision of this By-law;

"Licensee" - means a person who has been issued a business licence pursuant to this By-law;

"Medical Officer of Health" – means the Medical Officer of Health for the local health unit;

"Non-resident" means a person who:

- a) has not resided continuously within the limits of the town of Hearst for at least three (3) months immediately preceding the time of obtaining a licence;
- b) has no permanent place of business in the town of Hearst.

"Safety Standard Certificate" – means a vehicle safety inspection certificate issued by a licensed garage and/or mechanic licensed to issue such certificates by the Province of Ontario on the form prescribed from time to time by the Ministry of Transportation;

"Taxi" – means a motor vehicle as defined in the Highway Traffic Act, having a seating capacity of not more than six persons, exclusive of the driver, hired for one specific trip for the exclusive transportation of one person or group of persons, and in remuneration for the service provided, one fare or charge only being collected or made for the trip;

"Taxi Driver" – means a person who is engaged in driving or operating a taxi on behalf of himself or another person who is the owner thereof;

"Taxi Owner" – means a person who owns a taxi or has possession or control hereof under a lease agreement, an instalment purchase agreement, or by way of rental;

"Taxi Stand" means a convenient place of business in a commercial zone designated for such use that serves as the place of reference for the taxi owner and driver and from where dispatching and communication with taxi drivers are conducted and where a reception and rest area is open to drivers and the public;

"Town" – means the Corporation of the Town of Hearst;

2. General Provisions

2.1 Requirement to obtain a business licence

2.1.1 No person shall:

- a) operate a business, permit a person to carry on such businesses, or hold themselves out as being licensed to carry on the aforementioned businesses within the town limits:
 - i) without a licence to do so issued under this By-law;
 - ii) from a location other than that for which a licence is issued under this By-law; and
 - iii) under any other name than the one endorsed on the licence issued under this By-law;
- b) transfer or assign a licence issued under this By-law;
- c) obtain a licence by providing mistaken, false or incorrect information.

2.2 Licence Application

2.2.1 Every applicant for a business licence under this By-law shall:

- i) Complete the application form prescribed by the Town;
- ii) Pay the non-refundable prescribed licence fee as set out in this By-law;
- iii) Provide any approvals, inspections or documentation required by the provisions of this By-law or as deemed necessary by the Licence Issuer.

2.2.2 In the case of a corporation, submit a copy of the Articles of Incorporation showing the names and addresses of all the directors and officers.

2.2.3 In the case of a registered partnership, submit a copy of the partnership agreement.

2.3 Duration of Licence

Business Licences shall be valid for a period of one year from the date of issuance, except for Hawker/Peddler Licences, which shall be valid for the period specified in each class.

2.4 Refusal, revocation and suspension

2.4.1 The issuance of a licence may be refused if:

- i. the conduct of an applicant affords reasonable grounds to believe that he has not carried on, nor will not carry on, his business in accordance with the law or with integrity and honesty;

- ii. there are reasonable grounds to believe that the carrying on of the proposed business may be adverse to the public interest;
- iii. the applicant's premises or place of business are the object of an Order made pursuant to the Property Standards By-law, or Building Code Act, Fire Protection and Prevention Act, by the Medical Officer of Health, or where it is not in compliance with the Zoning By-law;
- iv. the required documentation has not been submitted;
- v. the applicant is indebted to the Town in respect of fines, penalties, judgments, outstanding property taxes, or any other amounts owing, including a penalty imposed by this By-law; or
- vi. notwithstanding subsections i) to v) here above, a conditional licence may be issued to the applicant if it is determined that there are deficiencies found by the relevant authorities that can be remedied within a specified time frame in order to come into compliance, and if the deficiencies are not likely to be a danger to the public. Such conditional licence shall clearly state the duration of the temporary licence, and if the applicant fails to come into compliance with any Act or Code within the time specified then the licence shall become null and void.

2.4.2 A business licence may be revoked or suspended if:

- i. the licence was issued in error;
- ii. the Licence Issuer or designate determines upon reasonable grounds that a licensee has acted in contravention of this By-law;
- iii. the liability insurance coverage policy lapses and becomes null and void for any reason;
- iv. the licensee has any outstanding fines imposed under the Provincial Offences Act for the contravention of any provision of this By-law or any other municipal by-law or Provincial statute where such fine is associated with an offence arising out of the conduct, operation or activity within or in conjunction with such business;
- v. the Licence Issuer believes it is in the public interest to do so.

2.5 Appeals

In the event an applicant or licensee has been advised in writing by the Licence Issuer of a decision to refuse to issue a business licence or to revoke/suspend a current licence, the applicant/licensee may appeal, in writing, the Licence Issuer's decision to Council within seven (7) days of receipt of said notification. In such event, the License Issuer shall provide a report to Council as to the reasons why the licence was refused or revoked/suspended and Council shall determine if the decision is to be upheld.

2.6 Conditions

2.6.1 No person licensed under this By-law shall fail to:

- i. notify the Town within seven (7) days of any change in any of the particulars required to be filed with the business; and
- ii. comply with the guidelines contained in this By-law.

2.7 Power of Entry and Enforcement

2.7.1 Any person duly authorized by the Town may, at any reasonable time, enter upon and inspect any premises, home, land and/or vehicles or place of business which is subject to this by-law or where there are reasonable or probable grounds to believe a business is being carried out.

2.7.2 Where an inspection is conducted pursuant to this section, the Town may:

- i. require the production for inspection of documents or items relevant to the inspection, including any licences, permits, invoices, vouchers, books, records, appointment books, trip sheets and others;
- ii. inspect and remove documents or items relevant to the inspection for the purpose of making copies or extracts;
- iii. require information from any person concerning a matter related to the inspection; and
- iv. alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

2.7.3 The Town's power of enforcement, entry and inspection may be exercised by:

- i. the Licence Issuer;
- ii. a Municipal By-law Enforcement Officer;
- iii. a Provincial Offences Officer;
- iv. the Medical Officer of Health;
- v. a member of the Ontario Provincial Police force with jurisdiction or any person under his jurisdiction.

2.7.4 No person shall obstruct or hinder any person conducting an inspection pursuant to this By-law, or cause or permit the same to be obstructed or hindered.

2.8 Infractions to By-law

2.8.1 An officer who finds or has any reasonable cause to believe that a person has contravened any provision of this By-law may issue a Certificate of Offence addressed to the person.

2.8.2 Each person who contravenes any of the provisions of this By-law, or permits any act to be done in contravention of, or neglects or refrains from doing anything required to be done pursuant to any provisions of this By-law, shall, upon issuance of a Certificate of Offence, be liable to pay the prescribed set fine.

2.8.3 The Certificate of Offence shall include the following:

- i. Date of the penalty notice;
- ii. Penalty notice number;
- iii. Particulars of the contravention;
- iv. The amount of the penalty; and
- v. Information on the process to appeal the set fine.

2.8.4 Continuation of Offence

Where an offence is a continuing offence, each day that the offence is continued shall constitute a separate and distinct offence.

2.9 Responsibilities of Municipal Officials

2.9.1 The Clerk is hereby designated Licence Issuer, who shall:

- i. provide all forms of application for licences;
- ii. verify completed applications and submitted documents to ascertain compliance with this By-law;

- iii. issue and sign licences;
- iv. ensure applicable fees are paid before delivering a licence;
- v. keep a register of all licences.

2.9.2 The Director of the By-law Department shall:

- i. make all necessary and proper inquiries concerning applications for licences and the suspension, revocation and transfer thereof;
- ii. review applications for all licences and make recommendations to the Licence Issuer, as need be;
- iii. investigate complaints received pertaining to this By-law;
- iv. investigate all matters relevant with the revocation or suspension of any licences and report to the Licence Issuer;
- v. prosecute persons who contravene any provisions of this By-law.

2.9.3 Any of the duties required to be undertaken by the Director of the By-law Department may be delegated to any other By-law Enforcement Officer or an Officer of the Ontario Provincial Police.

2.10 Offences

2.10.1 Every person who contravenes any provision of this By-law is guilty of an offence and, upon conviction, is liable to a fine in an amount not more than the amount specified in the Provincial Offences Act.

2.10.2 Every director or officer of a corporation who concurs in the contravention by the corporation is guilty of an offence.

2.11 Severability

If any section or sections of this By-law, or parts thereof, are found by any court of competent jurisdiction to be invalid or beyond the power of the Municipal Council to enact, such section or sections, or parts thereof, shall be deemed to be severable from this By-law and all remaining sections or parts of this By-law shall be deemed to be separate and independent therefrom and to be properly enacted and to be of full force and effect.

<p>Note: Wherever the word "he", "him" or "his" is used, it shall mean and include the feminine or neuter gender, wherever the context so requires.</p>

**TAXI
DRIVER, OWNER, STAND**

1. Responsibilities of the Director of the By-law Department

- 1.1. The Director of the By-law Department shall have supervision over all persons licenced under the Taxi Schedule, and over all vehicles in respect of which licences are issued and shall, in connection with this By-law:
- a) report to the Licence Issuer on the performance of his duties or to Council at any time upon request;
 - b) make all necessary and proper inquiries concerning applications for licences and the suspension, revocation and transfer thereof;
 - c) review applications for all licences and make recommendations to the Licence Issuer, as need be;
 - d) supply each taxi driver with a numbered identification card, or such other driver identification means the Town may require;
 - e) monitor on-going compliance with taxi operations;
 - f) once a licence is issued, furnish to the Licensee one copy of this By-law and one tariff card containing the tariffs herein provided and inspect all taxicabs from time to time to see that said tariff card is displayed in a conspicuous place in the interior of each vehicle;
 - g) investigate all matters relevant with the revocation or suspension of any licences and report to the Licence Issuer;
 - h) upon reasonable and probable grounds, order a mechanical inspection of a licenced taxi vehicle, at the cost of the owner;
 - i) prosecute persons who contravene any provisions of this By-law;
 - j) any of the duties required to be undertaken by the Director of the By-law Department may be delegated to any other By-law Enforcement Officer or an Officer of the Ontario Provincial Police.

2. Taxi Owner

2.1 Required Documentation

- 2.1.1 In addition to the requirements set out in this By-law, every applicant for a Taxi Owner licence shall be required to submit the following documentation upon application and renewal thereof:
- a) Copy of Vehicle Permit;
 - b) Vehicle Safety Standard Certificate dated no later than 30 days prior to the date the application is submitted (or from the licence renewal date);
 - c) Proof of liability insurance in the minimum of \$2,000,000 to the effect that the Town will be given at least ten (10) days' notice by the insurer or his/her agent, in writing, of any cancellation, expiry or change in the amount of the policy; and
 - d) Completed Authorization for Insurance Status Form.

2.2 Provisions

- 2.2.1 A separate Taxi Owner licence shall be required for each vehicle.
- 2.2.2 In the event a vehicle is replaced, the owner shall advise the Licence Issuer of said change and submit all the required documentation to make the necessary changes.

- 2.2.3 Every applicant of a Taxi Owner licence shall fill out an Authorization for Insurance Status Form authorizing the Town to verify, at any time, with the Insurer or his agent, the current coverage for each licenced vehicle.
- 2.2.4 Every applicant of a Taxi Owner licence shall submit each taxicab for a safety inspection prior to issuance of the licence thereof.
- 2.2.5 A Taxi Owner shall require and verify that all taxi drivers employed comply in all respect with the provisions of this By-law.
- 2.2.6 A Taxi Owner shall advise the Licence Issuer within ten (10) days of any change in any licence plate issued by the Ministry of Transportation.
- 2.2.7 In the event an owner disposes of a licenced taxicab and acquires another vehicle in its stead, the new vehicle shall be brought to the Director of the By-law Department for verification and approval and the owner shall submit a new application, along with required supporting documents, to transfer the licence to cover the newly acquired vehicle. At no time shall the new vehicle be used as a taxi before the Town transfers the licence.
- 2.2.8 The owner or driver of every taxicab shall maintain the interior and exterior of the vehicle in a state of good repair and in a clean and sanitary condition.
- 2.2.9 Upon being required to do so by the Director of the By-law Department or a police officer, no person shall fail to give full information with reference to the address or place to or from which he has driven any passenger matching the given description, such as name or address, if known to him.

2.3 Inspections

- 2.3.1 No person shall fail to submit, annually, each vehicle for a safety inspection by a certified mechanic at a vehicle inspection station as defined by the Highway Traffic Act, and submit said Safety Standard Certificate to the Director of the By-law Department prior to the annual licence renewal.
- 2.3.2 Notwithstanding the annual inspection of vehicles by a certified mechanic, if, in the opinion of the Director of the By-law Department, a vehicle remains unsafe or unsuitable to be operated as a taxicab, a taxi owner may be required to submit his vehicle for a random inspection, including a mechanical fitness examination from another independent licensed mechanic, within twenty-four (24) hours, at the cost of the Owner.
- 2.3.3 Notification of an inspection under this section shall be served in any of the following manners:
- a) Personally to the owner;
 - b) By registered mail to the last known address of the owner;
 - c) Personally to the driver;
 - d) By facsimile or email to the last known address associated with the owner.
- 2.3.4 Whenever the owner or driver of a taxicab receives a notice signed by the Director of the By-law Department or his designate that his taxicab is not in acceptable condition for use, the owner or driver shall, within the time mentioned in such notice, perform all repairs and improvements necessary for the taxicab to be in a fit and proper condition, to the satisfaction of the Officer; failure to do so will result in the suspension of the Taxi Owner Licence.
- 2.3.5 No person shall, at any time, when his vehicle is not employed, prevent or hinder the Director of the By-law Department or any police officer from entering the same or at any time prevent or hinder him from entering a garage or other building for the purpose of inspecting vehicles used as taxis.

2.4 Taxi Sign

No person shall fail to install on the roof of every taxicab belonging to him, an illuminated sign bearing the taxi company name.

2.5 Taxi Meter

- 2.5.1 Every owner shall have affixed in each vehicle in respect to which he is licenced a taximeter which shall register distances travelled and compute fares to be paid, and every such taximeter shall be:
- a) illuminated between dusk and dawn;
 - b) installed in the taxi in a visible location, to the satisfaction of the Director of the By-law Department;
 - c) configured in accordance with the tariff prescribed by this By-law;
 - d) kept in good working condition at all times and not used when defective in any way;
 - e) used only once approved by the Director of the By-law Department.

2.6 Fares

- 2.6.1 The rates of fares to be charged by every owner and driver shall be in accordance with those established in this By-law.
- 2.6.2 When operating on a taximeter basis, the rate of fare charged shall be exactly as shown on the taximeter, together with any prescribed additional fares authorized by this By-law.
- 2.6.3 No person shall publish or use a tariff or demand or receive fares and charges other than those authorized by this By-law, whether such fares and charges are determined by a distance or by time.
- 2.6.4 Every owner and driver shall keep the tariff card containing the Council-approved fares herein provided displayed in a conspicuous place in the interior of each taxi vehicle.
- 2.6.5 When a passenger first enters a taxi, the taximeter shall immediately be placed in a recording position and shall remain so throughout the trip.
- 2.6.6 If a call extends beyond the territorial limits of the Town, the driver and passenger(s) may agree before the start of the trip to a flat rate but the taximeter must be in a recording position at all times within the limits of the town of Hearst.
- 2.6.7 At the conclusion of a trip, the driver shall place the taximeter in a non-recording position and shall call the passenger's attention to the amount of the fare registered on the taximeter.
- 2.6.8 No person shall claim a fare under this By-law for:
- a) time lost through defects or inefficiency of the taxi; or
 - b) the failure of the driver to use the shortest and/or the fastest route to destination or operate the taxi in an efficient and timely manner; or
 - c) for time consumed by the arrival of the taxi in response to a call in advance of the time such taxicab has been requested by the person calling same.
- 2.6.9 The tariff or fares herein authorized shall be computed from the time or place when the passengers first enter the taxi or instruct verbally or by body gesture to wait and to the time or place when the taxi arrives at the final destination.

TAXI METER FARES	AMOUNT	H.S.T.	TOTAL
Initial Charge	\$5.00	\$0.65	\$5.65
Each additional one tenth (1/10) of a kilometre	\$0.25	\$0.03	\$0.28
For waiting time while under engagement at an hourly rate	\$40.00 per hour	\$5.20	\$45.20 per hour

2.7 Trip Records

2.7.1 No person shall fail to:

- a) keep a written record of the date, time, origin and destination of each trip, including the name of the driver, for a period of twelve (12) months;
- b) surrender immediately for examination when asked by the Director of the By-law Department or a police officer all requested trip records.

2.7.2 No taxi shall be hired for more than one specific trip for the exclusive transportation of one passenger or group of passengers, except with the prior consent of the passenger having first signified the hiring of said taxi thereof.

2.8 Handicapped Transportation

2.8.1 To qualify for licensing under this By-law, a handicapped transportation vehicle shall meet the standards for a physically disabled passenger vehicle as established by the Highway Traffic Act of Ontario, and regulations thereto.

2.8.2 A handicapped transportation vehicle may be utilized as a regular taxicab if operated under a taxicab owner licence. In such cases, the handicapped transportation vehicle must be equipped in the same manner as a regular taxicab.

2.8.3 Where a handicapped transportation vehicle is used, the fares set out in this By-law will apply.

3. Taxi Driver

3.1 Required Documentation

In addition to the requirements set out in this By-law, every applicant for a Taxi Driver licence shall be required to submit the following documentation upon application and renewal thereof:

- a) a valid Class G Driver's Licence issued by the Government of Ontario which is in good standing according to the records of the Ministry of Transportation;
- b) a 3-Year Driver Record issued from the Ministry of Transportation of Ontario;
- c) a Police Criminal Record Check dated no later than sixty (60) days prior to the application for a licence; and
- d) two recently taken passport-type photographs (upon initial application only).

3.2 Provisions

3.2.1 The Director of the By-law Department or his designate, may require upon reasonable and probable grounds, that any person applying for a licence or currently licenced under this By-law produce a medical certificate from a physician which states that the person is fit to operate a taxicab in compliance with this By-law.

3.2.2 No taxi driver licence shall be granted to a person of less than nineteen (19) years of age.

3.2.3 No taxi driver licence shall be issued to an applicant who has been found guilty of:

- c) an indictable offence under the Criminal Code of Canada, R.S.C. 1985, or an offence under the Controlled Drugs and Substances Act, S.C. 1996, within the preceding three years;
- d) an offence under the Liquor Licence Act of Ontario, S.O. 2019, pertaining to the illegal sale or purchase of liquor within the preceding three years;
- e) a criminal offence pertaining to the operation of a motor vehicle within the preceding three years; or
- f) any sexual offence under the Criminal Code of Canada, R.S.C. 1985.

3.3 Driver Responsibilities

3.3.1 No person shall:

- a) carry in any vehicle used as a taxi, a greater number of occupants than the number of seatbelts provided in such vehicle, inclusive of the driver.
- b) carry anyone other than a paying passenger when a licenced vehicle is being used as a taxicab, unless agreed upon by said passenger;
- c) carry any passenger who is under the influence of alcohol or any controlled substance while transporting a passenger or passengers that are not of the same party;
- d) use a vehicle other than a vehicle that has been licensed under the provisions of this By-law;
- e) permit a vehicle to remain standing on a municipal highway unless for the immediate purpose of:
 - embarking a passenger
 - discharging a passenger; or
 - waiting for a passenger for whom the taxi is already engaged and who has requested the taxi to stand by;
- f) use a roadway allowance or other municipal property for parking purposes;
- g) upon being required to do so by a By-law Enforcement Officer or police officer, fail to give full information with reference to the address or place to or from which he has driven any passenger fitting the given description, name and address, if known to him;
- h) smoke or vape or permit any passenger to smoke or vape while in a taxicab;
- i) take, consume or have in his possession any liquor while he is in charge of a taxicab;
- j) neglect to fulfil his appointment or engagement, except for reasons beyond his control;
- k) fail to have a neat and clean attire;
- l) fail to be civil and well behaved.

3.4 Driver Identification

3.4.1 No person, while operating a taxicab, shall fail to have displayed in the vehicle an identification card supplied by the Licence Issuer. Such identification card shall:

- a) include the name and description of the driver along with one of the photographs required by this By-law;
- b) be displayed in a conspicuous place on one of the interior sidewalls or back of the front seat of the taxicab, in a location that is in direct view of a passenger.

3.4.2 A driver shall not display any card except his own.

3.4.3 Every taxi driver shall retain his taxi driver licence in his possession at all times while operating the same, and upon request shall surrender his taxi driver licence to any By-Law Enforcement Officer or police officer.

3.5 Passenger Property

3.5.1 Every taxi driver employed shall take due care of all property delivered or entrusted to and accepted by him for conveyance or safekeeping.

3.5.2 Upon termination of any hiring or engagement, a taxi driver shall visually examine his vehicle for any property lost or left therein.

- 3.5.3 All property, or money left in a taxicab shall be forthwith delivered to its owner, or if the owner cannot be immediately located, the driver shall inform, as soon as possible, the Director of the By-law Department of the property or money in his possession and said property or money shall be immediately rendered to the taxi owner or broker for safekeeping. The owner or broker shall keep the property or money for not more than ten (10) days, which will thence be delivered to the Director of the By-law Department.

4. Taxi Stand

4.1 Required Documentation

In addition to the documentation requirements set out in this By-law, a completed application for a licence or for renewal of a taxi stand licence shall be accompanied by a certificate of liability insurance in the minimum of \$2,000,000 to the effect that the Town will be given at least ten (10) days' notice by the insurer or his/her agent, in writing, of any cancellation, expiry or change in the amount of the policy.

4.2 Conditions

4.2.1 No person licensed under this Schedule shall:

- a) fail to equip the stand with a telephone for the purpose of receiving customer calls and with a radio communication system to ensure two-way communication with taxi drivers at all times;
- b) fail to provide sufficient building space accessible from a municipal street by clients and taxi owners and drivers;
- c) fail to provide a sufficient number of on-site parking spaces to accommodate the number of licensed taxis associated thereto;
- d) fail to keep a record of the date, time origin and destination of each trip, the name of the driver and the licence number of the cab for a period of twelve (12) months at the place of business;
- e) fail to keep any public waiting area in the taxi stand in a clean and tidy condition;
- f) fail to notify the Licence Issuer of a change in location and to submit a new application for a change of address under this By-law;
- g) in any way obstruct the use of the sidewalk, or make any loud noises or disturbances, or use profane, obscene, impudent or abusive language, annoy or insult the owner, clients, or inhabitants in proximity of the taxi stand.

4.2.2 No owner or driver or anyone else with his consent shall wash or make repairs to his vehicle while upon a public taxicab stand or on public property unless such repairs are immediately required and are of a minor nature.

1. **HAWKER AND PEDDLER**

1.1 **Required Documentation**

In addition to the requirements set out in this By-law, every applicant for a Hawker/Peddler licence shall be required to submit the following documentation, upon application and renewal thereof:

- a) one piece of government-issued identification, with photograph;
- b) a proof of liability insurance in the minimum of \$2,000,000;
- c) in the case of the sale of food for immediate consumption, a Certificate of Inspection from the Medical Officer of Health of a local health unit issued in the last year;
- d) description of the goods, wares or merchandise that will be sold or offered for sale under the licence;
- e) any pertinent documentation which the Licence Issuer deems necessary.

1.2 **Classes**

Licensees may purchase Hawking/Peddling licences of varying duration, as follows:

- a) **Class A** - daily licence;
- b) **Class B** – 6-month licence;
- c) **Class C** – 1-year licence.

1.3 **Conditions**

- 1.3.1 No person shall carry out hawking or peddling on municipal property without written authorization by the Clerk or designate;
- 1.3.2 Where the sales are to be conducted from a fixed location, said property must be located in a commercial zone;
- 1.3.3 No person shall hawk, peddle or sell goods in any manner as to impede or confine vehicular or pedestrian traffic.

1.4 **Exemptions**

- 1.4.1 No such licence is required for hawking, peddling or selling goods, ware or merchandise:
 - a) to wholesale or retail dealers in similar goods, ware or merchandise;
 - b) to the business, institutional or industrial sector;
 - c) by a vender selling products at special events only, by invitation by a local non-profit organization or the Town, and not at any other location in the municipality;
 - d) if the goods, wares or merchandise are grown, produced or manufactured in the town and are hawked, peddled or sold by the grower, producer or manufacturer or his agent or employee having written authority to do so;
 - e) if the goods, wares or merchandise are grown or produced by a farmer resident in Ontario who offers for sale or sells only the produce of his own farm;
 - f) if the goods, wares or merchandise are hawked, peddled or sold for the raising of funds in door-to-door sales campaigns for registered charitable organizations, community service clubs, schools and not-for-profit community clubs.

Business Licensing Fees

- | | | |
|----|-------------------------|--------------|
| 1. | Taxi Owner: | \$ 100/ year |
| 2. | Taxi Driver: | \$ 50/ year |
| 3. | Taxi Stand: | \$ 50/ year |
| 4. | Hawker/Peddler: | |
| | a) Class A (daily): | \$ 100 |
| | b) Class B (6 months): | \$ 800 |
| | c) Class C (12 months): | \$1,400 |