

BY-LAW 2013-182

**A BY-LAW TO AMEND BY-LAW 2008-180,
BEING A BY-LAW FOR THE LICENSING, REGULATING AND
GOVERNING OF TAXI, LIMOUSINE AND SHUTTLE TRANSPORTATION
IN THE CITY OF GREATER SUDBURY**

WHEREAS Council for the City of Greater Sudbury has deemed it appropriate to make certain changes to By-law 2008-180, being a By-law for the Licensing, Regulating and Governing of Taxi, Limousine and Shuttle Transportation in the City of Greater Sudbury;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

Add Subsection 4.1A

1. By-law 2008-180, being a By-law for the Licensing, Regulating and Governing of Taxi, Limousine and Shuttle Transportation in the City of Greater Sudbury is hereby amended by enacting the following Subsection 4.1A immediately after Subsection 4.1 and before Subsection 4.2 :

"4.1A No Limit on Right to Change

The issuance of a driver's license, owner's license or broker's license pursuant to this By-law does not limit or restrict the right of Council to amend this By-law

in any way, including without limitation, the right to change the terms and conditions under which the licence holder may operate during the term of the licence or the right to to eliminate any form of licence. No such change or amendment shall give rise to any right of the licence holder as against the City."

Replace Subsections 10.2-10.6

2. By-law 2008-180, being a By-law for the Licensing, Regulating and Governing of Taxi, Limousine and Shuttle Transportation in the City of Greater Sudbury is hereby amended by repealing Subsections 10.2 to 10.6 and enacting the following Subsections 10.2 to 10.6 in their place and stead:

"10.2 Licenses issued by zone - Schedule 'E'

A taxicab owner's license shall be issued for one zone only being either Zone 1, Zone 2, or Zone 2 "Plus Airport", defined as separate classes of taxicab owner's license within the following areas of the City:

- a) Zone 1: the former City of Sudbury and the airport;
- b) Zone 2: all areas of the City, excluding the former City of Sudbury and the airport; and
- c) Zone 2 "Plus Airport": all areas of the City, excluding the former City of Sudbury,

as identified in Schedule 'E' to this By-law.

10.3 Zone 1 taxicabs - authorities and requirements

A taxicab owner licensed for Zone 1:

- a) shall not pick up fares outside of Zone 1 unless the fare terminates in Zone 1;
- b) shall drop off fares anywhere in the City;
- c) must, when that taxicab is on duty, ensure the taxicab responds within a reasonable period of time to requests for transportation within Zone 1; and
- d) may not apply the exemptions to the tariff schedule of Section 17.2 for pre-arranged regular trips under a written agreement unless an origin or destination for said trips is within Zone 1.

10.4 Zone 2 taxicabs - authorities and requirements

A taxicab owner licensed for Zone 2:

- a) shall not pick up fares outside of Zone 2 unless the fare terminates in Zone 2 and did not originate in the Airport; and
- b) shall drop off fares anywhere in the City.
- c) must, when that taxicab is on duty, ensure the taxicab responds within a reasonable period of time to requests for transportation within Zone 2; and
- d) may not apply the exemptions to the tariff schedule of Section 17.2 for pre-arranged regular trips under a written agreement unless an origin or destination for said trips is within Zone 2.

10.5 Zone 2 "Plus Airport" taxicabs - authorities and requirements

A taxicab owner licensed for Zone 2 "Plus Airport":

- a) shall not pick up fares outside of Zone 2 "Plus Airport" unless the fare terminates in Zone 2 "Plus Airport";
- b) shall drop off fares anywhere in the City; and
- c) must, when that taxicab is on duty, ensure the taxicab responds within a reasonable period of time to requests for transportation within Zone 2 "Plus Airport"; and
- d) may not apply the exemptions to the tariff schedule of Section 17.2 for pre-arranged regular trips under a written agreement unless an origin or destination for said trips is within Zone 2 "Plus Airport".

10.5A No Right of Entry onto Private Property

Nothing herein grants a right of entry to the holder of a taxicab owner's licence onto any property, where the owner of that property withholds consent to entry.

10.6 Zone 1 taxicab owner's licenses - limited - annually

Subject to Subsection 10.19A, a limitation is hereby imposed on the number of taxicab owner's licenses that may be issued under this By-law in each license year for Zone 1."

Add Subsection 10.19A

3. By-law 2008-180, being a By-law for the Licensing, Regulating and Governing of Taxi, Limousine and Shuttle Transportation in the City of Greater Sudbury is hereby

amended by enacting the following Subsection 10.19A immediately after Subsection 10.19 and before Section 10.20:

"10.19A Right to Apply for Zone 1 Licence

(1) Despite anything to the contrary in By-law 2008-180 as amended, any person who holds a taxicab owner's licence for Zone 2 plus Airport as of the date of passage of this By-law may, within 60 days of the passage of this By-law apply for a Zone 1 taxi-cab owner's licence and the Chief Taxi Inspector shall, despite any prohibition elsewhere in By-law 2008-180 as amended, issue a Zone 1 taxicab owner's licence to such person to a maximum of 11 additional taxicab owner's licences for Zone 1.

(2) The Chief Taxi Inspector shall issue a taxicab owner's licence for Zone 1 pursuant to the authority in Subsection 10.19A, only to such person or persons who:

- a) hold a taxicab owner's licence for Zone 2 plus Airport in good standing as of the date of passage of this Bylaw;
- b) file the appropriate application within 60 days of the passage of this Bylaw
- c) otherwise qualify for the issuance of a taxicab owner's licence pursuant to By-law 2008-180 as amended;
- d) are excluded by the Sudbury Airport from unregulated pickup of fares at the Airport; and

- e) surrender his / her taxicab owner's licence for Zone 2 plus airport as part of the application process and prior to the issuance of the taxicab owner's licence for Zone 1.
- (3) The Chief Taxi Inspector is not authorized to issue more than 11 additional taxicab owner's licences for Zone 1 pursuant to this Subsection 10.19A
- (4) Each taxicab owner's licence issued for Zone 1 pursuant to this Subsection 10.19A shall be for the balance of the current licence year, and thereafter subject to renewal.

Repeal Subsection 17.2

4. By-law 2008-180, being a By-law for the Licensing, Regulating and Governing of Taxi, Limousine and Shuttle Transportation in the City of Greater Sudbury is hereby amended by repealing Subsection 17.2 and enacting the following 17.2 and 17.2A in its place and stead:

"17.2 Agreement - Fare - exception

The provisions of Subsections 16.14 and 16.15 and Subsection 25.1 shall not apply where the Chief Taxi Inspector is satisfied that taxicab passengers are being conveyed pursuant to a written agreement:

- (a) whereby such passengers are, on a regular basis, conveyed at a prearranged fare or method of calculation of fare; or

- (b) whereby passengers are conveyed pursuant to an agreement under which bulk taxi services are provided to or for the benefit of clientele of the contracting party at a prearranged fare or method of calculation of fare.

17.2A Agreement - Fare Disclosure


Any person who holds a taxi owner licence claiming a right under Section 17.2 shall:

- (a) disclose the agreed upon fare to the passenger prior to commencing the trip; and
- (b) produce the agreement relied upon to the Chief Taxi Inspector upon request. "

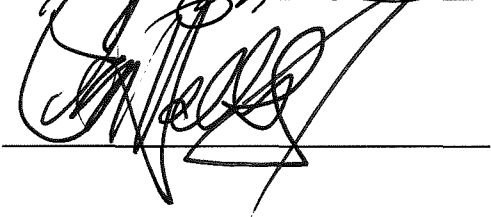
Effective

- 5. This By-law shall come into full force and effect upon passage.

READ AND PASSED IN OPEN COUNCIL this 9th day of July, 2013



Mayor



Clerk