




TAXI REGULATIONS, 2012

Adopted by the Town Council of the Town of Labrador City on the 17th day of July, 2012 and to come into effect as of the 17th day of July, 2012.

A copy of these Regulations was sent to the Minister of Municipal Affairs on the 17th day of July, 2012.


DEPUTY MAYOR


TOWN CLERK

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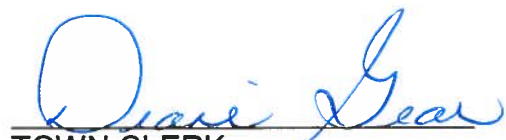
PUBLISHED BY AUTHORITY

Pursuant to the authority conferred by Section 414 of the Municipalities Act, 1999 SNL 1999 Chapter M-24 as amended, the Town of Labrador City enacts the following Regulations relating to the regulation of taxis.

Adopted by the Town Council of the Town of Labrador City on the 17th day of July, 2012 and to come into effect as of the 17th day of July, 2012.

A copy of these Regulations was sent to the Minister of Municipal Affairs on the 18th day of July, 2012.


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TAXI REGULATIONS, 2012

Title

1. Title

These Regulations may be cited as the "Town of Labrador City Taxi Regulations, 2012".

Definitions and Application

2. Definitions

For the purpose of these Regulations unless the context otherwise requires:

- (a) "Act" means The Municipalities Act, 1999 SNL 1999 Chapter M-24 as amended;
- (b) "Chauffeur's Permit" shall be licence granted by the Town to a person to drive a taxicab upon the streets of the Town of Labrador City;

- (c) "Council" means the Town Council of the Town of Labrador City;
- (d) "Driver" shall be held to include every person in actual charge of the operation of a taxicab, whether as owner or agent, licensee, servant or employee of the owner;
- (e) "Holder" shall mean an owner or driver who is the holder for the time being, of a license;
- (f) "Hire" or "Compensation" shall mean and include any money, article of value, payment, consideration, reward, tip, profit, donation or gratuity paid to, accepted or received by the owner or driver of any taxi in exchange for the transportation of a person or persons, whether paid upon solicitation, demand, or contract, or voluntarily, or intended as gratuity or donation;
- (g) "Inspector" shall mean the Municipal Enforcement Officer or any person appointed by Council to supervise all vehicles and persons licenced under these Regulations and to enforce compliance with these Regulations;
- (h) "Meter" or "Taximeter" means and includes a mechanical instrument or device attached to a taxicab by which the charge for hire of the taxi is mechanically calculated, either for distance travelled or for waiting or for both, and upon which such charge is plainly registered by means of figures indicating dollars and cents;
- (i) "Owner" shall be construed to include any person, firm or corporation who or which has the control, direction, maintenance and benefit of the collection of revenue derived from the operation of any taxicab or taxicabs whether as owner, licensee or in possession under any conditional sale or hire purchase agreement;
- (j) "Police Officer" means a member of the Royal Newfoundland Constabulary, Municipal Enforcement Officer or anyone authorized by the Town of Labrador City to enforce these Regulations;
- (k) "Schedule "A" – Municipal Fees" shall mean the schedule of fees adopted by the Town of Labrador City from time to time;
- (l) "Taxi" or "Taxicab" shall mean any vehicles of any description whatever, conveying or for the conveyance of passengers for hire or compensation, and designed to carry not more than five seated passengers in addition to the driver;

- (m) "Town" means the Town of Labrador City as defined by Order-in-Council dated the 27th day of June, 1961, and any amendments thereto, according to the Municipalities Act;
- (n) "Town Clerk" means the Town Clerk of the Town of Labrador City;
- (o) "Waiting Time" means the time consumed while the taxi is not in motion at the direction of a passenger and also the time consumed while waiting for a passenger after having responded to a call, but no charge shall be made for the time consumed by the premature response to a call or for the first three minutes following timely arrival at any locality in response to a call, or for time lost through traffic interruptions or for delays caused by the inefficiency of the taxicab or its driver.

3. Application

- (1) The provisions of these Regulations shall apply to all taxicabs plying for hire, used or operated within the municipal boundaries of the Town of Labrador City, and to the owners and drivers of all such taxicabs.
- (2) Notwithstanding any other provision of these Regulations, any person whom is in tax arrears, owes outstanding fines to the Town for a by-law or regulatory violation for which he/she has been convicted, or is otherwise indebted to the Town, shall not be entitled to a license issued pursuant to these Regulations until such time as all tax arrears, outstanding fines or other amounts due to the Town have been paid in full.
- (3) If there is a conflict between a provision of these Regulations and a provision of any other act or regulation in force within the municipal boundaries, the provisions as established under these Regulations shall prevail.

General Duties and Obligations

4. *Licensing*

Taxi License

- (1) The owner of any taxicab shall not ply for hire herewith, or use or operate the same, or cause to allow the same to be used or operated within the Town without having obtained from the Council a taxi license in respect of same. Such license shall be in the form determined from time to time by Council. The owner shall, prior to obtaining a taxi license, pay such fee therefore to the Town as may be prescribed under "Schedule "A" – Municipal Fees.
- (2) It is a condition of each annual taxi license that the licensee must be the legal or beneficial owner of each licensed vehicle. For the purpose of this provision, ownership includes possession of a vehicle under a conditional sale or hire purchase agreement.
- (3) Any person desiring a license to operate a taxicab covered by these Regulations shall file an application therefore with the Council, and such application shall be verified by oath of the applicant if a natural person, or by oath of an officer or partner of the applicant if the applicant be a corporation, partnership association, or unincorporated company. The application shall be in such form and contain such information as the Council may from time to time require including full disclosure as to the extent and quality of such operation and the manner in which such proposed operation is to be conducted.
- (4) Every owner of more than one taxicab required to be licensed under these Regulations shall take out a separate license for each taxicab.
- (5) No license granted under the provisions of these Regulations shall be assigned, transferred, or alienated to any person, firm or corporation without the written consent of Council, provided however, that if any holder of a license dies or is declared insolvent or makes any assignment for the benefit of creditors or retires from business, a license for the unexpired term of the original license may be issued to the purchaser of his/her taxicab on payment of the sum of one dollar (\$1.00).

- (6) The Council may from time to time fix and alter the total number of taxicabs which may be licensed under these Regulations and thereafter no licenses in excess of the number so fixed shall be issued by the Council.
- (7) Before a license is issued, the applicant must establish to the satisfaction of Council that public liability and insurance coverage from a recognized insurance company doing business in Newfoundland and Labrador is in place, and such coverage shall be not less than the minimum limits established from time to time by the Public Utilities Board and the Highway Traffic Act for the Province of Newfoundland and Labrador.
- (8) No taxicab shall operate in the Town without having public liability and passenger insurance and the Inspector shall have the power to rescind licenses on which insurance has expired or has been cancelled.
- (9) Every license issued shall be an annual license and shall run from the 1st day of January of one year and expire on the 31st day of December in the same year.

Chauffeur Permit

- (10) No person shall drive or act as a driver of any taxicab plying for hire within the Town without first having obtained from Council a Chauffeur's Permit. Such permit shall be in the form determined by Council and shall contain such information as may be required to ensure compliance with the provisions of these Regulations including but not limited to, proof of hire and proof of class four driver's licence.
- (11) The person shall, prior to obtaining a Chauffeur's Permit, pay such fee therefore to the Town as may be prescribed under Schedule "A" – Municipal Fees.
- (12) Every permit issued shall be an annual license and shall run from the 1st day of January of one year and expire on the 31st day of December in the same year.

5. *Equipment and Operation*

(1) General:

- (a) Every owner is responsible to ensure that all persons who drive or operate taxicabs from his or her stand, business or fleet comply with the provisions of these Regulations.
- (b) The level of dispatching service shall be approved by Council and shall be such as to provide adequate service to the public at all times.
- (c) Every person, firm or corporation operating any taxicab shall maintain in a fixed place of business or location approved by the Council, and shall not stand or ply for hire or carry on his/her or its business from any other place except as approved by Council.
- (d) No person shall park and ply for hire with any taxicab at any place in the Town of Labrador City except such place as a private taxicab stand approved by the Council for use by such taxicab and/or public taxicab stand appointed and approved by the Council for use by such taxicab.
- (e) In the case of taxicabs not standing for hire on private premises, the Council may appoint a private stand for each licensed cab, and may from time to time change same, and such cab shall stand and ply for hire at the place so appointed for it and no other, and no vehicle shall stand or be parked at any such public stand except the cab for which it is appointed as aforesaid.

(2) Taximeter and Rates:

- (a) It shall be unlawful for any owner, licensee, lessee or driver to ply for hire with, use or operate or cause to be used or operated, any taxicab in the Town of Labrador City unless and until such taxicab shall be equipped with a taximeter of the type and design approved by Council or the Inspector, and adjusted in accordance with the tariff prescribed in Schedule "B" of this Regulation and it shall be the duty of every owner operating such taxicab, and also the driver thereof, to keep such meter operating at all times within such standard of accuracy as may be prescribed from time to time by the Council. On any trip to which the tariff of fares provided by this Regulation applies, no passenger shall be in any such taxicab unless the said taximeter shall be in operating condition at all times.

- (b) Every taximeter shall be inspected and tested for accuracy by the owner at least once every six (6) months and the owner shall maintain a log of taximeter inspections for review of the Inspector.
 - (c) Upon discovery of an inaccuracy in a taximeter by way of inspection or otherwise, the owner shall remove or cause to be removed from service, any vehicle equipped with such taximeter until such taximeter has been repaired and accurately adjusted.
 - (d) Except when a taxi is engaged pursuant to a publicly tendered contract or a trip whereby a flat rate has been approved by Council, when a taxicab is hired, the driver shall immediately start the taximeter and keep it running for the duration of the trip. The amount shown on the taximeter or the flat rate shall be the prescribed fare in accordance with Schedule B. At the owner's discretion and direction, the driver of a taxicab may charge less than the amount shown on the taximeter.
 - (e) Every taxicab licensed under these Regulations shall post at all times and in clear view of all passengers, a rate card setting for the authorized rate of metered and flat rates as approved by Council.
 - (f) Except when engaged pursuant to a publicly tendered contract, the rate or fare to be charged for the transportation of passengers in a taxicab shall not exceed the tariff of fares set out in Schedule B.
 - (g) Approval of rates shall be limited to once per annum and approved flat rates may differ from owner to owner. In all respects the flat rate shall be less than the average combined total of the metered and metered start rate for any prescribed flat rate area.
- (3) **Taxicab:**
- (a) Every taxicab shall at all times be in good mechanical condition and have such components and accessories as required under the Highway Traffic Act.
 - (b) No owner or driver licensed under these Regulations shall exhibit on or about his/her taxicab any number, sign or card other than those approved by or obtained from the Council or the Inspector, except his/her motor vehicle plates.

- (c) Taxicabs shall be equipped with an identity light attached to the top of the taxicab, which light shall be constructed in one unit consisting of an illuminated plate or cylinder upon which is printed "For Hire" or name under which the taxicab is operating. The identity light shall be connected to a manual switch within reach of the driver, and such identity light will be illuminate indicating the taxicab is vacant and for hire, and the said identity light shall be extinguished when the taxicab is occupied with passengers.
- (d) The owner or driver of every taxicab licensed under these Regulations shall keep the interior and exterior of such taxicab clean, sanitary and dry, and in good repair, and whenever the owner of any such taxicab receives a notice either given to his or her driver and signed by the Inspector, that such taxicab is not in a fit or proper condition for use, stating briefly the items complained of, such owner shall within the time mentioned in such notice put the same in fit and proper condition. At least once every seven (7) days, the interior finish, glass and doors shall be cleaned thoroughly with suitable antiseptic solutions.
- (e) The owner of every taxicab in respect of which a license has been issued under these Regulations shall, when required, submit the taxicab for examination by the Inspector, or any person authorized by him/her, and no owner or driver shall at any time, when the taxicab is not employed, prevent or hinder the said Inspector or any person authorized by him/her, from entering the same or at any time prevent or hinder him/her from entering his/her garage or other building for the purpose of inspecting same.
- (f) No owner or driver licensed under these Regulations shall wash or make repairs to his/her taxicab while upon any public stand.
- (g) When any licensed owner disposes of their taxicab and acquires another taxicab in its place, he/she shall submit the latter taxicab to the Inspector for approval before using same.
- (h) All taxicabs operating within the Town shall be in full compliance with the Provincial Smoke-Free Environment Act, 2005 as amended that states a person shall not smoke in a taxi, taxi shelter, limousine or vehicle carrying passengers for hire.
- (i) In accordance with Article 5(3)(h) the owner shall post in each vehicle "no smoking" signage in a location clearly visible to passengers whether in the front or rear seats.

(j) Each vehicle licensed under these Regulations shall be of an approved colour by Council and any shade of that particular colour with the name of the company affixed to each vehicle such that it can be seen from a distance.

(4) **Owner / Driver:**

(a) No licensed owner of any taxicab shall allow such taxicab to be driven by or placed upon any stand in charge of a person unless that person holds a valid Chauffeur's Permit issued from the Town.

(b) Every owner and driver licensed under these Regulations shall be the full age of nineteen years and hold a valid Chauffeur's Permit from the Town.

(c) No licensed owner or driver shall take, consume, or have in their possession any liquor or other controlled substance while they are in charge of a taxicab nor shall the use of liquor or other controlled substance by them be apparent while they are in charge of the taxicab.

(d) Every driver licensed under these Regulations shall be properly dressed, neat and clean in their person, and be civil and well behaved.

Powers of Enforcement Authority and Compliance

6. *Powers of the Enforcement Authority*

(1) Enforcement and prosecution under these Regulations may be under taken by any Police Officer or by any other person so authorized by the Enforcement Authority.

(2) Pursuant to Section 404(1) of the Act, the Enforcement Authority may serve upon the owner or any other person in violation of a provision of these Regulations, a serially numbered notice advising the nature of the violation and required action to conform with the standards as set out in these Regulations.

(3) The owner or person served with the notice shall carry out the directions of Council referred to in Section 6(2) at the cost of the owner or person served within the time specified.

(4) Where the Enforcement Authority has placed or caused the placing of a sign, placard, or notice upon any premises under the authority of these Regulations or any other applicable law, by-law, or regulation, no person shall remove such sign, placard, or notice except with the consent of the Enforcement Authority.

7. *Right of Entry*

Pursuant to Section 158 of the Act, Council or its duly authorized agents, have the authority to enter a taxicab, property or building for the purposes of inspection or to carry out works required under this Regulation.

8. *Enforcement*

(1) The Inspector shall have the authority to suspend any or all licenses for cause or when he/she shall have determined that any of the provisions hereof have been violated or that any Holder shall have failed to comply with the terms of such license or the rules and regulations of the Council pertaining to the operation, driving or use and to the extent, character, and quality of service or any of them of any taxicab.

(2) The Holder whose license has been suspended under this section shall be entitled to a hearing on the suspension before the Council as soon as reasonably practicable after the date of the suspension and the Holder shall be notified of such hearing.

(3) Upon the hearing of the matter the Council may reinstate the license, continue the suspension of the license for such time as it deems fit, or revoke the license.

(4) Notice of the hearing on such suspension shall be in writing and shall be served at least five (5) days prior to the date of hearing thereof, such service to be upon the Holder or his or its agent or manager, and such notice shall state the grounds of complaint against the Holder and shall also state the time when, and the place where, such hearing will be held. In the event the Holder cannot be found or service of such notice cannot be made upon him in the manner herein provided then a copy of such notice shall be mailed, postage fully prepaid.

(5) After the revocation, suspension or cancellation of any license, it shall be unlawful for any person to drive, ply for hire with, use, operate, cause to be used or operated within the Town, a taxicab, until such revocation, suspension or cancellation has been lifted.

(6) The Holder whose license has been suspended under this section shall have no claim against the Town, its employees or agents with respect to such suspension regardless of the outcome of the hearing.

(7) The Inspector shall prosecute or cause to be prosecuted, all persons who shall offend against any of the provision of the law or of these Regulations.

(8) Any cost to the Town for all works carried out in response to a violation of these Regulations, in addition to any penalty prescribed hereunder, may be recoverable from the person in contravention of these Regulations as a civil debt owed to Council and shall attach to the property as a secured claim.

9. *Failure to Comply*

(1) Pursuant to Section 404(5) of the Act, where a person to whom an order is directed does not comply with the order or part of an order made under Section 6(2) of these Regulations, Council may take the action that it considers necessary to carry out the terms of the order and any costs, expenses or charges incurred by Council in carrying out the terms of the order are recoverable from the person against whom the order was made as a civil debt owed to Council and shall attach to the property as a secured claim.

(2) Council may delegate to an official or employee of Council the power to issue orders under this section.

(3) The owner shall save harmless Council, its employees, servants or agents from any and all claims arising out of the actions of Council, its employees, servants or agents in the process of inspecting and/or carrying out work under subsection (1), except in the case of gross negligence.

10. Offence and Penalty

- (1) Where the Inspector issues a notice that a driver is in violation of a provision of these Regulations, a copy of such notice shall be sent to the owner of the stand, business or fleet from which the driver operates or is affiliated with and the owner shall not permit the driver to operate from or affiliate with his stand, business or fleet until he has been notified by the Inspector that the driver is no longer in violation of these Regulations.
- (2) Where a driver is in violation of a provision of these Regulations and notice has been sent to the owner in accordance with subsection (1) the Inspector may charge both the owner and the driver with a violation of these Regulations.
- (3) Pursuant to Section 419 (2) of the Act, each day upon which the same offence is committed or continued is a separate offence;
- (4) Every person who commits an offence under these Regulations or who acts in contravention of or fails to comply with any provision thereof, or neglects or refuses to do so:
 - (a) Shall be liable to penalties pursuant to Section 421.1 of the Act or,
 - (b) Shall be liable on summary conviction to a fine pursuant to Section 420 or 421.2 of the Act.
- (5) The conviction of a person for failing to comply with a requirement or obligation referred to in subsection (4) shall not operate as a bar to further prosecution under these Regulations for the continued failure on the part of the person in comply.
- (6) In addition to the penalty prescribed under subsection (4) a Provincial Court judge who convicts a person of an offence referred to in that subsection may order that person to carry out all work in accordance with these Regulations. If that person does not carry out that order within the time prescribed by the Provincial Court judge, the judge may designate a person to carry out the order and the cost of carrying out the order shall be borne by and may be recovered as a civil debt from the person convicted and shall attach to the property as a secured claim.
- (7) In addition to any penalty provided for in subsection (4) the Inspector may revoke or cancel the owner's taxi license and /or the driver's chauffeur permit.

11. Severability

If a court of competent jurisdiction should declare any section or part of a section of these Regulations to be invalid, such declaration shall not affect the remainder of these Regulations and the remainder of these Regulations should be valid and shall remain in force.

Repeal of Previous Regulations

12. Repeal

All previous Municipal Taxi Regulations or Amendments thereto, are hereby rescinded.

TOWN OF LABRADOR CITY
MUNICIPAL FEES - 2012

* *Permit fees doubled if development commences prior to permit approval*

RESIDENTIAL PROPERTIES		\$25.00 Minimum Fee
New House Construction, excluding land:		\$2.00/m ² of Gross Floor Area
PLUS: Real Property Report		\$567.00
PLUS: Landscaping Deposit		\$500.00
	(Refundable if completed within one year of permit approval.)	
Renovations / Repairs (incl.siding/windows/doors)incl. contractors		1% of Construction Value
Accessory Buildings / Attachments		\$1.50/m ² of Gross Floor Area
Other: Driveway, Fence, Fire		\$25.00
COMMERCIAL RESIDENTIAL		
Commercial permit fees shall be applied to the following residential development activities:		
Construction or renovation of a secondary residence.		
Construction or renovation of a subsidiary apartment.		
Residential subdivision development and residential units developed for the purpose of resale or rental units.		
COMMERCIAL/INSTITUTIONAL PROPERTIES (not including land)		\$50.00 Minimum Fee
New construction, excluding land:		\$4.00/m ² of Gross Floor Area
Phase I / Phase II		\$4.00/running meter
		Maximum Fee - \$30,000.00
PLUS: Real Property Report		\$567.00
PLUS: Landscaping Deposit		\$1,500.00
	(Refundable if completed within one year of date of permit approval)	
Renovations / Repairs (including roofs/siding/windows/doors)		1% of Construction Value
INDUSTRIAL PERMITS		1% of Construction Value
OCCUPANCY PERMITS		
BIRA - Home Based Businesses		\$25.00
Commercial		\$50.00
No Fixed Place of Business		Business Tax
APPROVAL IN PRINCIPLE		\$25.00
SUBDIVISION OR ASSEMBLY OF LAND		\$50.00 / Lot
DEMOLITION PERMIT / EXCAVATION / BLASTING		
-- Deferral of Building Removal -- Legal Agreement Plus		\$300.00 Refundable Deposit
SNOW DUMP PERMIT	Seasonal (Nov - June)	\$500.00
	Daily	\$ 50.00
QUARRY		250.00 per annum
SPECIAL EVENTS		\$25.00
VARIANCE		\$25.00 + \$75.00 advertising fee
ADVERTISING	Residential & Commercial	\$75.00
PERMIT RENEWALS		
		50% of Initial Permit Fee
		Maximum Fee - \$50.00
SIGNAGE		
	Residential/Commercial - Temporary	\$25.00
	Residential/Commercial - Permanent	\$40.00
CERTIFICATES - Per Property		
Audit Letters		\$10.00
Tax Information		\$25.00
Tax Certificate		\$100.00
Compliance Letter		\$100.00
AMENDMENTS		
		100% cost recovery unless otherwise approved by Council
Development Regulation Amendment (Non-refundable)		\$2,100 deposit
Municipal Plan & Development Regulation Amendment		\$7,500 deposit
NOTE: Municipal Plan Amendment Fee/Deposit - \$2,800.00 non-refundable; up to \$4,700 refundable if Public Hearing cancelled (due to no objections received)		

TOWN OF LABRADOR CITY

MUNICIPAL FEES - 2012

<u>ANIMAL CONTROL FEES</u>		
Dog Licence:	Male or Female	\$100.00
	Neutered / Spayed or Replacement Tag	\$10.00
	Dangerous Dog (as defined by By Law)	\$250.00
Dog - Seizing/Impounding & Roaming		Dangerous Dog
	1st Offence	\$75.00 \$1,000
	2nd Offence	\$150.00 \$2,000
	3rd Offence	\$225.00 \$2,000
	4th Offence	\$300.00 \$2,000
	5th Offence & Beyond	\$375.00 \$2,000
Cat Licence:	Male / Female or Replacement Tag	\$10.00 (collar & tag)
Cat - Seizing/Impounding:	1st Offence	Warning
	2nd Offence	\$20.00
	3rd Offence	\$40.00
	4th Offence	\$80.00
	5th Offence & Beyond	\$120.00
Animal Impound Fee:		\$20.00 per day
Animal Disposal Fee:		\$25.00 (licensed) \$50.00 (non-licensed)

<u>MISCELLANEOUS FEES</u>	
Taxi Licence	\$40.00
Chauffeur Permit	\$10.00
Plot Plans	\$5.00
Water Turn-On	\$50.00
Water Turn-Off	\$50.00

<u>RECOVERABLE WORK RATES</u>	
Water & Sewer	Cost Recovery Policy
Water Meter Installation	Cost Recovery Section 131(3) Municipalities Act
Administration Fee	10% of Invoiced Costs
Vehicle Wreck Removal	50% of Tendered Price
Vehicle Impound Fees	Towing Charge + \$50.00 Impound Fee + \$10.00 Each Additional Day (Disposal after 3 months)

Adopted by Council: December 20, 2011

Amended by Council: April 24, 2012

SCHEDULE B

SCHEDULE OF TAXI RATES
Tax Inclusive Pricing

Components for Taxi Fare Rates

		Effective July 1, 2012	Effective July 1, 2013
1	Meter Starting Rate	\$ 5.00	\$5.50
2	Meter Rate	.10 per 1/17 km or part thereof (1.70/km)	.10 per 1/18.5 km or part thereof (1.85 /km)
3	For waiting time at request of passenger while under engagement,	.48/minute	.48/minute

Flat Rates

	To/From		2012 CJ Cabs	2012 EZ Cabs
4	Labrador City / Wabush	Mt. Wright	75.00	90.00
5	Labrador City / Wabush	Fermont	55.00	50.00
6	Labrador City (main townsite)	Airport	15.00	15.00
7	Harrie Lake Subdivision	Airport	15.00	18.00
8	Wabush	Airport	15.00	15.00