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**BYLAW NO. 24-06  
OF THE TOWN OF STRATHMORE  
IN THE PROVINCE OF ALBERTA****BEING A BYLAW OF THE TOWN OF STRATHMORE IN THE PROVINCE OF  
ALBERTA TO PROVIDE FOR THE LICENSING OF TAXIS AND LIMOUSINES.**

WHEREAS under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, Town Council may pass bylaws respecting business, business activities and persons engaged in business;

AND WHEREAS under the authority and subject to the provision of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, Town Council may pass bylaws respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS Town Council may regulate or prohibit any business and provide for a system of licenses, permits or approvals;

AND WHEREAS Town Council deems it desirable to regulate taxis and limousines within the Town of Strathmore;

**NOW THEREFORE**, the Municipal Council of the Town of Strathmore, in the Province of Alberta, duly assembled, **ENACTS AS FOLLOWS:**

**1. SHORT TITLE**

1.1 This bylaw may be cited as the "Taxi Bylaw".

**2. DEFINITIONS**

2.1 In this Bylaw:

- a) **"Application"** means a written application for a Broker License, Taxi License, or Chauffeur License and includes an application to renew, transfer or amend any of the above-noted licenses;
- b) **"Broker"** means an individual or company who owns and operates a business providing Taxi or Limousine service;

- c) **"Broker License"** means a license issued to a Broker;
- d) **"Business"** means a person, partnership or corporation involved in the provision of goods or services to consumers in exchange for other goods, services, or money;

**"Business Location"** means the premises used or occupied by any person in the conduct of a business;

- e) **"Caregiver"** means an individual who provides care or support to another individual, in return for compensation, which may include transportation to and from medical appointments and shopping assistance.
- f) **"Chauffeur"** means a person who is licensed to drive a Taxi or Limousine;
- g) **"Chief License Inspector"** means the Senior Peace Officer, or the designate of that person;
- h) **"Criminal Record Check"** means a criminal record check obtained from the Royal Canadian Mounted Police or another Police Services in the Province of Alberta;
- i) **"Driving Record"** means the driving record of a motor vehicle driver issued by or under the authority of the Province of Alberta;
- j) **"Garage"** means a facility licensed to repair motor vehicles that has been certified by the Chief License Inspector for the purposes of this Bylaw;
- k) **"Limousine"** means a vehicle used in the operation of a Limousine Service;
- l) **"Limousine Service"** means a vehicle used to convey persons for a fee, where such vehicle is a full size luxury class vehicle with at least four doors and having standard seating capacity for at least five (5) adult persons excluding the Chauffeur (excluding vehicles being used in respect of Registered Non-Profit Programs and Services);
- m) **"Peace Officer"** means a police officer or member of a police service under the Police Act, R.S.A. 2000, c. P-17, or a Peace Officer appointed

pursuant to the Peace Officer Act, S.A. 2006, c. P-3.5; or a person appointed as a Bylaw enforcement officer pursuant to the Municipal Government Act, R.S.A. 2000, c. M-26.

- n) **"Person"** means a natural person or a body corporate and includes a partnership, a group of persons acting in concert, or an association, unless the context explicitly or by necessary implication otherwise requires;
- o) **"Public Conveyance"** means a Taxi, Limousine or any other service (excluding Registered Non-Profit Programs and Services and Caregiver) that is used to convey persons for a fee;
- p) **"Public Conveyance License Inspector"** means a License Inspector employed by the Town, a Peace Officer and, where the context permits, includes the Chief License Inspector;
- q) **"Registered Non-Profit Programs and Services"** means
  - (i) a program or service operated by a non-profit company for a purpose other than the acquisition of gain pursuant to the *Societies Act (Alberta)* or the *Canada Not for Profit Corporations Act*;
  - (ii) a program or service operated by a non-profit company for a purpose other than the acquisition of gain pursuant to the *Charitable Fund-raising Act (Alberta)* or a federally registered charity; or
  - (iii) a program or service providing care to persons who require personal assistance and:
    - a. the provision of transportation is not the primary business of the person providing the service; and
    - b. no compensation is directly charged or collected for the transportation portion of the service, excepting reimbursement for out-of-pocket expenses.
- r) **"Service Animal"** means an animal that has been trained and certified to assist a person with disabilities;

- s) **"Taxi"** means a vehicle used to convey persons for a fee (excluding vehicles being used in respect of Registered Non-Profit Programs and Services and Caregiver);
- t) **"Taxi License"** means a license issued pursuant to the provisions of this Bylaw;
- u) **"Town"** means The Town of Strathmore, a municipal corporation in the Province of Alberta and includes the area contained within the boundaries of the municipality where the context requires;
- v) **"Violation Ticket"** means a violation ticket as defined in the Provincial Offenses Procedures Act (Alberta).
- w) **"Wheelchair Accessible Vehicle"** means a vehicle that has been modified so that individuals in wheelchairs can get into the vehicle without having to get out of the chair.

### **3. BROKER LICENSE**

- 3.1 No Broker shall operate a Public Conveyance service in the Town unless that Broker is in possession of a valid Town business license.
- 3.2 No Broker shall operate a Public Conveyance service in the Town unless that Broker is in possession of a valid Town Broker License.
- 3.3 All Broker Licenses shall expire at midnight on January 31<sup>st</sup> of each year.
- 3.4 An applicant for a Broker License, shall provide to the Chief License Inspector:
  - (a) a list of the motor vehicles to be used by the applicant;
  - (b) a list of all Chauffeurs to be employed or engaged by the applicant or otherwise used in the applicant's business, including their full names, addresses and Alberta driver's license numbers;
  - (c) the Broker License fee as set out in Schedule "I" of the Town of Strathmore Fees Bylaw No. 13-21 and amendments thereto; and

- (d) any other information required by the Chief License Inspector.
- 3.5 A Broker shall inform the Chief License Inspector within seventy-two (72) hours of any addition to or deletion from either list furnished as defined in Section 3.4(a) and (b) of this bylaw.
- 3.6 No Chauffeur's licenses will be issued to drivers unless the Chief Inspector has been made aware of changes to the list of chauffeurs as defined in section 3.4(b) of this bylaw.
- 3.7 Every Broker shall, not later than the 3<sup>rd</sup> day of each month, deliver to the Chief License Inspector a list of Chauffeurs employed by that person as of the last day of the preceding month.
- 3.8 No Broker shall charge a fee over and above their set rate to any person solely because of his/her race, colour, creed, sexual orientation or disability as indicated within the *Canadian Charter of Rights and Freedoms*.
- 3.9 A Broker shall at all times ensure that all Public Conveyances owned by or affiliated with that person's business are smoke free, clean, in good condition, and mechanically maintained so as to be safe and suitable for use by the public.

#### **4. CHAUFFEUR LICENSE**

- 4.1 No Person shall operate a Public Conveyance in the Town of Strathmore unless that person is in Possession of a valid Chauffeur License issued by the Town.
- 4.2 All Chauffeur Licenses shall expire at midnight of January 31st of each year.
- 4.3 Every Broker shall, ensure that each Chauffeur employed in operating any Public Conveyance is in possession of a current Class 4 Alberta driver's license and a Chauffeur license. In the event the Alberta provincial license is suspended or voided, the Chief License Inspector must be informed within five (5) working days and the Chauffeur license is also suspended or voided. The onus is on the Broker to produce updated licenses upon expiration or suspension to the Chief License Inspector.

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- 4.4 No person shall operate a Wheel Chair Accessible Vehicle without the required training as determined by the Chief License Inspector.
- 4.5 No person shall operate a Public Conveyance unless his or her Chauffeur License is openly and prominently displayed at all times in the vehicle in such a manner as to be visible to passengers.
- 4.6 If a Chauffeur License is lost, misplaced, or stolen, the Chauffeur must report this to the Chief License Inspector within five (5) working days.
- 4.7 In determining whether to issue a Chauffeur License, the Chief License Inspector shall request a Driver's Abstract and Criminal Records Check for each Chauffeur and any other information as determined by the Chief License Inspector.
- 4.8 In determining the suitability of an applicant to operate a Public Conveyance, the Chief License Inspector shall consider the driving record, criminal record, character and state of health of any applicant for a Chauffeur License and shall, in his sole discretion, approve, refuse or revoke the same.
- 4.9 No Chauffeur License or renewal shall be issued to any person who:
- (a) has been convicted under the *Criminal Code of Canada* within the five (5) year period immediately preceding the date of application of:
    - i) a sexual offence of offence relating to the corruption of public morals;
    - ii) an offence relating to homicide, assault, kidnapping, arson or abduction;
    - iii) an offence relating to robbery or extortion; and
    - iv) an offence of criminal negligence, dangerous driving, impaired driving, operating a motor vehicle with a blood alcohol content over eighty (80)mg per one hundred (100) ml of blood, refusing to provide samples of breath or driving whilst his or her driver's license is suspended.
  - (b) has been convicted under the *Criminal Code of Canada*, or the *Controlled Drugs and Substances Act* or any successor legislation within the five (5) year period immediately preceding the date of application, of any offence not described in subsection 4.9 (a);



- (c) has been charged with any offence under the *Criminal Code of Canada* or the *Controlled Substances Act* until the charge has been withdrawn or the matter is otherwise dealt with in a manner which does not result in a conviction, of any offence described in subsection 4.9 (a);
  - (d) in the opinion of the Chief License Inspector, has been convicted of an excessive number of offences under the Traffic Safety Act, or any successor legislation, and/or any Bylaw of the Town;
  - (e) has received three (3) complaints that are in contravention of this bylaw and that have been determined justified by the Chief License Inspector in any twelve (12) month period.
- 4.10 When an individual with an existing Chauffeur License has been charged with an offence under the *Criminal Code of Canada* or the *Controlled Substances Act*, of any offence described in subsection 4.9 (a):
- (a) the individual shall forthwith notify the Chief License Inspector of the charges;
  - (b) upon receiving notification of the charges, the Chief License Inspector shall suspend the Chauffeur's License of the individual until the charge has been withdrawn or the matter is otherwise dealt with in a manner which does not result in a conviction.
- 4.11 A person applying for a Chauffeur License must have either resided within the Town for at least thirty (30) days or be able to demonstrate geographic knowledge of the Town to the satisfaction of the Chief License Inspector.

## **5. BROKER/CHAUFFEUR RESPONSIBILITIES**

- 5.1 No Chauffeur License will be issued unless currently employed by a recognized licensed Broker in the Town. If the driver becomes unemployed by a licensed Broker, the license becomes void and he/she must surrender the Taxi license to the Chief License Inspector within five (5) days of unemployment.
- 5.2 The Chauffeur of each Public Conveyance in the Town shall:

- (a) have a reasonable knowledge of the Town;
- (b) be neat and clean in person and dress;
- (c) be civil and well behaved to any passenger being transported;
- (d) promptly keep all appointments or engagements and shall not knowingly accept any engagements that he or she is incapable of fulfilling;
- (e) maintain a log book showing:
  - i) time and date he/she starts operating the vehicle;
  - ii) time and date when each customer is picked up;
  - iii) the location at which each customer is picked up;
  - iv) the destination at which each customer is discharged;
  - v) total number of trips taken during each shift; and
  - vi) time his/her shift ends.
- (f) take proper care of all baggage and personal property delivered to him or her for conveyance and shall deliver such property as directed;
- (g) after delivering a passenger to his or her destination, inspect the vehicle to determine whether or not the passenger has left any property and, if property is found, take all reasonable steps to return it to the owner;
- (h) deliver to the local RCMP detachment within forty-eight (48) hours all property whose owner is unknown;
- (i) not transport a greater number of passengers than the vehicle manufacturer's recommended capacity;
- (j) not consume alcohol or drugs of any kind (besides those prescribed by a medical doctor) while on duty;
- (k) not knowingly, or negligently misinform or deceive any person as to:
  - i) the time, place, arrival or departure of any Public Conveyance; or
  - ii) location of any place, structure or building;



- (l) drive all passengers (unless otherwise directed) to their destinations by the most direct route practicable;
  - (m) whenever requested by a passenger, issue a receipt for the amount of the fare paid such passenger;
  - (n) not refuse to serve any person solely because of his race, colour, creed, sexual orientation or disability;
  - (o) be able to refuse service to a passenger if the passenger is impaired by alcohol or drugs; requests that the Chauffeur carry an animal in the Taxi, other than an animal that is a Service Animal; insists on smoking or persists in smoking in the Taxi; or is disorderly or abusive to the Chauffeur;
  - (p) working ability in the English language;
  - (q) transport passengers safely within the scope of the *Traffic Safety Act*, and
  - (r) in the case of an emergency call 911.
- 5.3 Every Broker or Chauffeur shall, upon being requested by a License Inspector, advise the address of any place to or from which any passenger has been driven.
- 5.4 Upon the request of a License Inspector, a Broker shall advise the name and address of the Chauffeur of any Taxi owned by him or her at any particular time.
- 5.5 No Broker or Chauffeur shall have or permit to be installed a radio scanner or similar device capable of monitoring the radio signals of any other Broker in a dispatch office or other location or carried in any Taxi.
- 5.6 Every Broker or Chauffeur shall report to the Chief License Inspector any collision causing damage to his or her vehicle no later than seventy-two (72) hours after the collision. In the event the vehicle is deemed to be unfit for service by the Chief License Inspector, the Taxi License shall be suspended until such time as any physical damage to the vehicle has been repaired and a mechanical inspection attesting to the roadworthiness of the vehicle has been provided to and accepted by the Chief License Inspector.

- 5.7 Notwithstanding any other provision of this Bylaw, a Public Conveyance in respect of which there is not a valid Taxi License, may be operated in the Town provided that:
- (a) the passenger or passengers in the Taxi are picked up at a location outside of the Town; and
  - (b) the operation of the Taxi carrying passengers in the Town is restricted to proceeding directly from the place where the Taxi enters the Town to the location(s) where all passengers are dropped off.
- 5.8 A Broker or Chauffeur of a Taxi may refuse service to any person who is known to habitually order taxi service and subsequently is unable to pay and who refuses to make payment in advance.

## **6. TAXI LICENSES**

- 6.1 No Public Conveyance shall operate in the Town unless that Public Conveyance is in possession of a valid Town Taxi License (excluding Registered Non-Profit Programs and Services, and Caregiver)
- 6.2 All Taxi Licenses shall expire at midnight on January 31<sup>st</sup> of each year.
- 6.3 An applicant for a Taxi License shall provide to the Town:
- (a) the name of the registered owner and proof of registration of each vehicle to be licensed for use in the business;
  - (b) proof that each vehicle is insured as required by the Province of Alberta and carry a minimum amount of \$2,000,000.00 Liability Insurance;
  - (c) a mechanical fitness report with respect to each vehicle in the form prescribed by the Chief License Inspector, completed by a licensed mechanic at a licensed garage approved by the Chief License Inspector within the period of two (2) weeks prior to the date of the application;

- (d) the Taxi License fee as set out in Schedule "I" of the Town of Strathmore Fees Bylaw No. 13-21" and amendments thereto; and
  - (e) any other information required by the Chief License Inspector.
- 6.4 A Taxi License shall be affixed to the Public Conveyance in the manner prescribed by the Chief License Inspector and no person shall use a Taxi License or allow it to be used by any other person or with respect to any vehicle other than the one for which the Taxi License was issued.
- 6.5 Sale of Vehicles to another Licensed Broker
  - (a) Should a licensed Broker desire to purchase another vehicle (from another licensed Broker) previously licensed in the Town, the purchasing Broker shall deliver to the License Inspector, the identification tag number issued and the information concerning the vehicle to be substituted including:
    - i) Mechanical Fitness Report
    - ii) Evidence of Registration
    - iii) Evidence of Insurance
    - iv) Such other information as the License Inspector may reasonably require to ensure conformity with this Bylaw.
  - (b) When the Chief License Inspector is satisfied that the motor vehicle proposed to be added complies with this Bylaw and is safe, fit and suitable for use and that the above conditions have been met, she shall, upon payment by the Broker of the fee required in Schedule "I" of the Town of Strathmore Fees Bylaw No. 13-21 and amendments thereto, make changes to the vehicle record.

## **7. TAXI IDENTIFICATION**

- 7.1
  - (a) A Broker of a taxi service shall register with the Town, the company logo of the Taxis operated by that Broker; and
  - (b) The Chief License Inspector may reject a logo, in his or her opinion, it would be likely to deceive any person or cause confusion because it is

similar to a logo previously adopted by any other Broker of a taxi service.

**7.2 Each Taxi shall:**

- (a) prominently display on both sides of its exterior the name, phone number, and logo of the Broker which shall be permanently affixed;
- (b) prominently display on both sides of the exterior of the Taxi a Taxi identification number in lettering not less than five (5) centimetres in height;
- (c) display on its roof a permanently affixed illuminable dome light; and
- (d) display on each rear door window, in a format approved by the Chief License Inspector, the current Taxi fares and acceptable methods of payment.

**7.3 No Person shall operate a Taxi in the Town with the logo of a Broker that such person does not work for or is not affiliated with.**

**7.4 If a vehicle licensed as a Taxi ceases to be licensed as a Taxi for any reason, its owner shall ensure that all markings of any kind upon or within it, which serve to identify it as a Taxi, are removed within seven (7) days of the date on which it ceases to be licensed as a Taxi.**

**8. TAXI ADVERTISING**

**8.1 Advertising material on Taxis shall be restricted to roof top advertising display units or rear window advertising provided that:**

- (a) signs must be standard manufactured units;
- (b) illumination of advertising shall not exceed forty (40) watts of power and is non-flashing;
- (c) advertising messages do not exceed forty (40) centimetres in height;
- (d) advertising is appropriate and in good taste and approved by the Chief License Inspector; and

- (e) perforated vinyl window film is used on the rear window and has the approval of the Chief License Inspector prior to installation of window film.

## **9. LIMOUSINES**

- 9.1 No person operating a Limousine shall operate on a fixed or regularly recurring scheduled route (similar to one a bus would follow).
- 9.2 No Broker or Limousine Chauffeur shall:
  - (a) park his or her Limousine in any taxi stand for the purpose of soliciting or obtaining passengers;
  - (b) cruise roads in the Town looking for passengers; or
  - (c) affix any advertising to the body of any Limousine.
- 9.3 The Chauffeur of a Limousine shall always have a current written contract that was previously arranged with a client and shall produce the contract upon demand of a License Inspector.

## **10. MECHANICAL INSPECTIONS**

- 10.1 A Person shall not operate, cause or permit the Operation of a Public Conveyance unless a valid Mechanical Inspection Certificate has been issued for that Public Conveyance.
- 10.2 Failure of the Owner to obtain a valid Mechanical Inspection Certificate for a Public Conveyance causing the taxi license to expire, the taxi will be taken out of service immediately.
- 10.3 Every Public Conveyance shall be inspected at least once every six (6) months by a Licensed Mechanic at a Licensed Garage that has been approved by the Chief Licence Inspector.
  - (a) All costs associated with mechanical inspections shall be borne by the Owner of the Motor Vehicle.
- 10.4 The Licensee shall ensure that each Public Conveyance is inspected by the Chief License Inspector within the first seven days of February for compliance

with this Bylaw and the requirements established by the Chief License Inspector from time to time.

- 10.5 The Licensee or Driver of a Public Conveyance must at all times at the request of a Peace Officer produce a satisfactory Vehicle Inspection Certificate, which certificate must show that such vehicle inspection was successfully completed within the six (6) months immediately preceding.
- 10.6 Upon the direction of a Peace Officer or the Chief License Inspector, the Licensee named on a Public Conveyance shall provide for inspection the Motor Vehicle for which the Public Conveyance was issued at the time and location specified by the Peace Officer or Chief License Inspector.
- 10.7 Failure to complete a vehicle inspection or attend to have a vehicle inspection conducted will result in suspension or cancellation of the Taxi License of the Motor Vehicle in question.

## **11. VEHICLE PROVISIONS**

- 11.1 Every Broker shall ensure that every vehicle is maintained in good repair in accordance with the following requirements:
  - (a) the interior and exterior of the vehicle must be kept
    - i. clean;
    - ii. free of damage;
    - iii. free of hazards that may stain or tear the clothing or possessions of a passenger;
    - iv. free of garbage;
    - v. free of noxious odours;
    - vi. free of materials that may impair the Driver's vision; and
    - vii. free of materials that give the impression of an unkept appearance.
  - (b) all wheels shall have, where equipped, appropriate and matching rims and hubcaps in good condition or alloy wheels;
  - (c) front and rear bumpers and grill of the vehicle shall be in good condition and affixed properly;
  - (d) the vehicle shall be equipped with a spare tire in good condition and all tools and equipment required to change a tire; and



- (e) all decals, licences and notices required by this Bylaw shall be properly placed, intact, clean and visible without obstruction.
- 11.2 Every Public Conveyance shall be equipped with tires specifically designed by the manufacturer for winter use, of a brand and model approved by the Chief Licence Inspector, from November 1 to April 30.
- 11.3 All Vehicles shall be equipped with a child car seat anchoring device that meets the specifications for child car safety seat anchoring devices as required by the Federal *Motor Vehicle Safety Regulations* and the *Motor Vehicle Restraint Systems and Booster Seat Safety Regulations*.
  - (a) The anchoring device shall be:
    - (i) installed in accordance with the manufacturer's instructions; and
    - (ii) available for use at all times by a passenger.
  - (b) Nothing in this Bylaw obligates a Driver to:
    - (i) provide a passenger with a child car safety seat;
    - (ii) attach a child car safety seat to the anchoring device;
    - (iii) make any assessment of whether the child car safety seat is properly affixed to the anchoring device; or
    - (iv) make any assessment of whether a child safety seat used by a passenger meets the requirements for a seat, or is appropriate for a child being transported in it.
- 11.4 If a Public Conveyance makes available a child car safety seat to passengers, the child car safety seat must meet the Canadian Motor Vehicle Safety Standards (CMVSS213).

## **12. PUBLIC CONVEYANCE INSPECTIONS**

- 12.1 A License Inspector may at any time inspect any Public Conveyance to determine the following:

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- (a) the validity of the Taxi License;
  - (b) the validity of the driver's Chauffeur License;
  - (c) the mechanical or physical condition of the vehicle; or
  - (d) standards of repair and cleanliness of the vehicle.
- 12.2 No Broker or Chauffer shall operate or permit the operation of a Public Conveyance that does not meet the standards for physical condition, repair and cleanliness prescribed by the Chief License Inspector.
- 12.3 A License Inspector may at any time issue an Order to Remedy to require a Public Conveyance be inspected by a garage designated by the Town, at such time and place as that License Inspector may designate and the vehicle owner shall deliver such Public Conveyance at the time and place so designated. All costs of the mechanical inspection shall be paid by the vehicle owner.
- 12.4 Where a Peace Officer believed, on reasonable and probable grounds, that an offence has been committed under this Bylaw in relation to a Public Conveyance, the Peace Officer may:
- (a) issue an Order to Remedy;
  - (b) seize the vehicle and cause it to be removed and stored at a suitable location; and
  - (c) suspend and seize the Chauffeur's License and Taxi License.
- 12.5 In the event that a Public Conveyance has been seized in accordance with Section 12.4, said Public Conveyance shall be held by the Town for a period of not more than fourteen (14) days unless the Public Conveyance must be released to a garage for repair.
- (a) If the offence has been remedied within the said fourteen (14) days, the Public Conveyance shall be returned to the Chauffer; and the Chauffer shall be responsible for any and all costs associated with the seizure of the Public Conveyance.

- (b) If the offence has not been remedied within the said fourteen (14) days, the Town may dispose of said Public Conveyance in the manner deemed appropriate by the Chief License Inspector. Any proceeds received from the disposition of the Public Conveyance shall be applied firstly against any costs incurred by the Town with respect to the seizure and, secondly, to the Chauffeur.

- 12.6 In the event the Town uses a third party facility for the storage of a seized Public Conveyance, the Chauffer must satisfy the Chief License Inspector that all costs associated with said storage have been paid prior to the Chief License Inspector authorizing release of the Public Conveyance.

### **13. ORDER TO REMEDY**

- 13.1 Any decision of a License Inspector pursuant to this Bylaw may be appealed in writing firstly to the Chief License Inspector, who will render a decision with respect to the complaint within fourteen (14) days of receipt of the complaint.
- 13.2 A Peace Officer is hereby authorized and empowered to issue an Order to Remedy to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 13.3 If the person to whom an Order to Remedy has been issued fails to comply with the Order to Remedy within the time specified therein:
  - (a) the Town may take whatever steps are necessary to remedy the contravention of the Bylaw and the cost of doing so becomes a debt owing to the Town by the person to whom the order was issued;
  - (b) Any items removed pursuant to this section, if deemed of value by the Town, will be removed to a place of safe keeping and will:
    - (i) be assessed a daily fee for storage as may be determined from time to time by the Chief Administrative Officer; and
    - (ii) if unclaimed within thirty (30) days, be sold at public auction.
- 13.4 Nothing in this Bylaw shall prevent a Peace Officer from issuing a Voluntary Payment Tag or Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

**14. APPEAL PROCESS**

- 14.1 Any decision (except one to issue a Voluntary Payment Tag or Violation Ticket) of the Chief License Inspector (in such cases where the authority is derived through delegation) pursuant to this Bylaw may be appealed to the CAO by filing a written notice of appeal with the Chief License Inspector within fourteen (14) days of the date of the Chief License Inspector's decision.
- 14.2 An appeal filed pursuant to this Section must be in the form determined by the Chief License Inspector and must be accompanied by the appropriate fee.
- 14.3 The CAO may confirm, revoke or modify the decision of the Chief License Inspector.

**15. PENALTIES**

- 15.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not less than Two Hundred Fifty (\$250.00) Dollars and not more than Ten Thousand (\$10,000.00) Dollars.
- 15.2 The specified fines for an offence committed pursuant to this Bylaw are set out in the attached Schedule "A".
- 15.3 In the case of an offence that is of a continuing nature, a contravention shall constitute a separate offence in respect of each day, or part of a day, on which that offence continues.

**16. VOLUNTARY PAYMENT TAG**

- 16.1 A Peace Officer is hereby authorized and empowered to issue a Voluntary Payment Tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 16.2 A municipal Voluntary Payment Tag may be issued to such person:
  - (a) either personally; or

(b) by mailing a copy to such person at his last known address.

16.3 Where a contravention of this Bylaw is of a continuing nature, further Voluntary Payment Tags or Summons may be issued by a Peace Officer provided that no more than one (1) Voluntary Payment Tag or Summons shall be issued for each calendar day that the contravention continues.

16.4 Where a Voluntary Payment Tag is issued pursuant to this Bylaw, the person to whom the Voluntary Payment Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Voluntary Payment Tag.

16.5 Nothing in this Bylaw shall prevent a Peace Officer from issuing a Violation Ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.

## **17. VIOLATION TICKET**

17.1 If the penalty specified on a Voluntary Payment Tag is not paid within the prescribed time period, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

17.2 Notwithstanding any other provision of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

## **18. MISCELLANEOUS**

18.1 Nothing in this Bylaw relieves a person from complying with any federal or provincial law or regulation, other bylaw or any requirements of any lawful permit, order, consent or other direction.

18.2 Where this Bylaw refers to another Act, Regulation or agency, it includes reference to any Act, Regulation or agency that may be substituted therefor.

## **19. REPEALS**

19.1 Bylaw No. 16-14 and any amendments thereto are hereby repealed.

**20. EFFECTIVE DATE**

20.1 This Bylaw shall come into full force and effect on July 17, 2024

**READ A FIRST TIME THIS 17<sup>th</sup> day of July, 2024.**

**READ A SECOND TIME THIS 17<sup>th</sup> day of July, 2024.**

**READ A THIRD AND FINAL TIME THIS 17<sup>th</sup> day of July, 2024.**



MAYOR



DIRECTOR OF STRATEGIC,  
ADMINISTRATIVE, AND FINANCIAL SERVICES



**Schedule "A"**

**PENALTIES**

<b>OFFENCE</b>		<b>PENALTY</b>	
<b>Section</b>	<b>Description</b>	<b>Minimum</b>	<b>Specified</b>
3.1	Operating without a Broker License	\$300.00	\$500.00
4.1	Operating without a Chauffeur License	\$300.00	\$500.00
5.7	Public conveyances picking up passengers within the Town of Strathmore when not licensed with the Town of Strathmore	\$300.00	\$500.00
6.1	Operating without a Taxi License	\$300.00	\$500.00
10 & 11	Failure to Ensure that all Public Conveyances are smoke free, clean, in good condition, and mechanically maintained.	\$500.00	\$1,500.00

But does not include any vehicle or class of vehicle exempted by the Chief Administrative Officer