BY-LAW NUMBER 053 – 2012
OF THE
CORPORATION OF THE MUNICIPALITY OF MEAFORD

BEING A BY-LAW TO LICENSE, REGULATE AND GOVERN THE OWNERS AND DRIVERS OF BUSINESSES WITHIN THE MUNICIPALITY, AND TO REPEAL ALL PREVIOUS BY-LAWS

WHEREAS, the *Municipal Act, 2001 S.O. 2001, c 25.* as amended, provides that a local municipality may license, regulate and govern any business, wholly or partly carried on within the municipality, even if the business is being carried on from a location outside the municipality; and

WHEREAS, the *Municipal Act, 2001* provides that Council may delegate by by-law some of its responsibilities associated with the licensing, regulation and governing of businesses to Municipality of Meaford Staff; and

WHEREAS the Council of the Corporation of the Municipality of Meaford considers it desirable and necessary to license, regulate and govern owners and drivers of taxicabs for the purposes of health and safety, consumer protection and nuisance control; and

WHEREAS a public meeting was held on June 11th, 2012, in regard to the passing of this By-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MEAFORD ENACTS AS FOLLOWS:

PART 1 – DEFINTIONS

1.1 In this By-law:

"Applicant" means a Person applying for a new or renewing a Licence under this By-law;

"Business" means any business wholly or partly carried on within a municipality even if the business is being carried on from a location outside the municipality and includes:

a. trades and occupations,
b. exhibitions, concerts, Festivals and other organized public amusements held for profit or otherwise,
c. the sale or hire of goods or services on an intermittent or one-time basis and the activities of a Transient Trader,
d. the display of samples, patters or specimens of goods of the purpose of sale or hire;

"Certificate of Insurance" means a written document stating that insurance is in the effect which includes general statement of policy's coverage including coverage limits and effect dates;

"Clerk" shall mean the Clerk of the Municipality, or his or her designate;

"Council" shall mean the Council for The Corporation of the Municipality of Meaford;

"Municipality of Meaford Business Improvement Area" means the geographic area designed by By-law;

"Fee" means a fee, in addition to the licence fee, imposed by the Municipality on a business at any time during the term of the licence for costs incurred by the Municipality attributable to the activities of the business, which may include the Fees and Charges By-law;

"Fire Chief" means the Chief of the Fire Department of the Municipality of Meaford or his or her designate;

"Food" means food or drink for human consumption, and includes refreshments and confections;

"Foodstuff" means an edible commodity meant for human consumption, including but not limited to pre-packages, prepared, wholesale, bulk or catered;

"Food Premises" has the same meaning as in the *Health Protection and Promotion Act;*

"Highway" means a highway as defined in the *Municipal Act*, and includes a King's Highway as defined in the *Highway Traffic Act*, or a road, street, bridge or highway laid out but not assumed for public use or established by by-law, whether built by a private Person or corporate body;

"Individual" means a natural person and does not include a corporation, partnership or association;

"Issuer of Licences" includes the Clerk of the Municipality of Meaford and their designate or any person designated by the Municipality of Meaford;

"Licence" means an authorization issued under this By-law to carry on a business specified therein and the document, certificate or card issued shall provide evidence of such authority as the content may allow;

"Licensee" a person or owner as defined in this by-law who holds a licence within the Municipality granted under the provisions of this by-law;

"License Committee" means a Committee of Council duly appointed by Council to conduct hearings under this By-law or in absence of a Committee the License Committee will be Council;

"Licensing Office" means the Clerk or his or her designate of the Municipality of Meaford or such other departments as the Council may designate;

"Licensing Officer" means the Clerk or their designate or a duly appointed Municipal Law Enforcement Officer;

"Licensed Premises" means an establishment, which is referred to in a licence issued under this By-law;

"Municipality" means the geographic area of the Municipality of Meaford;

"Non-resident" means a person who does not reside or have a regular place of business in the Municipality of Meaford;

"Officer" means an employee of the Municipality of Meaford who is duly appointed by Council as a Municipal Law Enforcement Officer and the Ontario Provincial Police;

"Operator" includes a person who alone or with others: operates, manages, supervises, runs or controls or directs a Business and "operate" and "operation" and other words of like import or intent shall be given a corresponding meaning;

"Owner" includes a person who alone or with others owns and/or has the ultimate control over a Business and/or who directs the operation of a Business under this By-law and whose name appears on the licence issue by the Municipality of Meaford for such Business pursuant to the By-law;

"Person" includes a corporation and its directors and officers, sole proprietor, and partnership and the heirs, executors, assignees and administrators or the other legal representatives of an Individual and their respective successors and assignees;

"Place of Business" means any place, premises or location, or part thereof, in which a business is carried on, and including but not limited to a ship, store office, a dwelling unit or vehicle;

"Property Standards By-law" means the Property Standards By-law of the Municipality of Meaford a By-law enacted under section 15.1 of the *Building Code Act* that prescribes standards for the maintenance and occupancy of property;

"Regular Place of Business" means the place of business in which a business is normally carried on, but does not include a place, premises, or location in which a business is conducted on a one-time or temporary basis;

"Resident" means a person who resides or has a regular place of business in the Municipality of Meaford;

"Sidewalk" means any public walkway, or portion of a highway between the curb line or the lateral line of the roadway and the adjacent property line, intended for the use of pedestrians;

"Sign" means any surface, structure and other component parts, which are used or capable of being used as visual medium to attract attention to a specific subject matter for identification, information or advertising purposes and includes an advertising device or notice;

"Municipality of Meaford" means the Corporation of The Municipality of Meaford;

"Zoning By-law" means a By-law enacted under section 34 of *the Planning Act* that restricts the use of land within the geographical boundaries of the Municipality of Meaford;

"Zoning Certificate" means a certificate duly issued by the Municipality of Meaford approving the use for which the Licence application has been made on the building and/or property where the Business is located or is proposed to be located.

PART 2 – LICENSE COMMITTEE

2.1 Section 5 to 15 and 21 and 24 of the *Statutory Powers Procedures Act* shall apply to all hearings conducted by the License Committee.

2.2 The License Committee shall be Council.

2.3 A person who wishes to appeal the Clerk's decision to the License Committee shall file an application for a hearing and pay a fee in accordance to Fees and Charges By-law to be collected by the Corporation of the Municipality of Meaford;

2.4 At the conclusion of the hearing the License Committee as soon as practical, shall submit a written report on the hearing to Council outlining the evidence, the arguments present by the parties, the recommendations made by the Clerk and the reasons for the recommendations;

2.5 The License Committee will review the matter and may affirm the decision of the Clerk or direct it to issue, renew or reinstate the license;

2.6 Decisions of the License Committee are final.

PART 3 – ADMINISTRATION

3.0 The Clerk is responsible for the administration and enforcement of this By-law;

3.1 The following administrative and legislative responsibilities are delegated and assigned to the Clerk as follows, but not limited to:

(a) Preparing necessary documentation and form;

(b) Receiving and processing all application for Licenses and for renewals of Licenses;
(c) Issuing Licenses when an application is made in accordance with and in compliance with the provisions of this By-law;
(d) Maintaining records showing all applications received and licenses issued.

3.2 Every application for a new license or a renewal or extension of an existing license shall be submitted to the Clerk in the form provided;

3.3 Every application for a new license or a renewal or extension of a license shall be accompanied by the full license fee, as set out in the applicable schedules and in accordance to the Fees and Charges By-law, as amended;

3.4 Except as otherwise provided in the applicable schedule, the license fee for the current year will be waived if an application for a new license is submitted after August 31st and is accompanied by the full license fee for the next calendar year;

3.5 Despite sections to the contrary, the full license fee shall be paid, regardless of the date of application, if a person begins to carry on the business before submitting an application for a new license;

3.6 Every application for a license will be reviewed to determine whether it meets all of the general regulations set out in Part 4 General Regulations, and any special conditions set out in the applicable schedule for that business;

3.7 Adjustments in the rate structure shall automatically be effected each year based on the percentage change in the Consumer Price Index of Statistics Canada;

3.8 As part of this review, an application will be circulated to the departments and agencies set out in the applicable schedule for that business;

3.9 Where an application is circulated to a department or agency in accordance with the applicable schedule for that business, the department or agency may require an inspection of the proposed place of business;

PART 4 – GENERAL REGULATIONS

4.1 No person shall hold, own, operate, sell, carry on or engage in any of the business, trade or occupations as outlined in this by-law within the Municipality of Meaford without first having obtained a licence for the current year;

4.2 A license shall be required for each separate place of business;

4.3 A person is not eligible for a license unless his or her application is accompanied by the full license fee for that business, as set out in the applicable schedule or as determined under sections 3.3 and 3.4;

4.4 Except as otherwise provided in the applicable schedule, a license is valid for one calendar year and every licensee shall renew the license by October 1st of each year;

4.5 A licensee is not eligible for the renewal or extension of an existing license unless the licensee has paid the full license fee for that business, as set out in the applicable schedule;

4.6 A licensee is not eligible for the renewal or extension of an existing license unless the licensee has provided an application form annually where required by the Clerk;

4.7 No person shall hold himself or herself out to be licensed if the person is not, and a license is not transferable;

4.8 A person shall carry on business only in the name in which the business is licensed;

4.9 For the purpose of this by-law, a business shall be deemed to be carried on within the Municipality of Meaford if any part of the business is carried on in the Municipality of Meaford, even if the business is being conducted from a location outside the Municipality of Meaford;

4.10 No person shall publish or cause to be published any representation that the person is licensed under this by-law if the person is not licensed;

4.11 No person shall carry on any trade, business or occupation for which a license is required under this by-law: (i) if the license has expired or been revoked; or (ii) while the license is under suspension;

412 If work that requires a building permit under the *Building Code Act* is to be undertaken on the property to be used for carrying on a business, a person shall not submit an application for a license until the work has been completed in accordance with the requirements of the *Building Code Act*;

4.13 A person is not eligible to hold a license if the proposed use of the land, building or structure is not permitted by the Zoning By-law that applies to the property, unless the land, building or structure was lawfully used for this purpose on the day of the passing of the Zoning By-law;

4.14 A person is not eligible to hold a license if the property to be used for carrying on the trade, business or occupation does not conform with all applicable law, including but not limited to the *Property Standards By-law* that applies to the property, the *Fire Protection and Prevention Act, 1997,* the *Ontario Fire Code*, and the *Health Protection and Promotion Act*;

4.15 Despite Section 4.11 a conditional license may be issued to the applicant if it is determined that there are deficiencies found by the relevant inspectors 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;

4.16 Any conditional licenses shall clearly state the duration of the temporary license, and if the applicant fails to come into compliance with any Act or Code within the time specified then the license shall become null and void;

4.17 A person is not eligible to hold a license if the operation of his or her business does not conform with the applicable standards and requirements of: (1) every By-law of the Municipality of Meaford; (2) every Provincial or Federal Act and regulation made under such an Act; and (3) every instrument of a legislative nature made or issued under a Provincial or Federal Act or Regulation, including standards and requirements with respect to the qualifications of the persons carrying on or engaged in the business and with respect to the vehicles and equipment used for the purposes of the business;

4.18 Where any order issued by the Clerk has been appealed and upheld by the License Committee, or where there has been no appeal requested, the Clerk may suspend or revoke the license;

4.19 The License Committee may modify, uphold or quash an order issued by the Clerk;

4.20 A licensee shall display the license permanently in a prominent place in his or her place of business or as outlined in the applicable schedules;

4.21 In the case of vehicles and other equipment used for the purposes of the business, a licensee shall display the license or evidence of the license prominently on each vehicle and other equipment or as outlined in the applicable Schedules;

4.22 A licensee who does not have a place of business shall carry the license on his or her person at all times while carrying on the business;

4.23 Every licensee shall produce the license for inspection on the request of an Officer;

4.24 Every person carrying on a trade, business or occupation for which a license may be required under this by-law shall allow, at any reasonable time, an

Officer of the Municipality of Meaford to inspect their place of business and any other premises, equipment, vehicles or property used for purposes related to the trade, business or occupation, other than a room or place actually being used as a dwelling, to determine compliance with the requirements of this by-law;

4.25 No person shall obstruct, hinder or otherwise interfere with an Officer of the Municipality of Meaford while carrying out an investigation, making inquiries, or performing an inspection for the purposes of enforcing this By-law;

4.26 No licensee shall construct or equip a place of business or other premises used for the business so as to hinder the enforcement of the by-law;

4.27 Every licensee shall maintain his or her place of business in a clean and sanitary condition, with adequate measures for the storage and disposal of garbage and waste and sufficient levels of illumination to permit the safe use of the premises;

4.28 No licensee or employee of a licensee shall discriminate in the carrying on of the trade, business or occupation against any member of the public on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability;

4.29 No licensee or employee of a licensee shall refuse to permit a person to enter and remain in a place of business or other premises used for the business to which the public are customarily admitted for the reason that he or she is a blind person accompanied by a guide dog.

PART 5 – INSPECTION – POWERS OF ENTRY

5.1 In order to assess and determine compliance with the provisions of this by-law, including the determination of an unlicensed business, an Officer may at any time of day or night enter the premises licensed under this by-law and is entitled to access, and may at any reasonable time inspect any Premises used for the business, and the equipment, Motor Vehicles, records, documents and other personal property used or kept for hire in the carrying of the business, and may remove documents or things that are relevant to the licensed business for the purpose of making copies or extracts. An Officer shall return such documents within twenty-four hours of removal. Under this section an Officer must provide five (5) days written notice to the business of entry onto premises;

5.2 No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer or Person exercising a power or performing a duty under this By-law.

PART 6 – POWER TO REFUSE/RENEW/REVOKE OR SUSPEND A LICENSE

6.1 The Clerk or his or her designate may refuse to issue a License, refuse to renew a License or may revoke or suspend a License or impose terms and conditions on a License;

6.2 If it is determined that an application meets the requirements of this By-law and all circulated agencies, the Clerk will issue the license if the license fee has been paid;

6.3 If it is determined that an application does not meet the requirement of this By-law or is objected to by a circulated agency, the Clerk will refuse in writing to issue the license and will refund the license fee;

6.4 If, at any time the Clerk determines, as a result of evidence that is provided that the operation of a licensed business does not conform to the requirements of this By-law, they may suspend or revoke the license. A written request must be filed with the Clerk to appeal this decision.

6.5 A person whose application for a new license or a renewal of license has been refused or a person whose license has been suspended or revoked may, within fourteen days (14) of being notified of the Clerks decision, may apply to the License Committee for a review of the decision;

6.6 If no appeal is registered by the owner/operator or licensee holder within fourteen days (14) of the notice from the License Committee, the recommendation of the Clerk is final;

6.7 The Clerk, upon receipt of a written request from the Applicant of Licensee within the time limit specified in section 6.5, shall schedule a hearing before the License Committee and send written notice of the hearing to the parties, which notice may be personally delivered, sent via facsimile, by email or sent by regular or registered mail, to the address in the application unless the request for a hearing specifies a different address.

PART 8 – EXEMPTIONS

8.1 The requirement to obtain a license under this By-law does not apply to a business that is engaged exclusively in the sale of goods by wholesale;

8.2 The requirement to obtain a license under this By-law does not apply to those persons or classes of business that are exempted in a schedule to this By-law;

8.3 The Municipality of Meaford is exempt from the provisions of this By-law;

8.4 Notwithstanding any other provisions of this By-law, any Carnival and any vendor selling products or merchandise at special events only and not at any other location within the Municipality of Meaford and who is operating under the "Municipality of Meaford Special Events By-law and Policy" shall be exempt from the requirement to obtain a Licence under the provisions of this By-law.

PART 9 – SCHEDULES: ADDITIONAL CONDITIONS FOR INDIVIDUAL BUSINESSES

9.1 The Following schedules are attached hereto and form part of this By-law:

Schedule A-1 **Ground Passenger Transportation Licence**

i. Taxicab and Limousine Owner
ii. Accessible Taxicab Owner
iii. Taxi Stand Owner
iv. Taxicab and Limousine Driver
v. Accessible Taxi Driver

Schedule A-2 **Hawker and Peddlers**

Schedule A-3 **Refreshment Vehicles**

i. Class A – e.g. chip truck
ii. Class B – e.g. Catering Truck
iii. Class C – e.g. hot dog cart
iv. Class D – e.g. ice cream
v. Class E – e.g. less than one month in any year

PART 10 – OFFENCE AND PENALTY PROVISONS

10.1 Every Person who contravenes this by-law is guilty of an offence and on conviction is liable to a fine not exceeding one hundred thousand dollars ($100,000) as provided for in the *Municipal Act, 2001,* as amended;

10.2 Notwithstanding Subsection 10.1, every person who is guilty of a continuing offence, on conviction is liable to a fine or no less than five hundred dollars ($500.00), and no more than ten thousand dollars ($10,000) for each day or part of a day that each offence continues, and the total of all fine of each offence is not limited to one hundred thousand dollars ($100,000) as provided in the *Municipal Act, 2001,* as amended;

10.3 If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

PART 11 – CONFLICT WITH ANY OTHER BY-LAW

11.1 In the event of any conflict between any provisions of this by-law and any other by-law hereto are passed; the provisions of this by-law shall prevail.

PART 12 – SHORT TITLE

12.1 This by-law shall be known as the "Licensing By-law."

PART 13 – EFFECTIVE DATE

13.1 This by-law shall come into force and take effect on October 1st, 2012.

READ a FIRST, SECOND and THIRD time and finally passed this 25th day of June, 2012.

Original signed by

Francis Richardson, Mayor

Original signed by

Pamela Fettes, Clerk

Applicable to:	All Vehicles used as taxicabs and limousines to transport persons.
Definition	**"Accessible Taxicab"** means a Motor Vehicle designed or modified to assist Persons with disabilities in loading and off-loading as approved by the Province; **"Driver's License"** means a license issued pursuant to the *Highway Traffic Act, R.S.O. 1990, c. H.8,* as amended, permitting the holder thereof to operate a motor vehicle; **"Fleet"** means one or more taxicabs owned or leased by the owner; **"Limousine"** has the same corresponding meaning as 'Taxicab'; **"Owner"** means the person to whom a Taxicab Business Licence is issued, or to whom a Taxicab Business License has been transferred in accordance with the provisions of this by-law; **"Owner's Plate"** means a plate issued by the Municipality to the Owner of a Motor Vehicle(s) licensed under this By-law, including but not limited to taxicab, Accessible Taxicab, Limousine, tow truck, and refreshment Motor Vehicle; **"Officer"** means an officer who is appointment by Council to enforce the Municipality's By-laws; **"Safety Standards Certificate"** means a certificate issued pursuant to Section 90 of the *Highway Traffic Act, R.S.O. 1990, c. H.8*, as amended, and applicable Ontario Regulation thereto; **"Taxicab"** means a motor vehicle which is kept or used for hire for the conveyance of passengers, with a seating capacity of not more than seven persons, including the taxi driver, or more than a number equal to the maximum insured capacity of the taxi cab; **"Taxicab Business"** means a taxicab service carrying on business within the limits of the Municipality of Meaford; **"Taxicab Business License"** means a license issued to an Owner permitting such Owner to carry on business within the Municipality of Meaford; **"Taxicab Driver"** means the individual who has care and control of a taxicab and is licensed pursuant to this by-law; **"Taxicab Driver License"** means a license issued pursuant to this by-law to an individual permitting the individual to drive a taxicab within the Municipality of Meaford
Exemptions	None
Reason for Licensing/Conditions:	Health and safety – that vehicles are inspected and are to the requirements in the schedule. Consumer Protection – to ensure that all drivers have been approved by the Clerks Department and that the tariff is in accordance to schedule.
Annual License Fee	Fee schedule: $100.00 for each vehicle (for inspection) $ 50.00 for each transfer of vehicle (for inspection) $ 75.00 for a taxicab driver Changes to fees shall be as designated through the Municipality's Fees and Charges By-law, as amended

Application Circulated to:	1) Municipal Law Enforcement Division 2) Ontario Provincial Police
Special Conditions:	The tariff rates for taxicabs shall: (a) include the Harmonized Tax (HST); and (b) be rounded off to the nearest 0.10 (ten) cents; (c) A Taxicab Driver and passenger may agree to a flat rate; (d) A receipt shall be provided as requested by patron for any flat fee charged. **The issuing of a Taxicab Owner's License shall be subject:** (a) to a mandatory annual Motor Vehicle Inspection by the Ministry of Transportation at the yearly inspection date of October 1st of each calendar year by the Municipality; (b) to the yearly inspection conducted by the Municipality; (c) to a Motor Vehicle inspection at any time by the Municipality to ensure compliance to the by-law. **Every Owner of a taxicab shall:** (a) complete the prescribed form by the Municipality; (b) obtain a separate licence and submit a copy of the Motor Vehicle Ownership for each taxicab; (b) submit a certificate of mechanical fitness as prescribed by the *Highway Traffic Act* with respect to the vehicles (s) to be licensed should the said vehicle be in used condition; (c) hold a taxicab license for each vehicle used or kept for hire as a taxicab; (d) require all taxicab drivers to provide an annual police background check; (e) require all taxicab drivers to have photo ID visible to passengers while operating the vehicle; (f) maintain a record of each dispatched on a trip, the time and date of receipt of the order, the pickup and destination location, and shall retain the records for twelve (12) months; (g) inform a prospective customer of the approximate time of any delay before accepting the order; (h) carry on business twenty-four (24) hours a day, seven (7) days a week to provide taxicab services within the Municipality; (i) submit a copy of a valid liability insurance as required under the Compulsory Automobiles Insurance At in the amount of not less two million dollars ($2,000,000.00), with an endorsement that notice in writing at least ten (10) days prior to cancellation, expiration or variation thereof will be given to the Municipality by the insurance underwriter; (j) within five (5) days, notify the Issuer of Licenses of every accident involving the Motor Vehicle and furnish to the Municipality a copy of any report of the accident filed a required under the *Highway Traffic Act*; and; (k) upon being granted a license, fill the Municipality's Taxicab Business License form(s) supplied by the Municipality and pay the prescribed fee. **Every Taxicab Owner shall:** (a) display and bear a number provided by the Municipality; and (b) locate such a plate on the rear of the Motor Vehicle in a visible place. **Every Taxicab Owner may transfer a license and Plate from one Motor Vehicle to another Motor Vehicle provided that:** (a) all required documentation is provided to the Municipality; (b) a re-inspection fee is submitted and a Municipal inspection of the replacement Motor Vehicle is completed; (c) all requirements of this by-law are met; and (d) a replacement license is obtained from the Clerk.

	Every Taxicab Owner shall: (a) provide and maintain in or on each Motor Vehicle the following: (i) a fully inflated spare tire in good condition; (ii) the tools required to change a tire; (iii) a holder for the Driver's Licence affixed in a manner that the same is readable by the passengers. (b) the assigned Owner's Plate Number to the each vehicle; (c) maintain the exterior of the taxicab in sound condition, clean, in good repair, free from body damage and a well-maintained exterior paint finish free from rust, holes or cracks; (d) maintain the interior of the Motor Vehicle in a clean and dry condition and in good repair; (e) when the Motor Vehicle is disposed of or ceases use as a taxicab, forthwith remove from the said Motor Vehicle all identifying decals or markings, numbers and any other items that make the Motor Vehicle appear to the public to be a taxicab; (f) forthwith repair any damage or mechanical defect in the Motor Vehicle reported to him by a Taxicab Driver. **No Owner of a taxicab shall:** (a) exhibit or display on or about the Motor Vehicle any number other than: (aa) the number plate furnished under the *Highway Traffic Act*; (bb) the identification for the licence as provided by the Municipality; and (cc) that which is otherwise specifically provided in this by-law. **No Owner of a Taxicab shall:** (a) make any material changes, altercations or additions to the taxicab on the basis of which the license was issued without express written consent of the Municipality; (b) employ or permit any Person not licensed under this by-law as a driver to operate the taxicab and/or who does not hold a current valid full Class G Provincial motor vehicle driver's licence issued under the *Highway Traffic Act;* (c) require any Person to operate the taxicab for more than twelve (12) consecutive hours, or six (6) consecutive days; (d) assign his license so as to detract or derogate from his obligations under this by-law; (e) knowingly operate or permit to be operated a Motor Vehicle for which he is the Owner with mechanical defects; (f) allow or permit the Taxicab Driver to operate the taxicab in contravention to the Ontario Smoke Free Act or any other applicable laws; (g) require or permit a Taxicab Driver to operate the taxicab when that Person's ability to operate the Motor Vehicle is impaired by fatigue, illness, alcohol, drugs or otherwise; and (h) allow or permit the taxicab license to be displayed upon any Motor Vehicle other than the Motor Vehicle on the basis of which the license was issued by the Municipality. **In addition to the requirements of a Taxicab Owner an Accessible Taxicab Owner shall:** (a) ensure the Motor Vehicle is approved as an Accessible Motor Vehicle by the Ministry of Transportation and provides written proof of same to the Clerk; and (b) affix the Owner's Plate displaying the International symbol of disabled Persons on the rear of the Motor Vehicle. **Every applicant or Licensee of a Taxicab Driver's license shall:** (a) submit the taxi driver License application form as prescribed by the Municipality ; (b) produce two (2) pieces of identification, one (1) of which contains a photograph to the satisfaction of the Clerk; (c) submit a current Ontario Driver's License Abstract from the Ministry of Transportation obtained within thirty (30) days of application; (d) a copy of a Security Clearance Request including where provided,

	a Vulnerable Sector screening issued by Ontario Provincial Police Service or the Police Service in the jurisdiction in which the applicant or licensee resides, obtained within thirty (30) days of application; (e) submit two (2) passport size photographs to the satisfaction of the Clerk or agree to have a photograph taken by the Municipality upon request for their Taxicab Driver's license; (f) submit for examination and copy a valid Class G Ontario Driver's License; and (g) submit a letter of employment with a licensed company. **Every applicant or Licensee of Taxicab Driver's license shall:** (a) successfully complete a written test which shall be available in alternate formats for people with disabilities set by the Clerk relating to the provisions of this by-law; and the geography, landmarks, or sites of the Municipality. (b) achieve a mark of at least seventy-five percent (75%) on the first attempt; achieve a mark of at least eighty-five percent (85%) on the second attempt; or achieve a mark of at least ninety percent (90%) on any subsequent attempt. **Every Taxicab Driver's license shall be suspended without hearing when:** (a) the driver's license issued under the *Highway Traffic Act* has been cancelled, suspended, revoked, or has expired effective on the date of such cancellation, suspension, revocation, or expiration under the *Highway Traffic Act*; (b) the insurance policy of a Taxicab Driver has expired, been cancelled, or otherwise effective on the date of such expiration, cancellation, or change. A Taxicab Driver's license may be re-instated upon receipt of verification that a driver's license issued under the *Highway Traffic Act* or Motor Vehicle Insurance has been re-instated. **Every Taxicab Driver shall,** (a) each day before commencement and upon completion of the operation of the Motor Vehicle examine the Motor Vehicle for mechanical defects, and for interior or exterior damage to the Motor Vehicle, and report to the Owner forthwith any defects or where the Motor Vehicle fails to meet the requirements of this by-law to the Owner; (b) keep a daily trip sheet showing: (aa) the name of the Taxicab Driver, the date and the Owner's Plate number; (bb) the location and the time of the beginning and end of every trip made; and (cc) the amount collected for each trip; (c) during working hours be properly dressed, neat and clean in appearance, and behave courteously to passengers; (d) provide reasonable assistance to all passengers and their belongings as is needed to allow access to and from the taxicab; (e) immediately upon the termination of each engagement search the taxicab and forthwith deliver any valuables of substantial worth including drugs, alcohol, wallets, purses or anything containing any identification left or lost in it by the passenger to the nearest Police Station and retain any other property for at least twenty four (24) hours at the Taxicab Broker's Office except food or beverage items which may be disposed of; (f) at all times when operating a taxicab display his taxi driver's license in such a manner that the same is clearly visible and readable by any passengers therein; (g) at all times when operating a taxicab; i. display a tariff card with the costs of the service in such a manner that the same is clearly visible and readable by any passenger; and ii. upon request give a passenger a receipt showing his taxi driver's number and the taxicab company name; and

	iii. drive the taxicab in the most direct route to the point of destination unless the passenger directs otherwise; and iv. report forthwith to the Owner of the Motor Vehicle any damage, accident or collision occasioned during the operation of the taxicab. **No Taxicab Driver shall;** a) operate a Taxicab without an Owner's Plate displayed on the taxicab in the manner prescribed under this by-law; b) operate a taxicab unless the taxicab meets all requirements of this by-law; c) operate a taxicab with luggage or any objects, material or property therein obstructing his view; d) carry in the taxicab a greater number of Persons than the manufacturer's rated seat capacity for the Motor Vehicle; e) take, convey, or possess any liquor except in accordance with the *Liquor Licence Act*; f) operate a taxicab and take on an additional fare after the taxicab has been engaged by a passenger except at the request or the consent of the passenger already in the taxicab. **ACCESSIBLE TAXICAB DRIVER** **In addition to the requirements of a Taxicab Driver an Accessible Taxicab driver shall:** a) complete a driver improvement and sensitivity training program and provide written proof of same to Issuer of Licenses; b) unless otherwise engaged, serve the first Person unable to board regular taxicabs due to a physical disability upon request; c) offer assistance as required to a disabled Person entering or exiting the Motor Vehicle; d) ensure that a wheelchair is properly secured in the area so provide; and e) ensure that the seatbelt is properly secured. f) no person shall drive an Accessible Taxicab who has not submitted documentation verifying that the provisions of this by-law have been complied with to the Municipality. **TAXI STANDS** **The issuing of a Taxi Stand license on private property shall be subject to:** a) the written consent of the property owner; b) the passing of a by-law to designate a Taxi Stand; and c) compliance with the provisions of this by-law. **No taxi Stand licensee shall:** a) be permitted to have exclusive rights to any Taxi Stand in the Municipality or enter into or become a party to any Exclusive Agreement which gives a Person the sole right to provide Taxicab service to or from the designated Taxi Stand; and b) operate as a Municipality of Meaford Taxicab Broker unless fully licensed under this by-law. **Every licensee of a Taxi Stand shall**: a) permit any Taxicab driver or Taxicab Owner licensed under this by-law to pick up passengers from the designated Taxi Stand location; b) maintain orderliness at the Taxi Stand to ensure the public safety; and c) mark the Taxi Stand(s) located on the subject property with signage and/or pavement markings approved by the Municipality;

	TAXI STAND DRIVER'S RULES (a) Every Taxicab Driver shall only enter a Taxi Stand by taking his position at the end of the line formed by the taxicabs already on the Taxi Stand. **Every Taxicab Driver while waiting at a Taxi Stand shall not:** a) obstruct, or interfere in any way with the normal use of the Taxi Stand or interfere with the surrounding traffic patterns; b) create a disturbance or make any loud noise; c) maintain the taxicab by cleaning or repairing it, unless immediately necessary for the operation for the vehicle; and d) pick up any passengers within one hundred (100) meters of the Taxi Stand when there are taxicabs upon the stand. Every Taxicab Driver shall carry a current valid municipal Taxicab Drivers license when operating from the designated Taxi Stand and make it available to an Officer upon request. **FEES** The fees to be paid for all licenses granted under this schedule shall pursuant to the Municipality's Municipal Fee and Charges By-law, as amended.

By-law Number 053-2012
Taxicab Business License Application

Full Name of Applicant: _____

Residential Address: _____

Business Address: _____

Telephone Number: _____

Birth Date of Applicant: _____

Driver's License Number: _____

1. Has your Driver's License ever been suspended? YES ( ) NO ( )

   If yes, provide dates and details: _____

   _____

2. Have you ever been convicted of operating a vehicle while impaired by alcohol or a drug? YES ( ) NO ( )

   If yes, provide dates and details: _____

   _____

3. Have you ever been convicted of dangerous operation of a motor vehicle? YES ( ) NO ( )

   If yes, provide dates and details: _____

   _____

4. Have you ever been convicted of an offence under the *Highway Traffic Act*? YES ( ) NO ( )

   If yes, provide dates and details: _____

   _____

5. Has any license issued under this by-law or any by-law which preceded it, been suspended or revoked? YES ( ) NO ( )

   If yes, provide dates and details: _____

   _____

6. Number of vehicles proposed to be operated as taxicabs? _____

7. Please attach following documents:
   License Application(s) ( )
   Photocopy of Birth Certificate ( )
   Insurance Policy ( )
   License Fee ( )

I certify that the information provided in this application is true and I acknowledge that the provision of false information in this application may result in revocation of any license issued and in a fine.

_____ _____
Date Signature

PERSONAL INFORMATION COLLECTED ON THIS FORM IS COLLECTED PURSUANT TO FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY LEGISLATION AND WILL BE USED FOR THE PURPOSE OF RESPONDING TO YOUR REQUEST. QUESTIONS ABOUT THIS COLLECTION SHOULD BE DIRECTED TO THE FREEDOM OF INFORMATION AND PRIVACY CO-ORDINATOR.

By-law Number 053-2012
Taxicab License Application

Full Name of Applicant: _____

Residential Address: _____

Business Address: _____

Telephone Number: _____

Birth Date of Applicant: _____

Driver's License Number: _____

Vehicle 1
Make _____ Model _____ Year _____

License Plate Number: _____ Serial Number: _____

Registered Owner of Vehicle: _____

Address of Registered Owner: _____

Birth Date of Registered Owner:: _____

Date of Issuance of Safety Standards: _____

Vehicle 2
Make _____ Model _____ Year _____

License Plate Number: _____ Serial Number: _____

Registered Owner of Vehicle: _____

Address of Registered Owner: _____

Birth Date of Registered Owner:: _____

Date of Issuance of Safety Standards: _____

Vehicle 3
Make _____ Model _____ Year _____

License Plate Number: _____ Serial Number: _____

Registered Owner of Vehicle: _____

Address of Registered Owner: _____

Birth Date of Registered Owner:: _____

Date of Issuance of Safety Standards: _____

Attached Documents:

	Vehicle 1	Vehicle 2	Vehicle 3
Safety Standards Certificate	( )	( )	( )
Insurance Policy	( )	( )	( )
License Fee	( )	( )	( )

I certify that the information provided in this application is true and I acknowledge that the provisions of false information in this application may result in revocation of any license issued and in a fine.

_____ _____
Date Signature

PERSONAL INFORMATION COLLECTED ON THIS FORM IS COLLECTED PURSUANT TO FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY LEGISLATION AND WILL BE USED FOR THE PURPOSE OF RESPONDING TO YOUR REQUEST. QUESTIONS ABOUT THIS COLLECTION SHOULD BE DIRECTED TO THE FREEDOM OF INFORMATION AND PRIVACY CO-ORDINATOR.

By-law Number 053-2012
Taxicab Driver License Application

Full Name of Applicant: _____
Residential Address: _____
Business Address: _____
Telephone Number and alternate: _____
Birth Date of Applicant: _____
Driver's License Number: _____

1. Has your Driver's License ever been suspended? YES ( ) NO ( )
   If yes, provide dates and details: _____

2. Have you ever been convicted of operating a vehicle while impaired by alcohol or a drug? YES ( ) NO ( )
   If yes, provide dates and details: _____

3. Have you ever been convicted of dangerous operation of a motor vehicle?
   YES ( ) NO ( )
   If yes, provide dates and details: _____

4. Have you ever been convicted of an offence under the *Highway Traffic Act*?
   YES ( ) NO ( )
   If yes, provide dates and details: _____

5. Has any license issued under this by-law or any by-law which preceded it or in another Municipality, been suspended or revoked ? YES ( ) NO ( )
   If yes, provide dates and details: _____

6. Have you been convicted under any law of any County, or state, or Province thereof, of a Criminal Offence? YES ( ) NO ( )
   If yes, provide dates and details: _____

NOTE: YOU ARE NOT REQUIRED TO DISCLOSE ANY CONVICTION -IN RESPECT OF WHICH A PARDON HAS BEEN GRANTED
If yes, provide dates and details: _____

7. Please attach following documents:

License Application(s)	( )	Criminal Reference Check	( )
Photocopy of Birth Certificate	( )	Vulnerable Sector Screening	( )
Photocopy of Driver's License	( )	Driver's Abstract	( )
License Fee	( )	2 Passport size Photos or signed photo release	( )
Photocopy of Insurance (owner)	( )	Letter of Employment	( )

I certify that the information provided in this application is true and I acknowledge that the provision of false information in this application may result in revocation of any license issued and in a fine. If driver's photo is not supplied – I hereby give permission for the Municipality of Meaford to take a photograph for driver's identification license.

_____ _____
Date Signature

PERSONAL INFORMATION COLLECTED ON THIS FORM IS COLLECTED PURSUANT TO FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY LEGISLATION AND WILL BE USED FOR THE PURPOSE OF RESPONDING TO YOUR REQUEST. QUESTIONS ABOUT THIS COLLECTION SHOULD BE DIRECTED TO THE FREEDOM OF INFORMATION AND PRIVACY CO-ORDINATOR.

THE FOLLOWING SECTION IS TO BE COMPLETED IN THE PRESENCE OF A JUSTICE OF THE PEACE, COMMISSIONER OF OATHS, LAWYER, ETC..

AFFIDAVIT

Province of Ontario I_____
(Name)
of the _____ Of_____
(Insert-Municipality) (Insert Municpality)
in the_____of_____
(Insert-Region/ County) (Insert- Region/Country)

To Wit: make oath and say:

I am the applicant herein for a Municipality of Meaford taxi licence and I signed the application for this licence hereby agreeing to adhere to the Municipality of Meaford Business licensing By-law 053-2012, as amended and the applicable schedules. The information given by me in this application is true the name set out in the said application is in fact my true name.
I will not operate a taxi service in the Municipality of Meaford until I receive my Municipality of Meaford taxi licence.

SWORN BEFORE ME AT THE: _____
of _____in the_____
of_____this _____day of _____, 20_____.

Signature:

_____

(A Commissioner, etc.)

Applicable to:	Every person who goes from place to place on foot or in a vehicle or to a particular place for the purpose of: 1. Selling of goods or services; 2. Entering into contracts for the sale of goods or services which are to be delivered at a later date; or 3. Promoting the sale goods and services by encourage individuals to come to a person's regular place of business.
Definition	**"Hawker and Peddler"** means every person who goes from place to place, in a particular place or on foot or in a vehicle for the purpose of selling goods or services, entering into contracts for the sale of goods or services which are to be delivered at a later date, or promoting the sale of goods and services by encouraging individuals to come to a person's regular place of business;
Exemptions:	The requirement to obtain a "hawker and peddler license" does not apply to: 1. A person who sells goods that are grown or produced on their own agricultural operation within the Municipality of Meaford, or family members or employees who have written authority to sell the goods on their behalf; or 2. A person or group of persons lawfully representing properly constituted benevolent, charitable, educational or religious organizations based in the Municipality of Meaford or providing direct benefit to the residents of the Municipality of Meaford from peddling or selling goods, wares or merchandise the proceeds whereof solely benefit such organizations. 3. Vendors for the Meaford Farmers Market.
Reason for Licensing/Conditions:	Consumer protection - regarding sale of defective merchandise Health and Safety - storage of merchandise in safe manners Nuisance control - sale of merchandise from private property/diverting customers of onsite businesses/blocking sidewalks
Annual License Fee	As per the Municipality of Meaford's Fees & Charges By-law, as amended and the fee shall be issued for a twelve month period from the date of purchase. The current licence fee: Resident $275.00 Non-resident $500.00 The current licence fee chargeable for five consecutive days or less only per year shall be as follows: Non-resident $300.00
Application Circulated to:	1. Municipal Law Enforcement Division 2. Ontario Provincial Police 3. Meaford Fire Department
Special Conditions:	In additions to the General Regulations set out in Part 4 of this by-law, the following special conditions apply to every hawker and peddler: 1. An application shall specify the types of goods and services to be sold or promoted. 2. No person shall operate as a hawker and peddler in the Downtown Business Improvement Area without the specific approval from the Municipality in the provisions of the permit.

Applicable to:	Every vehicle from which food intended for immediate consumption is sold. For the purposes of this by-law, refreshment vehicles are divided into the following classes: **Class A,** a motorized vehicle, other than a motor assisted bicycle or motorcycle, from which food that is prepared and cooked on-site is offered for sale, e.g., a chip truck; **Class B,** a motorized vehicle, other than a motor assisted bicycle or motorcycle, from which food that is prepared and cooked off-site is offered for sale, e.g., a catering truck, ice cream truck **Class C,** a non motorized vehicle propelled by muscular power, motor assisted bicycle, trailer, or motorcycle from which food that is prepared and cooked on-site is offered for sale, e.g., hot dog cart; **Class D,** a non motorized vehicle, propelled by muscular power, motor assisted bicycle or motorcycle from which food that is prepared and cooked off-site is offered for sale, e.g., ice cream **Class E,** any Class A or B refreshment vehicle which proposes to operate for less than one month in any year.
Definitions	**"Motor assisted bicycle"** and **"motorcycle"** have the same meaning as in the Highway traffic Act; **"Refreshment Vehicle"** means every vehicle from which food intended for immediate consumption by the public and includes, but not limited to, carts, wagons, trailers, trucks and bicycles, irrespective of the type of motive power employed to move the Refreshment Vehicle for one point to another; **"Refreshment Vehicle - Class A"** includes a motorized vehicle, other than a motor assisted bicycle or motorcycle, from which food that is prepared and cooked on-site is offered for sale, e.g., a chip truck; **"Refreshment Vehicle - Class B"** includes a motorized vehicle, other than a motor assisted bicycle or motorcycle, from which food that is prepared and cooked off-site is offered for sale, e.g., a catering truck; **"Refreshment Vehicle - Class C"** is a non motorized vehicle propelled by muscular power, motor assisted bicycle, trailer, or motorcycle from which food that is prepared and cooked on-site is offered for sale, e.g., hot dog cart; **"Refreshment Vehicle - Class D"** is a non motorized vehicle,

	propelled by muscular power, motor assisted bicycle or motorcycle from which food that is prepared and cooked off-site is offered for sale, e.g., ice cream; **"Refreshment Vehicle - Class E"** is any Class A or B refreshment vehicle which proposes to operate for less than one month in any year;
Exemptions	1. A person or group of persons lawfully representing properly constituted benevolent, charitable or religious organizations based in the Municipality of Meaford or providing direct benefit to the residents of the Municipality of Meaford from peddling or selling food whereof the proceeds solely benefit such organizations.
Reason for Licensing/Conditions:	Health and safety – that proper food handling procedures are met and that all combustible materials are safety stored and operating safely and inspected annually with the applicable governing agency and the safety of pedestrians.
Annual License Fee	The Current Fee schedule based on a calendar year: Class A $500.00, if chip truck relocates to another private property an administration fee of $50.00 is applicable Class B $ 500.00 Class C $ 500.00 Class D $ 250.00 Class E $ 250.00 These fees apply regardless of the application date and, in the event of a disagreement, the Clerk will determine the applicable "class" of a refreshment vehicle. And as per the Municipality of Meaford's Fees & Charges by-law, as amended.
Application Circulated to:	1) Building Department 2) Meaford Fire Department 3) Grey Bruce Health Unit 4) Ontario Provincial Police
Special Conditions:	**All refreshment vehicles:** In addition to the General Regulations set out in Part 4 of this by-law, the following conditions apply to every refreshment vehicle: 1) A separate license shall be required for each refreshment vehicle;

	2) Each vehicle is required to obtain inspections annually prior to renewing a license; 3) Every vehicle or cart is required to secure the license number rear of the vehicle cart prior to annual inspection; 4) An application shall include the types of food to be sold and the address of any off-site premises at which food is to be prepared and cooked; 5) The operation and maintenance of any off-site food premises shall conform with the requirements of the *Health Protection and Promotion Act* and the *Food Premises Regulation*; 6) An applicant that requests permission to operate from a stationary position shall include a site plan showing the proposed location of the refreshment vehicle and of adjacent structures; 7) Where combustible materials are used, an application shall include certificate of inspection from a licensed gas fitter annually and a TSSA form is required to be submitted; 8) No refreshment vehicle shall carry on business between the hours of 11:00pm and 7:00am; 9) No refreshment vehicle shall operate on a street or sidewalk within the Downtown Business Improvement Area except in accordance with a permit issued in this By-law, or in accordance with the Special Event By-law or as approval from the Clerk; 10) If the Health Unit finds that the operation and maintenance of a refreshment vehicle do not comply with the requirements of the *Health Protection and Promotion Act* and the Food Premises Regulation, the Clerk may suspend the license until the situation has been rectified; 11) No refreshment vehicle shall be licensed to be within approximately 250 – 300 meters another licensed refreshment vehicle or permitted within the boundaries as permitted by the Clerk in accordance to the Municipality's Zoning Bylaw; 12) No refreshment vehicle to be located within 30 meters of an intersection unless permitted through approval from the Clerk. **Class A and Class B** In addition to the General Regulations as set out in Part 4 of this by-law and special conditions that apply to all refreshment vehicles, the following special conditions also apply;

	1) An Application for a Class A or Class B refreshment vehicle license shall include a copy of the vehicle registration and of a current inspection certificate indicating that the vehicle meets the requirements of the Highway Traffic Act; 2) The dimensions of a Class A or Class B refreshment vehicle shall not be greater than 6.7 meters in length and 2.6 meters in width; 3) A Class A or B refreshment vehicle is required to be set up on private property and have private property permission to operate such vehicles; 3) A Class B refreshment vehicle shall not carry on business on any highway, except at a construction site where the highway has been closed to traffic or on private property which has private property permission to entry onto to property for their sales. **Class C and Class D** In addition to the General Regulation set out in Part 4 of this by-law and special conditions that apply to all refreshment vehicles, the following conditions also apply; 1) No Class C or Class D refreshment vehicle shall be drawn by a horse or other animal; 2) A Class D refreshment vehicle may carry on business on streets other than those within the Downtown Business Improvement Area or a special events as granted by the Municipality and not within 250 – 300 meters of another licensed refreshment vehicle; 3) A Class C refreshment vehicle shall only be permitted on private property with private property permission to allow this type of refreshment vehicle; 3) A Class C or Class D refreshment vehicle may carry on business in a municipal park if there are no authorized canteens or other authorized food outlets operating in that park; 4) A Class C or Class D refreshment vehicle whose license does not authorize it to operate from a stationary position shall not stop in any location for longer than is necessary to complete its sales. **Class E** In addition to the General Regulations set out in Part 4 of this by-law and the special conditions that apply to all refreshment vehicles, the following special conditions also apply:

	1) All applications for licenses must be made at least 10 regular business days prior to proposed opening date: and 2) Any Class A or Class B vehicle proposing to operate as a Class E vehicle that does not comply with the above restrictions will be required to be licensed as a Class A or Class B and be subject to all regulations and fees as set out; 3) An Application for a Class E refreshment vehicle license shall include a copy of the vehicle registration and of a current inspection certificate indicating that the vehicle meets the requirements of the *Highway Traffic Act*; 4) The dimensions of a Class E refreshment vehicle shall not be greater than 6.7 meters in length and 2.6 meters in width. 5) If a Class E refreshment vehicle makes additional application beyond once a year, then they will be considered as applying for a Class A or B license and will pay the balance of the required annual fee for the Class A or B license.