



## **By-law 2006-265 – AS AMENDED BUSINESS LICENSING (TRANSPORTATION)**

This By-law printed under and by the authority of the Council of the City of Barrie

**A By-law of The Corporation of the City of Barrie to license, regulate and govern transportation related businesses carried on within the municipality.**

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**BY-LAW NUMBER 2006-265**

**A By-law of The Corporation of the City of Barrie to license, regulate and govern transportation related businesses carried on within the municipality**

**WHEREAS** Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25 ("The Municipal Act, 2001") provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority under the Act;

**AND WHEREAS** Section 9 of the Municipal Act, 2001 provides that Sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and, (b) enhance their ability to respond to municipal issues;

**AND WHEREAS** Section 11 of the Municipal Act, 2001 provides that a single-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein;

**AND WHEREAS** Section 150 of the Municipal Act, 2001 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** Section 150 of the Municipal Act, 2001 provides that a municipality may exercise its licensing powers under this section including imposing conditions for the purpose(s) of health and safety, nuisance control and/or consumer protection;

**AND WHEREAS** pursuant to motion 06-G-522 the Council of The Corporation of the City of Barrie has deemed it expedient to license, regulate and govern various businesses operating within the City of Barrie;

**NOW THEREFORE**, the Council of The Corporation of the City of Barrie enacts as follows:

1.0.0.0.0 **DEFINITIONS**

1.1.0.0.0 For the purpose of this by-law:

1.1.1.0.0 **APPROPRIATE AUTHORITY HAVING JURISDICTION** - means:

- a) with regard to Health matters, the Medical Officer of Health, for the Simcoe Muskoka District Health Unit, or his designate(s);
- b) with regard to building matters, the Chief Building Official for the City, or his designate(s); or
- c) with regard to Fire safety matters, the Chief Fire Official for the City, or his designate(s).

1.1.2.0.0 **AUTOMOBILE** – means a motor vehicle as defined by the Highway Traffic Act, R.S.O. 1990, c. H 8, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or streetcar.

- 1.1.3.0.0 **BUSINESS** - means a trade, business or occupation and includes the sale or hire of goods or services on an intermittent or one-time basis, the showing for the purpose of sale or hire of samples, patterns or specimens of any goods and any activity or thing a local municipality may license under paragraph 6 or 7 of Subsection 150 of the Municipal Act, 2001,, Revised as of March 2003 but does not include:
- a) a manufacturing activity or an industry, except to the extent that it sells its products or raw materials by retail;
  - b) the selling of goods by wholesale; or
  - c) the generation, exploitation, extraction, harvesting, processing, renewal or transportation of natural resources.
- 1.1.4.0.0 **BY-LAW** – means any by-law passed by Council of The Corporation of the City of Barrie.
- 1.1.5.0.0 **CHIEF FIRE OFFICIAL** - means the person who may, from time to time, be appointed by Council to the position of Chief of Barrie Fire and Emergency Service or his designate.
- 1.1.6.0.0 **CHIEF OF POLICE** - means the person who may from time to time, be appointed by the Barrie Police Services Board to the position of Chief of Police of the Barrie Police Service.
- 1.1.7.0.0 **CITY** – means The Corporation of the City of Barrie
- 1.1.8.0.0 **CITY EMPLOYEE** – means an officer, servant or other employee of the City, but does not include:
- a) a member of Council;
  - b) a Council appointee to a local board and whose remuneration from the City results from his/her membership on such local board or other body;
  - c) an employee of a local board or other body; or,
  - d) a municipal auditor.
- 1.1.9.0.0 **CITY SOLICITOR** - means the Solicitor for the City.
- 1.1.10.0.0 **ISSUER OF LICENCES** - means the Manager of Enforcement Services for the City, Supervisor of Enforcement Services for the City, or any other person so designated by the City Clerk.
- 1.1.11.0.0 **LICENCE** - means a City of Barrie Business Licence issued pursuant to this by-law.
- 1.1.12.0.0 **LICENSEE** - means a person who has been issued a licence pursuant to this by-law either in the current calendar year or in a previous calendar year and shall include an Applicant.
- 1.1.13.0.0 **LIMOUSINE** - means a vehicle other than a taxicab or pedicab, and which does not have a taxi meter and which is used for hire for the conveyance of passengers.
- 1.1.14.0.0 **LIMOUSINE COMPANY** - means a person who owns a limousine or has possession or control thereof under an installment purchase agreement or by way of rental or other agreement and who offers such vehicle for hire.
- 1.1.15.0.0 **LIMOUSINE DRIVER** - means the person responsible for the care and operation of the limousine and services related thereto.
- 1.1.16.0.0 **MAINTAIN** – means to be in charge of, or have control of the operation of a business, and shall include the operation of a vehicle.
- 1.1.17.0.0 **MONTH** - means calendar month.
- 1.1.18.0.0 **MUNICIPAL LAW ENFORCEMENT OFFICER** - means a person appointed under the authority of the Police Services Act for the purpose of enforcing City by-laws.
- 1.1.19.0.0 **SUPERVISOR ENFORCEMENT SERVICES** - means a person appointed to the position of Supervisor of Enforcement Services.

- 1.1.20.0.0 **NUISANCE** – means any activity or action which disturbs or is likely to disturb any individual.
- 1.1.21.0.0 **OFFICER** – means a Municipal Law Enforcement Officer or other law enforcement officer as appointed by the Council of The Corporation of the City of Barrie, the Barrie Board of Police Commissioners, or a Provincial Offences Officer.
- 1.1.22.0.0 **OPERATE** – means to manage, work, control, maintain, put or keep in a functional state any business.
- 1.1.23.0.0 **OWNER** – means the registered owner of the lands and premises or the person or his authorized agent in lawful control of the premises, building or occupancy and who permits the operation or maintenance of any business, this shall include the person who holds the licence plate, as issued by the Ministry of Transportation for a motor vehicle operating under the provisions of this by-law.
- 1.1.24.0.0 **PEDICAB** - means a vehicle propelled by muscular power for hire for the conveyance of passengers. Does not include a Taxicab, Limousine, Driver for Hire or Private Transportation Company.
- 1.1.25.0.0 **PERSON** – includes any individual, corporation, partnership, company, association or party and the heirs, executors, administrators, or other legal representative of such person, to whom the context can apply according to law; shall include any group of persons comprising a society or other organization and shall include the plural wherein the context requires. Wherever the word “he” or “him” is used, it shall mean and include the feminine or neuter gender wherever the context so requires.
- 1.1.26.0.0 **PREMISE** - means land, including any and all buildings or other structures thereon and includes any vehicle or conveyance used in the operation of the business.
- 1.1.27.0.0 **SHALL** – is mandatory and not directory; words in the singular include the plural; words in the plural include the singular; words in the present tense include future or past tense.
- 1.1.28.0.0 **TAXICAB** – means a motor vehicle as defined in the *Highway Traffic Act, R.S.O. 1990, c. H.8*, other than a carpool vehicle having a seating capacity of not more than six persons, exclusive of the driver and having installed one or more safety features as defined by this by-law, hired for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip. Shall include but is not limited to Taxicabs designed for the transportation of persons with disabilities. Shall not include Limousine, Driver for Hire Company vehicles or Private Transportation Company vehicles.
- 1.1.29.0.0 **TAXICAB COMPANY** - means a person who owns a Taxicab or has possession or control thereof under an installment purchase agreement or by way of a rental or other agreement or who offers such vehicles for hire but shall not include a Driver for Hire Company or Private Transportation Company.
- 1.1.30.0.0 **TAXICAB DRIVER** - means the person responsible for the care and control of the Taxicab and services related thereto. Does not include a Driver for Hire - Driver or Private Transportation Company Driver.
- 1.1.31.0.0 **DELETED** (By-law 2023-179)
- 1.1.32.0.0 **DELETED** (By-law 2023-179)
- 1.1.33.0.0 **DELETED** (By-law 2023-179)
- 1.1.34.0.0 **DELETED** (By-law 2023-179)
- 1.1.35.0.0 **VEHICLE** – includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car.
- 1.1.36.0.0 **DELETED**
- 1.1.37.0.0 **SAFETY FEATURES** - shall mean
- 1.1.37.1.0 911 emergency lights on the rear of the cab with a small reflective sign affixed near the light reading “IF FLASHING CALL 911”; or
- 1.1.37.2.0 Protective safety glass barriers between the driver and passenger areas; or
- 1.1.37.3.0 Security Video cameras to protect the drivers; or

- 1.1.37.4.0 An emergency button that ties into the taxicab's central dispatch system and immediately notifies the dispatch centre of the vehicle's location through the use of a Global Positioning System (GPS).
- 1.1.38.0.0 **DELETED** (By-law 2023-179)
- 1.1.39.0.0 **DELETED** (By-law 2023-179)
- 1.1.40.0.0 **DELETED** (By-law 2023-179)
- 1.1.41.0.0 **BOOKED OR PRE-ARRANGED** – means an electronic, written or oral reservation, request or booking made in advance to request vehicle pick up and drop off or passenger pick-up and drop off services.
- 1.1.42.0.0 **PRIVATE TRANSPORTATION COMPANY** – means a person who in any manner accepts, facilitates, or brokers requests for or advertises or offers transportation in a private vehicle-for-hire to passengers. Shall not include a person who facilitates “carpooling” as defined by the Public Vehicles Act., Taxicab Company, Limousine Company or Driver for Hire Company.
- 1.1.43.0.0 **PRIVATE TRANSPORTATION COMPANY VEHICLE** – means a for hire motor vehicle with a seating capacity of less than nine (9) passengers excluding the driver used to provide transportation services to passengers but does not include Taxicabs, Limousines or Driver for Hire services.
- 1.1.44.0.0 **PRIVATE TRANSPORTATION COMPANY DRIVER** – means a person who is in care and control of a vehicle that provides transportation services to passengers through a Private Transportation Company but shall not include Taxicab Drivers, Limousine Drivers or Driver for Hire services.
- 1.1.45.0.0 **PRIVATE TRANSPORTATION COMPANY IDENTIFIER** – means a sign, decal, emblem, symbol or number displaying a logo or name of the Private Transportation Company through which the driver is providing transportation services to passengers and such other information required by this By-law, in a form, size and location approved by the Issuer of Licenses.
- 1.1.46.0.0 **RATE OR FARE** - means the basis or formula used to calculate the rate or fare paid or charged to a customer for transportation provided by a Taxicab, Limousine, Private Transportation Company or Driver for Hire Company.
- 1.1.47.0.0 **SOLICIT** – means an appeal for customers or passengers by way of sound, words, signs or gestures directed at a person.
- 1.1.48.0.0 **DRIVER FOR HIRE COMPANY** – means a person defined by this by-law who facilitates, arranges or books a driver when requested, hired or contracted to provide driving services on behalf of a customer. Such service includes the transport of the customer in his/her own private vehicle from point A to point B as agreed upon.
- 1.1.49.0.0 **DRIVER FOR HIRE - DRIVER** – means a person who has been requested, hired or contracted to physically drive the customer in their private vehicle from point A to point B as agreed upon.
- 1.1.50.0.0 **DRIVER FOR HIRE COMPANY – VEHICLE** – means a vehicle owned or operated on behalf of the Driver for Hire Company and used solely for the transport of the Driver for Hire – Driver to and from each call for service.
- 2.0.0.0.0 **GENERAL PROVISIONS**
- 2.1.0.0.0 **REQUIREMENT FOR A BUSINESS LICENSE**
- 2.1.1.0.0 Every person carrying on, conducting, operating, maintaining, keeping or engaging in any business specifically identified in the Licence Classifications set out in and identified in Table 1 to this by-law, as amended shall be required to obtain a City of Barrie Business Licence to do so from the Issuer of Licences.
- 2.1.2.0.0 Every person carrying on, conducting, operating, maintaining, keeping or engaging in any business not specifically identified in the Licence Classifications set out in and identified in Table 1 to this by-law, as amended shall not be required to obtain a City of Barrie Business Licence to do so from the Issuer of Licences.

2.2.0.0.0 **APPLICATION FOR NEW LICENCE**

2.2.1.0.0. Any person required to obtain a licence pursuant to this by-law shall apply in writing on the appropriate application form as provided by the Issuer of Licences and shall deposit, at the time of application, with the Issuer of Licences, all required Business Licence Fees as set out in the City of Barrie Fee's By-law for each business category as well as any required approvals, inspections or documentation required by the provisions of this by-law as set out in Table 1 to this by-law or as deemed necessary by the Issuer of Licences.

2.2.2.0.0 The Issuer of Licences shall not issue a licence until:

- a) all required approvals and inspections have been obtained by the applicant;
- b) required documentation has been provided;
- c) business licence fees have been paid in full; and,
- d) all taxes are paid up to the City of Barrie when required as a condition of licensing.

2.2.3.0.0 There shall be a separate application for each premise to be used or person to be licensed.

2.2.4.0.0 There shall be a separate application for each classification or category of business operated and to be licensed.

2.2.5.0.0 The applicant shall comply with any and all requirements as set out in this by-law as well as any other provisions which may govern the business, place or premise used in the carrying on of the business and/or the persons carrying on the business or engaged in it and to which the application pertains.

2.2.6.0.0 The Issuer of Licences, upon receipt of the application for a licence may make, cause to be made, or request, any additional documents, investigations or inspections to be made in respect of such application for a licence as the Issuer of Licences deems appropriate or in the interest of the general public, and any costs incurred for such inspection or documents shall be at the applicant's expense.

2.2.7.0.0 The applicant shall be responsible for obtaining all necessary inspections, documents and approvals as set out in Table 1 to this by-law, as set out on the application form and as deemed necessary by the Issuer of Licences.

2.2.8.0.0 Upon receipt of a completed application for a licence and the appropriate fees for a licence have been paid, the Issuer of Licences may prior to the issuance of any such licence:

- a) make any inquiries to any municipal official or employee who has carried out inspections relative to the business under application;
- b) receive reports from such municipal officials and employees as may be deemed necessary; or,
- c) inquire into all relevant matters in order to ascertain if the applicant is entitled to a licence under the provisions of this by-law.

2.2.9.0.0 Upon being satisfied that the applicant is entitled to obtain a licence under the provisions of this by-law, the Issuer Licences shall prepare and issue a licence to the said applicant.

2.2.10.0.0 Except as may otherwise be specified within this by-law or specified as a Special Condition as authorized by this by-law, every licence shall expire one year from the date from the day it was issued.

2.3.0.0.0 **APPLICATION FOR RENEWAL LICENCE**

2.3.1.0.0 Any person required to renew a licence previously granted under this by-law, shall submit to the Issuer of Licences, an application form for renewal of the licence as provided by the Issuer of Licences. Every applicant shall obtain any and all inspections, approvals and documentation as required by this by-law or as deemed necessary by the Issuer of Licences.

2.3.2.0.0 The Issuer of Licences shall not issue a licence until all required approvals and inspections have been obtained by the applicant, required documentation has been

provided, business licence fees have been paid in full, and all taxes are paid up to the City of Barrie.

2.3.3.0.0 Where the Issuer of Licences receives an application for renewal of a licence previously granted under this by-law and the appropriate fees have been paid, he shall, prior to the issuance of any such licence:

- a) ensure that all inspections, approvals and documents as may be required have been obtained;
- b) make inquiries into all relevant matters in order to ascertain if the applicant is entitled to obtain a renewed licence under the provisions of this by-law;
- c) inquire into any and all relevant changes in circumstances since the previous licence was issued to the applicant;
- d) make any inquiries to any municipal official or employee who has carried out inspections or investigations relative to the business under application;
- e) receive reports from such municipal officials and employees as may be deemed necessary; and,
- f) all taxes are paid up to the City of Barrie when required as a condition of licensing.

2.3.4.0.0 There shall be a separate application for each premise to be used or person to be licensed.

2.3.5.0.0 There shall be a separate application for each classification or category of business operated and to be licensed.

2.3.6.0.0 Where the Issuer of Licences is satisfied that the applicant is entitled to obtain a licence under the provisions of this by-law, the Issuer of Licences shall prepare and issue a licence to the said applicant.

2.4.0.0.0 **FORM OF LICENCE**

2.4.1.0.0 Every licence shall show therein:

- a) the operating name of the business or person to whom the licence is issued;
- b) the operating address of the premise or location for which the licence is issued with the exception of Tow Truck Drivers and Limousine Drivers which shall reflect the address of the owner. Private Transportation Company Drivers, Driver for Hire - Drivers and Taxicab Drivers shall not be reflected on the licence form but shall be contained in a registry;
- c) the category or type of licence granted;
- d) the date of issue;
- e) the effective date of the licence;
- f) the date of expiration; and
- g) the signature of the Issuer of Licences or his designate.

2.5.0.0.0 **ADMINISTRATION FEE**

2.5.1.0.0. An administration fee as set out in the City of Barrie Fee's By-law will apply to the following:

**Duplicate Licences**

2.5.1.1.0 In the event that a licence issued under this by-law is lost or destroyed, the Issuer of Licences upon satisfactory proof of such loss or destruction, and upon payment of a replacement fee, the Issuer of Licences shall issue a duplicate of the original licence, upon which shall be stamped or marked the word "DUPLICATE".

**Change of Name**

2.5.1.2.0 Where ownership of a business is not changed or affected but such the operating name of a business changes, the licensee shall immediately notify the Issuer of Licences and upon payment of a fee and being satisfied that there have been no other changes in the circumstances of the licensed business, the Issuer of Licences may issue a replacement of the original licence. The licensee shall return and surrender his licence in order to affect such a change.

2.6.0.0.0 **CHANGE OF OWNERSHIP**

2.6.1.0.0 Every licensee shall, upon change of ownership of the licensed business return and surrender his current licence to the Issuer of Licences. The new owner shall make application for a new licence as set out in this by-law.

2.7.0.0.0 **CHANGE OF PREMISE OR LOCATION**

2.7.1.0.0 Where a currently licensed business changes location or premise, such new location or premise shall not be deemed to be licensed. The applicant must immediately make application for a new licence under the provisions of this by-law and shall surrender to the Issuer of Licences the licence issued in respect of his previous location or premise.

2.7.2.0.0 Notwithstanding section 2.7.1.0.0, a Limousine Driver, or Tow Truck Driver may amend a current license to include additional companies for whom they are operating. A Taxicab Company, Private Transportation Company or Driver for Hire Company may amend a current licence to include additional drivers or vehicles whom are operating on behalf of the company. Payment of any administration fee associated with such change shall be required.

2.8.0.0.0 **LICENCES PERSONAL**

2.8.1.0.0 No person shall enjoy a vested or property right in any licence or the continuance of any licence and such licence and such rights shall remain the property of the City.

2.8.2.0.0 Licenses are not transferable.

2.9.0.0.0 **NUISANCE ABATEMENT**

2.9.1.0.0 Every person required to be licensed under this by-law, in addition to any other provisions or requirements expressed elsewhere in the by-law, shall:

- a) at all times maintain and keep safe and clean and in good condition and repair any object, amusement, vehicle, place or premise for which the licence is issued;
- b) not breach or violate or cause, suffer, or permit any breach or violation of any by-law of the Corporation or of any Local Board, thereof, or of any statute, Order-in-Council, or Regulation of the Legislature of the Province of Ontario or the Parliament of Canada or of any Agency, Board or Commission thereof, in, upon, or in connection with the business or premise for, or in relation to which such licence was issued;
- c) not cause, suffer or commit any nuisance to arise in, on, or in connection with the object, amusement, vehicle, place or premise for which the licence was issued;
- d) not cause, suffer or permit any shouting, noise or other disturbance on, in or in connection with the object, amusement, vehicle, place or premise for which the licence was issued, which is unnecessary, unreasonable or contrary to any municipal by-law prohibiting the same; and if any such shouting, noise or other disturbance occurs, the licensee shall immediately take steps to cause the same to be abated;
- e) not cause, suffer, or permit any obstruction on any highway, lane or public place in front of, or adjoining the place or premise for which the licence was issued; or,
- f) not cause, suffer or permit any profane, offensive or abusive language or disorderly conduct in, on, or in connection with any vehicle, place or premise for which the licence was issued.



2.9.2.0.0 Every person who acquires a licence that is issued under this by-law is responsible for the due performance and observance of all the provisions of this by-law by himself and by his employees and all other persons in or upon the premise which is licensed under the provisions of this by-law.

2.10.0.0.0 **INSPECTION**

2.10.1.0.0 The Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer or other duly appointed individual may at all reasonable times, inspect or cause to be inspected the premise, facilities, equipment, vehicles, and other property used or kept for hire in connection with the carrying on of a business which is licensed or which is required to be licensed pursuant to this by-law.

2.10.2.0.0 The Issuer of Licences may waive the requirement for any inspection, approval or documentation as may be required pursuant to this by-law where such inspection, approval or documentation is not applicable to the carrying on of the business which is licensed or required to be licensed under this by-law.

2.11.0.0.0 **POSTING OF LICENCE**

2.11.1.0.0 The person to whom a licence is issued shall post the current licence on the premise or that part thereof to which the licence pertains in such a position that may be readily seen and read by persons entering the premise. All licences issued under this by-law shall be prominently and conspicuously posted on the licensed premise at all times.

2.11.2.0.0 Where a photo identification card is issued to a person licensed under the provisions of this by-law, the licensee shall keep the photo identification card with him at all times while carrying on his business and shall exhibit it to any municipal law enforcement officer, peace officer, police officer or other duly appointed person who so requests.

2.12.0.0.0 **REFUSAL TO GRANT A LICENCE**

2.12.1.0.0 The Issuer of Licences may refuse to grant or issue a licence to any applicant who:

- a) has past breaches of this by-law, and the Issuer of Licences determines that it is not in the public's interest to grant such a licence to the applicant;
- b) has failed to comply with the requirements of this by-law or other applicable by-laws of the City or of any Local Board thereof, or of any Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board of Commission thereof, in, upon or in connection with the applied for licensed activity of the business or premise, facilities, equipment, vehicles and other property used or kept for hire in connection with the licence activity;
- c) has outstanding taxes owing to the City of Barrie;
- d) has a tenant with outstanding taxes owing to the City of Barrie; or
- c) has any outstanding fines imposed under the Provincial Offences Act for the contravention of any provision of this by-law or any other municipal by-law or Provincial statute where such fine is associated with an offence arising out of the conduct, operation or activity within or in conjunction with such business.

2.12.2.0.0 The Issuer of Licences may also refuse to grant or issue a licence to any applicant where the Issuer of Licences believes it is not in the public interest to do so.

2.12.3.0.0. Where the Issuer of Licences has denied a business licence to an applicant, the business licence application fee less an administrative fee as established by the City of Barrie Fee's By-law shall be refunded to the applicant.

2.13.0.0.0 **SUSPENSION/REVOCAION**

2.13.1.0.0 The Issuer of Licences may suspend or revoke a licence issued to any licensee who:

- a) has past breaches of this by-law;

- b) has failed to comply with the requirements of this by-law or other applicable by-laws of the City or of any Local Board thereof, or of any Statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board of Commission thereof, in, upon or in connection with the applied for licensed activity of the business or premise, facilities, equipment, vehicles and other property used or kept for hire in connection with the licence activity;
- c) has outstanding taxes owing to the City of Barrie;
- d) has a tenant with outstanding taxes owing to the City of Barrie; or
- e) has any outstanding fines imposed under the Provincial Offences Act for the contravention of any provision of this by-law or any other municipal by-law or Provincial statute where such fine is associated with an offence arising out of the conduct, operation or activity within or in conjunction with such business.

2.13.2.0.0 The Issuer of Licences may also suspend or revoke any licence issued to any applicant where the Issuer of Licences believes it is in the public interest to do so.

2.13.3.0.0 Any suspension of a licence may be subject to such terms and conditions as the Issuer of Licences may prescribe.

2.13.4.0.0 No person shall operate any business or premise contrary to any licence suspension or terms and conditions thereto or where such licence has been revoked.

**2.14.0.0.0 NOTICE AND APPEAL**

2.14.1.0.0 Where the Issuer of Licences refuses to issue, suspends, or revokes a licence the Issuer of Licences shall notify the applicant or licensee in writing of such decision and the said notice shall set out the grounds upon which the licence is refused, suspended or revoked and shall state that the Applicant or Licensee may appeal such decision by filing an appeal with the Clerk of the municipality in writing within fifteen (15) days as set out in this by-law.

2.14.2.0.0 Where the Issuer of Licences refuses to issues, suspends or revokes a licence under this by-law, the Applicant or Licensee may appeal the decision to Business Licencing Appeal Committee by filing with the Clerk, an appeal in writing of the said decision within fifteen (15) days of the date of mailing of the decision of the Issuer of Licences.

2.14.3.0.0 Business Licencing Appeal Committee may, after the appropriate hearing is conducted, grant a licence, refuse a licence, revoke a licence, or suspend a licence and such decision may be subject to such terms as Business Licencing Appeal Committee may impose and the decision of the Business Licencing Appeal Committee shall be final and binding upon any applicant or licensee.

2.14.4.0.0 Business Licencing Appeal Committee, in considering whether or not to grant a licence, refuse a licence, revoke a licence, or suspend a licence shall have regard for the following:

2.14.4.1.0 whether or not the Applicant or Licensee and the premises, facilities, equipment, vehicles or other personal property used or kept for hire in connection with the carrying of a business which is licensed or which is required to be licensed pursuant to this by-law complies with all requirements of this by-law;

2.14.4.2.0 whether or not the Applicant or Licensee has failed to promptly remedy any reasonable concern with regard to those matters set out in this by-law;

2.14.4.3.0 whether or not the Applicant or Licenses has committed past breaches of this by-law;

2.14.4.4.0 whether or not the Applicant or Licensee has failed to comply with any requirements of any other applicable by-law of the City or any Local Board thereof or of any statute, Order-in-Council, or Regulation of the Provincial Legislature or the Parliament of Canada, or of any Agency, Board or Commission thereof, in, upon or in connection with the activity, business or the premise, facilities, equipment, vehicles and/or other property used or kept for hire in connection with the licensed activity or activity required to be licensed;

- 2.14.4.5.0 whether or not the Applicant or Licensee or his tenant has any outstanding taxes owing to the City in respect of the business or premises in question.
- 2.14.5.0.0 Where an appeal is received, the Clerk shall fix a date and time for such matter to be considered by Business Licencing Appeal Committee and shall mail a Notice of Hearing to the Applicant or Licensee (at his last address as shown in the records of the Issuer of Licences) and to any person who has applied to be heard with regard to the matter.
- 2.14.6.0.0 Such Notice of Hearing shall be mailed at least fifteen (15) days prior to the date and time fixed for such hearing.
- 2.14.7.0.0 At such hearing Business Licencing Appeal Committee shall receive a report, either verbally, or in writing, from the Issuer or Licences and from such other officers or employees of the Corporation who may be involved in the matter being considered by Business Licencing Appeal Committee.
- 2.14.8.0.0 At the hearing before Business Licencing Appeal Committee, the Applicant or Licensee, either personally or through his agent or solicitor shall be afforded the opportunity to present such material and evidence relevant to the issue before Council as he may deem appropriate and he may ask questions of any person presenting evidence or a report to Business Licencing Appeal Committee relevant to the said issues.
- 2.14.9.0.0 For the purpose of this By-law, a quorum of Business Licencing Appeal Committee shall be a majority of the members of the Committee and a decision by the majority of members present shall be the decision of the Committee.
- 2.14.10.0.0 Business Licencing Appeal Committee may, after having heard all of the evidence and submissions made to it by the Applicant or Licensee, and the Issuer of Licences re-convene In-Camera to debate the matter and to reach its decision.
- 2.14.11.0.0 The decision made by Business Licencing Appeal Committee to keep a licence, refuse to issue a licence, revoke a licence or suspend a licence may be subject to such terms as Business Licencing Appeal Committee shall impose and the decision of the Business Licencing Appeal Committee shall be final and the decision binding on the Applicant or Licensee.
- 2.14.12.0.0 No person shall engage in, or continue to conduct, or permit any person to engage in or continue to conduct a business for which a licence is required under this by-law while such licence is suspended or revoked under the provisions of this by-law.
- 2.14.13.0.0 Every person engaging in the business, for which he is required to be licensed by the provisions of this by-law shall be responsible to comply with all of the provisions of this by-law with respect to the business.
- 2.15.0.0.0 **ENFORCEMENT**
- 2.15.1.0.0 A Municipal Law Enforcement Officer, Provincial Offences Officer, Police Officer, or other duly appointed individual shall enforce the provisions of this by-law.
- 2.16.0.0.0 **REGISTRY**
- 2.16.1.0.0 The Issuer of Licences shall keep a licence register in which shall be recorded the full operating name and address of each licensee, the address of the place or premise in which the licensee carries on, conducts, operates, maintains, keeps, or engages in the business, trade, occupation or calling, object or amusement for which the licence was issued, the number of the licence and any plates issued, the date of issue, the amount of the licence fee paid, the date of expiry of the licence, the type of licence issued, and any other particulars or observations pertaining to the same which are useful or necessary.
- 2.17.0.0.0 **INSURANCE**
- 2.17.1.0.0 All insurance required under the provisions of this by-law shall be provided at the time of application in a form acceptable to the City and in the amount as specified pursuant to the applicable sections of this by-law unless otherwise approved or required by Council. Where applicable, Certificates of Insurance shall name The Corporation of the City of Barrie as an additional insured. Further, any liability insurance shall contain an endorsement specifying that the municipality shall be given thirty (30) days written notice of any cancellation, expiration or change in the policy.

2.17.2.0.0 If for any reason such liability insurance is cancelled, expires or for any other reason does not remain in effect, the licence for which the insurance was required shall become void on the final date for which the insurance was valid.

2.18.0.0.0 **IDENTIFICATION OF LICENSEE, EMPLOYEES and AGENTS**

2.18.1.0.0 Every person to whom a license has been issued under the provisions of this by-law shall ensure that any person employed by or acting on behalf of such licensee who is required to enter a dwelling unit for the purpose of carrying out duties in respect to that license, is provided with and carries at all times while working, photographic identification which shall clearly identify:

- a) the full legal name of the employee or agent;
- b) the registered and operating name of the business for which the employee works or agent represents;
- c) the address and telephone number of the business for which the employee works or agent represents; and,
- d) the City of Barrie business license number which authorizes the business to operate within the City.

2.19.0.0.0 **FEES AND INSPECTIONS**

2.19.1.0.0 Table 1 hereunder sets out the inspections, approvals and documentation required to accompany any application. All licence fees shall be established within the City of Barrie Fee's By-law and shall required to be paid by the applicant at the time of application.

2.19.2.0.0 Notwithstanding any licence fee to be paid by any applicant as set out in the City of Barrie Fee's By-law, a LATE APPLICATION FEE of as set out in the City of Barrie Fee's By-law shall apply to any application received by the City after the due date established for obtaining such licence. Incomplete applications shall be considered not to have been received and may be returned to the applicant or held pending further information. In any case where the application remains incomplete after the date established for obtaining such licence, the LATE APPLICATION FEE shall apply.

2.19.3.0.0 Despite the actual date of any application for renewal of licence, the fee for such renewal shall be as set out in The City of Barrie Fee's By-law.

2.19.4.0.0 The fees related to the provisions of this by-law as set out in City of Barrie Fee's By-law shall be increased annually by not less than the Annual Toronto Area Consumer Price Index (CPI) rate as at September 30 of each year with an effective date of January 1 of each year, the percentage to be confirmed by the Finance Department of the City of Barrie.

2.20.0.0.0 **SCOPE AND AUTHORITY**

2.20.1.0.0 Where a matter is subject to provincial regulation, any provision of this by-law is without effect to the extent that it prohibits or regulates the matter in substantially the same way as or in a more restrictive way than the provincial regulation.

2.21.0.0.0 **EXPIRY OF LICENCE**

2.21.1.0.0 The date of expiry for all licenses issued under the provisions of this by-law shall be one year from date of issue unless otherwise specified on the license and each renewal of licence shall, thereafter, expire on such date in each subsequent year.

2.22.0.0.0 **SEVERABILITY**

2.22.1.0.0 Should any section of this by-law be declared by a Court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

2.23.0.0.0 **EXEMPTIONS**

2.23.1.0.0 The Clerk of The Corporation of the City of Barrie may grant an exemption to any person from any provision of this by-law and impose conditions for such exemption as may be considered reasonable and necessary, provided such exemption does not interfere with the general integrity of this by-law.

2.24.0.0.0 **PENALTIES**

2.24.1.0.0. Every person who contravenes any provision of this by-law is guilty of an offence and liable on conviction to a penalty not exceeding \$5,000, exclusive of costs and the provisions of the *Provincial Offences Act*, R.S.O 1990, c P.33, as amended, shall apply to said fine.

2.24.2.0.0. Every person who contravenes the provisions of any section of this By-law and every Director or Officer of a Corporation, who knowingly concurs in the contravention by the Corporation, is guilty of an offence under the provisions of the *Municipal Act*, S.O. 2001, c.25, s. 425(1.);

2.24.3.0.0. Every person who contravenes the provisions of any section of this by-law and every Director or Officer of a Corporation, who knowingly concurs in the contraventions by the Corporation, is guilty of an offence and liable on conviction to a penalty where the minimum fine shall not exceed \$500 and a maximum fine shall not exceed \$100,000 exclusive of costs under the provisions of the *Municipal Act* 2001, s. 429 (1) (3) as amended.

2.24.4.0.0. For the purpose of continuous offences, every person who contravenes any provision of this by-law and every Director or Officer of a Corporation who knowingly concurs in the contravention of a by-law of the Corporation is guilty of an offence and liable on conviction to a penalty not exceeding \$10,000, exclusive of costs under the provisions of the *Municipal Act* 2001, s. 429 (1) (3) as amended. Despite paragraph 1, the total of all daily fines for the offence is not limited to \$100,000.

2.24.5.0.0. For the purpose of multiple offences, every person who contravenes any provision of this by-law and every Director or Officer of a Corporation who knowingly concurs in the contravention of a by-law of the Corporation is guilty of an offence and liable on conviction to a penalty not exceeding \$10,000, exclusive of costs under the provisions of the *Municipal Act* 2001, s. 429 (1) (3) as amended. Despite paragraph 1, the total of all daily fines for the offence is not limited to \$100,000.

2.25.0.0.0 **TRANSITION**

2.25.1.0.0. For the purpose of business licenses issued under the provisions of By-law 2006-265 prior to amendments effective August 1, 2017, the date of expiry shall be as specified on the licence and notwithstanding the provisions of this by-law, the provisions of the previous version of By-law 2006-265 shall continue to apply until the expiration of the license previously issued.

**TABLE 1 – BUSINESS LICENCE INSPECTIONS AND APPROVALS**

<b>CATEGORY</b>	<b>INSPECTION/APPROVAL</b>
<b>Limousine (each)</b>	<ul style="list-style-type: none"> <li>• Automobile Liability Insurance-\$2,000,000</li> <li>• Vehicle Identification Number</li> <li>• Vehicle Ownership</li> <li>• Ontario Licence Plate Number</li> <li>• Vehicle Safety Standards Certificate</li> </ul>
<b>Limousine Driver</b>	<ul style="list-style-type: none"> <li>• Criminal Record Check</li> <li>• Two pieces of government identification (on being Ontario Driver's Licence)</li> <li>• Ministry of Transportation Driver's Abstract</li> <li>• Letter/offer of employment</li> </ul>
<b>Limousine Company</b>	<ul style="list-style-type: none"> <li>• Zoning (if operating in Barrie – new applications only)</li> <li>• H.S.T. registration</li> <li>• Commercial Liability Insurance-\$2,000,000</li> <li>• List of all vehicles to be used as limousines, Vehicle Identification # and Ontario Licence Plate #</li> <li>• Schedule of Rates and Charges</li> <li>• List of Limousine Drivers</li> </ul>
<b>Pedicab</b>	<ul style="list-style-type: none"> <li>• Liability Insurance-\$2,000,000</li> </ul>

<p><b>Taxi Cab Company</b></p>	<ul style="list-style-type: none"> <li>• Zoning (if operated in Barrie – new applications only)</li> <li>• H.S.T. registration, if applicable</li> <li>• Incorporation documents outlining owners, directors or shareholders as may be applicable</li> <li>• List of all vehicles to be used as Taxicab Vehicles</li> <li>• Vehicle Identification Number for each vehicle</li> <li>• Ontario Licence Plate Number for each vehicle</li> <li>• List of all Taxicab Drivers authorized to operate</li> <li>• Automobile Liability Insurance-\$2,000,000 each vehicle</li> <li>• Commercial Liability Insurance - \$2,000.000</li> <li>• Vehicle Safety Standards Certificate for each vehicle (valid within 12 months of application)</li> </ul> <p><b><u>Driver Document Submissions Required (per driver):</u></b></p> <ul style="list-style-type: none"> <li>• Each Driver must attend Enforcement Services Office for Photo ID Card to be generated</li> <li>• Criminal Records Check (valid within 12 months of application)</li> <li>• Ministry of Transportation Driver’s Abstract (valid within 12 months of application)</li> <li>• 2 pieces of government issued identification (1 being a valid Ontario Driver’s Licence)</li> <li>• Letter of employment or affiliation from Taxicab Company</li> </ul>
<p><b>Tow Truck (each)</b></p>	<ul style="list-style-type: none"> <li>• DELETED – no longer licensed</li> </ul>
<p><b>Towing Company</b></p>	<ul style="list-style-type: none"> <li>• DELETED – no longer licensed</li> </ul>
<p><b>Tow Truck Driver</b></p>	<ul style="list-style-type: none"> <li>• DELETED – no longer licensed</li> </ul>
<p><b>Private Transportation Company</b></p>	<ul style="list-style-type: none"> <li>• H.S.T. registration, if applicable</li> <li>• Incorporation documents outlining owners, directors or shareholders as may be applicable</li> <li>• List of all vehicles to be used as Private Transportation Company Vehicles</li> <li>• Vehicle Identification Number for each vehicle</li> <li>• Ontario Licence Plate Number for each vehicle</li> <li>• List of all Private Transportation Company Drivers operating</li> <li>• Automobile Liability Insurance-\$2,000,000 each vehicle</li> <li>• Commercial Liability Insurance - \$2,000.000</li> <li>• Vehicle Safety Standards Certificate for each vehicle (valid within 12 months of application)</li> </ul> <p><b><u>Driver Document Submissions Required (per driver):</u></b></p> <ul style="list-style-type: none"> <li>• Criminal Records Check (valid within 12 months of application)</li> <li>• Ministry of Transportation Driver’s Abstract (valid within 12 months of application)</li> <li>• 2 pieces of government issued identification (1 being a valid Ontario Driver’s Licence)</li> <li>• Letter of employment or affiliation from Private Transportation Company</li> </ul>
<p><b>Driver for Hire Company</b></p>	<ul style="list-style-type: none"> <li>• H.S.T. registration, if applicable</li> <li>• Copy of company identifier</li> <li>• Incorporation documents outlining owners, directors, shareholders as may be applicable</li> <li>• List of all Driver for Hire - Drivers authorized to operate</li> <li>• Commercial Liability Insurance - \$2,000.000</li> </ul> <p><b><u>Driver Document Submission Required (per driver):</u></b></p> <ul style="list-style-type: none"> <li>• Criminal Records Check (valid within 12 months of application)</li> <li>• Ministry of Transportation Driver’s Abstract (valid within 12 months of application)</li> <li>• 2 pieces of government issued identification (1 being a valid Ontario Driver’s Licence)</li> <li>• Letter of employment or affiliation from Driver for Hire Company</li> <li>• Each Driver must attend Enforcement Services Office for Photo ID Card to be generated</li> </ul>

<b>Change of Name (same owner)</b>	<ul style="list-style-type: none"> <li>• Proof of previous City Licence</li> <li>• Updated insurance documentation showing Name Change</li> </ul>
<b>Replacement / Duplicate Licence</b>	Proof of Ownership
<b>Licence Amendment</b> <small>(to add or remove from registry, Taxicab Company / Private Transportation Company / Driver for Hire Company)</small>	<ul style="list-style-type: none"> <li>• Completed application</li> <li>• All required Driver documents as set out in this Table, as applicable</li> <li>• A required Vehicle documents as set out in this Table as applicable</li> <li>• List of drivers or vehicles to be removed as applicable</li> </ul>
<b>Photo ID card Replacement</b>	Proof of City Licence
<b>Vehicle Transfer (Limousine only)</b>	<ul style="list-style-type: none"> <li>• Return of previous decal</li> <li>• Vehicle Identification Number</li> <li>• Ontario Licence Plate (Ownership)</li> <li>• Automobile Liability Insurance-\$2,000,000</li> <li>• Vehicle Safety Standards Certificate for each vehicle (valid within 36 days of application)</li> <li>• Proof of previous City Licence for vehicle to be replaced</li> </ul>

3.0.0.0.0 **LIMOUSINE**  
Authority: Municipal Act, .S.O. 2001, c. 25

3.1.0.0.0 **PURPOSE**

3.1.1.0.0 The Council of the Corporation of the City of Barrie has deemed it expedient to pass a by-law to license, regulate and govern Limousine within the City of Barrie to:

- a) ensure that consumers are protected by requiring minimum liability insurance as a condition of operating a business and by further ensuring that sufficient information is provided and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
- b) ensure that the Licensee has secured and holds valid liability insurance for the general protection of the consumer;
- c) ensure that the Licensee has secured and holds valid automobile insurance for the general protection of the consumer;
- d) ensure that the health and safety of its residents, visitors and the employees of such business operation are protected through regular or required inspections and compliance with the requirements of the Highway Traffic Act; and
- e) ensure that the Licensee complies with all nuisance control regulations.

3.2.0.0.0 **OPERATING CRITERIA**

3.2.1.0.0 No person shall operate or maintain any vehicle as a limousine within the City without first obtaining a licence to do so.

3.2.2.0.0 The applicant shall provide to the Issuer of Licence, at the time of application, the vehicle make, model and year and vehicle identification number for each vehicle to be licensed as a limousine.

3.2.3.0.0 The applicant shall provide to the Issuer of Licences at the time of application, proof of automobile insurance in the minimum amount of \$2,000,000.

3.2.4.0.0 The applicant shall provide to the Issuer of Licences at the time of application, a Safety Standards Certificate in accordance with the requirements of the Highway Traffic Act, R.S.O. 1990, c. H.8 for the vehicle for which application is being made.

3.2.5.0.0 No person shall drive any limousine without first being licensed as a Limousine Driver under the provisions of this by-law.

- 3.2.6.0.0 Every owner of a limousine shall submit such limousine for safety inspection annually or as otherwise required by the Issuer of Licences, Municipal Law Enforcement Officer, Police Officer or other duly appointed individual under the provisions of the Highway Traffic Act, R.S.O. 1990, c. H.8 and such valid and current Safety Standards Certificate shall be filed with the Issuer of Licences.
- 3.2.7.0.0 Every owner and driver of a limousine shall keep and maintain the interior and exterior in good repair and in a clean and sanitary condition at all times.
- 3.2.8.0.0 Every owner and driver of a limousine shall ensure that the limousine is equipped with a spare usable tire and wheel and a suitable jack for lifting the limousine at all times.
- 3.2.9.0.0 Every owner and driver shall ensure that a Limousine licensed under this section is only used as a Limousine and is not used as a Taxicab or Private Transportation Company vehicle unless otherwise licensed under the provisions of this by-law.
- 3.2.10.0.0 No person shall operate any vehicle as a Limousine unless such vehicle is equipped with more than two passenger access doors.
- 3.2.11.0.0. Where a person holds a valid City of Barrie Business Licence under this section for the current year and where such person certifies that the Limousine licensed under this section has been removed from service and is being replaced by another vehicle to be operated as a limousine, and upon submission of:
- a) a duly completed application form;
  - b) an appropriate safety inspection certificate for the vehicle to be licensed as a limousine;
  - c) any other required inspections, approvals or documents as required by the Issuer of Licences; and
  - d) payment of an administrative fee as established by the City of Barrie Fee's By-law,
- a Limousine may be reissued by the Issuer of Licences for the replacement vehicle.
- 4.0.0.0.0 **LIMOUSINE COMPANY**  
Authority: Municipal Act, .S.O. 2001, c. 25
- 4.1.0.0.0 **PURPOSE**
- 4.1.1.0.0 The Council of the Corporation of the City of Barrie has deemed it expedient to pass a by-law to license, regulate and govern Limousine within the City of Barrie to:
- a) ensure that consumers are protected by requiring minimum liability insurance as a condition of operating a business and by further ensuring that sufficient information is provided to and maintained by the Issuer of Licences to assist in the enforcement of the by-law.
  - b) ensure that the Licensee has secured and holds valid liability insurance for the general protection of the consumer;
  - c) ensure that the Licensee complies with all nuisance control regulations.
- 4.2.0.0.0 **OPERATING CRITERIA**
- 4.2.1.0.0 No person shall own, operate, maintain, or provide services as a Limousine Company within the City without first obtaining a licence to do so.
- 4.2.2.0.0 The applicant shall provide to the Issuer of Licences at the time of application, proof of liability insurance in the minimum amount of \$2,000,000.
- 4.2.3.0.0 The applicant shall provide to the Issuer of Licences at the time of application, proof of HST (Harmonized Sales Tax) registration.
- 4.2.4.0.0 The applicant shall provide to the Issuer of Licences at the time of application, and within fourteen (14) days of any change, the Ontario licence plate number as issued by the Ministry of Transportation and the Vehicle Identification Number (VIN) for all vehicles to be used as a limousine by the Limousine Company.



- 4.2.5.0.0 The applicant shall provide to the Issuer of Licences at the time of application, and within fourteen (14) days of any change, a list of all persons operating as a Limousine Driver for the Limousine Company. Such listing shall include the name, address, contact number, and City of Barrie Licence Number for each individual operating as a Limousine Driver for the Limousine Company.
- 4.2.6.0.0 The applicant shall file with the Issuer of Licences at the time of application and within fourteen (14) days of any change, a Schedule of Rates and Charges itemizing any and all charges for services to be provided by the Limousine Company.
- 4.2.7.0.0 No person shall charge a rate less than \$35.00 per hour with a minimum of two (2) hours.
- 4.2.8.0.0 No person shall permit any limousine to be used for hire in respect of any Limousine Company unless such limousine is licensed under the provisions of this by-law.
- 4.2.9.0.0 No person shall permit any driver to drive a limousine unless such driver is licensed under the provisions of this by-law to do so.
- 4.2.10.0.0 No person shall permit any person to dispatch any limousine in respect of any Limousine Company unless such person is licensed under the provisions of this by-law to do so.
- 4.2.11.0.0 The licensee shall ensure that every Limousine used by the Limousine Company is submitted annually, or as otherwise requested, for safety inspection and/or inspection by a Municipal Law Enforcement Officer, Police Officer or other duly authorized individual.
- 4.2.12.0.0 The licensee shall ensure that every driver of a limousine shall be familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the City of Barrie and be fluent in the English language.
- 4.2.13.0.0 The licensee shall ensure that every driver of a limousine is the holder of a valid driver's licence issued to him by the Ministry of Transportation for the Province of Ontario, such licence to be of a sufficient class to authorize the driving of the limousine under the provisions of this By-law, and that such licence is valid at all times when such driver is engaged in driving any limousine.
- 4.2.14.0.0 Every licensee shall:
- a) keep an orderly record of all calls answered by limousines owned by him showing date, time, origin, destination, limousine vehicle licence number and the name of the driver. The records shall be retained for a period of 12 months from date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time and may be removed by such Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and retained for any reasonable period of time;
  - b) submit each limousine owned or operated by him for vehicle safety inspection annually and at any other time as required by the Issuer of Licences, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and shall file with the Issuer of Licences a valid and current Safety Standards Certificate for each limousine owned by him and intended to be used as a limousine as required under the provisions of the Highway Traffic Act, R.S.O. 1990, c. H.8 as amended;
  - c) ensure that all persons employed by him as a limousine driver are properly licensed under the provisions of this By-law;
  - d) keep and maintain the interior and exterior of all limousines owned by him in good repair and in a clean and sanitary condition at all times;
  - e) ensure that each limousine is equipped with a spare usable tire and wheel and a suitable jack for lifting the limousine;
  - f) provide telephone and radio dispatching equipment and facilities maintained in proper working condition;
  - g) ensure that in no case a cellular telephone or similar means of communication is utilized for dispatching or receiving calls.

- 4.2.15.0.0 The licensee shall ensure that any limousine operated by him is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified trip.
- 4.2.16.0.0 No person shall be entitled to recover or receive, or charge any fare, rate, fee or charge from any person or persons from whom he shall have demanded any fare, rate, fee or charge greater or less than those authorized in Section 4.2.6.0.0.
- 4.2.17.0.0 Notwithstanding Section 4.2.16.0.0, the licensee and a customer may enter into a contract in writing for services to extend for a period of one year or more on runs between fixed points at an agreed tariff, but a duplicate original of such contract must first be filed with the Issuer of Licences.
- 4.2.18.0.0 No person licensed under this section shall act as a Taxicab or Private Transportation Company Vehicle unless registered to do so under the provisions of this By-law.
- 5.0.0.0.0 **LIMOUSINE DRIVER**  
Authority: Municipal Act, .S.O. 2001, c. 25
- 5.1.0.0.0 **PURPOSE**
- 5.1.1.0.0 The Council of the Corporation of the City of Barrie has deemed it expedient to pass a by-law to license, regulate and govern Limousine Driver within the City of Barrie to:
- a) ensure that consumers are protected by requiring as a condition of operating that such information is provided to and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
  - b) ensure that the Licensee has secured and holds a valid Driver's Licence issued by the Ministry of Transportation for the Province of Ontario;
  - c) ensure that the health and safety of its residents and visitors are protected through the establishment of operating standards; and,
  - d) ensure that the Licensee conducts himself in compliance with all nuisance control regulations
- 5.2.0.0.0 **OPERATING CRITERIA**
- 5.2.1.0.0 No person shall operate or carry on business as a Limousine Driver within the City without first obtaining a licence to do so.
- 5.2.2.0.0 The applicant shall provide to the Issuer of Licences at the time of application, or as otherwise requested, proof that he holds a valid Driver's Licence issued to him by the Ministry of Transportation for the Province of Ontario, such licence to be of a sufficient classification to authorize the driving of a limousine under the provisions of this By-law.
- 5.2.3.0.0 The applicant shall provide to the Issuer of Licences at the time of application, documentation to the satisfaction of the Issuer of Licences from the owner of the Limousine Company for whom the applicant is to provide services as a Limousine Driver confirming that the applicant is employed by or otherwise authorized to provide services as a Limousine Driver for the said Limousine Company.
- 5.2.4.0.0 No person shall provide any services as a Limousine Driver for any Limousine Company which is not licensed under the provisions of this By-law.
- 5.2.5.0.0 No person shall drive any vehicle operated as a Limousine unless such vehicle is licensed as a Limousine under the provisions of this By-law.
- 5.2.6.0.0 No person shall receive calls dispatched by a Limousine Company which is not licensed under the provisions of this by-law.
- 5.2.7.0.0 Every limousine driver shall be familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the City of Barrie and be fluent in the English language.
- 5.2.8.0.0 The licensee shall ensure that he holds a valid Driver's Licence as issued by the Ministry of Transportation for the Province of Ontario of a sufficient classification to authorize the driving of a limousine under the provisions of this By-law, at all times while engaged in the driving of a limousine.

- 5.2.9.0.0 The licensee shall:
- a) keep an orderly record of all calls answered by him showing date, time, origin, destination and limousine vehicle licence number. The records shall be retained for a period of 12 months from date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time and may be removed by such Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and retained for any reasonable period of time;
  - b) ensure that every limousine driven by him has been submitted for vehicle safety examination prior to such vehicle being used as a limousine and at any other time as required by the Issuer of Licences, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual ensure that a valid and current Safety Standards Certificate for such limousine has been issued in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended; and,
  - c) keep the interior and exterior of all limousines owned by him in good repair and in a clean and sanitary condition.
- 5.2.10.0.0 The licensee shall, within 48 hours of changing his address, notify the Issuer of Licences.
- 5.2.11.0.0 The licensee shall ensure that any limousine driven by him is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified trip.
- 5.2.12.0.0 No limousine driver shall be entitled to recover or receive, or charge any fare, rate, fee or charge from any person or persons from whom he shall have demanded any fare, rate, fee or charge greater or less than those authorized in the Schedule of Rates and Charges as set out and required under Section 4.2.6.0.0 of this By-law and as approved by the Issuer of Licences.
- 5.2.13.0.0 Notwithstanding Section 4.2.12.0.0, a limousine driver may provide services to a customer where a Limousine Service and a customer have entered into a contract in writing for services to extend for a period of one year or more on runs between fixed points at an agreed tariff, provided a duplicate original of such contract has first be filed with the Issuer of Licences.
- 5.2.14.0.0 Every licensee while in charge of a limousine for hire shall:
- a) display any photo identification in respect of any licence issued by the Issuer of Licences under the provisions of this section;
  - b) upon the request of any passenger, provide in writing his name, City of Barrie licence number, the permit number issued by the Ministry of Transportation for the Province of Ontario for the limousine he is driving;
  - c) take due care of all property delivered or entrusted to him and accepted by him for in respect of any passenger for conveyance or safekeeping and immediately upon termination of any hiring or engagement, shall search his limousine for any property lost or left therein and all property or money left in his limousine shall be forthwith delivered over to the person owning the same, or if the person cannot be found at once, then to a Police Officer on duty for Barrie Police Service with all information in his possession regarding same;
  - d) travel by the most direct route to the point of destination unless otherwise directed by the person engaging the limousine;
  - e) be neat and clean in his person and appearance; and,
  - f) ensure that at all times, passengers are treated with respect and in a professional manner.
- 5.2.15.0.0 No person, while in charge of a limousine for hire shall:
- a) solicit any person to take or use the limousine he is driving by calling out or shouting. The person wishing to use or engage a limousine shall be left to choose without interception or solicitation;
  - b) take, consume or have in his possession any intoxicant;

- c) obstruct the use of any sidewalk, make any loud noise or disturbance, use any abusive language, molest, annoy or insult any person whatsoever;
  - d) employ or allow any runner or other person to assist or act in concert with him in obtaining any passenger;
  - e) carry a greater number of persons than the limousine is intended to seat according to the manufacturer's rating or than specified in the licence issued under this By-law;
  - f) induce any passenger to employ him by either knowingly, recklessly or wilfully misinforming, misleading or deceiving such passenger as to the arrival or departure of any public conveyance of the location or distance from any part of the City to any terminal, station, public place, private residence or any other place;
  - g) carry any passenger other than those employing his services, unless authorized by the limousine service for which he is employed as a driver;
  - h) allow any immoral, indecent, disorderly or illegal conduct in his limousine;
  - i) smoke contrary to the provisions of the City's smoking by-law or any other applicable legislation, whichever is the more restrictive.
- 5.2.16.0.0 Every licensee shall furnish to every passenger where required, a receipt for charges made and paid by him, indicating thereon the mileage travelled, and the licensee shall promptly furnish such receipt upon request together with his name and the City of Barrie Limousine licence number.
- 5.2.17.0.0 No person, while licensed as a limousine driver, shall operate as a Private Transportation Company Driver, Taxicab Driver or Driver for Hire - Driver, unless registered to do so.
- 6.0.0.0.0 **PEDICAB**  
Authority: Municipal Act, S.O. 2001, c. 25
- 6.1.0.0.0 **PURPOSE**
- 6.1.1.0.0 The Council of The Corporation of the City of Barrie has deemed it expedient to pass a by-law to license, regulate and govern Pedicabs within the City of Barrie to:
- a) ensure that consumers are protected by requiring minimum liability insurance as a condition of operating a business and by further ensuring that sufficient information is provided and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
  - b) ensure that the Licensee has secured and holds valid liability insurance for the general protection of the consumer;
  - c) ensure that the Licensee complies with all nuisance control regulations; and
  - d) ensure compliance with all provisions of the Highway Traffic Act, R.S.O. 190, c. H8, as may be applicable.
- 6.2.0.0.0 OPERATING CRITERIA**
- 6.2.1.0.0 No person shall operate or maintain a Pedicab within the City without first obtaining a licence to do so.
- 6.2.2.0.0 The applicant shall provide to the Issuer of Licences at the time of application, proof of liability insurance in the minimum amount of \$2,000,000.
- 6.2.3.0.0 No person, while operating a pedicab, shall obstruct motor vehicle traffic.
- 6.2.4.0.0 No person shall operate a pedicab unless such person is physically capable of doing so.
- 6.2.5.0.0 Every person operating a pedicab shall comply with all provisions of the Highway Traffic Act, R.S.O. 190, c. H.8, as may be applicable.
- 6.2.6.0.0 No person shall operate a pedicab on any City bike path, walking path, sidewalk or within any City park.
- 6.2.7.0.0 No person shall discharge any passenger in such a way as to create a hazard, danger or any risk to the passenger.

6.2.8.0.0 No person shall stop a pedicab within an intersection to permit any person to embark or disembark the pedicab.

7.0.0.0.0 **TAXICAB**  
(Authority: *Municipal Act, S.O. 2001, c. 25*)

**7.1.0.0.0 PURPOSE**

7.1.1.0.0 The Council of The Corporation of the City of Barrie has deemed it expedient to pass a by-law to regulate and govern Taxicabs within the City of Barrie to:

- a) ensure that consumers are protected by requiring minimum liability insurance as a condition of operating a business and by further ensuring that sufficient information is provided and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
- b) ensure that the Taxicab Company as the Licensee has secured and holds valid liability insurance for the general protection of the consumer;
- c) ensure that the Taxicab Company as the Licensee has secured and holds valid automobile insurance for the general protection of the consumer;
- d) ensure that the health and safety of its residents, visitors and the employees of such business operations are protected through regular or required inspections and compliance with the requirements of the *Highway Traffic Act*; and
- e) ensure that the Taxicab Company and all persons within their registry complies with all nuisance control regulations.

**7.2.0.0.0 OPERATING CRITERIA**

7.2.1.0.0 No person shall operate or maintain any vehicle as a Taxicab within the City without first being registered to do so with a licensed Taxicab Company.

7.2.2.0.0 The applicant shall provide to the Issuer of Licenses, through the Taxicab Company, at the time of application, the vehicle make, model, year and vehicle identification number for each vehicle to be registered as a Taxicab.

7.2.3.0.0 The applicant shall provide to the Issuer of Licences, through the Taxicab Company, at the time of application, proof of liability insurance in the minimum amount of \$2,000,000 for each vehicle.

7.2.4.0.0 The applicant shall provide to the Issuer of Licences, through the Taxicab Company, at the time of application, a valid Safety Standards Certificate issued pursuant to the *Highway Traffic Act, R.S.O. 1990, c. H. 8* for the vehicle to be registered as a Taxicab.

7.2.5.0.0 Deleted.

7.2.6.0.0 Each owner of a Taxicab Company shall require the submission of such Taxicab for safety inspection as required by the Issuer of Licences, Municipal Law Enforcement Officer, Police Officer or other duly appointed individual under the provisions of the *Highway Traffic Act, R.S.O. 1990, c. H.8* and such valid and current Safety Standards Certificate issued pursuant to the *Highway Traffic Act, R.S.O. 1990, c. H.8* shall be filed with the Issuer of Licences.

7.2.7.0.0 No person shall operate or allow the operation of a Taxicab at any time where such vehicle being operated as a Taxicab does not or, if put to an inspection, could not pass the Safety standards established pursuant to the *Highway Traffic Act, R.S.O. 1990, c. H.8*.

7.2.8.0.0 Deleted.

7.2.9.0.0 Deleted.

7.2.10.0.0 Every Taxicab Company shall ensure that such vehicle is only used as a Taxicab and is not used as a limousine or Private Transportation Company vehicle unless otherwise licensed or registered under the provisions of this by-law.

7.2.11.0.0 No person shall operate any vehicle as a Taxicab unless such vehicle is equipped with more than two passenger accesses.

- 7.2.12.0.0 Nothing contained within this section shall prevent a Taxicab from being used to convey or deliver documents, packages, or parcels.
- 7.2.13.0.0 Where a Taxicab Company holds a valid City of Barrie Business Licence under the provisions of this by-law for the current year and where such company certifies that the Taxicab registered under this section has been removed from service and is being replaced by another vehicle to be operated as a Taxicab and upon submission of:
- a) a duly completed application form;
  - b) an appropriate safety inspection certificate for the vehicle to be licensed as a Taxicab;
  - c) any other required inspections, approvals or documents as required by the Issuer of Licences; and,
  - d) payment of an administrative fee as set out in the City of Barrie Fee's By-law,
- a Taxicab decal may be reissued by the Issuer of Licences for the replacement vehicle.
- 7.2.14.0.0 Deleted.
- 7.2.15.0.0 Deleted.
- 7.2.16.0.0 All Taxicabs be required to have installed and operational at all times a minimum safety feature. No person or Taxicab Company shall be precluded from installing any additional safety features as may be deemed necessary for the safety of the driver and/or patrons.
- 7.2.17.0.0 In order to maintain a clear and unimpeded view of passengers and activities inside a Taxicab to better ensure the safety and welfare of the driver or passenger, after market tinting of any window of the Taxicab or the installation of any decals or other treatment which would impede or interfere with the transparency of any window of the vehicle be prohibited.
- 7.2.18.0.0 A Taxicab Company, on behalf of the vehicle owner, shall submit, at the time of application and maintain with the Issuer of Licences:
- a) proof of liability insurance for such vehicle being operated as a Taxicab in the minimum amount of \$2,000,000;
  - b) proof of H.S.T. registration, if applicable;
  - c) Deleted.
  - d) Deleted.
- 7.2.19.0.0 The owner of a Taxicab, not being an owner of a company shall also be required, as requested by the company, to:
- a) submit the vehicle being operated as a Taxicab for inspection as required by the Issuer of Licences or other duly appointed individual;
  - b) maintain the Taxicab in the same manner as set out under the provisions for a Taxicab Company; and
  - c) engage the services only of a registered Taxicab Driver.
- 7.2.20.0.0 Deleted.
- 8.0.0.0.0 **TAXICAB DRIVER**  
Authority: *Municipal Act, .S.O. 2001, c. 25*
- 8.1.0.0.0 **PURPOSE**
- 8.1.1.0.0 The Council of The Corporation of the City of Barrie has deemed it expedient to pass a by-law to regulate and govern Taxicab Drivers within the City of Barrie to:
- a) ensure that consumers are protected by requiring minimum liability insurance as a condition of operating a business and by further ensuring that sufficient information is provided to and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
  - b) Deleted; and,

- c) ensure that the registered Taxicab Driver complies with all nuisance control regulations.

8.2.0.0.0 **OPERATING CRITERIA**

8.2.1.0.0 No person shall operate or carry on business as a Taxicab Driver within the City without first having been registered to operate by a licensed Taxicab Company.

8.2.2.0.0 The applicant through the Taxicab Company, shall provide to the Issuer of Licences at the time of application:

- a) two (2) pieces of identification, one of which shall be photographic identification detailing the applicant's birth date, legal name and current residential address;
- b) a Criminal Records Check obtained from a Police Service or other enforcement agency and dated within 12 months of the date of receipt of the application;
- c) an Ontario Driver's Licence Abstract obtained from the Ministry of Transportation and dated within 12 months of the date of receipt of the application; and,
- d) a copy of the applicant's Ontario Driver's Licence with a minimum Class G designation with no driving restrictions.

8.2.3.0.0 Deleted.

8.2.4.0.0 Deleted.

8.2.5.0.0 No person shall provide any services or operate as a Taxicab Driver for any Taxicab Company which is not licensed under the provisions of this by-law.

8.2.6.0.0 No person shall drive any vehicle operated as a Taxicab unless such vehicle is registered as a Taxicab under the provisions of this by-law.

8.2.7.0.0 No person providing services or operating as a registered Taxicab Driver shall receive dispatched calls from a Taxicab Company unless such Taxicab Company is licensed under the provisions of this by-law.

8.2.8.0.0 Every registered Taxicab Driver shall keep a daily record, hereinafter referred to as a trip record, of all calls received by him which result in the transporting of a passenger from one location to another and such trip record shall contain the following information:

- a) the Taxicab Company licence number and decal number issued under the provisions of this by-law for the Taxicab used for such trip;
  - i) the name and address of the Driver;
  - ii) the amount of fare collected for each trip; and,
  - iii) date, time, origin and destination of each trip.
  - iv) ensure all trip records include the amount of the meter upon arrival at the destination, any discount (in \$) applied and the total fare charged for each call answered by the Taxicab Driver.

8.2.9.0.0 Every registered Taxicab Driver who drives a Taxicab of which he is not the owner shall, once in each calendar day that he has driven, provide to the Taxicab Company, the trip record for that day.

8.2.10.0.0 Every Taxicab Company shall ensure that each registered Taxicab Driver, while in charge of a Taxicab for hire shall:

- a) produce trip records upon the request of any Municipal Law Enforcement Officer, Police Officer or other duly authorized individual;
- b) place his Taxicab Driver's photographic identification card as issued by the City pursuant to the provisions of this by-law in a transparent folder in such

a manner in the Taxicab he is driving as to be conveniently seen and read by passengers;

- c) punctually keep all his appointments and engagements resulting from calls and shall, unless the Taxicab he is driving has been previously engaged, serve at any place within the City and at any specified time, whether by day or night, any person who may lawfully require his Taxicab and he shall not neglect to fulfil his appointments or engagements except for reasons beyond his control;
- d) serve the first person offering to hire him, unless such person owes him a fare for services or unless the person is likely to soil or damage the interior of his Taxicab;
- e) notwithstanding Section 8.2.10.0.0(d) when called upon to do so, assist any Police Officer by conveying in his Taxicab any prisoner to the common jail or police station and to convey to a hospital or elsewhere as may be required any person who has been wounded or who has met with an accident or been taken suddenly ill (provided such illness is not of an infectious nature) and shall be entitled to the rate or fare which shall be paid by Barrie Police Services;
- f) upon request of any passenger, provide in writing his name and Taxicab Company information;
- g) take due care of all property delivered or entrusted to him and accepted by him for conveyance or safekeeping and immediately upon termination of any hiring or engagement, shall search his Taxicab for any property lost or left therein and all property or money left in his Taxicab shall be forthwith delivered over to the person owning the same, or if the person cannot be found at once, then to Barrie Police Services with all information in his possession regarding same;
- h) travel by the most direct route to the point of destination unless otherwise directed by the person engaging the Taxicab;
- i) Deleted;
- j) be familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the City of Barrie;
- k) Deleted;
- l) ensure that at all times, passengers are treated with respect and in a professional manner.

8.2.11.0.0 No person shall, while in charge of a Taxicab for hire:

- a) solicit any person to take or use the Taxicab he is driving by calling out or shouting. The person wishing to use or engage the Taxicab shall be left to choose without interception or solicitation;
- b) take, consume or have in his possession any intoxicant;
- c) obstruct the use of any sidewalk, make any loud noise or disturbance, use any abusive language, molest, annoy or insult any person whatsoever;
- d) employ or allow any runner or other person to assist or act in concert with him in obtaining any passenger;
- e) carry a greater number of persons than the Taxicab is intended to seat according to manufacturer's rating or than specified in the license issued under this by-law;
- f) discriminate in any way against any member of the public in the carrying on of the business on any basis;
- g) refuse to serve a person with a disability or fail to permit a service animal to enter any vehicle within his control;
- h) Deleted;



- i) smoke or allow or permit the smoking of any equipment or product including but not limited to cigar, cigarette, pipe, hookah or any other lit smoking product or vaping product whether lit by flame or battery powered in contravention of the City by-law regarding smoking or other applicable legislation, whichever is the most restrictive;
  - j) park, stop or otherwise stand the Taxicab in any prohibited area;
  - k) Deleted.
  - l) Deleted.
- 8.2.12.0.0 Nothing contained within this section shall prevent a Taxicab Driver from conveying, or delivering documents, packages, or parcels.
- 8.2.13.0.0 Deleted.
- 8.2.14.0.0 Deleted.
- 9.0.0.0.0 **TAXICAB COMPANY**  
Authority: *Municipal Act, .S.O. 2001, c. 25*
- 9.1.0.0.0 **PURPOSE**
- 9.1.1.0.0 The Council of The Corporation of the City of Barrie has deemed it expedient to pass a by-law to license, regulate and govern Taxicab Companies within the City of Barrie to:
- a) ensure that consumers are protected by requiring minimum liability insurance as a condition of operating a business and by further ensuring that sufficient information is provided to and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
  - b) ensure that the Licensee has secured and holds valid liability insurance for the general protection of the consumer;
  - c) ensure that the Licensee complies with all nuisance regulations; and,
  - d) ensure that the health and safety of its residents and visitors are protected through the establishment of operating standards.
- 9.2.0.0.0 **OPERATING CRITERIA**
- 9.2.1.0.0 No person shall own, operate, carry on or maintain a business as a Taxicab Company within the City of Barrie without first having obtained a licence to do so.
- 9.2.2.0.0 The applicant shall provide to the Issuer of Licences at the time of application, proof of commercial liability insurance in the minimum amount of \$2,000,000.
- 9.2.3.0.0 The applicant shall provide to the Issuer of Licences at the time of application, proof of H.S.T. (Harmonized Sales Tax) registration. Such registrations shall be provided for the Taxicab Company and on behalf of all registered Taxicab Drivers and all registered Taxicabs operating on behalf of the Taxicab Company as may be applicable.
- 9.2.4.0.0 The applicant shall provide to the Issuer of Licences at the time of application, and within fourteen (14) days of any change, a list of all persons operating as a Taxicab Driver for the Taxicab Company. Such listing shall include the Name, address and contact number for each individual currently authorized to operate as a Taxicab Driver for the Taxicab Company.
- 9.2.5.0.0 The applicant shall provide to the Issuer of Licences at the time of application, a list of all vehicles operating on behalf of the Taxicab Company. Such list shall include:
- a) the vehicle identification number and the Ontario licence plate number as issued by the Ministry of Transportation for each vehicle owned or to be operated on behalf of the Taxicab company;
  - b) a valid and current Safety Standards Certificate for each vehicle owned by the company or to be operated on behalf of the Taxicab Company, issued pursuant to the provisions of the *Highway Traffic Act, R.S.O. 1990, c. H8*, as amended; and,
  - c) Deleted.

- 9.2.6.0.0 No person shall use or permit any Taxicab to be used for hire unless such Taxicab is registered under the provisions of this by-law.
- 9.2.6.1.0 No person shall use or permit any Taxicab be used as a Private Transportation Company Vehicle for Hire unless such vehicle is licensed or registered separately under the provisions of this by-law
- 9.2.7.0.0 No person shall permit any Driver to drive a Taxicab unless such Driver is registered under the provisions of this by-law to do so.
- 9.2.7.1.0 No person shall permit any Private Transportation Company Driver or Driver for Hire to drive a Taxicab unless such Driver is registered separately under the provisions of this by-law.
- 9.2.8.0.0 The licensee shall advise the Issuer of Licenses within 14 (fourteen) days of any change in any licence plate issued by the Ministry of Transportation.
- 9.2.9.0.0 The licensee shall ensure that every Driver of a Taxicab shall be familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the City of Barrie.
- 9.2.10.0.0 The licensee shall ensure that every Driver of a Taxicab is the holder of any of a class A, B, C, D, E, F or G driver's licence issued to him by the Ministry of Transportation for the Province of Ontario and that such licence is valid at all times which such driver is engaged in driving any Taxicab used by the licensee.
- 9.2.10.1.0 The licensee shall immediately notify the Issuer of Licences if a registered Taxicab Driver no longer holds a valid Province of Ontario driver's licence for any reason and such Driver shall immediately be removed from the Taxicab Driver registry.
- 9.2.11.0.0 The applicant shall be at least 18 years of age to be licensed under this section.
- 9.2.12.0.0 The licensee shall satisfy the Issuer of Licenses that:
- a) any Taxicab operated in association with the Taxicab Company will accept calls only from the Taxicab Company;
  - b) Deleted;
  - c) Deleted.
  - d) Every Taxicab Company be required to provide to the Issuer of Licences at the time of application and within 14 (fourteen) days of any change to such information:
    - i. a registry of all Taxicabs owned by the company identifying the Licence Plate Number, make of vehicle and Vehicle Identification Number;
    - ii. a registry of all vehicles not owned by the Taxicab Company but which are intended to be used as a Taxicab for the Taxicab Company and operated on behalf of the Taxicab Company identifying the Licence Plate Number, make of vehicle and Vehicle Identification Number;
    - iii. a copy of a valid vehicle safety inspection certificate issued by the Ministry of Transportation for each vehicle operating on behalf of the Taxicab Company
    - iv. a registry containing the name(s), addresses and contact information of any person operating as a Taxicab Driver for the Taxicab Company regardless of whether such Driver operates a Taxicab owned by the Taxicab Company or another person;
    - v. a copy of a valid driver's abstract issued by the Ministry of Transportation for each Taxicab Driver operating on behalf of the Taxicab Company; and,
    - vi. a criminal records check issued by a police service or other agency authorized to provide such criminal records checks for each Taxicab Driver operating on behalf of the Taxicab Company, such criminal records check must have been issued within 12 months of the date of application.

- 9.2.13.0.0 Every licensee shall:
- a) keep an orderly record of all calls answered by Taxicabs owned or operated on behalf of the Taxicab Company, showing date, time, origin, destination and the name of the driver. The records shall be retained for a period of 12 months from date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time and may be removed by such Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and retained for any reasonable period of time;
  - b) submit each Taxicab owned or operated on behalf of the Taxicab Company for vehicle safety inspection as required by the Issuer of Licences, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and shall file with the Issuer of Licences a valid and current Safety Standards Certificate for each Taxicab owned or operated on behalf of the Taxicab Company and intended to be used as a Taxicab in accordance with the provisions of the *Highway Traffic Act, R.S.O. 1990, c. H8*;
  - c) ensure that all persons employed or operating on behalf of the Taxicab Company as a Taxicab Driver are properly registered under the provisions of this by-law;
  - d) Deleted;
  - e) prominently display in each Taxicab owned or operated on behalf of the Taxicab Company a list of rates or fares set out by the company, including but not limited to any scheduled price variances inclusive and prior to the commencement of any conveyance;
  - f) ensure that every Taxicab used by the Taxicab Company is submitted as requested for inspection by a Municipal Law Enforcement Officer, Police Officer or other duly authorized individual;
  - g) ensure the necessary dispatching equipment, mobile software application or two way communications is available to each Driver and maintained in proper working condition; and,
  - h) Deleted.
  - i) ensure all trip records submitted by the Taxicab Driver, include the amount of the meter fare upon arrival at the destination, any discount (in \$) applied and the total fare charged for each call answered by the Taxicab Driver.
- 9.2.14.0.0 The licensee shall ensure that any Taxicab operated on behalf of the company is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified trip.
- 9.3.0.0.0 **TAXI TARIFF - RATES AND FARES**
- 9.3.1.0.0 All rates and fares including any scheduled price variance, shall be posted within the Taxicab or available through an electronic format to every customer prior to the commencement of any conveyance and shall be agreed upon.
- 9.3.2.0.0 All rates and fares are inclusive of Harmonized Sales Tax (H.S.T.).
- 9.3.3.0.0 Notwithstanding Section 9.3.1.0.0 through Section 9.3.2.0.0 the licensee and a customer may enter into a contract in writing for services to extend for a period of one year or more on runs between fixed points at an agreed tariff, but a duplicate original of such contract must first be filed with the Issuer of Licences.
- 9.3.4.0.0 Deleted.
- 9.3.5.0.0 Deleted.
- 9.3.6.0.0 Deleted.
- 9.3.7.0.0 Deleted.

9.4.0.0.0 **EQUIPMENT AND ITS USE**

9.4.1.0.0 Every licensee shall have affixed to each Taxicab used on behalf of the Taxicab Company, a Taxi meter for registering distances travelled and computing fares to be paid.

9.4.2.0.0 Every person shall ensure that:

- a) each Taxi meter is:
  - i) Deleted;
  - ii) so placed as to be conveniently seen at all times by the passenger or passengers of the Taxicab;
  - iii) Deleted;
  - iv) kept in good working order at all times and not used when defective in any way; and,
  - v) Deleted.

9.4.3.0.0 Deleted.

9.4.4.0.0 Deleted.

9.4.5.0.0 Deleted.

9.4.6.0.0 Every licensee shall ensure that every Taxicab used by the Taxicab Company has security affixed on the top of the Taxicab, an illuminated sign indicating that the vehicle is a Taxicab and the trade name under which the Taxicab is being operated.

9.4.7.0.0 The licensee shall be held liable for any violations found or misconduct done so by any registered Taxicab Driver or Taxicab vehicle, to any provision of this by-law and may result in the suspension, revocation or denial of the Taxicab Company licence, by the Issuer of Licences.

10.0.0.0.0 **DELETED** (By-law 2023-179)

11.0.0.0.0 **DELETED** (By-law 2023-179)

12.0.0.0.0 **DELETED** (By-law 2023-179)

13.0.0.0.0 **PRIVATE TRANSPORTATION COMPANY DRIVER**

Authority: *Municipal Act, .S.O. 2001, c. 25*

13.1.0.0.0 **PURPOSE**

13.1.1.0.0 The Council of The Corporation of the City of Barrie has deemed it expedient to pass a by-law to regulate and govern Private Transportation Company Drivers within the City of Barrie to:

- a) ensure that consumers are protected by requiring as a condition of operating that sufficient information is provided to and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
- b) ensure that the Licensee has secured and holds a valid Driver's Licence issued by the Ministry of Transportation for the Province of Ontario;
- c) ensure that the health and safety of its residents and visitors are protected through the establishment of operating standards; and,
- d) ensure that the Licensee complies with all nuisance control regulations;

13.2.0.0.0 **OPERATING CRITERIA**

13.2.1.0.0 No person shall operate or carry on business as a Private Transportation Company Driver within the City without first having been registered to do so.

- 13.2.2.0.0 The applicant or his designate shall provide to the Issuer of Licences, through the Private Transportation Company, at the time of application:
- a) two (2) pieces of identification, one of which shall be photographic identification detailing the applicant's birth date, legal name and current residential address;
  - b) a Criminal Record Check obtained from a Police enforcement agency or other duly appointed agency and dated within 12 months of the date of receipt of the application;
  - c) an Ontario Driver's Licence Abstract obtained from the Ministry of Transportation and dated within 12 months of the date of receipt of the application; and,
  - d) the applicant's Ontario Driver's Licence with a minimum Class G designation with no driving restrictions.
- 13.2.3.0.0 The applicant or his designate shall provide to the Issuer of Licences, through the Private Transportation Company, at the time of application, documentation to the satisfaction of the Issuer of Licences from the owner or designate of the Private Transportation Company for whom the applicant is to provide services as a Private Transportation Company Driver confirming that the applicant is employed by or otherwise authorized to provide services as a Private Transportation Company Driver for the said Private Transportation Company. This may be in the form of a registry.
- 13.2.4.0.0 No person shall provide any service or operate as a Driver for any Private Transportation Company which is not licensed under the provisions of this by-law.
- 13.2.5.0.0 No person shall drive any vehicle operated as a Private Transportation Company vehicle unless such vehicle is registered under the provisions of this by-law.
- 13.2.6.0.0 No person providing services or operating as a Private Transportation Company Driver shall receive requests for service, in any format, from a Private Transportation Company unless such company is licensed under the provisions of this by-law.
- 13.2.7.0.0 Every registered Private Transportation Driver shall keep a daily trip records, such daily trip record may be in paper or electronic format, hereinafter referred to as a trip record, of all calls received by him which result in the transporting of a passenger from one location to another and such trip record shall contain the following information:
- a) the Private Transportation Company vehicle licence number issued under the provisions of this by-law;
    - i) the name, address of the Driver;
    - ii) the amount of remuneration collected for the service; and,
    - iii) date, time, origin and destination of each trip.
- 13.2.8.0.0 Every person, while in charge of a Private Transportation Company Vehicle for hire shall:
- a) produce daily trip records upon the request of any Municipal Law Enforcement Officer, Police Officer or other duly authorized individual;
  - b) upon request of any passenger, give in writing his name, and company contact information along with the license number issued to the company under the provision of this by-law; and,
  - c) ensure all daily trip records include the amount of the fare upon arrival at the destination, any discount (in \$) applied and the total fare charged for each call answered by the Private Transportation Company Driver
- 13.2.9.0.0 No person shall, while in charge of a Private Transportation Company Vehicle for hire:
- a) solicit any person to take or use the Private Transportation Company Vehicle he is driving by calling out or shouting. The person wishing to use or engage the Private Transportation Company Vehicle shall be left to choose without interception or solicitation;

- b) take, consume or have in his possession any intoxicant;
- c) obstruct the use of any sidewalk, make any loud noise or disturbance, use any abusive language, molest, annoy or insult any person whatsoever;
- d) employ or allow any runner or other person to assist or act in concert with him in obtaining any passenger;
- e) carry a greater number of persons than the Private Transportation Company Vehicle is intended to seat according to manufacturer's rating or than specified in the license issued under this by-law;
- f) smoke or allow or permit the smoking of any equipment or product including but not limited to cigar, cigarette, pipe, hookah or any other lit smoking product or vaping product whether lit by flame or battery powered, in contravention of the City by-law regarding smoking or other applicable legislation, whichever is the most restrictive;
- g) park, stop or otherwise stand the Private Transportation Company Vehicle in any prohibited area;
- h) park, stop or otherwise stand in a designated Taxicab stand for which a sign is posted;
- i) discriminate in any way against any member of the public in the carrying on of the business on any basis; and,
- j) refuse to serve a person with a disability or fail to permit a service animal to enter any vehicle to which the licence relates.

14.0.0.0.0 **PRIVATE TRANSPORTATION COMPANY**  
Authority: *Municipal Act, S.O. 2001, c. 25*

14.1.0.0.0 **PURPOSE**

14.1.1.0.0 The Council of The Corporation of the City of Barrie has deemed it expedient to pass a by-law to license, regulate and govern Private Transportation Companies within the City of Barrie to:

- a) ensure that consumers are protected by requiring minimum liability insurance as a condition of operating a business and by further ensuring that sufficient information is provided to and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
- b) ensure that the Licensee has secured and holds valid liability insurance for the general protection of the consumer; and,
- c) ensure that the Licensee complies with all nuisance regulations.

14.2.0.0.0 **OPERATING CRITERIA**

14.2.1.0.0 No person shall own, operate, carry on or maintain a business as a Private Transportation Company within the City of Barrie without first having obtained a licence to do so.

14.2.2.0.0 The applicant shall provide to the Issuer of Licences at the time of application, proof of commercial liability insurance in the minimum amount of \$2,000,000.

14.2.3.0.0 The applicant shall provide to the Issuer of Licences at the time of application, proof of H.S.T. (Harmonized Sales Tax) registration. Such registrations shall be provided for the Private Transportation Company and on behalf of all registered Private Transportation Company Drivers and all registered Private Transportation Company Vehicles operating on behalf of the Private Transportation Company as may be applicable.

14.2.4.0.0 The applicant shall provide to the Issuer of Licences at the time of application, and within fourteen (14) days of any change, a registry of all persons operating as a Private Transportation Company Driver on behalf of the Company. Such listing shall include:

- a) the Name, address and contact number for each individual;

- b) Criminal Records Check issued by a Police enforcement agency or other duly appointed agency valid within 12 months of receipt by the Issuer of Licences;
  - c) a driver's abstract issued by the Ministry of Transportation valid within 30 days of receipt by the Issuer of Licences;
  - d) copy of valid Ontario Driver's Licence issued by the Ministry of Transportation with no driving restrictions.
- 14.2.5.0.0 The applicant shall provide to the Issuer of Licences at the time of application, and within fourteen (14) days of any change, a list of all vehicles operating as a Private Transportation Company Vehicles on behalf of the Company. Such listing shall include:
- a) the vehicle identification number and the Ontario licence plate number as issued by the Ministry of Transportation for each vehicle operating on behalf of the Private Transportation Company;
  - b) a valid Safety Standards Certificate issued pursuant to the provisions of the *Highway Traffic Act, R.S.O. 1990, c. H8*, as amended; at the time of application,
  - c) the unique identifier issued to each vehicle operated as a Private Transportation Company Vehicle by such Private Transportation Company.
- 14.2.6.0.0 No person shall use or permit any Private Transportation Company Vehicle to be used for hire unless such Private Transportation Company Vehicle is registered under the provisions of this by-law.
- 14.2.7.0.0 No person shall permit any driver to drive a Private Transportation Company Vehicle unless such Driver is registered under the provisions of this by-law to do so.
- 14.2.8.0.0 Every person shall advise the Issuer of Licences within fourteen (14) days of any change in any licence plate issued by the Ministry of Transportation.
- 14.2.9.0.0 The licensee shall ensure that every driver of a Private Transportation Company Vehicle shall be familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the City of Barrie.
- 14.2.10.0.0 The licensee shall ensure that every Driver of a Private Transportation Company Vehicle is the holder of any of a class A, B, C, D, E, F or G driver's licence issued to him by the Ministry of Transportation for the Province of Ontario and that such licence is valid at all times which such driver is engaged in driving any Private Transportation Company Vehicle used by the licensee.
- 14.2.10.1.0 The licensee shall immediately notify the Issuer of Licences should any Private Transportation Company Driver's driver's licence no longer be valid. Such Driver shall immediately be removed from the registry.
- 14.2.11.0.0 The applicant shall be at least 18 years of age to be licensed under this section.
- 14.2.12.0.0 The applicant shall satisfy the Issuer of Licences that:
- a) any Private Transportation Company Vehicle operated in association with the Company will accept calls only from that Private Transportation Company;
- 14.2.13.0.0 Every licensee shall:
- a) keep an orderly record of all calls answered by vehicles operating on behalf of the Private Transportation Company showing date, time, origin, destination, vehicle licence number and the name of the driver. The records shall be retained for a period of 12 months from date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time and may be removed by such Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and retained for any reasonable period of time;
  - b) submit each Private Transportation Company Vehicle for vehicle safety inspection as required by the Issuer of Licences, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and shall file with the Issuer of Licences a valid and current Safety Standards Certificate for each vehicle operated on behalf of the company as required

by the Issuer of Licences in accordance with the provisions of the *Highway Traffic Act, R.S.O. 1990, c. H8*;

- c) ensure that all persons employed or operating on behalf of the Private Transportation Company as a Private Transportation Company Driver are properly registered under the provisions of this by-law;
  - d) All rates and fares shall be made available through an electronic format to every customer prior to the commencement of any conveyance and shall include any discounts, price variances or surges in effect at the time and the conveyance must be agreed upon prior to commencement;
  - e) provide the necessary or make available the necessary dispatching equipment, mobile software applications or two way communication devices to each Driver and maintained in proper working condition;
  - f) ensure all trip records include the amount of the fare upon arrival at the destination, any discount (in \$) applied and the total fare charged for each call answered by the Private Transportation Company Driver; and,
  - g) not permit, encourage or condone the acceptance of hails or the solicitation of passengers by Private Transportation Company Drivers, whether on the street or in any manner or any other location.
- 14.2.14.0.0 The licensee shall ensure that any Private Transportation Company Vehicle operating on behalf of the company is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified trip.
- 14.2.15.0.0 The licensee shall notify the Issuer of Licences immediately should a p Private Transportation Company Driver be suspended or terminated from operating on behalf of the Private Transportation Company and shall not reinstate such Driver unless prior approval has been granted by the Issuer of Licences.
- 14.2.16.0.0 The licensee shall ensure that a copy of the Private Transportation Company identifier is filed with the Issuer of Licences at the time of application and approval is granted relating to the form, size and location by the Issuer of Licences.
- 14.2.17.0.0 The licensee shall ensure that such identifier is placed on each Private Transportation Company Vehicle so as to be visible to the public at all times when operating.
- 14.2.18.0.0 The licensee shall remit payment and supporting reports to the Issuer of Licences on a Quarterly basis related to a per trip fee as set out in the City Fees By-law as amended from time to time.
- 14.2.19.0.0 The licensee shall be held liable for any violations found or misconduct done so by any registered Private Transportation Company Driver or Private Transportation Company Vehicle, to any provision of this by-law and may result in the suspension, revocation or denial of the Private Transportation Company licence by the Issuer of Licences.
- 14.3.0.0.0 **RATES AND FARES**
- 14.3.1.0.0 Every licensee shall:
- a) ensure all rates and fares are posted within the vehicle or available through an electronic format to every customer prior to the commencement of any conveyance and shall be agreed upon,
  - b) ensure each customer is advised immediately and prior to the commencement of any conveyance of any price variance or surging in effect at the time of the request for service,
  - c) ensure all rates and fares are inclusive of Harmonized Sales Tax (H.S.T.) if applicable;
  - d) ensure that no driver accepts any payment in cash or any other form of payment for services provided. All payments shall be made through the appropriate mobile software application; and,
  - e) ensure that the customer is provided with a receipt detailing all rates and fares, date of transaction, total time of trip, start / end locations and Private Transportation Company licence number associated with each trip. Such receipt shall be in an electronic format.



14.4.0.0.0 **EQUIPMENT AND ITS USE**

14.4.1.0.0 Every licensee shall ensure each Private Transportation Company Driver operating on his behalf, has correctly logged or signed into the applicable mobile software application that will register distances travelled and computing fares to be paid.

14.4.2.0.0 Every Licensee shall be required upon request, to create anonymous passenger and driver accounts to be used for enforcement purposes by a Municipal Law Enforcement Officer or other duly appointed officer authorized to enforce the provisions of this by-law. Such accounts can be used from time to time to complete random inspections to ensure compliance with the provisions of the by-law.

15.0.0.0.0 **PRIVATE TRANSPORTATION COMPANY VEHICLE**

Authority: *Municipal Act, .S.O. 2001, c. 25*

15.1.0.0.0 **PURPOSE**

15.1.1.0.0 The Council of The Corporation of the City of Barrie has deemed it expedient to pass a by-law to regulate and govern Private Transportation Company Vehicles within the City of Barrie to:

- a) ensure that consumers are protected by requiring minimum liability insurance as a condition of operating a business and by further ensuring that sufficient information is provided to and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
- b) ensure that the Licensee has secured and holds valid liability insurance for the general protection of the consumer; and,
- c) ensure that the Licensee complies with all nuisance regulations.

15.2.0.0.0 **OPERATING CRITERIA**

15.2.1.0.0 No person shall own, operate, carry on or maintain a business as a Private Transportation Company Vehicle within the City of Barrie without first having been registered to do so.

15.2.2.0.0 The applicant or his designate shall provide to the Private Transportation Company, at the time of application, proof of automobile liability insurance in the minimum amount of \$2,000,000.

15.2.3.0.0 The applicant or his designate shall provide to the Private Transportation Company, at the time of application, proof of H.S.T. (Harmonized Sales Tax) registration, if applicable.

15.2.4.0.0 The applicant or his designate shall provide to the Private Transportation Company, at the time of application, and within fourteen (14) days of any change, a list of all vehicles operating as a Private Transportation Company Vehicle for the Company. Such listing shall include:

- a) the vehicle identification number and the Ontario licence plate number as issued by the Ministry of Transportation for each vehicle operating on behalf of the Private Transportation Company;
- b) a valid Safety Standards Certificate, for each vehicle, issued pursuant to the provisions of the *Highway Traffic Act, R.S.O. 1990, c. H8, as amended*; at the time of application; and,
- c) the unique identifier issued to each vehicle operated as a Private Transportation Company Vehicle by such Private Transportation Company.

15.2.5.0.0 No person shall use or permit any Private Transportation Company Vehicle to be used for hire unless such Private Transportation Company Vehicle is registered under the provisions of this by-law.

15.2.6.0.0 No person shall permit any driver to drive a Private Transportation Company Vehicle unless such driver is registered under the provisions of this by-law to do so.

15.2.7.0.0 Every person shall advise the Issuer of Licences within fourteen (14) days of any change in any licence plate issued by the Ministry of Transportation.

- 15.2.8.0.0 The registered owner of a Private Transportation Company Vehicle shall be familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the City of Barrie.
- 15.2.9.0.0 The applicant or his designate shall be at least 18 years of age to be licensed under this section.
- 15.2.10.0.0 The applicant or his designate shall satisfy the Issuer of Licences that:
- a) any Private Transportation Company Vehicle operated in association with the Company will accept calls only from the Private Transportation Company;
- 15.2.11.0.0 Every registered vehicle owner or licensee shall:
- a) submit each registered Private Transportation Company Vehicle for vehicle safety inspection, as required, by the Issuer of Licences, a Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and shall file with the Issuer of Licences a valid and current Safety Standards Certificate for each vehicle operated on behalf of the company as required by the Issuer of Licences in accordance with the provisions of the *Highway Traffic Act, R.S.O. 1990, c. H8*;
  - b) ensure all trip records include the amount of the fare upon arrival at the destination, any discount (in \$) applied and the total fare charged for each call answered by the Private Transportation Company Driver; and
  - c) not permit, encourage or condone the acceptance of hails or the solicitation of passengers by Private Transportation Company Drivers, whether on the street or in any manner or any other location.
- 15.2.12.0.0 The registered vehicle owner or licensee shall ensure that any Private Transportation Company Vehicle operating on behalf of the Company is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified trip.
- 15.2.13.0.0 The registered vehicle owner or licensee shall ensure that such identifier is placed on each Private Transportation Company Vehicle so as to be visible to the public at all times, when operating.
- 16.0.0.0.0 **DRIVER FOR HIRE - DRIVER**  
Authority: *Municipal Act, S.O. 2001, c. 25*
- 16.1.0.0.0 **PURPOSE**
- 16.1.1.0.0 The Council of The Corporation of the City of Barrie has deemed it expedient to pass a by-law to regulate and govern Driver for Hire - Drivers within the City of Barrie to:
- a) ensure that consumers are protected by requiring as a condition of operating that sufficient information is provided to and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
  - b) ensure that the Licensee has secured and holds a valid Driver's Licence issued by the Ministry of Transportation for the Province of Ontario;
  - c) ensure that the health and safety of its residents and visitors are protected through the establishment of operating standards; and,
  - d) ensure that the Licensee complies with all nuisance control regulations;
- 16.2.0.0.0 **DEFINITION – For the purpose of sections 16 and 17 only:**
- 16.2.1.0.0 **CUSTOMER** – means the registered owner or his/her designate, of a private vehicle who requests, hires or contracts a driver.
- 16.3.0.0.0 **OPERATING CRITERIA**
- 16.3.1.0.0 No person shall operate or carry on business as a Driver for Hire - Driver within the City without first having been registered to do so.

- 16.3.2.0.0 The applicant or his designate shall provide to the Issuer of Licences, through the Driver for Hire Company, at the time of application:
- a) two (2) pieces of identification, one of which shall be photographic identification detailing the applicant's birth date, legal name and current residential address;
  - b) a Criminal Record Check obtained from a Police enforcement agency or other duly appointed agency and dated within 12 months of the date of receipt of the application;
  - c) an Ontario Driver's Licence abstract obtained from the Ministry of Transportation and dated within 12 months of the date of receipt of the application; and
  - d) the applicant's Ontario Driver's Licence with a minimum Class G designation with no driving restrictions.
- 16.3.3.0.0 The applicant or his designate shall provide to the Issuer of Licences, through the Driver for Hire Company, at the time of application, documentation to the satisfaction of the Issuer of Licences from the owner or designate of the Driver for Hire Company for whom the applicant is to provide services as a Driver for Hire - Driver confirming that the applicant is employed by or otherwise authorized to provide services as a Driver for Hire – Driver for the said Driver for Hire Company. This may be in the form of a registry.
- 16.3.4.0.0 No person shall provide any service or operate as a Driver for any Driver for Hire Company which is not licensed under the provisions of this by-law.
- 16.3.5.0.0 No person providing services or operating as a Driver for Hire - Driver shall receive requests for service, in any format, from a Driver for Hire Company unless such company is licensed under the provisions of this by-law.
- 16.3.6.0.0 No person shall, while in charge of a Customer Vehicle:
- a) solicit any person to take or use the Customer Vehicle he is driving by calling out or shouting. The person wishing to use or engage the Driver for Hire shall be left to choose without interception or solicitation;
  - b) take, consume or have in his possession any intoxicant;
  - c) obstruct the use of any sidewalk, make any loud noise or disturbance, use any abusive language, molest, annoy or insult any person whatsoever;
  - d) employ or allow any runner or other person to assist or act in concert with him in obtaining any passenger;
  - e) carry a greater number of persons than the Customer Vehicle is intended to seat according to manufacturer's rating or than specified in the license issued under this by-law;
  - f) smoke or allow or permit the smoking of any equipment or product including but not limited to cigar, cigarette, pipe, hookah or any other lit smoking product or vaping product whether lit by flame or battery powered, in contravention of the City by-law regarding smoking or other applicable legislation, whichever is the most restrictive;
  - g) park, stop or otherwise stand the Customer Vehicle in any prohibited area;
  - h) park, stop or otherwise stand the Customer Vehicle in a designated Taxicab stand for which a sign is posted;
  - i) discriminate in any way against any member of the public in the carrying on of the business on any basis; and,
  - j) refuse to serve a person with a disability or fail to permit a service animal to enter any vehicle to which the licence relates.

17.0.0.0.0 **DRIVER FOR HIRE COMPANY**  
Authority: *Municipal Act, .S.O. 2001, c. 25*

17.1.0.0.0 **PURPOSE**

17.1.1.0.0 The Council of The Corporation of the City of Barrie has deemed it expedient to pass a by-law to license, regulate and govern Driver for Hire Companies within the City of Barrie to:

- a) ensure that consumers are protected by requiring minimum liability insurance as a condition of operating a business and by further ensuring that sufficient information is provided to and maintained by the Issuer of Licences to assist in the enforcement of the by-law;
- b) ensure that the Licensee has secured and holds valid liability insurance for the general protection of the consumer; and,
- c) ensure that the Licensee complies with all nuisance regulations.

17.2.0.0.0 **OPERATING CRITERIA**

17.2.1.0.0 No person shall own, operate, carry on or maintain a business as a Driver for Hire Company within the City of Barrie without first having obtained a licence to do so.

17.2.2.0.0 The applicant shall provide to the Issuer of Licences at the time of application, proof of commercial liability insurance in the minimum amount of \$2,000,000.

17.2.3.0.0 The applicant shall provide to the Issuer of Licences at the time of application, proof of HST (Harmonized Sales Tax) registration. Such registrations shall be provided for the Driver for Hire Company and on behalf of all registered Driver for Hire - Drivers operating on behalf of the Driver for Hire Company as may be applicable.

17.2.4.0.0 The applicant shall provide to the Issuer of Licences at the time of application, and within fourteen (14) days of any change, a registry of all persons operating as a Driver for Hire - Driver for the Company. Such listing shall include:

- a) the Full Legal Name, residential address and contact number for each individual operating on behalf of the Company;

17.2.5.0.0 No person shall use or permit the use of a Driver for Hire Company Vehicle to be used to transport customers or clients at any time.

17.2.6.0.0 No person shall permit any person to operate as a Driver for Hire - Driver unless such person is registered under the provisions of this by-law to do so.

17.2.7.0.0 The licensee shall ensure that every driver operating on behalf of the Driver for Hire Company is familiar with the provisions of this by-law, the laws and regulations relating to traffic and the geography of the City of Barrie.

17.2.8.0.0 The licensee shall ensure that every person operating as a Driver for Hire - Driver is the holder of any of a class A, B, C, D, E, F or G driver's licence issued to him by the Ministry of Transportation for the Province of Ontario and that such licence is valid at all times while such driver is engaged in transporting or driving any person or vehicle during the course of conducting business.

17.2.8.1.0 The licensee shall immediately notify the Issuer of Licences should the driver's licence of the Driver for Hire - Driver be suspended or revoked and such Driver shall immediately be removed from the registry.

17.2.9.0.0 The applicant shall be at least 18 years of age to be licensed under this section.

17.2.10.0.0 The Licensee shall satisfy the Issuer of Licenses that:

- a) any Driver for Hire - Driver operating in association with the Company will accept calls only from the licensed Driver for Hire Company; and,
- b) Every Driver for Hire Company be required to provide to the Issuer of Licences at the time of application and within fourteen (14) days upon any change to such information:
  - i. a registry containing the name(s), address and contact information of any person operating as a Driver for Hire - Driver for the driver for hire company;
  - ii. a copy of a criminal records check issued by a police service or duly authorized agency, issued within 12 months of the date of application for each Driver for Hire - Driver operating; and,

- iii. a copy of a drivers abstract issued by the Ministry of Transportation for each Driver for Hire – Driver, valid within 30 days of the date of application.

17.2.11.0.0 Every licensee shall:

- a) keep an orderly record of all calls answered by the Company showing date, time, origin, destination, and the name of the Driver. The records shall be retained for a period of 12 months from date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer or other duly appointed individual at any reasonable time and may be removed by such Municipal Law Enforcement Officer, Police Officer or other duly appointed individual and retained for any reasonable period of time;
- b) ensure that all persons employed by him as a Driver for Hire - Driver are properly registered under the provisions of this by-law;
- c) All rates and fares shall be made available through an electronic format or paper format to every customer prior to the commencement of any conveyance and shall include any discounts, price variances or surges in effect at the time and the conveyance must be agreed upon prior to commencement;
- d) provide or make available the necessary dispatching equipment, mobile software applications or two way communication devices to each Driver and maintained in proper working condition;
- e) ensure all trip records include the amount of the fare upon arrival at the destination, any discount (in \$) applied and the total fare charged for each call answered by the Driver for Hire – Driver; and
- f) not permit, encourage or condone the acceptance of hails or the solicitation of passengers by a Driver for Hire - Driver, whether on the street or in any manner or any other location.

17.2.12.0.0 The licensee shall notify the Issuer of Licences immediately should a Driver for Hire - Driver be suspended or terminated from operating on behalf of the Driver for Hire Company and shall not reinstate such Driver unless prior approval has been granted by the Issuer of Licences.

17.2.13.0.0 The licensee shall ensure that at no time does a Driver for Hire – Driver allow a customer or client to enter or be transported in the Driver for Hire Company Vehicle as defined by this by-law.

17.2.14.0.0 The licensee shall be held liable for any violations found or misconduct done so by any Driver for Hire Company employee or Driver for Hire - Driver, to any provision of this by-law and may result in the suspension, revocation or denial of the Driver for Hire Company licence by the Issuer of Licences.

17.2.15.0.0 The licensee shall ensure that a copy of the Driver-for-Hire Company identifier is filed with the Issuer of Licences at the time of application and that approval is granted relating to the form, size and vehicle location by the Issuer of Licences.

17.2.16.0.0 The licensee shall ensure that such identifier is placed on each Driver-for-Hire vehicle so as to be visible to the public at all times when operating.

17.3.0.0.0 **RATES AND FARES**

17.3.1.0.0 Every licensee shall:

- a) ensure all rates and fares are posted within the vehicle or available through an electronic format to every customer prior to the commencement of any conveyance and shall be agreed upon;
- b) ensure each customer is advised immediately and prior to the commencement of any conveyance of any price variance or surging in effect at the time of the request for service; and,
- c) ensure all rates and fares are inclusive of Harmonized Sales Tax (H.S.T.) if applicable.

18.0.0.0.0      **ENACTMENT**

18.1.0.0.0      This By-law shall come into force and have effect on the 1<sup>st</sup> day of January 2007.

**READ** a first and second time this 30<sup>th</sup> day of October, 2006.

**READ** a third time and finally passed this 30<sup>th</sup> day of October, 2006.

**THE CORPORATION OF THE CITY OF BARRIE**

**“ORIGINAL SIGNED”**

\_\_\_\_\_  
**MAYOR – R.J. HAMILTON**

**“ORIGINAL SIGNED”**

\_\_\_\_\_  
**CLERK – JOHN R. SISSON**

**AMENDING BY-LAWS**

By-law 2007-172	Section 1.1.28.0.0 Section 1.1.37.0.0 Section 7.0.0.0.0 Table 1 Business Licence Fees	August 13, 2007
By-law 2007-182	Table 1- Business Licence Fees	August 27, 2007
By-law 2007-260	Section 2.14.0.0.0	December 10, 2007
By-law 2008-193	2.12.3.0.0 Refusal to Grant a Licence	November 10, 2008
By-law 2010-070	Section 9.3.1.0.0 a,b and c replace GST wording with HST wording effective July 1, 2010	April 26, 2010
By-law 2012-042	Section 2.2.1.0.0, 2.5.1.0.0, 2.12.3.0.0, 2.19.1.0.0, 2.19.2.0.0, 2.19.3.0.0, 2.19.4.0.0, 3.2.11.0.0, 7.2.13.0.0, 7.3.15.0.0, 10.2.11.0.0 and Table 1	February 13, 2012
By-law 2012-072	Section 1.1.38.0.0, 1.1.39.0.0, 1.1.40.0.0, 10.2.12.0.0, 10.2.12.1.0, 10.2.12.2.0, 10.2.13.0.0, 10.2.13.0.1, Section 11.0.0.0.0, Section 12.2.5.0.0, Section 12.2.16.1.0	April 16, 2012
By-law 2012-087	Section 1.1.37.0.0, 7.2.0.0., 8.2.0.0.0 9.2.12.0.0, 9.3.5.0.0 and Table 1	May 14, 2012
By-law 2012-110	Section 9.3.1.0.0, 9.3.7.0.0, 9.2.13.0.0, 9.3.7.0.0 9.2.13.0.0, 8.2.8.0.0 and 7.2.20.0.0	June 18, 2012
By-law 2012-134	Section 9.3.7.0.0	August 27, 2012
By-law 2015-005	Section 2.14.2.0.0, 2.14.3.0.0, 2.14.4.0.0, 2.14.5.0.0, 2.14.7.0.0, 2.14.8.0.0, 2.14.9.0.0, 2.14.10.0.0 and 2.14.11.0.0	January 19, 2015
By-law 2017-009	Sections 10.2.4.0.0, 12.2.4.0.0 and Table 1	February 13, 2017
By-law 2017-024	Sections 1.0.0.0.0 (Definitions) 1.1.10.0.0, 1.1.19.0.0, 1.1.23.0.0, 1.1.24.0.0, 1.1.28.0.0-1.1.28.2.0, 1.1.29.0.0, 1.1.30.0.0, 1.1.36.0.0, 1.1.41.0.0 – 1.1.50.0.0, 2.1.2.0.0, 2.4.0.0.0, 2.4.1.0.0, 2.7.2.0.0, 2.24.0.0.0 -2.25.1.0.0 Table 1, 3.2.9.0.0, 4.2.18.0.0, 5.2.17.0.0, 7.0.0.0.0-7.2.20.0.0, 8.0.0.0.0 -8.2.14.0.0, 9.0.0.0.0 – 9.4.7.0.0, 13.0.0.0.0-17.3.1.0.0	April 10, 2017
By-law 2019-020	Section 17.2.15.0.0 and 17.2.16.0.0	March 25, 2019
By-law 2023-179	Tow Truck Licensing - Delete Sections 1.1.31.0.0, 1.1.32.0.0, 1.1.33.0.0, 1.1.34.0.0, 1.1.38.0.0, 1.1.39.0.0, 1.1.40.0.0, Entire Sections 10.1.0.0.0, 11.0.0.0.0 and 12.0.0.0.0, and repeal and replace Table 1	December 13, 2023