

Agenda  
Public  
41

Resolved by the Town Council of the Town of Stellarton that the following By-Law is hereby enacted under the authority of Section 305 of Chapter 293 of the RSNS, 1989 and that the Clerk forward two dully certified copies to the Minister of Muristicial Affairs with a request for her approval hereof:

TAXIS

1. This By-Law may be cited as "The Town of Stellarton Taxi By-Law".
2. In this By-Law unless the context otherwise requires:
  - a. "Council" means the Town Council of the Town of Stellarton.
  - b. "Operate" means to both pick-up and drop-off a fare within the town boundaries.
  - c. "Outside Taxi Operator" means an operator from outside the Town of Stellarton.
  - d. "Person" includes a body corporate.
  - e. "Taxicab" has the meaning given to it by the Motor Vehicle Act.
  - f. "Town" means the Town of Stellarton.
  - g. "Town Clerk" means the Town Clerk for the Town of Stellarton.
  - h. "Traffic Authority" means the local Traffic Authority appointed by the Council of the Town of Stellarton in accordance with Section 86(6) of the Motor Vehicle Act.
  - i. "Vehicle" has the meaning given to it by the Motor Vehicle Act.
3.
  - a. No vehicle shall be driven as a taxicab to transport persons for compensation unless a valid vehicle license is issued under this By-Law (hereinafter referred to as a "taxi owner's license"). See Schedule 1 of this By-Law.
  - b. No person shall drive a taxicab to transport persons for compensation unless he has a valid license issued to him under this By-Law (hereinafter referred to as a "taxi driver's license"). See Schedule 2 of this By-Law.
  - c. No outside Taxi operator shall operate within the Town of Stellarton unless holding a valid Taxi License from the Town of Stellarton.
4. Every application for a license under this By-Law shall be made in writing to the Council on such forms as may be prescribed by the Council from time to time and signed by the person applying therefore.

5. Subject to the provisions of the Motor Vehicle Act, the local Traffic Authority shall have supervision over all persons licensed under this By-Law and over all vehicles to which the same applies. The following shall constitute the duties of the Traffic Authority under this By-Law:
  - a. To report to the Council respecting the performance of his duties under this By-Law whenever he shall be so required by the Council;
  - b. To make all necessary inquiries concerning applications for licenses or transfers thereof as may be required to secure a due observance of the law and of this By-Law;
  - c. Submit to the Council all applications for licenses, together with his report thereon as to whether such application should be granted or not; And should it be necessary, his recommendation for revoking or cancelling any license granted under this By-Law;
  - d. When authorized by Council, he shall cause to be made out, and to sign, all licenses under this By-Law as long as the fees thereof required under this By-Law have first been paid;
  - e. To furnish every person receiving a license under this By-Law with a copy of the By-Law;
  - f. To ascertain by inspection and inquiry from time to time, and as often as may be required by the Council, whether persons holding licenses under this By-Law continue to comply with the provisions of the law and of this By-Law;
  - g. In the event that the Traffic Authority is unable or unwilling to perform any or all of the duties authorized under this By-Law, the Council may designate another officer or official to perform any and all of the duties as authorized in this By-Law. The power and authority of the officer or official so designated shall be the same as that of the Traffic Authority in the particular case.
6.
  - a. No vehicle shall be used for the transport of passengers for hire unless and until the owner of such vehicle has first obtained a license. The license to be granted an owner of a vehicle to be used to transport passengers for hire shall be in the form as set out in Schedule 1 to this By-Law and shall be displayed in a conspicuous place in the vehicle for which it is issued.

- b. A license granted to an owner of a vehicle to be used to transport passengers for hire shall also be a license to transport parcels, packages, or other articles of whatsoever nature at the rates specified for the transportation of passengers as posted within the vehicle in accordance with this By-Law.
  - c. Every applicant for a license to use a vehicle for the transport of passengers for hire shall make application to the Traffic Authority, in writing, in the form as set out in Schedule 1A to this By-Law.
  - d. Every applicant for a license to use a vehicle for the transport of passengers for hire shall complete the said application form as fully and accurately as possible.
  - e. In addition to the other requirements set forth herein, a license shall be issued only in respect of a motor vehicle which is a four door sedan or station wagon.
  - f. The owner of any motor vehicle to be licensed hereunder shall, with the application for license therefor, deposit with the Traffic Authority an automobile insurance policy, providing public liability insurance, passenger hazard insurance and property damage coverage in the minimum amount of \$500,000.00, without any limit on any particular claim up to the herein mentioned amount, regardless of the number of persons involved or the nature of the damage.
7. The fee payable for a license for a motor vehicle under this By-Law shall be Twenty-Five Dollars (\$25.00) and the fee shall be submitted with the application.
8. A license for a motor vehicle may be transferred to another vehicle upon application to the Traffic Authority and upon the vehicle to which the license is to be transferred being inspected and approved pursuant to the provisions of this By-Law.
9. No person shall drive any vehicle licensed hereunder unless he obtains a Taxi Driver's license under this By-Law, which shall be as set out in Schedule 2 to the By-Law.
- a. Every applicant for a license to drive a vehicle licensed under this By-Law shall make application to the traffic authority, in writing, in the form set out in Schedule 2A to this By-Law.

- b. Every applicant for a license to drive a vehicle licensed under this By-Law shall complete the said Application form as fully and accurately as possible .
- c. In addition to the other requirements set forth herein, a license to drive a vehicle licensed under this By-Law shall only be issued to a person who:
- (a) has a driver's license pursuant to the provisions of the Motor Vehicle Act; and
  - (b) has knowledge of the location of the streets, public buildings, and places within and adjacent to the Town.
- d. Every applicant for a license to drive a vehicle licensed under this By-Law shall within one week of the date of his application furnish two copies of his photograph, which shall not be retouched, and shall be of a size at least one and one half inches square. One copy of such photograph shall be filed in the office of the Traffic Authority and the other shall be affixed to the license granted to the applicant under this By-Law.
10. The fee payable for a taxi driver's license under this By-Law shall be Five Dollars (5.00) and shall be submitted with the application.
11. The Council of the Town of Stellarton shall grant a license to any applicant either for an owner's license or a driver's license, who has complied with all the requirements of this By-Law. (However, the number of taxi owner licenses to be issued, shall not exceed 10 in any one year.)
12. Every license issued under this By-Law shall relate to the period from April 1st in any year to the last day of March in the next succeeding year, and shall be dated the date of its issue and shall expire on the last day of March next succeeding the issue thereof.
13. a. Every owner of a vehicle licensed under this By-Law and operated by a driver licensed under this By-Law shall file with the Traffic Authority the name and address of each such driver employed by him, and shall notify the Traffic authority within seventy-two hours of any new appointments and any dismissals, or any other changes in employment of such drivers.
- b. Every driver licensed under this By-Law who changes his employment to another Taxi business shall notify the Traffic Authority of such change within seventy-two hours of such change.

*Amended.  
Removed.  
Jan 11,  
1999*

14.
  - a. The owner of any vehicle in respect of which an application for a license is being made or of a vehicle for which a license has been issued and is in force shall, when required, forthwith submit such vehicle for examination by the Traffic Authority; and neither the owner nor the driver shall at any time prevent or hinder the Traffic Authority from entering the vehicle for the purpose of determining that such vehicle complies with the requirements of this By-Law.
  - b. The owner of any vehicle in respect of which an application for a license is being made or of a vehicle for which a license has been issued and is in force shall keep the vehicle with respect to which the license is in force in a clean condition and in good mechanical condition while in use as a taxicab.
15.
  - a. The Traffic Authority shall supply, without charge to the owner of the vehicle licensed under this By-Law, a plate bearing the number assigned to such vehicle with the word Taxi at the time of granting such license.
  - b. The owner of a vehicle licensed under this By-Law shall affix the plate issued by the Traffic Authority to the vehicle and such plate shall be maintained by every owner, free from foreign material and in good condition to be clearly visible.
  - c. If any such plate shall become lost or defaced, additional plates may be obtained from the traffic authority upon proof satisfactory to the Traffic Authority that such plate has in fact become lost or defaced. Upon an application being made to the Traffic Authority for any additional plates as hereinbefore provided, the persons so applying shall with the application pay the sum of Five Dollars (\$5.00) for each plate required.
  - d. When a vehicle which has been licensed under this By-Law is no longer in use for the purpose of transporting passengers for hire, the plate which was supplied by the Traffic Authority must be returned to the Traffic Authority.
16. Every person licensed under this By-Law shall upon changing his address notify the Traffic Authority of such change of address within seventy-two hours thereafter.

17. a. A license for the transporting of passengers for hire shall not be issued to the owner of any motor vehicle unless such owner shall have an established place of business and unless the applicant shall have a business telephone and be listed by the telephone company under the trade name under which he operates or, if no such trade name, under his own name.
- b. The place of business referred to in this section may be the office or place of business of another licensee under this By-Law who provides continuous service.
18. Every owner or driver licensed under this By-Law shall take due care of all property delivered or entrusted to and accepted by him for conveyance or safekeeping.
19. Every licensed driver shall proceed by the most direct, travelled route to the point of destination, unless otherwise directed by the passenger.
20. a. Every owner and driver of a vehicle shall accommodate the person or persons who desire his service in the order of their applications and, if a licensed vehicle is not available to give the desired service within a reasonable time, the applicant shall be so informed.
- b. The owner or driver of the licensed vehicle shall not refuse or neglect to convey in the town any orderly person or persons upon request, unless previously engaged, or unless unable to or prohibited by the provisions of this By-Law.
21. A copy of the schedule of fares charged by the persons holding the license in respect of any vehicle used for the transporting of passengers for hire shall be furnished to the Traffic Authority and a copy of such schedule of fares shall also be displayed in a conspicuous position inside the vehicle and such schedule of fares shall be clearly visible and available to any passenger.
22. a. The Town Council shall have the authority to and may revoke the license of any owner or driver of a vehicle licensed under the By-Law if any of the following problems are found to exist:
  - (a) if there is no taxi plate on the vehicle.
  - (b) if the owner does not have sufficient insurance coverage.
  - (c) if the owner, driver, or vehicle no longer conforms with the requirements in this By-Law.

- b. The Town Council shall not revoke the license of any owner or driver of a vehicle licensed under this By-Law unless and until:
- (a) the said owner or driver has been given notification of and the reasons for the intended revocation;
  - (b) the said owner or driver, after having been given notification of and the reasons for the intended revocation, has been given an opportunity to refute the same with the Town Council.
- c. Upon revoking a license, the Town Council shall inform the owner or driver in writing of the reasons for the revocation.
23. Where the license of any motor vehicle which is licensed to transport passengers for hire under the authority of this By-Law has been revoked or cancelled, the owner of such vehicle shall within seventy-two hours after such suspension or cancellation return to the Traffic Authority the plate issued to him in respect of such vehicle. Failure to so return such plate within the specified time shall constitute a violation of this By-Law.
24. Every person who contravenes or fails to comply with any provision of this By-Law shall be liable upon conviction to a penalty as set out in Section 299 of the Motor Vehicle Act of the Province of Nova Scotia, as may be amended from time to time.
- Penalty for a first offence shall be not less than fifteen dollars and in default of payment, to imprisonment for a term of not more than thirty days,
- Penalty for a second offence shall be not less than twenty-five dollars and in default of payment, to imprisonment for a term not less than thirty days nor more than sixty days,
- Penalty for a third offence or any subsequent offence shall be not less than fifty dollars and in default of payment, to imprisonment for a term of not less than thirty days nor more than sixty days or to both.

The By-Law Licensing of Taxicabs of the Town of Stellarton now in effect respecting taxis is repealed upon the coming into force of this By-Law.

This is to certify that the foregoing is a true copy of a By-Law duly passed at a duly called meeting of the Town Council of the Town of Stellarton duly held on the <sup>8th</sup> day of *May*, A. D., 1995  
Given under the hand of the Clerk and under the Seal of the Town of Stellarton this <sup>9th</sup> day of *May*, A. D., 1995

DEPARTMENT OF MUNICIPAL AFFAIRS  
Recommended for approval of the Minister  
*Cassleen O'Grady*  
.....  
Departmental Solicitor  
APPROVED this *25th* day  
of *May*, 19*95*.  
*[Signature]*  
.....  
Minister of Municipal Affairs

*[Signature]*  
\_\_\_\_\_  
TOWN CLERK AND TREASURER



**SCHEDULE "1"**

**TO BE DISPLAYED  
IN VEHICLE**

**TAXI OWNER'S LICENSE**

License is hereby granted to \_\_\_\_\_  
the owner of a vehicle for the vehicle to be used for transporting passengers for  
hire in the Town of Stellarton.

The number of such vehicle shall be \_\_\_\_\_

\_\_\_\_\_  
Traffic Authority

License expires the last day of March, A. D., 199

Schedule "1A"

APPLICATION FOR TAXI OWNER'S LICENSE

**PERSONAL**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Telephone: Home: \_\_\_\_\_ Work: \_\_\_\_\_

**EMPLOYER**

Name(s), address(es), telephone number(s) of the Employer(s) with whom the vehicle will be registered:

\_\_\_\_\_  
\_\_\_\_\_

**VEHICLE DESCRIPTION**

Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_

V.I.N. \_\_\_\_\_ Color \_\_\_\_\_

**SAFETY INSPECTION CERTIFICATE**

Has the vehicle been issued with a valid safety inspection certificate pursuant to the Motor Vehicle Act? \_\_\_\_\_

Date Issued: \_\_\_\_\_ Place Issued: \_\_\_\_\_

**INSURANCE**

Does the vehicle have an automobile insurance contract providing public liability, passenger hazard and property damage coverage for the minimum amount of \$500,000.00? \_\_\_\_\_

Name of insured(s) under said contract \_\_\_\_\_

Name(s) of insurer under said contract \_\_\_\_\_

Date said contract expires \_\_\_\_\_

Have you attached a copy of contract to this application? \_\_\_\_\_

**FEE**

Have you enclosed the \$25.00 fee with this application? \_\_\_\_\_

I, \_\_\_\_\_, the Applicant in the above Application for Taxi Owner's License, declare that the statements contained in this Application are complete and true in every respect to the best of my knowledge, information and belief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

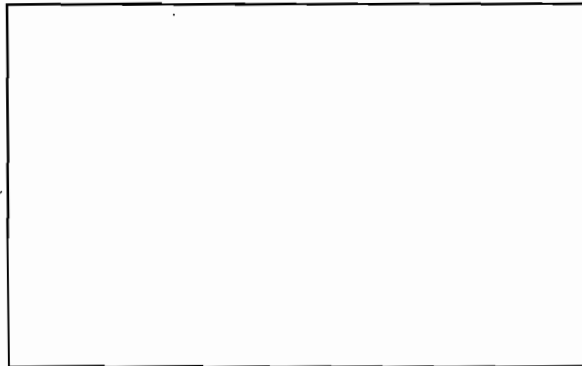
SCHEDULE "2"

TO BE POSTED IN  
VEHICLE WHEN  
DRIVER ON DUTY

TAXI DRIVER'S LICENSE

NO. \_\_\_\_\_

License is hereby granted to \_\_\_\_\_ to drive a  
vehicle for which a license for the transporting of passengers for hire in the Town  
of Stellarton has been obtained



DRIVER'S PICTURE

License expires the last day of March, A. D., 199

**SCHEDULE "2A"**

**APPLICATION FOR TAXI DRIVER'S LICENSE**

**PERSONAL**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Telephone: \_\_\_\_\_ Work: \_\_\_\_\_

**EMPLOYER**

Name(s), address(es), telephone number(s) of the Employer(s) with whom you will be employed as a taxi driver:

\_\_\_\_\_  
\_\_\_\_\_

**CLASS 4 LICENSE**

Do you have a valid Class 4 License issued pursuant to the said Motor Vehicle Act? \_\_\_\_\_

Date Issued: \_\_\_\_\_ License Number \_\_\_\_\_

Expiry Date : \_\_\_\_\_ Place Issued: \_\_\_\_\_

**KNOWLEDGE OF STELLARTON**

Elaborate on the extent of your knowledge of the location of streets, public places within and adjacent to the Town:

\_\_\_\_\_  
\_\_\_\_\_

**PHOTOGRAPHS**

Have you enclosed or made arrangements to furnish two (2) copies of an untouched photograph of yourself, size one and one half inches square?

\_\_\_\_\_

**FEE**

Have you enclosed the \$5.00 fee with this application? \_\_\_\_\_

I, \_\_\_\_\_, the Applicant in the above Application for Taxi Driver's License, declare that the statements contained in this Application are complete and true in every respect to the best of my knowledge, information, and belief.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature of Applicant

*Agenda  
Public Info*

41

File No.07-95-0015

May 26, 1995

Mr. Adrian A. Pearson  
Town Clerk  
P.O. Box 2200  
Stellarton, Nova Scotia  
B0K 1S0

Dear Mr. Pearson:

**RE: Town of Stellarton - Taxi By-law and Minimum Penalty  
By-law Amendment**

The above by-laws which were adopted at a meeting of Town Council, held on May 8, 1995, have been approved by the Minister of Municipal Affairs. I return to you one copy of each by-law bearing the Minister's approval dated May 25, 1995.

Yours truly,

  
Cathleen O'Grady  
Departmental Solicitor  
Department of Municipal Affairs

CO'G/lt  
Attachments





41  
P.O. Box 2200  
Stellarton, N.S.  
B0K 1S0  
PH: 752-2114  
FAX: 755-4105

RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF STELLARTON, THAT THE FOLLOWING AMENDMENT TO THE TOWN OF STELLARTON MINIMUM PENALTY BY-LAW IS HEREBY ENACTED UNDER THE AUTHORITY OF SECTION 305 OF CHAPTER 293 OF THE RSNS, 1989 AND THE TOWN CLERK IS HEREBY INSTRUCTED TO FORWARD TWO DULY CERTIFIED COPIES OF SAME TO THE MINISTER OF MUNICIPAL AFFAIRS, REQUESTING APPROVAL HEREOF.

SECTION 2. SHALL READ "THAT A PENALTY FOR THE VIOLATION OF ANY BY-LAW OF THE TOWN OF STELLARTON, NOT HEREINBEFORE PROVIDED FOR, SHALL BE A SUM NOT EXCEEDING ONE THOUSAND (\$1,000.00) DOLLARS AND NOT LESS THAN ONE HUNDRED (\$100.00) DOLLARS, AND IN DEFAULT OF PAYMENT OF SUCH PENALTY, THE OFFENDER MAY BE IMPRISONED FOR A PERIOD NOT EXCEEDING THIRTY (30) DAYS."

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A BY-LAW AMENDMENT DULY PASSED AT A DULY CALLED MEETING OF THE TOWN OF STELLARTON, DULY HELD ON THE *8th* DAY OF *May*, A.D., 1995.

GIVEN UNDER THE HAND OF THE TOWN CLERK AND UNDER THE CORPORATE SEAL OF THE SAID TOWN THIS *9th* DAY OF *May*, A.D., 1995.

*A Pearson*

ADRIAN A. PEARSON  
TOWN CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS

Recommended for approval of the Minister

*Cathleen O'Grady*  
Departmental Director

APPROVED this *25th* day  
of *May*, 19*95*

*[Signature]*  
Minister of Municipal Affairs

41

(902) 424-7716

February 15, 1999

Joyce Eaton  
Deputy Town Clerk  
Town of Stellarton  
Box 2200, 250 Foord St.  
Stellarton, N.S. B0K 1S0

Dear Ms. Eaton:

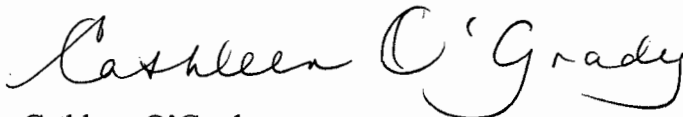
**Re: Town of Stellarton - Taxi By-law**

This letter is to acknowledge receipt of your letter of January 20, 1999, including copies of the above captioned by-law. It does not require Ministerial approval.

The Department continues to maintain copies of all municipal by-laws, including those that do not require Ministerial approval. The by-law will be filed in our records.

Thank you.

Yours truly,



Cathleen O'Grady  
Departmental Solicitor

CO/lo

January 20, 1999

Ms. Cathleen O'Grady  
Departmental Solicitor  
Department of Housing and M.A.  
P. O. Box 216  
Halifax, Nova Scotia  
B3J 2M4

Dear Ms. O'Grady:

RE: Town of Stellarton  
Taxi By-Law Amendment

At a Town Council meeting held on January 11, 1999 a motion was passed to amend the Taxi By-Law. This amendment was recommended and approved by the Stellarton Police Commission.

The section approved for deletion is dealing with Article 11. The sentence removed is: "However, the number of taxi owner licenses to be issued, shall not exceed 10 in any one year."

Enclosed are two copies of the amended By-Law for the Ministers approval. Would you please see the necessary steps are carried out and an approved copy returned with the required stamp and signature.

If additional information is required, please contact the Town Office – 752-3481.

Yours truly,

Joyce Eaton  
Deputy Town Clerk



- d. Every applicant for a license to drive a vehicle licensed under this By-Law shall within one week of the date of his application furnish two copies of his photograph, which shall not be retouched, and shall be of a size at least one and one half inches square. One copy of such photograph shall be filed in the office of the Traffic Authority and the other shall be affixed to the license granted to the applicant under this By-Law.
10. The fee payable for a taxi driver's license under this By-Law shall be Five Dollars (5.00) and shall be submitted with the application.
11. The Council of the Town of Stellarton shall grant a license to any applicant either for an owner's license or a driver's license, who has complied with all the requirements of this By-Law. However, the number of <sup>To be</sup> ~~deleted~~ taxi owner licenses to be issued, shall not exceed 10 in any one year.
12. Every license issued under this By-Law shall relate to the period from April 1st in any year to the last day of March in the next succeeding year, and shall be dated the date of its issue and shall expire on the last day of March next succeeding the issue thereof.
13. a. Every owner of a vehicle licensed under this By-Law and operated by a driver licensed under this By-Law shall file with the Traffic Authority the name and address of each such driver employed by him, and shall notify the Traffic authority within seventy-two hours of any new appointments and any dismissals, or any other changes in employment of such drivers.
- b. Every driver licensed under this By-Law who changes his employment to another Taxi business shall notify the Traffic Authority of such change within seventy-two hours of such change.
14. a. The owner of any vehicle in respect of which an application for a license is being made or of a vehicle for which a license has been issued and is in force shall, when required, forthwith submit such vehicle for examination by the Traffic Authority; and neither the owner nor the driver shall at any time prevent or hinder the Traffic Authority from entering the vehicle for the purpose of determining that such vehicle complies with the requirements of this By-Law.
- b. The owner of any vehicle in respect of which an application for a license is being made or of a vehicle for which a license has been issued and is in force shall keep the vehicle with respect to which the license is in force in a clean condition and in good mechanical condition while in use as a taxicab.

15.
  - a. The Traffic Authority shall supply, without charge to the owner of the vehicle licensed under this By-Law, a plate bearing the number assigned to such vehicle with the word Taxi at the time of granting such license.
  - b. The owner of a vehicle licensed under this By-Law shall affix the plate issued by the Traffic Authority to the vehicle and such plate shall be maintained by every owner, free from foreign material and in good condition to be clearly visible.
  - c. If any such plate shall become lost or defaced, additional plates may be obtained from the traffic authority upon proof satisfactory to the Traffic Authority that such plate has in fact become lost or defaced. Upon an application being made to the Traffic Authority for any additional plates as hereinbefore provided, the persons so applying shall with the application pay the sum of Five Dollars (\$5.00) for each plate required.
  - d. When a vehicle which has been licensed under this By-Law is no longer in use for the purpose of transporting passengers for hire, the plate which was supplied by the Traffic Authority must be returned to the Traffic Authority.
16. Every person licensed under this By-Law shall upon changing his address notify the Traffic Authority of such change of address within seventy-two hours thereafter.
17.
  - a. A license for the transporting of passengers for hire shall not be issued to the owner of any motor vehicle unless such owner shall have an established place of business and unless the applicant shall have a business telephone and be listed by the telephone company under the trade name under which he operates or, if no such trade name, under his own name.
  - b. The place of business referred to in this section may be the office or place of business of another licensee under this By-Law who provides continuous service.
18. Every owner or driver licensed under this By-Law shall take due care of all property delivered or entrusted to and accepted by him for conveyance or safekeeping.
19. Every licensed driver shall proceed by the most direct, travelled route to the point of destination, unless otherwise directed by the passenger.