

Cape Breton Regional Municipality

Council Meeting

AGENDA

TUESDAY, APRIL 11TH, 2023

6:00 P.M.

Council Chambers
2nd Floor, City Hall
320 Esplanade, Sydney, NS

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Cape Breton Regional Municipality

Council Meeting

Tuesday, April 11th, 2023
6:00 p.m.

AGENDA ITEMS

Land Acknowledgement

6:00 p.m.

Roll Call

O' Canada

1. **APPROVAL OF AGENDA:** (Motion Required)

2. **VOLUNTEER WEEK:**

2.1 **Proclamation: 2023 Volunteer Week:**

Deputy Mayor James Edwards (See page 5)

2.2 **Presentation of 2023 Volunteer Awards:** (See page 6)

- a) **Gary McDonald Memorial Award** – *Joe Costello, Recreation Program Coordinator*
Awarded in recognition of an outstanding community project.
- b) **Anne Holland Memorial Award** – Johnathan Penny, Recreation Program Coordinator
Awarded in recognition of an outstanding community volunteer.
- c) **Youth Volunteer Award** - Laura Goode, Recreation Program Coordinator
Awarded in recognition of an outstanding youth volunteer.

3. **PROCLAMATION:**

6:30 p.m.

3.1 **Multiple Sclerosis Awareness Month:**

Councillor Darren O'Quinn (See page 7)

Continued...

**Council Meeting Agenda
April 11, 2023 (Cont'd)**

4. STREET CLOSING - PUBLIC HEARING:

6:35 p.m.

- 4.1 Request for Street Closure – Beach Street, Glace Bay (PID 15740988):** Sheila Kolanko, Property Manager (See page 8)

5. BY-LAWS & MOTIONS:

6:40 p.m.

5.1 By-laws:

a) Second / Final Reading:

- i) P-500: Passenger Vehicle for Hire By-law (and Repeal of Taxi By-law):** Paul Burt, Manager of Building, Planning & Licensing Laws (See page 15)

Note: Public Hearing was held at the February 28, 2023 Council meeting

b) First Reading: N/A

6. BUSINESS ARISING:

7:30 p.m.

6.1 Council – January 17, 2023:

- a) Municipal Rodent Control (Rats):** Michael Ruus, Director of Planning & Development; and Wayne MacDonald, Director of Engineering & Public Works (See page 148)

7. COMMITTEE REPORTS:

N/A

8. Review of Action Items from this Meeting:

8:00 p.m.

Mayor Amanda M. McDougall-Merrill

ADJOURNMENT

PROCLAMATION

2023 Volunteer Week

- WHEREAS:** A sense of caring and a desire to share have motivated thousands of Nova Scotians of all ages to volunteer their time and services to the needs of others in the community whether it be by helping the sick, the needy or the disabled, children, students or the elderly, or by enriching the lives of all through the arts, recreation and cultural activities, or by serving on boards and committees; and
- WHEREAS:** Volunteer action is a powerful force for the solution of problems; and
- WHEREAS:** Volunteers are increasingly recognized as an important partner with government and industry in providing services to citizens; and
- WHEREAS:** Anyone can be a volunteer and reap the rich rewards that come from doing for others while improving one’s own skills and widening one’s horizons; and
- WHEREAS:** Volunteering offers all Nova Scotians, young and old, the opportunity to participate in the life of their community and to link their talents and resources to address some of the major issues facing our communities; and
- WHEREAS:** It is fitting for all Nova Scotians to join in this celebration of our rich volunteer heritage and to give special recognition to the dedicated volunteers and volunteer programs which contribute immeasurably to communities throughout the province;
- BE IT THEREFORE RESOLVED:** That CBRM Mayor Amanda M. McDougall-Merrill and Council proclaim April 16th to 22nd, 2023 as “Volunteer Week” in recognition of the splendid efforts of our volunteers who provide service to our residents and communities.

Deputy Mayor James Edwards - CBRM District #8

April 11th, 2023



Cape Breton Regional Municipality Special Volunteer Awards Criteria



Anne Holland Memorial Award

(In recognition of an Outstanding Community Volunteer)

To recognize an individual who has made an outstanding contribution to the inception and growth of community opportunities within the field of recreation/leisure.

Nominees must have made a significant contribution in one or more of the following criteria:

- exhibited high standards of voluntary performance (e.g. dedication, commitment, time, energy, attitude and motivation)
- contributed to a broad range of activities within the field of community volunteerism
- shown a unique and original leadership approach

Gary McDonald Memorial Award

(In recognition of an Outstanding Community Project)

Presented to a volunteer group to recognize an outstanding project that improves recreation/leisure opportunities, locally or regionally.

Projects must have accomplished one or more of the following:

- increased available opportunities that have proven to be innovative or unique
- included a significant number of participants
- endeavored to encompass all-inclusive services for community members

Youth Volunteer Award

(In recognition of an Outstanding Youth Volunteer)

Students throughout the Cape Breton Regional Municipality who attend area schools or post-secondary institutions will be considered for this Youth Volunteer Award. Open to students age 25 and younger.

The award is based on the following criteria:

- demonstrated a balance between volunteering for school, community projects and/or community organizations
- shown that his/her volunteer activities have taken place in a variety of areas or for a variety of purposes
- volunteers a significant number of hours on a regular basis for specific major projects
- shown that his/her leadership has had an impact through volunteering

Proclamation

Multiple Sclerosis Awareness Month - 2023

- Whereas:** Multiple Sclerosis is a chronic, often disabling neurological disease with over 90,000 Canadians living with MS today;
- And Whereas:** Multiple Sclerosis symptoms vary widely and may lead to problems with numbness, coordination, vision and speech, as well as extreme fatigue and even paralysis;
- And Whereas:** Approximately 12 Canadians are diagnosed with this disease every day. The average age of diagnosis is 43 years;
- And Whereas:** Women are three times more likely to be diagnosed with MS than men and Canada has one of the highest rates of MS in the World;
- And Whereas:** There is no known cause or cure for Multiple Sclerosis;
- And Whereas:** The Multiple Sclerosis Society of Canada, founded in 1948 is the only national voluntary organization in Canada that supports both MS research and services for people with MS and their families;
- And Whereas:** The MS Society has provided more than \$100 million for MS research in sixty years, as well as a wide range of programs and services for people with MS;
- Be It Therefore Resolved:** That CBRM Mayor Amanda M. McDougall-Merrill and Council hereby declare the month of May, 2023 as “Multiple Sclerosis Awareness Month” in the Cape Breton Regional Municipality.

Councillor Darren O’Quinn - CBRM District #11

April 11th, 2023

Excerpt – DRAFT Council Minutes – March 14, 2023

Request for Street Closure – PID 15740988: Beach Street, Glace Bay (District 10)

Motion:

Moved by Councillor Tracey, seconded Councillor Parsons, that the Legal Department be directed to proceed with the request of a formal street closure under Section 315 of the *Municipal Government Act*, for the closure of Beach Street, Glace Bay as identified in Attachments “A” and “B” of the staff Issue Paper dated March 14th, 2023, for municipal purposes.

Following discussion, the Deputy Mayor called for the vote.

Motion Carried.

CAPE BRETON REGIONAL MUNICIPALITY

NOTICE - STREET CLOSING

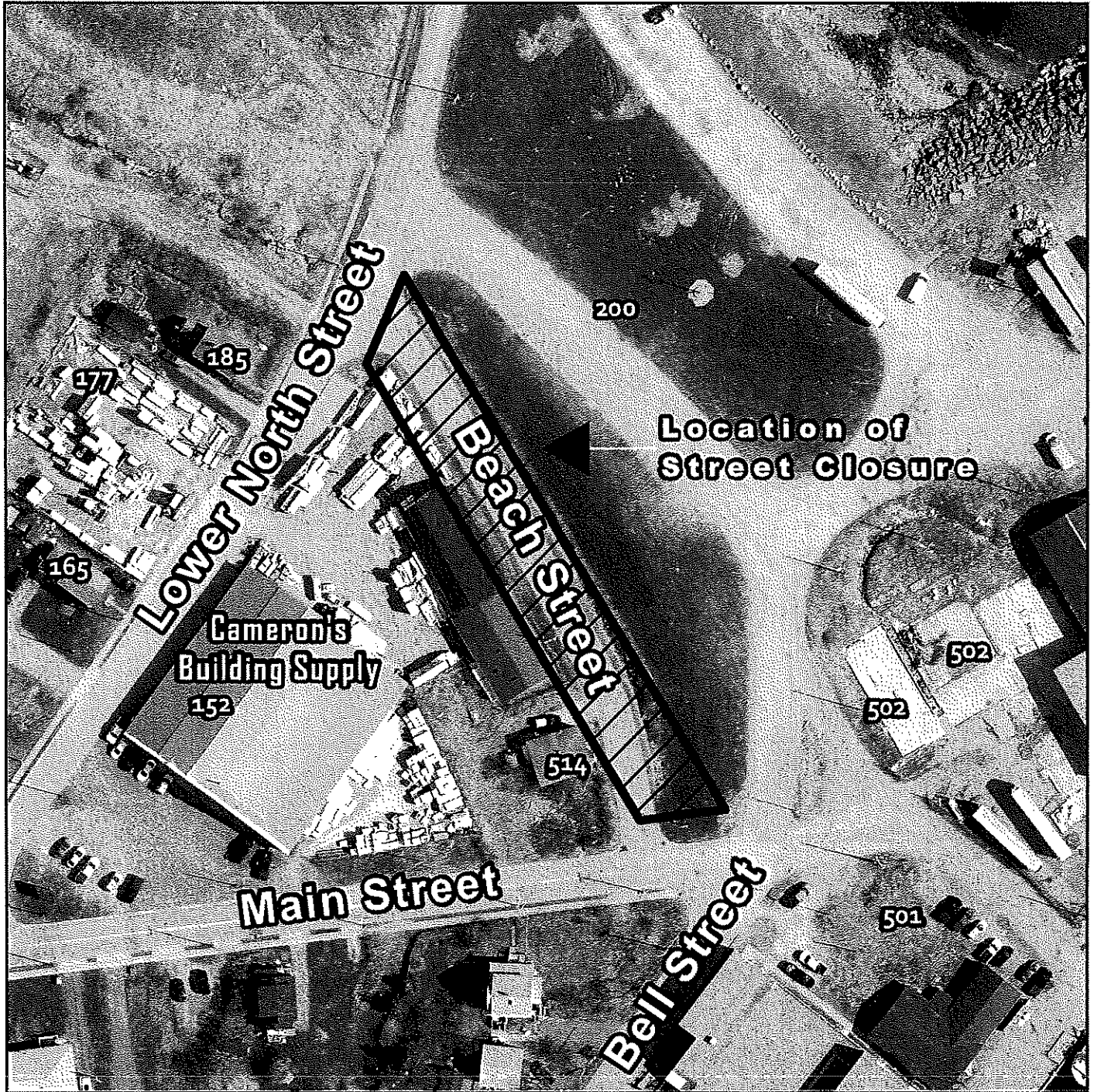
**Beach Street, Glace Bay,
Nova Scotia, Measuring Approximately 1,685.1 sq. meters +/-**

TAKE NOTICE that the Council of the Cape Breton Regional Municipality intends to close Beach Street, Glace Bay, Nova Scotia, measuring approximately 1,685.1 square meters +/- more or less, which is more particularly delineated on the above map.

A public hearing in relation to the closing of the said street will be held on Tuesday, the 11th day of April, at 6:00 p.m. at the Council Chambers, 2nd Floor, Civic Centre, 320 Esplanade, Sydney, Nova Scotia, at which time Council will hear those in favour and those opposed to the closing of this road parcel.

**Signed: Deborah Campbell Ryan
Municipal Clerk
April 8, 2023**

**Cape Breton Post
(Glace Bay Section)
April 8, 2023**





CBRM

A Community of Communities

ISSUE PAPER

TO: Mayor and Council

FROM: Sheila Kolanko – Property Manager

SUBJECT: Public Hearing - Request for Street Closure
Beach Street, Glace Bay (PID 15740988)

DATE: April 11th, 2023

As presented to Council on March 14th, 2023, council passed a motion directing the legal department commence a formal street closing required for the closure of the public street known as Beach Street, Glace Bay. The property is required and forms part of the site essential for the construction of the Glace Bay Wastewater Treatment Facility. The public street (Beach Street) is identified as PID 15740988 and shown on the attached map (Attachment "A") and Parcel 2023-3 on attached survey plan (Attachment "B").

Pursuant to the Municipal Government Act a public hearing is required at which time Council will hear those in favor and those opposed to the closing of Beech Street, Glace Bay. Notice was advertised in the Cape Breton Post on April 8th, 2023 as well as CBRM's social media page. I confirm the legal department has not been contacted nor have we received any complaints or objections from the community.

RECOMMENDATION:

Staff is recommending council pass a motion:

- To approve the closure of Beach Street, Glace Bay (as identified herein on the attached map (Attachment "A") and survey plan(Attachment "B") pursuant to MGA; and
- To deem the property (Lot identified on survey plan – Attachment "B") essential to the needs of the municipality for the Glace Bay Wastewater Treatment Facility.

Respectively Submitted,

Original signed by

Sheila Kolanko
Property Manager



Public Street Closure



PID 15740988 Owner: CBRM

Passenger Vehicle for Hire By-law (Formally the Tax By-law)

Motion

Moved by Councillor Paruch, seconded by Councillor Green, to postpone the second/final reading of the P-500 Passenger Vehicle for Hire By-law for two (2) Council meetings to allow the Taxi By-law Review Working Group more time for dialogue and further consultation to provide the clarification needed by the affected parties.

Discussion:

Some of the issues discussed included:

- Service zones and summary offence tickets
- By-law enforcement
- The need for more consultation

A **Point of Order** was raised regarding the discussion not being on the motion. It was noted that further discussion on this issue is needed following the motion.

Motion Carried.



TO: CBRM Mayor & Council

FROM: Paul Burt

SUBJECT: Passenger Vehicle for Hire By-law (formerly the Taxi By-law)

DATE: April 4, 2023

Introduction

On June 15, 2021, Council of the Cape Breton Regional Municipality (CBRM) directed staff to initiate a review of the Taxi By-law. A working group was struck, with the purpose of providing recommendations to Council to update and clarify the Taxi By-law.

Working Group

The working group consists of representatives of taxi company owners, taxi users, CBRM staff, Council, and Cape Breton Regional Police.

The representatives from the Taxi owners were selected from a draw of those who expressed an interest in being part of the working group. We advised all Taxi owners by email on June 24, 2021, that CBRM was looking for interested parties to serve on the working group and we received interest from six individuals whose names were put in a hat and two names were drawn. We then advised all Taxi owners who the members of the Taxi Working Group were and provided information on who to contact should they have any questions, ideas, or concerns.

The first meeting of the Taxi Working group was held on September 23, 2021, and at least 7 meetings were held between this date and the last meeting on May 13, 2022.

Taxi Industry Meeting

Staff and the working group invited all licensed taxi company owners to a meeting on November 30, 2021, in the MacDonald Room at Center 200. At least one attendee represented each licensed company. The meeting included an informational component about the current Bylaw provisions, the Bylaw review process, and work to date, followed by an open discussion. At the meeting, some company owners requested a survey in addition to the meeting.

Online Survey

In addition to input from working group, public consultation was undertaken in the form of online surveys to support the By-law review process. Two surveys were developed. One to gather input from the public on their experience with taxis in the CBRM (public survey), and another to gather input from owners, drivers, and other staff about their experience with the current regulations (industry survey). Each survey also sought feedback on how the current Bylaw might be improved.

A total of 708 citizens across the CBRM's many communities responded to the survey. The public survey asked citizens to consider how they typically use taxi services. The industry survey received 7 responses, including one owner, one owner/driver, five drivers, and one dispatcher.

There were several recurring themes among both the public survey and the feedback from within the taxi industry. These key themes included comments about fares and service areas (also referred to as zones), safety, the level of service available, use of technology within the industry, and administration and enforcement of the Bylaw. Staff provided Council a detailed overview of the results of the surveys.

Recommendations made to Council

A series of recommendations from the working group was presented by Staff at the July 12th, 2022, Council Meeting. Based on these recommendations, Staff has prepared a draft By-law Attachment A. To provide additional clarification due to the fact the current Taxi By-law applies to other modes of transporting passengers for compensation, it is being recommended a new title, Passenger Vehicle for Hire, be applied to this By-law. As a result, the current Taxi By-law will be repealed and replaced with the Passenger Vehicle for Hire By-law found in Attachment A. Proposed amendments include:

- Retention of recent rate increase
- Clarification of rate schedule
- Allow for alternative methods of dispatch.
- Safety improvements, including clear insurance requirements, mandatory record keeping, and a signed code of conduct, and child abuse and vulnerable sector checks.
- Revise By-law to include accessibility requirements upon completion of provincial review.
- Improve and clarify application requirements.
- Update dress code
- Increased authority to enforce the By-law.

In addition to the proposed amendments identified above, the By-law was reformatted in compliance with recommendations from Portside Law's regulatory review of CBRM's By-laws.

A copy of the current Taxi By-law can be found in Attachment B. A document with track changes showing the comparison of the two By-laws can be found in Attachment C. A table further breaking down the proposed amendment along with an explanation of the amendments can be found in Attachment D.

Issues Arising from the Public Hearing

Several issues were raised during the Public Hearing, this is Staff's response to those issues.

Ridesharing Business

The current Taxi By-law is silent on Ridesharing Businesses. It was always this office's opinion that a ridesharing business is no different than a taxi and meets the definition of a passenger vehicle for hire and therefore simply added a definition of a Rideshare business for clarity. In addition to the new definition for Ridesharing Business, the definition of Taxi was also amended to reference a Ridesharing Business is considered a Taxi. Anyone wishing to operate a Ridesharing Business in the CBRM would need to comply with all the requirements for a Taxi Business under the current and proposed By-law.

Taxi Depot

The current Taxi By-law references a depot but does not include a definition. For this reason, a definition for Taxi Depot was added to the By-law.

Subsection 4.1 a of the current By-law states every person engaged in the business of operating a taxi or owning a taxi vehicle shall be in the employ of a taxi business:

which operates a dispatch-to-taxi two-way radio system only, or the address and depot of the taxi business is a minimum of 20 kilometers from the boundary of any of the five service areas illustrated in Schedule "A" of this By-law.

This provision requires a business operate of a dispatch-to-taxi by a two-radio system or requires the address and depot of the taxi business is a minimum of 20 kilometres from the boundary of any of the services areas. The provision states 'or' not 'and', meaning the 24 dispatch and depot do not need to be at the same location.

Business Office

The Taxi By-law does not require a business office, but states that business address for a Taxi Business must be separate from the proprietor's place of residence. The Taxi By-law also requires taxi stand depots follow the provisions of the Land Use By-law. The Land Use By-law considers a Taxi Business to be a transportation use; therefore, are only permitted in areas where transportation uses are identified as a permitted use. Both provisions remain in the proposed Passenger Vehicle for Hire By-law.

Dispatch

With the rise of new technology, upon the request of the Taxi Industry, the requirement to only operate a dispatch-to-taxi by a two-way radio system was amended. A Taxi Business can continue to operate their 24-hour dispatch via a two-way radio system; however, the amendments to the By-law would enable a Taxi Business to use another form of technology as a part of their 24-hour dispatch service.

Second Taxi Industry Meeting

At the February 28th, 2023, CBRM Council meeting, Council directed Staff to invite the Taxi Working Group and all licensed taxi company owners to a meeting. This meeting was held on March 30th, 2023, in the MacDonald Room at Center 200. There was at least one attendee present from each of the currently licensed companies in the CBRM. The meeting agenda included a copy of the February 28th, 2023 Council motion, an Amendment Summary Table, a copy of an email from citizen Joe Ward, and copies of emails from City Wide Taxi with the local industry views on the proposed Passenger Vehicle for Hire Bylaw.

At the meeting, Staff outlined the steps the Taxi working Group took to review the existing By-law and the recommendations that resulted from this work, followed by an open discussion to hear the concerns of the Taxi owners.

Staff also took the time to go through the areas of concern raised during the Public Hearing on February 28th, 2023. In particular, Staff highlighted ridesharing businesses, the current and proposed requirements for Taxi Depots, Business Offices and Dispatch requirements. There was also discussion on offering discounts, implementing fees for the use of Credit and Debit, and the ability for a single Taxi business to serve more than one service area.

Based on these discussions, the owners appeared to be satisfied with the inclusion of the definition of a Ridesharing Business to address the rideshare issue and that they would like consideration to be able to pass on a small service fee (\$2.00 per transaction) for the use of credit and debit. After the meeting, there were still some questions and concerns about the requirements for a business office, taxi depots and dispatching. There continued to be a misconception around the ability for a single taxi company to provide service in more than one service area. Again, Staff re-iterated that the intent of these requirements have not changed from the current By-law. In addition, the Legal Department supports Staffs' interpretation that there is nothing in the existing or proposed By-laws that prevents an owner from servicing more than one service area and that the same provisions are available to anyone.

Conclusion

Staff undertook the proposed amendments to the Taxi By-law upon the direction of Council. There is nothing in the proposed Passenger Vehicle for Hire Bylaw, which is meant to amend and replace the existing Taxi By-law which has not been discussed with the Taxi Working Group and the Taxi owners. In cooperation with the working group, and input from the general public, Staff have provided Council with an updated version of a By-law intended to ensure vehicles are safe and adequately insured, drivers are qualified to operate a passenger vehicle, that passengers receive a high degree of service with fair and equitable rates.

Recommendations

Council completes the Second and Final Reading of the Passenger Vehicle for Hire By-law found in Attachment A and approve the Passenger Vehicle for Hire By-Law as presented.

If Council wishes to entertain amendments to the Schedule of Fares found in Schedule "C" to include a provision for a service fee of \$2.00 per transaction for the use of Debit or Credit a second motion should be made directing staff to prepare an issue paper outlining the options to amend the Schedule of Fares found in Schedule "C".

Respectfully submitted by:

ORIGINAL SIGNED BY

Paul Burt
Manager, Building, Planning, and Licensing Laws

Cape Breton Regional Municipality
By-Law Number P-500
Passenger Vehicle for Hire By-law

A BY-LAW TO LICENSE AND REGULATE PERSONS TRANSPORTING PASSENGERS FOR HIRE BY MEANS OF ANY VEHICLE

NOW THEREFORE the Municipal Council of the Cape Breton Regional Municipality (CBRM), under the authority of Section 305 of the *Motor Vehicle Act*, Chapter 293, R.S.N.S. 1989 and amendments thereto, hereby adopts the following By-law:

This Bylaw shall be known as the “Passenger Vehicle for Hire By-law” and may be cited as the “Passenger Vehicle for Hire By-law, No. P-500, 2022”.

WHEREAS the *Motor Vehicle Act* of the Province of Nova Scotia enables a municipality to adopt a by-law regulating and licensing persons transporting passengers for hire by means of any vehicle; and

WHEREAS the Cape Breton Regional Municipality intends to regulate the transporting passengers for hire by means of any vehicle in the Regional Municipality to ensure:

- vehicles are adequately maintained;
- vehicles and operators are adequately insured;
- vehicles are easily identifiable;
- operators are legitimately qualified to operate a vehicle;
- the high profile business becomes an exemplary ambassador for the Regional Municipality;
- passengers receive a high degree of service; and
- a fair and equitable schedule of rates is imposed.

The Council of the Cape Breton Regional Municipality hereby adopts this By-law

Where a provision of this By-law conflicts with the provisions of another By-law in force within the Municipality, the more stringent provision prevails.

1 Definitions

By-law Enforcement Officer means an employee of the Cape Breton Regional Municipality under the direction of the Manager responsible for this By-law who is sworn in under the *Police Act* as a Special Constable with authority to administer and enforce this By-law.

Bus for the purposes of this By-law means a motor vehicle used to transport up to 14 passengers.

Business Operator’s Licence mean the licence issued to the person operating a Passenger Vehicle for Hire Business in the Cape Breton Regional Municipality.

Driver’s Licence means a license issued by the Province of Nova Scotia to a person permitting that person to operate a vehicle in the Province of Nova Scotia.

Local Shuttle Service means a van, Luxury Vehicle, or bus used to transport individuals or organizational groups of people collected at a given point, such as the Government Wharf, and dropped off at pre-determined destinations within CBRM. If a fee is charged to the individual being transported, then the owner of the service will require a licence; otherwise, the service provided will be a courtesy service.

Local Tour Service means a predetermined service commencing in CBRM with designated locations along the route. Fees applicable within CBRM.

Local Tours Vehicles shall include vans, Luxury Vehicles, and Taxis.

Luxury Car means a vehicle that has high-end features that provides increased levels of comfort, equipment, amenities, quality, and performance that go above and beyond the average necessities of a moderate vehicle.

Municipality means the Cape Breton Regional Municipality, in the County of Cape Breton, Province of Nova Scotia.

Passenger Vehicle for Hire means a motor vehicle that is used by a person to offer, facilitate or operate a transportation service of a passenger for compensation, and may include a Taxi, Luxury Vehicle, Local Shuttle Vehicle or Local Tour Vehicle.

Passenger Vehicle for Hire Business means a business or corporation offering Vehicles for Hire which can include a Taxi Business, Ridesharing Business, Luxury Vehicle Business, Local Shuttle Vehicle Business, or Local Tour Vehicle Business.

Peace Officer as defined in the Criminal Code of Canada, R.S.C. 1985, Chapter C-46.

Ridesharing Business is a business or corporation that offers passenger vehicles for hire (ie Uber/Lyft type operation) via a website or mobile app.

Smoke means smoke, inhale or exhale smoke from, burn, carry, hold or otherwise have control over a lit or heated cigarette, cigar, pipe, waterpipe, electronic cigarette or other device that burns or heats tobacco, cannabis or another substance that is intended to be smoked or inhaled;

Taxi means a motor vehicle this is operated or intended to be operated for the purposes of transporting passengers for compensation, which includes vehicles used by a Ridesharing Business, and

- is available for on demand service by members of the general public to travel to a destination requested by a customer;
- measures its fare or charge to its customers on the basis of distance traveled, or the amount of time for which the vehicle is hired, or a combination of the same; and
- does not include a vehicle whose manufactured seating capacity exceeds 6 adults, including the driver.

Taxi Depot means an established place of a transportation business utilized by Taxi Vehicle Owners and Taxi Operators which may include a business office, 24 hours dispatching services, and off-street parking from which request for Vehicles for Hire are received and dispatched.

Traffic Authority means the Chief of the Regional Police and/or the representative of the office of the Manager responsible for the By-Law delegated by the Chief of the Regional Police to administer and enforce this By-law, pursuant to Section 305 of the Motor Vehicle Act, Chapter 293 of the Revised Statutes of Nova Scotia, 1989.

Van for the purposes of this By-law means a motor vehicle used to transport 7 to 14 passengers.

Vehicle means a motor vehicle as defined in the interpretation provisions of the Motor Vehicle Act SNS 1989, c. 293;.

Vehicle Operator's Licence means the licence issued to a person pursuant to the By-law authorizing the person to drive a vehicle such as a Taxi, Luxury, Local Shuttle or Local Tour vehicle in the Cape Breton Regional Municipality

Vehicle Owner's Licence means a licence for a vehicle such as a Taxi, Luxury Vehicles, Local Shuttle or Local Tour issued pursuant to this By-law.

2 Licensing Control

- (1) The Manager responsible for this By-law shall be responsible for the administration and enforcement of this By-law.
- (2) The By-law Enforcement Officers under the direction of the Manager responsible for this By-law and any Peace Officer shall have authority to enforce any and all provisions of this By-law.
- (3) Any By-law Enforcement Officers under the direction of the Manager responsible for this By-law and any Peace Officer shall have authority to stop any Licensed Passenger Vehicle for Hire or any unlicensed Vehicle that appears to be operating for hire, for the purpose of compliance with this By-law.

3 Areas of Jurisdiction

- (1) The jurisdiction of the Passenger Vehicle for Hire By-law is the Cape Breton Regional Municipality.
- (2) Within the Municipality there shall be five service areas.
- (3) An Operator's Licence is valid throughout the Municipality, but a Taxi Vehicle Owner's Licence is only valid for one service area.
- (4) The boundaries of the service areas are as described in Schedule "A" of this By-law.
- (5) No Taxi Operator's Licence and/or Taxi Vehicle Owner's Licence shall be issued unless the business address of the taxi business to be hiring the applicant, or owning the Taxi, is in the service area intended to be served by the Operator or Taxi.

4 Requirements to Operate a Passenger Vehicle for Hire Business

- (1) Every person engaged in the business of operating a Passenger Vehicle for Hire Business, must have a Business Operator's Licence issued under this By-law.
- (2) Individuals making an application for a Business Operator's Licence for a Passenger Vehicle for Hire Business shall:
 - a. provide the name of the business and phone number of business
 - b. be registered in good standing with the Nova Scotia Registry of Joint Stock companies

- c. must have a fee schedule on file, if applicable
 - d. must have a route schedule available, if applicable
 - e. if associated with transporting cruise ship passengers, provide confirmation of the completion of the general information course requirement for operators or written confirmation of approval by the Port of Sydney;
 - f. if the applicant is a Corporation, a copy of the incorporating document and a copy of the last annual information return which has been filed with the appropriate government department;
 - g. if the applicant is a Corporation, any of the directors, shareholders, or officers of the Corporation are obliged to comply with Subsection 9(g) and Subsection 9(i) this By-law.
- (3) In addition to Subsection (3), individuals making an application for a Business Operator's Licence for a Passenger Vehicle for Hire Business Hiring who intend on hiring out Taxis must:
- a. have a Development Permit for a Taxi Depot(s) which is in compliance with the provisions of the Land Use By-law of the Regional Municipality in effect for the property on which the Taxi Depot is located on, unless the Taxi Depot existed at the site prior to the coming into effect of this By-law;
 - b. operate a 24 hour service,
 - c. operate a dispatch-to-taxi communication system, which can be accessed by the By-law Enforcement Officer for compliance checks.
 - d. have a primarily operating a fleet of Taxis providing passengers with a one call - one direct route to the point of destination service. Specialized services such as a shuttle service within the Municipality may be permitted as a subsidiary use to the primary operation.
- (4) Incomplete applications refunded after seven days

5 Vehicle Owner's Licence Requirements

5.1 Requirements for a Vehicle Owner's Licence – Taxi Vehicle Owners

- (1) No person shall own and operate a Taxi for the purpose of transporting persons for hire in the Cape Breton Regional Municipality unless that person is in the employ of a Passenger Vehicle for Hire Business and has a valid Taxi Vehicle Owner's Licence and Taxi Operator's Licence in respect of the vehicle issued pursuant to this By-law.
- (2) A valid Taxi Vehicle Owner's Licence is required with respect to each Vehicle used as a Taxi in the Cape Breton Regional Municipality and to be presented on demand of a Peace Officer or By-law Enforcement Officer.
- (3) Every application for a Taxi Vehicle Owner's Licence shall be made in writing to the By-law Enforcement Office or Traffic Authority by the owner. An application for a Taxi Vehicle Owner's Licence shall contain:
- a. the name, address and telephone number of the applicant;
 - b. the business address, business mailing address (if different from the business address) and business telephone number of the taxi business to be hiring, or owned by, the applicant;
 - c. a description of the Vehicle sufficient to identify it;
 - d. information regarding the insurance policy in effect for the vehicle to be used sufficient to ensure the vehicle is adequately insured in compliance with this By-law, and that the Cape

Cape Breton Regional Municipality
Passenger Vehicle for Hire By-Law, No. P-500, 2023

- Breton Regional Municipality will be notified by the insurance company if and when the insurance policy on the vehicle in effect with respect to the vehicle to be used has expired;
- e. proof the vehicle to be used has been inspected by the Motor Vehicle Branch of the Department of Public Works or someone delegated with the authority to inspect vehicles;
 - f. identification of the service area for which the licence is required (see Section 3); and
 - g. if the Taxi Vehicle Owner is not also applying for a Vehicle Operator's Licence, they are obliged to comply with Section 9 this By-law.
 - h. A letter of permission from a Taxi Business Owner granting vehicle owner permission to licence a vehicle with their company, signed and dated by approved agent.
- (4) After receiving a completed application for a Taxi Vehicle Owner's Licence, the By-law Enforcement Office or Traffic Authority shall refuse to issue a licence if:
- a. the amount of insurance required by this By-law is not in effect for the vehicle to be licenced;
 - b. the vehicle is not in good condition in accordance with Section 7 of this By-law;
 - c. the vehicle, if to be operated as a Taxi in the Sydney Service Area, is not equipped with a properly operating taximeter in accordance with Section 14 of this By-law;
 - d. the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of the Department of Public Works and the verification sticker issued by the Province is not displayed in the front windshield.
- (5) Notice of refusal by the By-law Enforcement Office or Traffic Authority to issue a Taxi Vehicle Owner's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality. The Appeals Standing Committee may confirm the decision of the By-law Enforcement Office or Traffic Authority or order that a licence be issued subject to compliance with the provisions of Subsection 5.1(4) of this By-law.
- (6) A Taxi Vehicle Owner's Licence issued under this By-law shall be valid until the last day of the Month of the following year., unless sooner revoked or suspended.
- (7) A Taxi Vehicle Owner's Licence shall be issued for one vehicle only and shall contain a description of the vehicle and signed by owner.
- (8) If a Taxi Vehicle Owner wishes to discontinue the use of a licensed vehicle and to substitute another, the By-law Enforcement Office or Traffic Authority may, authorize the use of a previously endorsed licence for another vehicle that complies with the By-law and endorse the licence accordingly.
- (9) A Taxi Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application by Peace Officer or By-law Enforcement Officer.
- (10) Incomplete application refunded after seven days.

5.2 Requirements for a Vehicle Owner's Licence – Excluding Taxi Vehicle Owners

- (1) No person shall own and operate a Passenger Vehicle for Hire in the Cape Breton Regional Municipality unless that person has a Vehicle Owner's Licence in respect of the vehicle issued pursuant to this By-law.

Cape Breton Regional Municipality
Passenger Vehicle for Hire By-Law, No. P-500, 2023

- (2) A Vehicle Owner's Licence must be presented on demand of a Peace Officer or By-law Enforcement Officer.
- (3) A Vehicle Owner's Licence is required with respect to each vehicle used for the purpose of transporting persons for hire in the Cape Breton Regional Municipality.
- (4) Every application for a Vehicle Owner's Licence shall be made in writing to the By-law Enforcement Office or Traffic Authority by the owner. An application shall contain:
 - a. the name, address and telephone number of the applicant;
 - b. the business address, business mailing address (if different from the business address) and business telephone number of the shuttle business to be hiring, or owned by, the applicant;
 - c. a description of the Vehicle sufficient to identify it;
 - d. information regarding the insurance policy in effect for the vehicle to be used sufficient to ensure the vehicle is adequately insured in compliance with this By-law, and that the Cape Breton Regional Municipality will be notified by the insurance company if and when the insurance policy on the vehicle in effect with respect to the vehicle to be used has expired;
 - e. proof the vehicle to be used has been inspected by the Motor Vehicle Branch of the Department of Public Works or someone delegated with the authority to inspect vehicles;
 - f. if the Vehicle Owner is not also applying for an Operator's Licence, they are obliged to comply with Section 9 of this By-law.
- (5) After receiving a completed application for a Vehicle Owner's Licence, the By-law Enforcement Office or Traffic Authority shall refuse to issue a licence if:
 - a. the amount of insurance required by this By-law is not in effect for the vehicle to be licenced;
 - b. the vehicle is not in good condition in accordance with Section 7 of this By-law;
 - c. the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of the Department of Public Works and the verification sticker issued by the Province is not displayed in the front windshield.
- (6) Notice of refusal by the By-law Enforcement Office or Traffic Authority to issue a Vehicle Owner's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality. The Appeals Standing Committee may confirm the decision of the By-law Enforcement Office or Traffic Authority or order that a licence be issued subject to compliance with the provisions of Subsection 5.2 (5) of this By-law.
 - a. An Owner's Licence issued under this By-law shall be valid until the last day of April next following its issue, unless sooner revoked or suspended.
 - b. An Owner's Licence shall be issued for one vehicle only and shall contain a description of the vehicle.
 - c. If a Vehicle Owner wishes to discontinue the use of a licensed vehicle and to substitute another, the By-law Enforcement Office or Traffic Authority shall, authorize the use of a previously endorsed the licence for another vehicle that complies with the By-law and endorse the licence accordingly
 - d. A Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application.
- (7) Incomplete applications refunded after seven days.

6 Insurance

- (1) At all times, Licences Owners must have a valid insurance policy that entitles permission to carry passengers for compensation or some comparable form of insurance approved by the Insurance Bureau of Canada in force and providing minimum coverage including:
 1. public liability;
 2. property damage; and
 3. cargo or passenger hazard insurance

in the amount of \$2,000,000, including the Municipality as an additional named insured, 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.

- (2) Upon expiration of the valid policy referenced in Subsection (1) a Licenced Owner must provide an updated copy of the their insurance policy to the By-law Enforcement Office upon request.

7 Condition of Vehicle and Inspections

- (1) Every vehicle licenced under this By-law shall be kept in a clean, sanitary condition and in good repair at all times when in use and has no visible body fillers, rust, primer paint, accidental damage or similar defects.
- (2) Every vehicle shall have affixed appropriate tires for the season not exceeding tread wear of 2/32nds and no visible bulges or other defect.
- (3) The owner of every vehicle in respect of which:
 - a. an application is being made; or
 - b. a licence has been issued;

shall, on demand by a By-law Enforcement Officer or Peace Officer, forthwith submit the vehicle for examination to determine compliance with Subsection 7(1) of this By-law and the *Motor Vehicle Act*.

- (4) 2 vehicle inspections conducted by, or on behalf of, the Motor Vehicle Branch of the Department of Public Works of the Province of Nova Scotia shall be required for each vehicle licenced under this By-law. The inspections shall be coordinated to ensure no vehicle licenced under this By-law is operating without a valid vehicle inspection certificate issued by, or on behalf of, the Motor Vehicle Branch of the Department of Public Works with an inspection date older than 6 months.
- (5) Vehicle Owners shall be permitted to choose a mechanic of their choice in their local area. Additional vehicle inspections to be carried out at a CBRM designated location at the vehicle owner's expense.
- (6) Should the vehicle not meet the requirements of Section 7.a. or fail an inspection conducted under the *Motor Vehicle Act*, the By-law Enforcement Office or Traffic Authority may notify the owner of the vehicle to cease operating the same as a vehicle licenced under the authority of this By-law, until such time as the same has been put in a clean, sanitary condition and/or in good repair.
- (7) Every vehicle to be used as a Taxi shall be:

- a. equipped with an engine of at least 4 cylinders, unless electric or hybrid;
- b. 4-door sedan or a 4-door station wagon including hatchbacks
- c. which has a height from the top of the floor to the underneath side of the roof of at least 44.5 inches; and
- d. an interior width where passengers are to be seated of at least 51 inches with a capacity, determined by the number of seat belts, of not more than 6 passengers.

8 Taxi Identification

- (1) Every Taxi licenced under this By-law shall have a sign affixed upon the roof of such vehicle which is illuminated at all times:
 - a. The roof light shall be removed or covered by opaque material when the vehicle is not in service as a Taxi.
 - b. If the word Taxi or Cab is painted or emblazed on the vehicle then it shall be deemed a Taxi.
 - c. Any vehicle displaying a taxi deck light illuminated or otherwise or displaying signage indicating a Passenger Vehicle for Hire shall be deemed a Taxi
- (2) The sign shall identify the name of the Taxi Business and the identification number of the vehicle.
- (3) The name of the Taxi Business shall be placed on the sign so that it can be read while standing to the front or rear of the vehicle.
- (4) The Identification number shall be affixed on the sign so that it can be viewed while standing to the front, rear and sides of the vehicle.
- (5) The sign shall be of such size, color, design, style and positioned in a manner which ensures the name of the Taxi Business and the identification number of the vehicle can be identified within 50 feet of the sign.
- (6) Deck light shall be kept in working and good repair

9 Vehicle Operator's Licence Requirements

- (1) No person shall drive a Passenger Vehicle for Hire in the Cape Breton Regional Municipality unless the person has a valid Vehicle Operator's Licence issued pursuant to this By-law.
- (2) Everyone operating a Passenger Vehicle for Hire shall on demand of a By-law Enforcement Officer or Peace Officer present a valid Nova Scotia Drivers Licence Class 4 or better as well as a valid CBRM issued Vehicle Operator's Licence.
- (3) No person issued a valid Vehicle Operator's Licence shall drive a vehicle in the Cape Breton Regional Municipality other than a vehicle with a licence to be used as a Passenger Vehicle for Hire in the Municipality.
- (4) Every persons requesting a Vehicle Operator's Licence must have a letter of permission from a Passenger Vehicle for Hire Business granting the applicant permission to apply for an Operator's Licence with their company, signed and dated by approved agent.

- (5) Every application for a Vehicle Operator's Licence shall be made in writing to the By-law Enforcement Office or Traffic Authority. An application for a Vehicle Operator's Licence shall contain:
- a. the name, address and telephone number of the applicant;
 - b. the residence address, residence mailing address (if different from the residence address) and home telephone number of the applicant;
 - c. the business address, business mailing address (if different from the business address) and business telephone number of the taxi business to be hiring, or owned by, the applicant;
 - d. the age of the applicant;
 - e. the number and classification of the applicant's driver's licence then in force; and
 - f. for the first time applicant, a statement of record of any convictions against the applicant in the 5 years preceding the date of the application under the Criminal Code of Canada and the *Motor Vehicle Act*.
 - g. a Criminal Records Checks for the last five years will be reviewed and be in compliance with Schedule "D" of this By-law and must be:
 - i. conducted with new Operators and Vehicle Owners initially.
 - ii. conducted for any Licenced Operator upon the expiration of a Province of Nova Scotia driver's licence.
 - iii. conducted for any Licenced Operator if an Operator's Licence has been expired more than 90 days
 - iv. conducted at the request of a Peace Officer or By-law Enforcement Officer of this Bylaw
 - h. a Copy of completed Code of Conduct or Driver Training Checklist signed by both the applicant and Owner hiring Operator.
 - i. a Nova Scotia Child abuse registry check completed
 - j. a Nova Scotia Drivers Abstract Provided yearly
- (6) Incomplete applications will be refunded after seven days
- (7) After receiving a completed application for a Vehicle Operator's Licence, the By-law Enforcement Office or Traffic Authority shall refuse to issue a licence if:
- a. the applicant is not in possession of a Class 1, 2, 3, or 4 Drivers Licence issued by the Province of Nova Scotia;
 - b. the applicant does not hold a valid, current Motor Vehicle Licence from the Province of Nova Scotia required under the Motor Vehicle Act for a person operating a Passenger Vehicle for Hire;
 - c. in the judgment of the By-law Enforcement Office or Traffic Authority, the applicant is not a fit and proper person to hold such a licence.
- (8) Notice of refusal by the By-law Enforcement Office or Traffic Authority to issue an Operator's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality **within 30 days of the decision**. The Appeals Standing Committee may confirm the decision of the By-law Enforcement Office or Traffic Authority or order that a licence be issued subject to compliance with the provisions of Subsection 9(7) of this By-law.
- (9) A Vehicle Operator's Licence issued under this By-law shall be valid until the applicant's date of birth as indicated on their Nova Scotia Drivers Licence of the following year, unless sooner revoked or suspended.

(10) No Operator's Licence under this By-law may be transferred from one person to another.

10 Vehicle Operator - Dress Code and Conduct

- (1) When engaged in the operation of a Passenger Vehicle for Hire licenced under this By-law, every Operator issued a Licence under this By-law shall:
 - a. have on footwear;
 - b. maintain clothing in a neat and tidy condition;.
 - c. conduct himself/herself in an orderly manner with no solicitation of any kind.
- (2) Every person licenced under this By-law shall notify the office of the Manager responsible for this By-law of a change of address within 7 days.
- (3) Shall keep a log of all fares for a period of six months and be made available to the By-law Officer upon request
- (4) Shall have their Operator's Licence on display at all times while operating any Passenger Vehicle for Hire covered in this bylaw.
- (5) No one is permitted to smoke or vape in a vehicle licensed under this By-law, evidence of smoking or vaping, will result in revocation of the Operator's Licence until remedied and shall be an offence under this By-law.

11 Customer Service

- (1) Every Licenced Operator shall proceed by the most direct route to the point of destination, unless otherwise directed by the passenger.
- (2) A Licenced Operator shall only convey the person or persons engaging his vehicle and shall not pick up other passengers, unless agreed to by the person or persons who engaged the Licenced Operator's services.
- (3) The Owner or Operator of a licenced vehicle shall not refuse or neglect to convey any orderly, fare paying, person, or persons upon request, unless previously engaged, or unable to or prohibited by the provisions of this By-law. A Licenced Operator may refuse to drive a person whose conduct is disorderly or when such person's conduct may cause the Operator to fear for his/her safety. An Operator may request payment upfront.
- (4) Every Licenced Operator may offer assistance to the passenger:
 - a. entering and exiting the taxi; and
 - b. carrying luggage or any goods to and from the taxi.

12 Taxi Fares

- (1) The rates as set out in the Resolution of the Council of the Municipality as per Schedule "C" (Schedule of Taxi Fares) attached to this By-law will be those established annually by Resolution of the General Committee or, from time to time, at any regularly scheduled meeting thereof. The rates shall be charged for conveyance in a licenced vehicle used for transporting passengers for hire, from point to point within the Municipality.

- (2) Copies of the Schedule of Taxi Fares shall be furnished by a By-law Enforcement Officer to every person issued a Taxi Operator's Licence or Taxi Vehicle Owner's Licence and a copy of such schedule shall displayed in a manner that it is easily viewed by passenger in all vehicles for which an Owner's Licence has been issued. The fare schedule established by Committee shall be affixed.
- (3) Every Taxi Vehicle Owner or Taxi Operator who receives or demands a fare greater than or less than that required by the Schedule of Taxi Fares shall be guilty of an offence under this By-law. Unless a previous written agreement is arranged. Said agreement shall be made available to Bylaw officer on demand or as soon as reasonably possible. Written agreement will show terms of prearranged agreement, date and individuals covered under the agreement.

13. Exemptions

This By-law does not apply to:

- i. Outside Tours that originate outside of the municipality and
- ii. Charter Buses – 15 persons or more.

14. Taximeters - Sydney Service Area

- (1) Every owner of a vehicle used as a Taxi in the Sydney Service Area, as described in Schedule "A" of this By-law, shall provide such vehicle with a taximeter of a model approved by the Manager responsible for this By-law. Such taximeter shall:
 - a. be at all times in full view of the passengers;
 - b. be kept sealed and intact;
 - c. be operated from one of the front wheels of the motor vehicle or from the transmission; and
 - d. illuminated by a suitable light while in operation after dark.
 - e. affixed to the vehicle in a secure manner
- (2) A By-law Enforcement Officer or Peace Officer of the Municipality may at any time inspect any taximeter which is installed in a motor vehicle, and no Taxi Vehicle Owner's Licence shall be issued or renewed unless the taximeter is in compliance with Subsection 14(1) of this By-law.
- (3) Every Owner or Operator of a Taxi Licenced in the Sydney Service Area who transports for hire passengers without causing the taximeter in such vehicle to operate shall be guilty of an offence against this By-law. Unless subject to written arrangement in compliance with Subsection 12(3).

15. Emergency Call Number

No Taxi Vehicle Owner's Licence shall be issued with the number 13. This number shall be available to all taxi operator's when calling dispatch to notify of an emergency situation requiring immediate police help.

16. Penalties

- (1) Every person who contravenes or fails to comply with any provisions of this By-law shall, for each offence, be liable to a penalty of not less than \$100.00 and not more than \$5,000.00; and, in default of payment, the Manager responsible for this By-law may cancel or suspend the licence of such person.

- (2) Every person who does not have a valid Owner’s Licence or Operator’s Licence in compliance with this By-law who contravenes or fails to comply with any provisions of this By-law shall, for each offence, be liable to a penalty of not less than \$200.00 and not more than \$5,000.00. Every proprietor of a Passenger Vehicle for Hire business who knowingly:
- a. hires an individual to operate a Passenger Vehicle for Hire who is not properly licenced in compliance with this By-law; and/or
 - b. allows an independent Taxi Vehicle Owner to operate from their Taxi Depot using a vehicle which is not properly licenced in compliance with this By-law;

shall also be liable to a penalty of not less than \$200.00 and not more than \$5,000.00 per individual offence.

- (3) Any person whose Licence has been canceled or suspended may appeal to the Appeals Standing Committee of the Municipality which may confirm or disallow the action of the Manager responsible for this By-law.
- (4) Repeated contraventions or non-compliance with this By-law may result in a License being revoked or suspended.

17. Previous By-laws Repealed

By-law No. T-100, cited as the Cape Breton Regional Municipality Taxi By-law and all amendments thereto are hereby repealed.

PASSED AND ADOPTED by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipality held on _____.

Mayor Amanda M. McDougall-Merrill

Deborah Campbell Ryan, Municipal Clerk

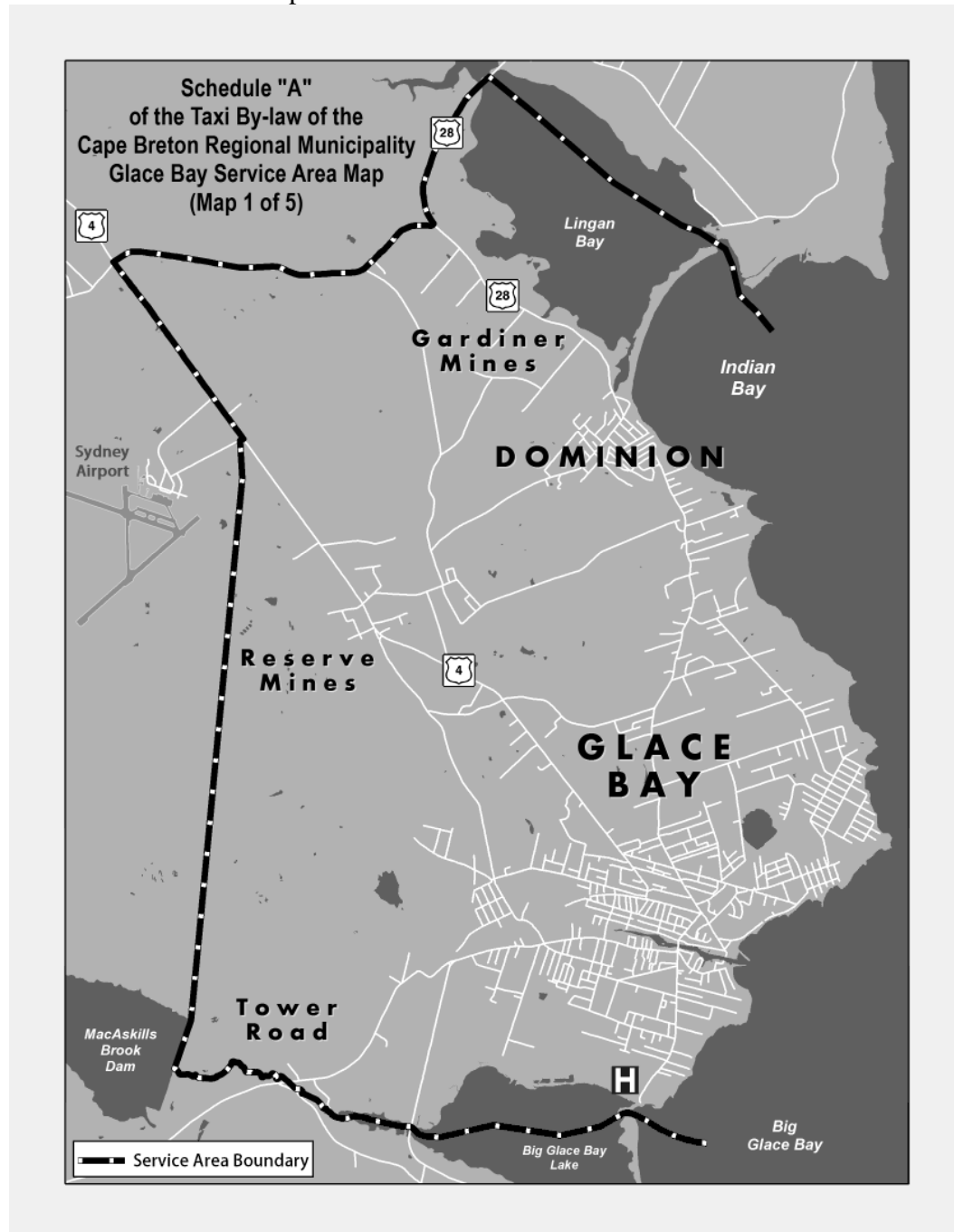
THIS IS TO CERTIFY that the attached is a true and correct copy of the Passenger Vehicle for Hire By-law of the Cape Breton Regional Municipality adopted on _____.

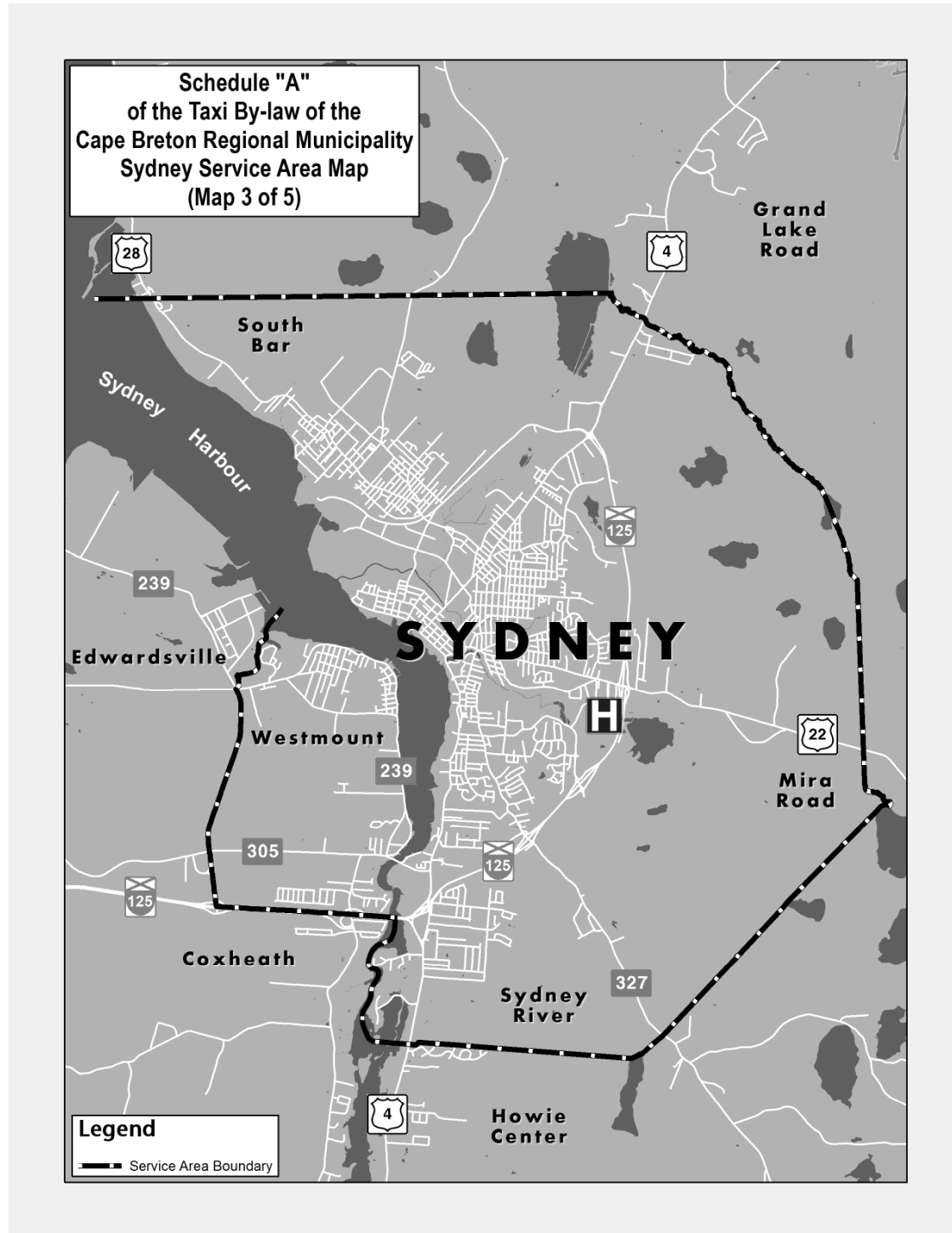
Deborah Campbell Ryan, Municipal Clerk

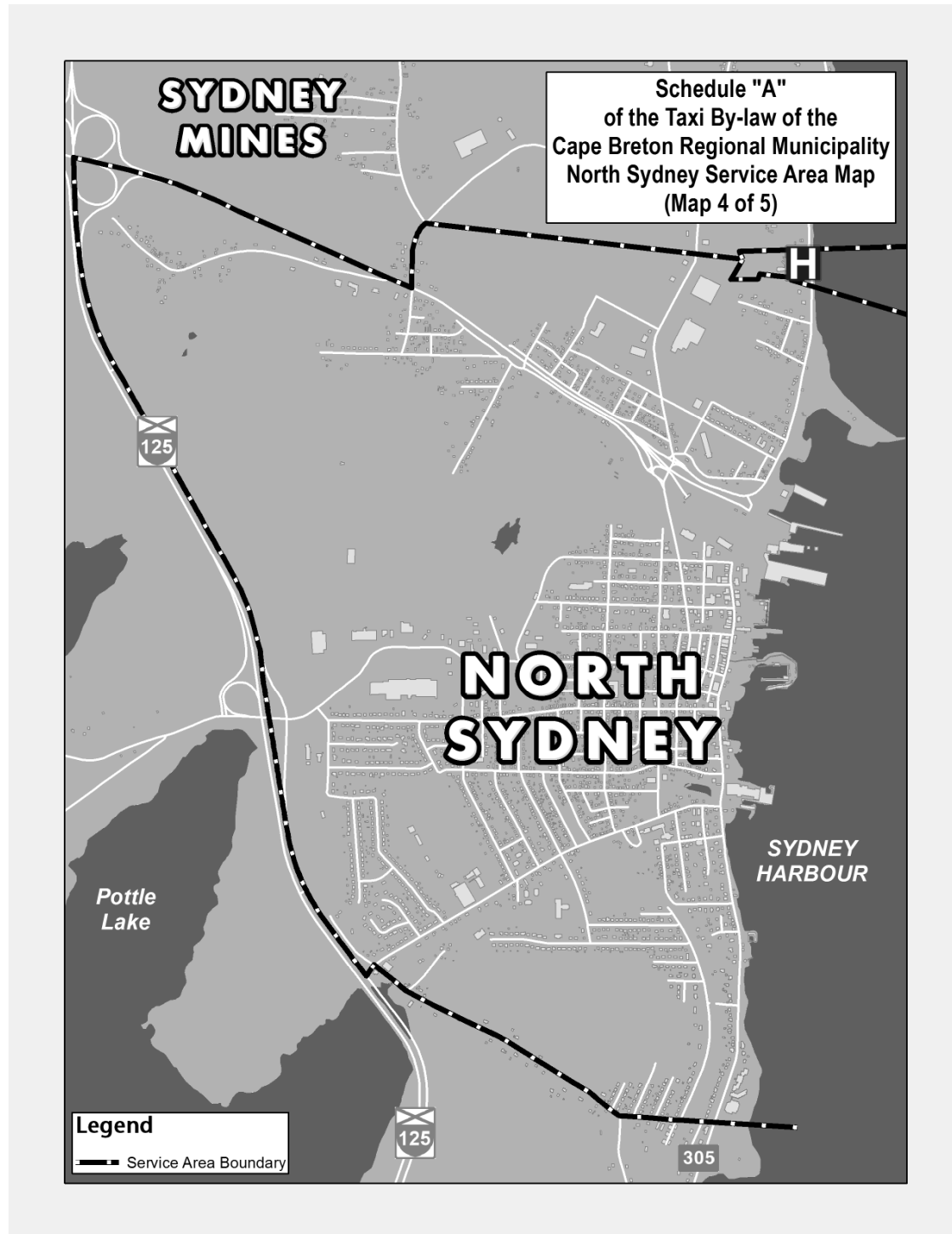
PUBLICATION DATE:

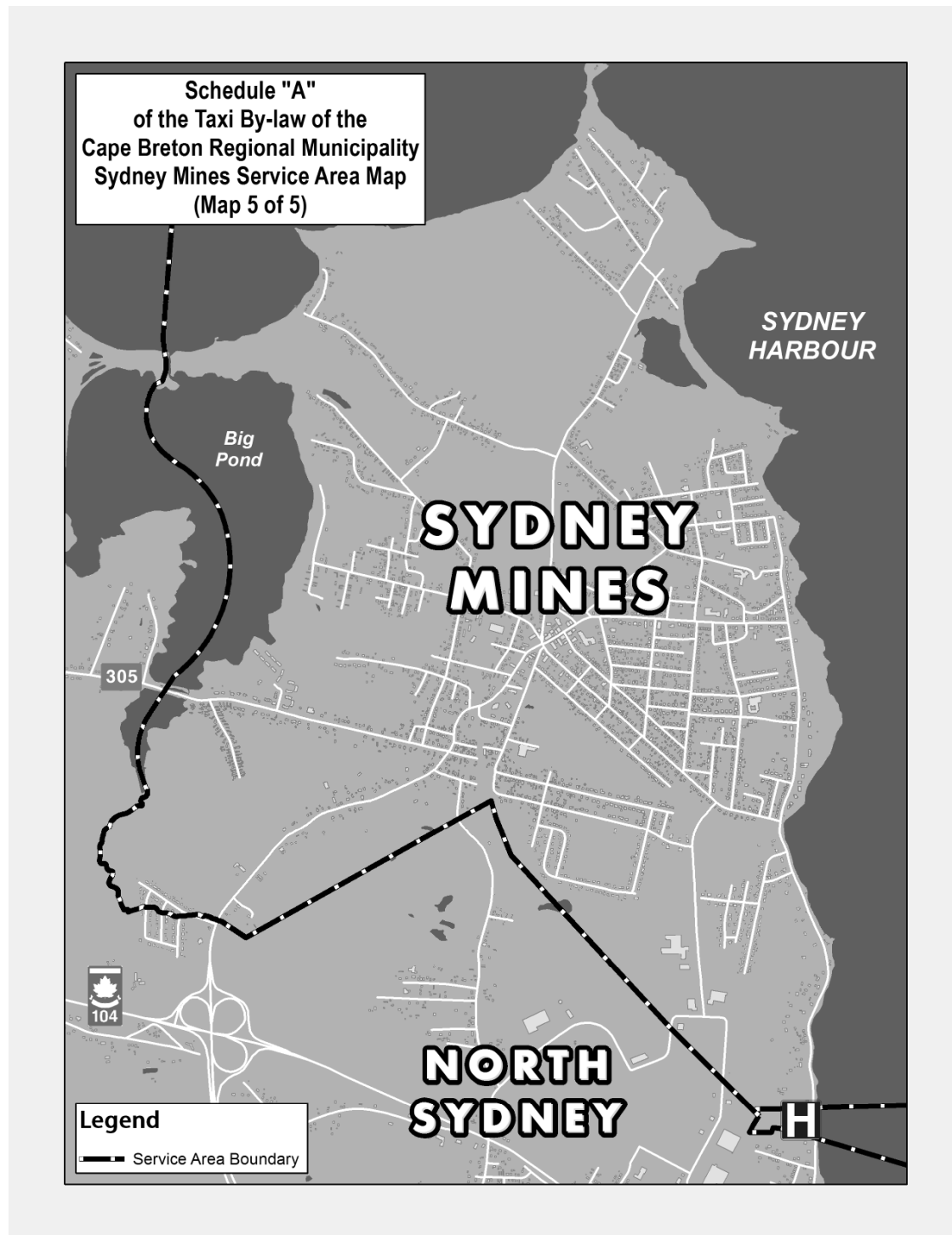
Schedule "A" Service Areas

Schedule "A" includes the Glace Bay, New Waterford, Sydney, North Sydney, and the Sydney Mines Service Areas Maps.









Schedule “B” Licencing Fees

ALL OPERATOR LICENCE FEES ARE PRO-RATED FOR CBRM FISCAL YEAR	
<u>Vehicle Operator’s Licence</u> - Annual Licence	\$45
Vehicle Owner's Licence (Taxi) - Annual Licence - Per Additional Service Area	\$45 \$15
Luxury Vehicle Operator’s Licence - Annual Licence	\$45
Luxury Vehicle Owner’s Licence - Annual Licence	\$45
Local Shuttle Licence (Owner) - Annual Licence - An add on (e.g. Luxury Vehicle & Local Shuttle Licence – same vehicle)	\$45 \$10
Local Tour Licence (Owner) - Annual Licence - An add on (e.g. Taxi & Local Tour Licence – same vehicle)	

1. When a licenced vehicle is transferred from one owner to another within the same licencing year. Fee = \$45
2. Any vehicle that is replaced will be subjected to a fee.
 Fee = \$15 outside a metered area - Taxi Fee = \$30 within a metered area – Taxi
3. Fees can be amended from time to time via the Council.
4. If an application is either rejected or withdrawn, an administrative processing fee of 30% will be applied as part of the Refund Policy.
5. There shall be a fee of \$10 for the replacement Licence

Schedule "C" Schedule of Taxi Fares

All Fares include H.S.T.	Sydney (metered)	Sydney Mines (non-metered)	North Sydney (non-metered)	New Water. (non-metered)	Glace Bay (non-metered)	Florence (non-metered)
Local Rate* Additional charge: \$1.30 per passenger for outside service area Tendered Rates & Special Rates for the conveyance of persons or groups may be made by private arrangement with the owner of the taxi business, owner of the vehicle, or operator of the vehicle in advance of call.	\$5.20 initial charge (\$2.28 per mile or \$1.50 per kilom.) no extra charge \$28.60 per hour on metered fares when meter is running.	\$9.10 flat rate \$0.65 cents (per 3 rd person or more) \$1.30 per person for outside Service area.	\$9.10 flat rate \$0.65 cents (per 3 rd person or more) \$1.30 per person for outside Service area.	\$9.10 flat rate \$0.65 cents for each additional person; \$1.30 per person for outside Service area.	\$9.10 flat rate within Glace Bay; within Dominion; or Reserve Mines as described below this table \$13.00 flat rate between any two of the above communities \$0.65 cents for each additional person \$1.30 per passenger for outside Service area	\$9.10 flat rate
Rate for Fares outside the service area	\$1.50 per kilom.	\$1.50 per kilom.	\$1.50 per kilom.	\$1.50 per kilom.	\$1.50 per kilom.	\$1.50 per kilom.
Waiting Time	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour
Sydney		\$39.00	\$39.00	\$32.50	\$32.50	\$39.00
Glace Bay	\$32.50	\$71.50	\$71.50	\$26.00	\$ 9.10	\$71.50
New Waterford	\$32.50	\$71.50	\$71.50	\$ 9.10	\$26.00	\$71.50
North Syd.	\$39.00	\$13.00	\$ 9.10	\$71.50	\$71.50	\$ 13.00
Syd Mines	\$39.00	\$ 9.10	\$13.00	\$71.50	\$71.50	\$13.00
Florence	\$39.00	\$13.00	\$13.00	\$71.50	\$71.50	\$ 9.10

Rates are current based on travel within and between communities noted above. Glace Bay and New Waterford - additional charges for extra passengers .65 cents per person; North Sydney and Sydney Mines additional charges for 3rd passenger or more .65 cents per person. Request for a van extra \$6.50 only if requested through dispatch (not on regular fares).

Schedule “D” Licensing Standards

BASIC PRINCIPLES

THE FOLLOWING ARE GUIDELINES TO BE USED BY THE BY-LAW ENFORCEMENT OFFICER OR TRAFFIC AUTHORITY AND BY THE CAPE BRETON REGIONAL TAXI BY-LAW ENFORCEMENT OFFICERS WHILE EXERCISING THEIR AUTHORITY UNDER THE BY-LAW TO SUSPEND, REFUSE OR HEAR AN APPEAL REGARDING THE SUSPENSION, CANCELLATION OR REFUSAL OF A TAXI, LUXURY, LOCAL SHUTTLE, LOCAL TOUR OWNER’S OR OPERATOR’S LICENCE.

- **It is acknowledged that each case must be reviewed to determine whether the application of the guidelines is appropriate in all of the circumstances. The ultimate decision continues to rest with the By-law Enforcement Office or Traffic Authority, subject to the applicant’s right of appeal to the Appeals Standing Committee of the Municipality.**
- **Repeated offences may result in greater suspension lengths, at the discretion of the Enforcement Officer. However, steps voluntarily taken by the individual to correct or improve his conduct (for example, completion of the Driver Education Course, regular attendance at Alcoholic Anonymous meetings, completion of a recognized defensive driving course) may result in a shorter suspension.**
- **In the case of criminal or ordinance charges, provided there is no potential risk to the public safety, suspensions are to commence upon conviction for the offence, regardless of the filing of an appeal.**
- **Where there has been a suspension prior to conviction, such suspension shall be reviewed by the Enforcement Officer upon a “not guilty” finding by the Courts.**
- **Where applicable, the suspension is to commence at the completion of any sentence or penalty, including probation, parole or the carrying out of a period of community service.**
- **In cases where no charges are laid, the suspension shall commence upon the Enforcement Officer notifying the operator or owner that he is satisfied that acts have been committed which render the operator or owner an unfit and improper person to hold a taxi license.**
- **Offences, which occur while a person is engaged in the operation of a taxi or limousine, may be treated with greater severity than other offences.**
- **The Enforcement Officer may, at his discretion and where circumstances warrant, suspend the operation of a suspension pending the outcome of an appeal before the Appeals Standing Committee of the Municipality.**

REFUSED OR SUSPENSION WITHOUT RENEWAL

The following offences may result in the immediate refusal to grant or suspension of both the operator and owner's licenses. A license will not be renewed or issued where these offences have occurred. The operator's license will be suspended upon the operator being charged. The owner's license will be suspended upon conviction.

- **ABDUCTION**
- **ACTS OF TERRORISM (i.e., hijacking, hostage taking, pirating)**
- **ATTEMPTED MURDER**
- **MURDER**
- **IMPAIRED DRIVING (second offence)**
- **LIVING OFF THE AVAILS OF PROSTITUTION**
- **MANSLAUGHTER**
- **SEXUAL OFFENCES (i.e., sexual assault, child molestation)**
- **DRUG TRAFFICKING/ALCOHOL – BOOTLEGGING**
-
- **ORGANIZE CRIME**
- **OUTSTANDING CBRM RELATED MONIES \ FEES \ FINES**

•

10 YEAR SUSPENSION

The following offences shall result in the suspension of the operator and owner's license for a period of ten (10) years or refusal to grant a licence for a (10) year period from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any time.

Unless otherwise stated, the suspension of the operator's license is to commence upon the charge, the suspension of the owner's license upon conviction.

- **ASSAULT CAUSING BODILY HARM**
- **ROBBERY**

5 YEAR SUSPENSION

The following offences shall result in the suspension of the owner's and operator's license for a period of five (5) years or refusal to grant a licence for (5) years from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any fine.

Unless otherwise stated, the suspension shall take place upon conviction.

- **BREAK AND ENTER**
- **CRIMINAL NEGLIGENCE CAUSING DEATH**
(Motor vehicle-related)
- **POSSESSION OF FIREARMS**

2 YEAR SUSPENSION

The following offences shall result in the suspension of the operator's license for a period of two (2) years or refusal to grant a licence for a period of (2) years from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any fine.

Unless otherwise stated, the suspension shall take place upon conviction.

- INDECENT EXPOSURE
- POSSESSION OF WEAPONS (other than firearms)
- FRAUD

1 YEAR SUSPENSION

The following offences shall result in the suspension of the operator's license for a period of one (1) year or refusal to grant a licence for a period of (1) year from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any fine.

Unless otherwise stated, the suspension shall take place upon conviction.

- CARELESS AND IMPRUDENT DRIVING
- DANGEROUS DRIVING (Criminal Code Charges)
- IMPAIRED DRIVING (first offence)
- POSSESSION OF DRUGS
- THEFT UNDER \$1,000
- POSSESSION OF STOLEN GOODS
- PROSTITUTION

4 WEEK SUSPENSION

The following offences shall result in the suspension of the operator and/or owner's licenses for a period of four (4) weeks or refusal to grant a licence for a (4) week period from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service or the payment of any fine.

- **DRIVING WITHOUT INSURANCE AS REQUIRED IN THE BY-LAW** (suspension is to continue for four weeks Following proof of reinstatement of insurance)
- **DRIVING WHILE TAXI OPERATOR'S LICENSE IS SUSPENDED or EXPIRED** (suspension is to continue for four weeks after reinstatement of license)

APPEALS STANDING COMMITTEE

There will be an Appeals Standing Committee set up to review the by-law from time to time and to hear disputes between operators/ owners and enforcement officers.

This committee will have authority to rule on issues regarding suspensions and refusals.

APPEAL PROCESS

All appeals to actions of the Enforcement Officer shall be in writing. Forms are to be made available at the office of the manager responsible for this by-law. Prescribed written form will be as developed by the Appeals Standing Committee from time to time and must be signed by both the Complainant and the Enforcement Officer.

A fee of \$25.00 will accompany all applications for appeal. No appeal will be heard with out both the prescribed form and fee submitted. Fees submitted with applications for appeal will be refunded should the applicants appeal be upheld.

The Appeals Standing Committee will develop a guideline for setting up and hearing such disputes that may arise and attached as Appendix A of the taxi by-law.

Taxi By-law

of the

Cape Breton Regional Municipality

Pursuant to Section 305 of the Motor Vehicle Act, Chapter 293 of the Revised Statutes of Nova Scotia, 1995

WHEREAS the Motor Vehicle Act of the Province of Nova Scotia enables a municipality to adopt a by-law regulating and licencing persons transporting passengers for hire by means of any vehicle; and

WHEREAS the Cape Breton Regional Municipality intends to regulate the taxi business in the Regional Municipality to ensure:

- vehicles are adequately maintained;
- vehicles and drivers are adequately insured;
- vehicles are easily identifiable;
- drivers are legitimately qualified to operate a taxi;
- the high profile taxi business becomes an exemplary ambassador for the Regional Municipality;
- passengers receive a high degree of service; and
- a fair and equitable schedule of rates is imposed.

The Council of the Cape Breton Regional Municipality hereby adopts this Taxi By-law, pursuant to the Motor Vehicle Act.

1. Definitions

By-law Enforcement Officer means an employee of the Cape Breton Regional Municipality under the direction of the Manager responsible for this By-law who is sworn in under the Police Act as a Special Constable with authority to administer and enforce this By-law.

Cape Breton Regional Municipality means the Cape Breton Regional Municipality established pursuant to the Cape Breton Regional Municipality Act, Bill 63 S.N.S. 1994, c.3 as amended by 1994-95, c.7 and includes the area over which that body corporate has jurisdiction.

Limousine means a stretch limousine or any of the four-door, full-size luxury class vehicles identified in Schedule "E" having a standard seating capacity for at least 5 persons exclusive of the driver and furnished with top quality interior appointments, being of leather or other plush upholstery as well as a minimum of 4 of the following features:

- glass partition separating the front and rear seats;
- power windows;
- one-way tinted glass;
- television;
- stereo system;
- cellular telephone; and
- air conditioning.

Municipality means the Cape Breton Regional Municipality, in the County of Cape Breton, Province of Nova Scotia.

Peace Officer means as defined in the Criminal Code of Canada, R.S.C. 1985, Chapter C-46.

Local Shuttle Service means a van, limo or bus used to transport individuals or organizational groups of people collected at a given point, such as the Government Wharf, and dropped off at pre-determined destinations within CBRM (For Tourism Purposes Only). If a fee is charged to the individual being transported, then the owner of the service will require a licence; otherwise, the service provided will be a courtesy service.

Taxi means a motor vehicle used to transport passengers and goods for compensation:

- equipped with an engine of at least 4 cylinders;
- 4-door sedan or a 4-door station wagon excluding hatchbacks
- which has a height from the top of the floor to the underneath side of the roof of at least 44.5 inches; and
- an interior width where passengers are to be seated of at least 51 inches with a capacity, determined by the number of seat belts, of not more than 6 passengers.

Van for the purposes of this By-law means a motor vehicle used to transport 7 to 14 passengers.

Bus for the purposes of this By-law means a motor vehicle used to transport up to 14 passengers.

Local Tour means a predetermined service contract commencing in CBRM with designated locations along the route. Fees applicable within CBRM. Local Tours shall include vans, Limos, buses and taxis.

Operator's Licence means the licence issued to a person pursuant to the By-law authorizing the person to drive a vehicle such as a Taxi, Limo, Local Shuttle or Local Tour vehicle in the Cape Breton Regional Municipality.

Owner's Licence means a licence for a vehicle such as a Taxi, Limo, Local Shuttle or Local Tour issued pursuant to this By-law.

Traffic Authority means the Chief of the Regional Police and/or the representative of the office of the Manager responsible for the By-Law delegated by the Chief of the Regional Police to administer and enforce this By-law, pursuant to Section 305 of the Motor Vehicle Act, Chapter 293 of the Revised Statutes of Nova Scotia, 1989.

Vehicle means a motor vehicle as defined in the Motor Vehicle Act.

2. Licencing Control

- a. The Manager responsible for this By-law shall be responsible for the administration and enforcement of this By-law.
- b. The By-law Enforcement Officers under the direction of the Manager responsible for this By-law and any Peace Officer shall have authority to enforce any and all provisions of this By-law.

3. Areas of Jurisdiction

The jurisdiction of this Taxi By-law is the Cape Breton Regional Municipality. Within the Municipality there shall be five service areas. A Taxi Driver's Licence is valid throughout the Municipality, but a Taxi Vehicle Owner's Licence is only valid for one service area. The boundaries of the service areas are as described in Schedule "A" of this By-law. No Taxi Driver's Licence and/or Taxi Vehicle Owner's Licence shall be issued unless the business address of the taxi business to be hiring the applicant, or owning the taxi vehicle, is in the service area intended to be served by the driver or taxi vehicle.

4.1 Requirements to Operate a Taxi Business

Every person engaged in the business of operating a taxi or owning a taxi vehicle shall be in the employ of a taxi business:

- a. which has a separate address and phone number other than the proprietor's place of residence;
- b. for which the taxi stand depot(s) shall be in compliance with the provisions of the Land Use By-law of the Regional Municipality in effect for the property on which the stand depot is located on *unless the stand depot existed at the site prior to the coming into effect of the Taxi By-law; (amendment April 21st, 1998)*
- c. which is registered in good standing with the Nova Scotia Registry of Joint Stock Companies; and
- d. which operates a 24 hour service, unless the taxi business is listed in Schedule "D" of this By-law, or the address and depot of the taxi business is a minimum of 20 kilometers from the boundary of any of the five service areas illustrated in Schedule "A" of this By-law;
- e. which operates a dispatch-to-taxi two-way radio system only, or the address and depot of the taxi business is a minimum of 20 kilometers from the boundary of any of the five service areas illustrated in Schedule "A" of this By-law;
- f. which is primarily operating a fleet of taxi vehicles providing passengers with a *one call - one direct route to the point of destination service*, except for limousine services. Specialized services such as a shuttle service within the Municipality shall only be permitted as a subsidiary use to the primary operation.

4.2 Requirements to Operate a Local Shuttle Business

Every person engaged in the business of operating a local Shuttle Service with reference to the Cruise Industry shall, if applicable, require the following:

- a. name of the business and phone number of business;
- b. registered in good standing with the Nova Scotia Registry of Joint Stock companies;
- c. must have a fee schedule on file, if applicable;
- d. must have a route schedule available
- e. General information course requirement for operators – Sydney Ports Corp.

4.3 Requirements to Operate a Local Tour Business

Every person engaged in the business of operating a local Tour business shall require the following:

- a. name of the business and phone number of business;
- b. which is registered in good standing with the Nova Scotia Registry of Joint Stock Companies;
- c. must have a fee schedule on file, if applicable;
- d. must have a route schedule available
- e. General tour information course requirement for operators – Sydney Ports Corp.

5. Taxi Vehicle Owner's Licence Requirements

- a. No person shall own and operate a taxi for the purpose of transporting persons for hire in the Cape Breton Regional Municipality unless that person has a valid Taxi Vehicle Owner's Licence in respect of the vehicle issued pursuant to this By-law.
- b. A Taxi Vehicle Owner's Licence is required with respect to each Vehicle used as a taxi in the Cape Breton Regional Municipality.
- c. Every application for a Taxi Vehicle Owner's Licence shall be made in writing to the Traffic Authority by the owner. An application for a Taxi Vehicle Owner's Licence shall contain:
 1. the name, address and telephone number of the applicant;
 2. the business address, business mailing address (if different from the business address) and business telephone number of the taxi business to be hiring, or owned by, the applicant;
 3. a description of the Vehicle sufficient to identify it;
 4. information regarding the insurance policy in effect for the vehicle to be used sufficient to ensure the vehicle is adequately insured in compliance with this By-law, and that the Cape Breton Regional Municipality will be notified by the insurance company if and when the insurance policy on the vehicle in effect with respect to the vehicle to be used has expired;
 5. proof the vehicle to be used has been inspected by the Motor Vehicle Branch of the Department of Transportation or someone delegated with the authority to inspect vehicles;
 6. identification of the service area for which the licence is required (see Section 3); and
 7. if the Taxi Vehicle Owner is not also applying for a Taxi Driver's Licence, they are obliged to comply with Part 9, Section c, sub-section 6 of this By-law.
- d. After receiving a completed application for a Taxi Vehicle Owner's Licence, the Traffic Authority shall refuse to issue a licence if:
 1. the amount of insurance required by this By-law is not in effect for the vehicle to be licenced;
 2. the vehicle is not in good condition in accordance with Section 7 of this By-law;
 3. the vehicle, if to be operated as a taxi in the Sydney Service Area, is not equipped with a properly operating taximeter in accordance with Section 13 of this By-law;
 4. the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of the Department of Transportation and the verification sticker issued by the Municipality is not displayed in the front windshield.

- e. Notice of refusal by the Traffic Authority to issue a Taxi Vehicle Owner's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality. The Appeals Standing Committee may confirm the decision of the Traffic Authority or order that a licence be issued subject to compliance with the provisions of Section 5.d. of this By-law.
- f. A Taxi Vehicle Owner's Licence issued under this By-law shall be valid until the last day of April next following its issue, unless sooner revoked or suspended.
- g. A Taxi Vehicle Owner's Licence shall be issued for one vehicle only, a description of the vehicle shall be given on the licence, provided that if the owner wishes to discontinue the use of that vehicle and to substitute another, the Traffic Authority shall, if the latter vehicle complies with this By-law, authorize the use of the licence for such vehicle instead of for the one with respect to which it was originally issued, and endorse the licence accordingly.
- h. A Taxi Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application.

5.1 Local Shuttle Vehicle Owner's Licence Requirements

- a. No person shall own and operate a shuttle for the purpose of transporting persons for hire in the Cape Breton Regional Municipality (for Tourism purposes) unless that person has a valid Local Shuttle Vehicle Owner's Licence in respect of the vehicle issued pursuant to this By-law.
- b. A Local Shuttle Vehicle Owner's Licence is required with respect to each vehicle used as a shuttle (for Tourism purposes, if applicable) in the Cape Breton Regional Municipality.
- c. Every application for a Local Shuttle Vehicle Owner's Licence shall be made in writing to the Traffic Authority by the owner. An application for a Shuttle Vehicle Owner's shall contain:
 - 1. the name, address and telephone number of the applicant;
 - 2. the business address, business mailing address (if different from the business address) and business telephone number of the shuttle business to be hiring, or owned by, the applicant;
 - 3. a description of the Vehicle sufficient to identify it;
 - 4. information regarding the insurance policy in effect for the vehicle to be used sufficient to ensure the vehicle is adequately insured in compliance with this By-law, and that the Cape Breton Regional Municipality will be notified by the insurance company if and when the insurance policy on the vehicle in effect with respect to the vehicle to be used has expired;
 - 5. proof the vehicle to be used has been inspected by the Motor Vehicle Branch of the Department of Transportation or someone delegated with the authority to inspect vehicles;
 - 6. if the Shuttle Vehicle Owner is not also applying for a Shuttle Operator's Licence, they are obliged to comply with Part 9, Section c, sub-section 6 of this By-law.

- d. After receiving a completed application for a Local Shuttle Vehicle Owner's Licence, the Traffic Authority shall refuse to issue a licence if:
 1. the amount of insurance required by this By-law is not in effect for the vehicle to be licenced;
 2. the vehicle is not in good condition in accordance with Section 7 of this By-law;
 3. the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of the Department of Transportation and the verification sticker issued by the Municipality is not displayed in the front windshield.
- e. Notice of refusal by the Traffic Authority to issue a Local Shuttle Vehicle Owner's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality. The Appeals Standing Committee may confirm the decision of the Traffic Authority or order that a licence be issued subject to compliance with the provisions of Section 5.d. of this By-law.
- f. A Local Shuttle Vehicle Owner's Licence issued under this By-law shall be valid until the last day of April next following its issue, unless sooner revoked or suspended.
- g. A Local Shuttle Vehicle Owner's Licence shall be issued for one vehicle only, a description of the vehicle shall be given on the licence, provided that if the owner wishes to discontinue the use of that vehicle and to substitute another, the Traffic Authority shall, if the latter vehicle complies with this By-law, authorize the use of the licence for such vehicle instead of for the one with respect to which it was originally issued, and endorse the licence accordingly.
- h. A Local Shuttle Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application.

5.2 Local Tour Vehicle Owner's Licence Requirements

- a. No person shall own and operate a vehicle for the purpose of transporting persons for hire in the Cape Breton Regional Municipality (for Tourism purposes only) unless that person has a valid Local Tour Vehicle Owner's Licence in respect of the vehicle issued pursuant to this By-law.
- b. A Local Tour Vehicle Owner's Licence is required with respect to each vehicle used as a limo, taxi or bus in the Cape Breton Regional Municipality.
- c. Every application for a Local Tour Vehicle Owner's Licence shall be made in writing to the Traffic Authority by the owner. An application for a Local Tour Vehicle Owner's Licence shall contain:
 - a. the name, address and telephone number of the applicant;
 - b. the business address, business mailing address (if different from the business address) and business telephone number of the shuttle business to be hiring, or owned by, the applicant;
 - c. a description of the Vehicle sufficient to identify it;
 - d. information regarding the insurance policy in effect for the vehicle to be used sufficient to ensure the vehicle is adequately insured in compliance with this By-law, and that the Cape Breton Regional Municipality will be notified by the insurance company if and when the insurance policy on the vehicle in effect with respect to the vehicle to be used has expired;
 - e. proof the vehicle to be used has been inspected by the Motor Vehicle Branch of the Department of Transportation or someone delegated with the authority to inspect vehicles;

- f. if the Local Tour Vehicle Owner is not also applying for a Local Tour Operator's Licence, they are obliged to comply with Part 9, Section c, sub-section 6 of this By-law.
- g. A Local Tour Vehicle Owner's Licence shall be issued for one vehicle only, a description of the vehicle shall be given on the licence, provided that if the owner wishes to discontinue the use of that vehicle and to substitute another, the Traffic Authority shall, if the latter vehicle complies with this By-law, authorize the use of the licence for such vehicle instead of for the one with respect to which it was originally issued, and endorse the licence accordingly.
- h. A Local Tour Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application.
- i. After receiving a completed application for a Local Tour Vehicle Owner's Licence, the Traffic Authority shall refuse to issue a licence if:
 - i. the amount of insurance required by this By-law is not in effect for the vehicle to be licenced;
 - ii. the vehicle is not in good condition in accordance with Section 7 of this By-law;
 - iii. the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of the Department of Transportation and the verification sticker issued by the Municipality is not displayed in the front windshield.
- j. Notice of refusal by the Traffic Authority to issue a Local Tour Vehicle Owner's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality. The Appeals Standing Committee may confirm the decision of the Traffic Authority or order that a licence be issued subject to compliance with the provisions of Section 5.d of this By-law.
- k. A Local Tour Vehicle Owner's Licence issued under this By-law shall be valid until the last day of April next following its issue, unless sooner revoked or suspended.

6. Insurance

The owner of a taxi, local shuttle, limo and local tour licenced under this By-law shall at all times while engaging in the taxi, local shuttle, local tour or limo business or driving a taxi, local shuttle, tour vehicle, or limo for compensation have in force on the vehicle licenced and operated:

1. public liability;
2. property damage; and
3. cargo or passenger hazard insurance

in the amount of \$1,000,000 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. Condition of Vehicle and Inspections

- a. Every vehicle licenced under this By-law shall be kept in a clean, sanitary condition and in good repair at all times when in use and has no visible body fillers, rust, primer paint, accidental damage or similar defects.
- b. The owner of every vehicle in respect of which:
 1. an application is being made; or
 2. a licence has been issued;

shall, when required by a By-law Enforcement Officer or Peace Officer, forthwith submit the vehicle for examination to determine compliance with Section 7.a. of this By-law and the Motor Vehicle Act.

- c. A minimum of 2 vehicle inspections conducted by, or on behalf of, the Motor Vehicle Branch of the Department of Transportation of the Province of Nova Scotia shall be required for each vehicle licenced under this By-law. The inspections shall be coordinated to ensure no vehicle licenced under this By-law is operating without a valid vehicle inspection certificate issued by, or on behalf of, the Motor Vehicle Branch of the Department of Transportation with an inspection date older than 6 months.
- d. Vehicle Owners shall be permitted to choose a mechanic of their choice in their local area. Additional vehicle inspections to be carried out at a CBRM designated location at the vehicle owner's expense.
- e. Should the vehicle not meet the requirements of Section 7.a. or fail an inspection conducted under the Motor Vehicle Act, the Traffic Authority may notify the owner of the vehicle to cease operating the same as a vehicle licenced under the authority of this By-law, until such time as the same has been put in a clean, sanitary condition and/or in good repair.

8. Vehicle Identification

Every taxi licenced under this By-law shall have a sign affixed upon the roof of such vehicle which is *illuminated*:

1. when the meter is operating in all areas of jurisdiction which require a taximeter in each vehicle; and
2. as the headlights of the vehicle are turned on in accordance with the provisions of the Motor Vehicle Act.
3. The roof light shall be removed or covered by opaque material when the vehicle is not in service as a taxi.

The sign shall identify the name of the taxi business and the identification number of the vehicle. The name of the taxi business shall be placed on the sign so that it can be read while standing to the front or rear of the vehicle. The identification number of the vehicle shall be placed on the sign so that it can be read while standing adjacent both sides of the vehicle. The sign shall be of such size, color, design and style which ensures the name of the taxi business and the identification number of the vehicle can be identified within 50 feet of the sign.

9. Taxi Driver's Licence Requirements

- a. No person shall drive a taxi for the purpose of transporting persons for hire in the Cape Breton Regional Municipality unless the person has a valid Taxi Driver's Licence issued pursuant to this By-law.
- b. No person issued a valid Taxi Driver's Licence shall drive a vehicle in the Cape Breton Regional Municipality other than a vehicle with a licence to be used as a taxi in the Municipality.
- c. Every application for a Taxi Driver's Licence shall be made in writing to the Traffic Authority. An application for a Taxi Driver's Licence shall contain:
 1. the name, address and telephone number of the applicant;
 2. the residence address, residence mailing address (if different from the residence address) and home telephone number of the applicant;
 3. the business address, business mailing address (if different from the business address) and business telephone number of the taxi business to be hiring, or owned by, the applicant;
 4. the age of the applicant;
 5. the number and classification of the applicant's driver's licence then in force; and
 6. for the first time applicant, a statement of record of any convictions against the applicant in the 5 years preceding the date of the application under the Criminal Code of Canada and the Motor Vehicle Act.

Operators/Owners Licence

Criminal record statement for last 5 years required

Criminal Records checks will be conducted with new drivers and owners initially. These checks will also be conducted for any licenced taxi driver upon the expiration of a Province of Nova Scotia driver's licence. Criminal Records checks are only processed through the CBRM By-law office via Police Central.

- d. After receiving a completed application for a **Operator's Licence**, the Traffic Authority shall refuse to issue a licence if:
 1. the applicant is not in possession of a Class 1, 2, 3, or 4 Driver's Licence issued by the Province of Nova Scotia;
 2. the applicant does not hold a valid, current Motor Vehicle Licence from the Province of Nova Scotia required under the Motor Vehicle Act for a person operating a taxi;
 3. in the judgment of the Traffic Authority, the applicant is not a fit and proper person to hold such a licence.
- e. Notice of refusal by the Traffic Authority to issue an **Operator's Licence** shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality **within 30 days of the decision**. The Appeals Standing Committee may confirm the decision of the Traffic Authority or order that a licence be issued subject to compliance with the provisions of Section 9.d. of this By-law.
- f. A Taxi Driver's Licence issued under this By-law shall be valid until the last day of April next following its issue, unless sooner revoked or suspended.
- g. No Taxi Driver's Licence under this By-law may be transferred from one person to another.

10. Driver - Dress Code and Conduct

- a. When engaged in the operation of a taxi for hire licenced under this By-law, every driver issued a Taxi Driver's Licence under this By-law shall:
 1. wear a shirt or blouse;
 2. wear ankle length cuffed or hemmed trousers, or cuffed or hemmed shorts; female drivers shall also have the option to wear a skirt or dress;
 3. have on footwear;
 4. wear the required clothing in a neat and tidy condition;
 5. conduct himself/herself in an orderly manner with no solicitation of any kind.
- b. Every person licenced under this By-law shall notify the office of the Manager responsible for this By-law of a change of address within 7 days.

11. Customer Service

- a. Every licenced driver shall proceed by the most direct route to the point of destination, unless otherwise directed by the passenger.
- b. A licenced driver shall only convey the person or persons engaging his vehicle and shall not pick up other passengers, unless agreed to by the person or persons who engaged the licenced driver's services.
- c. The owner or driver of a licenced vehicle shall not refuse or neglect to convey any orderly, fare paying, person, or persons upon request, unless previously engaged, or unable to or prohibited by the provisions of this By-law. A licenced driver may refuse to drive a person whose conduct is disorderly or when such person's conduct may cause the driver to fear for his/her safety.
- d. Every licenced driver shall offer assistance to the passenger:

1. entering and exiting the taxi; and
2. carrying luggage or any goods to and from the taxi.

12. Rates

- a. The rates as set out in the Resolution of the Council of the Municipality as per Schedule "C" attached to this By-law will be those established annually by Resolution of the General Committee or, from time to time, at any regularly scheduled meeting thereof. The rates shall be charged for conveyance in a licenced vehicle used for transporting passengers for hire, from point to point within the Municipality.
- b. Copies of the Schedule of Fares shall be furnished by a By-law Enforcement Officer to every person issued a Taxi Driver's Licence or Taxi Vehicle Owner's Licence and a copy of such schedule shall be kept available for perusal by a passenger in every motor vehicle for which a Taxi Vehicle Owner's Licence has been issued. The fare schedule established by Committee shall be affixed to the rear passenger window of each vehicle.
- c. Every taxi vehicle owner or taxi driver who receives or demands a fare greater than or less than that required by the Schedule of Fares shall be guilty of an offence under this By-law.

*13. Local Shuttles

Local Shuttle Service means a van, limo or bus used to transport individuals or organizational groups of people collected at a given point, such as the Government Wharf, (for Tourism purposes only), and dropped off at predetermined destinations within CBRM. If a fee is charged to the individual being transported, then the owner of the service will require a licence; otherwise the service provided will be a courtesy service.

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- a. *A shuttle shall carry no more than 7 to 14 persons;*
- b. *Vans, limos and buses are permitted;*
- c. *Cars are excluded;*
- d. *Taxis are excluded from a shuttle business;*
- e. *Magnetic Signage required;*
- f. *No deck light or meter is required;*
- g. *A general information course is a requirement of operators – Sydney Ports Corp.*

***14. Local Tours**

A local tour means a predetermined service contract commencing in the Cape Breton Regional Municipality with designated locations along the route. Fees applicable within CBRM.

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- a. *Local Tours shall include Limos, taxis, vans and buses;*
- b. *No deck light or meter necessary;*
- c. *Service contracts will be predetermined;*
- d. *Tours to commence in CBRM;*
- e. *Signage on site shall be required and will include:*
 1. *Listing of tour area, price, duration of tour;*
 2. *Minimum size of 30" x 40";*
 3. *Signage on side of vehicle 1" in height to include company name, Phone #, CBRM licence # (magnetic type);*
- f. *General tour information course requirement for operators – Sydney Ports Corp.*

***15. Taxi**

Taxi means a motor vehicle used to transport passengers and goods for compensation.

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- a. *Shall not be more than 6 passengers and be a licenced vehicle;*
- b. *Must be a vehicle (4 door car – minimum 4 doors excluding hatchbacks);*
- c. *Mid-size or larger;*
- d. *4 cylinder or larger;*
- e. *Limo can be a taxi maximum 6 passengers;*
- f. *Deck light and meter required;*
- g. *General tour information course requirement of operators.*

16. Limousines

- a. No person shall own and operate a Limousine service for the purpose of transporting persons for hire within the Municipality unless a Limousine Licence in respect of the vehicle has been issued pursuant to this By-law.
- b. An application for a Limousine Licence shall contain all of the information required for an application for a Taxi Vehicle Owner's Licence except for the identification of a service area.
- c. All of the provisions regulating taxi vehicles are applicable for a Limousine except the requirements to:
 1. be properly equipped with a taxi meter;
 2. have an illuminated sign affixed upon the roof; and
 3. schedule of fares affecting taxis.
- d. Limousines are prohibited from:
 1. parking at common taxi stand depots;
 2. being held out as being available for the conveyance of persons in a public place except at an airport or wharf where a cruise ship is about to be (or is) docking.

17. Exemptions

- a. Outside Tours
- b. Charter Buses – 15 persons or more.

18. Taximeters - Sydney Service Area

- a. Every owner of a motor vehicle in the Sydney Service Area, as described in Schedule "A" of this By-law, shall provide such vehicle with a taximeter of a model approved by the General Committee. Such taximeter shall:
 1. be at all times in full view of the passengers;
 2. be kept sealed and intact;
 3. be operated from one of the front wheels of the motor vehicle or from the transmission; and
 4. illuminated by a suitable light while in operation after dark.
- b. A By-law Enforcement Officer or Peace Officer of the Municipality may at any time inspect any taximeter which is installed in a motor vehicle, and no Taxi Vehicle Owner's Licence shall be issued or renewed unless the taximeter is in compliance with Section 13.a. of this By-law.
- c. Every owner or driver of a taxi licenced in the Sydney Service Area who transports for hire passengers without causing the taximeter in such vehicle to operate shall be guilty of an offence against this By-law.
- d. Any passenger who has used a taxi in the Sydney Service Area who refused to pay the tariff rates as shown on a properly operating taximeter shall be guilty of an offence against this By-law.

19. Emergency Call Number

No taxi licence shall be issued with the number 13. This number shall be available to all taxi driver's when calling dispatch to notify of an emergency situation requiring immediate police help.

20. Penalties

- a. Every person who contravenes or fails to comply with any provisions of this By-law shall, for each offence, be liable to a penalty of not less than \$100.00 and not more than \$200.00; and, in default of payment, the Manager responsible for this By-law may cancel or suspend the licence of such person.
- b. Every person who does not have a valid Owner's Licence or Operator's Licence in compliance with this By-law who contravenes or fails to comply with any provisions of this By-law shall, for each offence, be liable to a penalty of not less than \$200.00 and not more than \$500.00. Every proprietor of a taxi business who knowingly:
 1. hires an individual to operate a taxi who is not properly licenced in compliance with Part 9 of this By-law; and/or
 2. allows an independent Taxi Vehicle Owner to operate from their taxi stand/depot using a vehicle which is not properly licenced in compliance with Part 5 of this By-law;shall also be liable to a penalty of not less than \$200.00 and not more than \$500.00 per individual offence.
- c. Any person whose licence has been canceled or suspended may appeal to the Appeals Standing Committee of the Municipality which may confirm or disallow the action of the Manager responsible for this By-law.

21. Previous By-laws Repealed

All Taxi By-laws of the former municipalities of Cape Breton County adopted pursuant to the Motor Vehicle Act to regulate the transporting of persons for hire by means of a motor vehicle are hereby repealed and the provisions of this By-law substituted therefore.

PASSED AND ADOPTED by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipality held on September 23rd, 1997 and as amended on November 17, 1998, October 19, 1999, May 20, 2003, July 8, 2003, February 17, 2004, May 17, 2016, August 15, 2017 and March 25, 2022.

Mayor Amanda M. McDougall

Deborah Campbell Ryan, Municipal Clerk

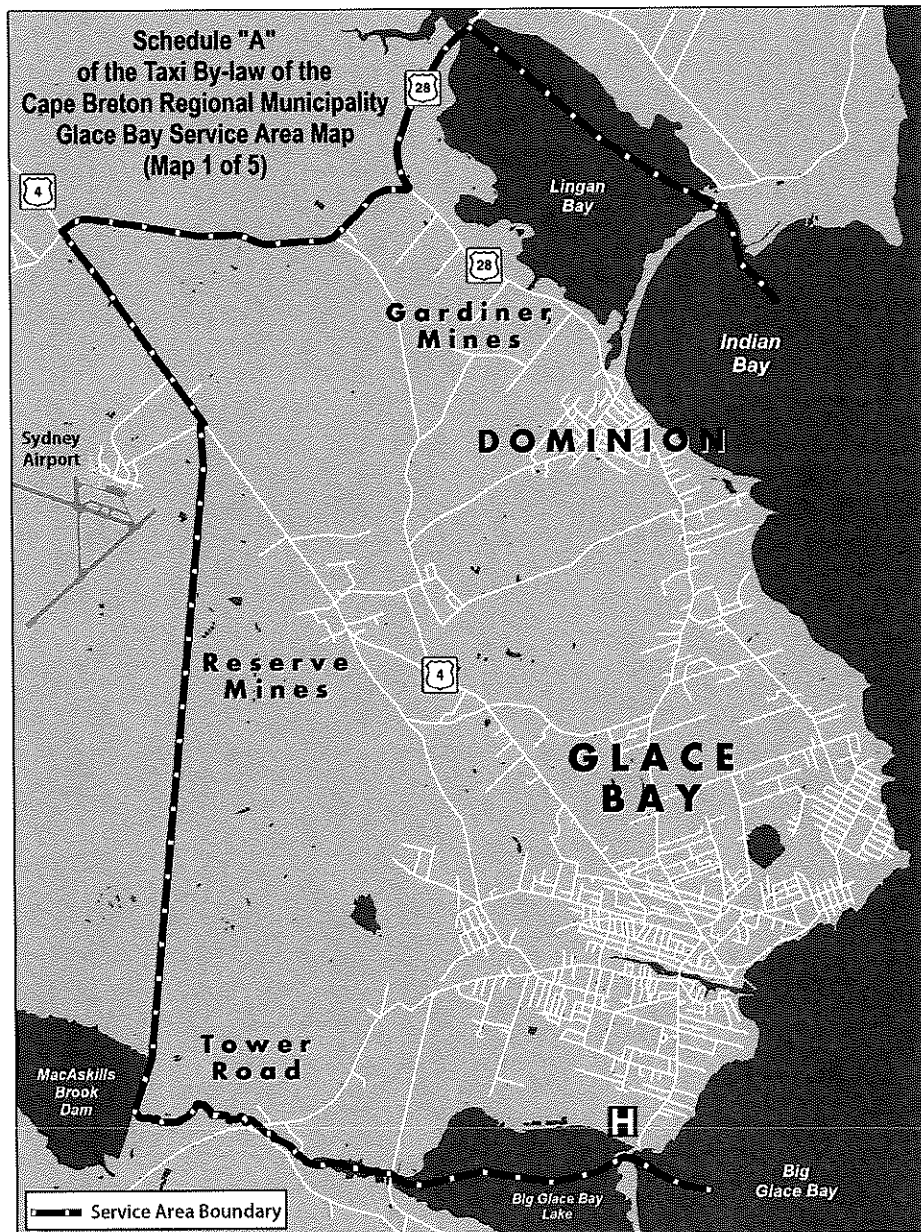
***THIS IS TO CERTIFY** that the attached is a true and correct copy of the Taxi By-law of the Cape Breton Regional Municipality adopted on September 23rd, 1997 and as amended on November 17, 1998, October 19, 1999, May 20, 2003, July 8, 2003, February 17, 2004, May 17, 2016, August 15, 2017, and March 25, 2022.*

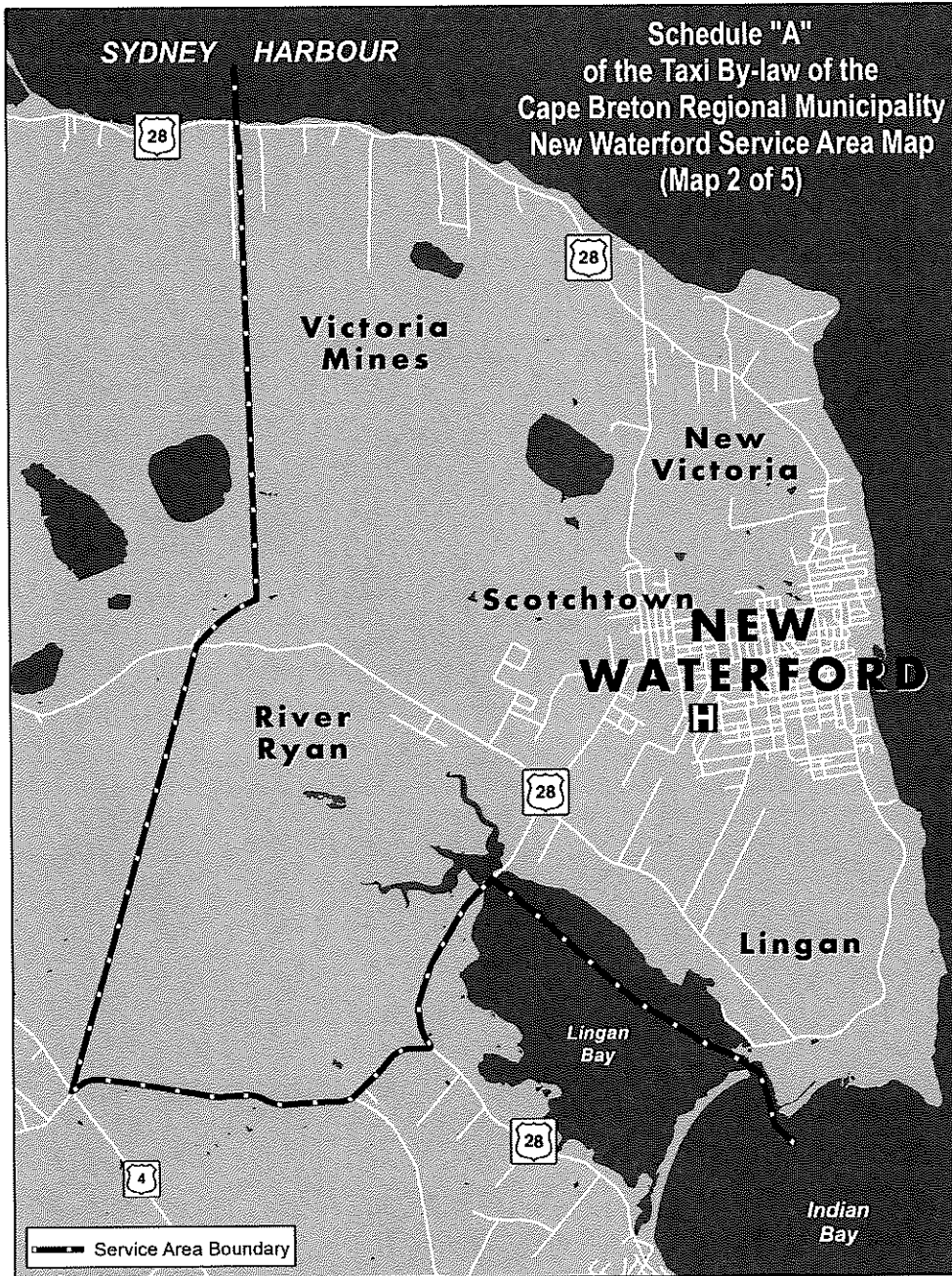
Deborah Campbell Ryan, Clerk

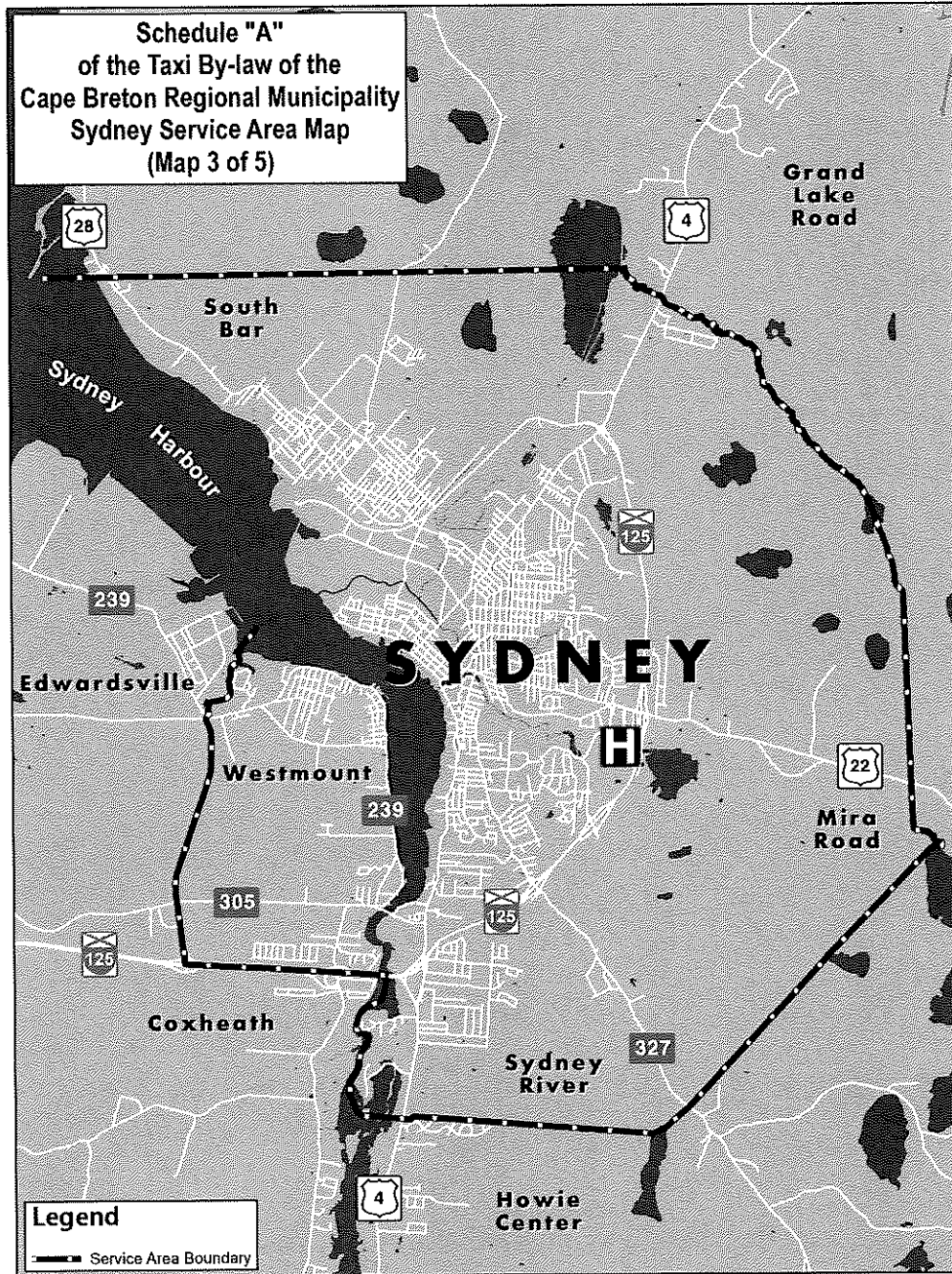
PUBLICATION DATE: March 26, 2022

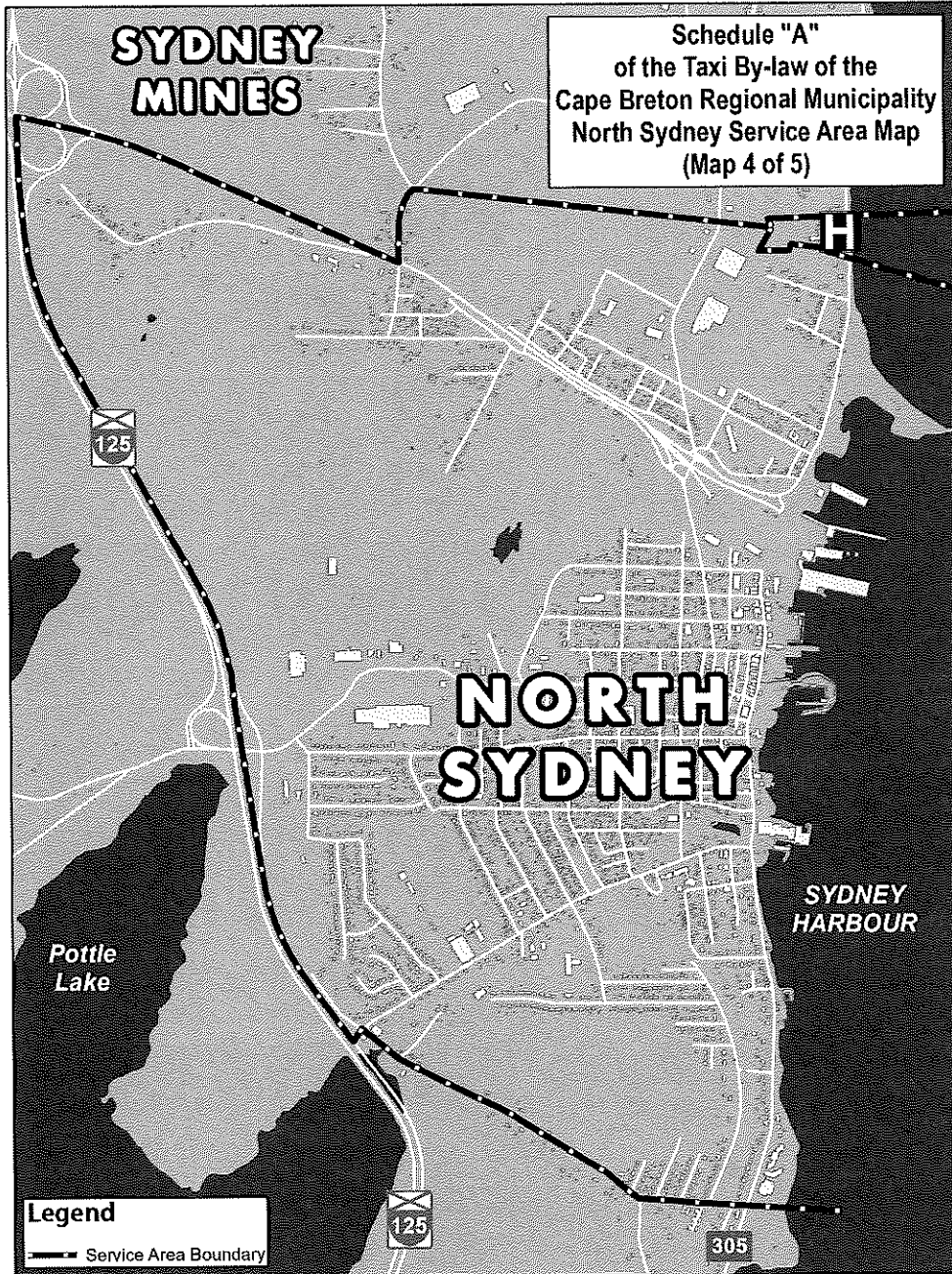
Schedule "A"
of the
Taxi By-law
of the
Cape Breton Regional Municipality

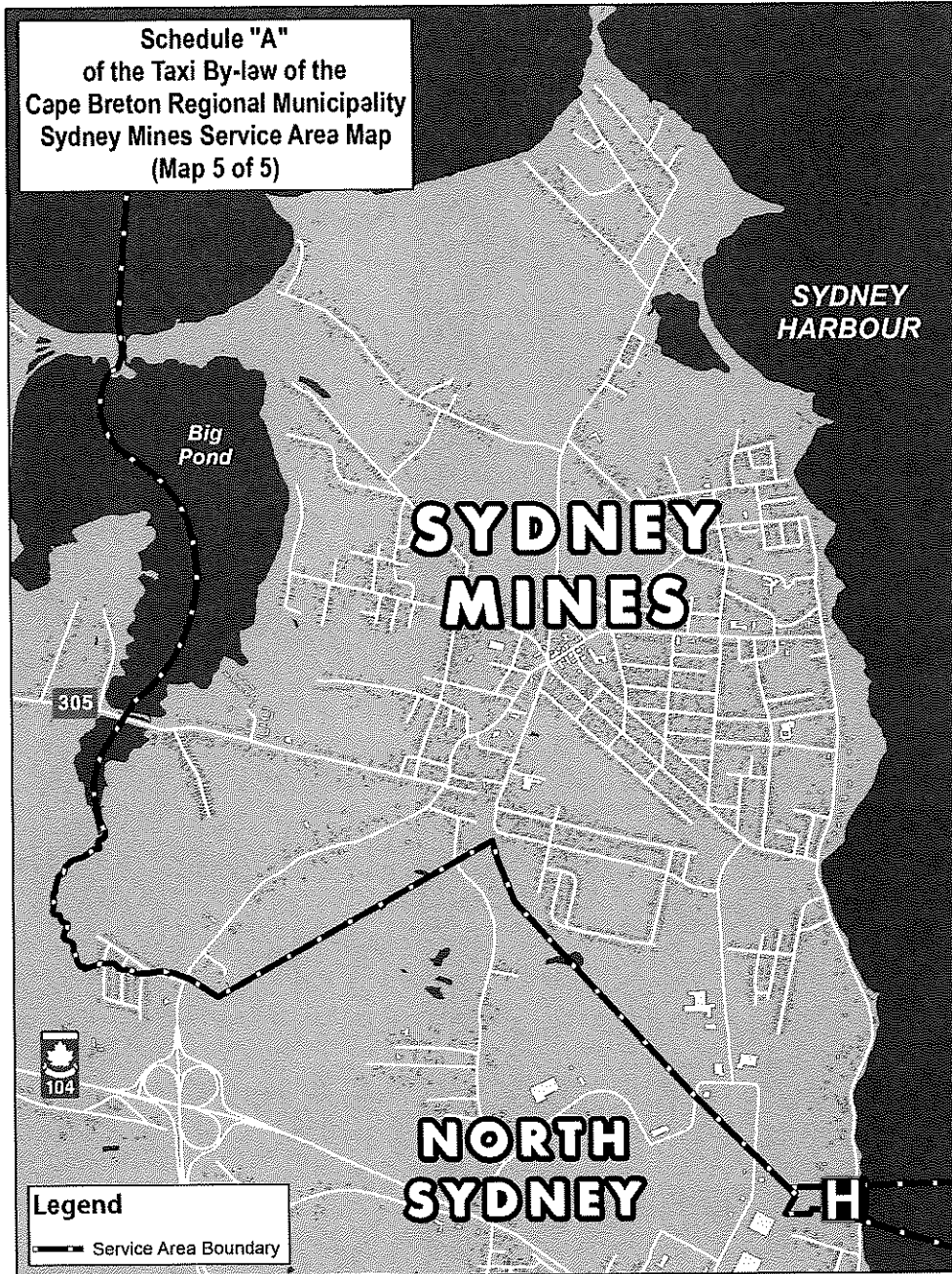
Schedule "A" includes the Glace Bay, New Waterford, Sydney, North Sydney and the Sydney Mines Service Areas Maps.











Schedule "B"

THAT: the Table of licencing fees in Schedule "B" of the Taxi By-law is amended to read as follows:

"Licencing Fees"

ALL OPERATOR LICENCE FEES ARE PRO-RATED FOR CBRM FISCAL YEAR		
Operator's Licence (Taxi, Shuttle, Tour)		
- Annual Licence	\$45	
Owner's Licence (Taxi)		
- Annual Licence	\$45	
Limo Operator's Licence		
- Annual Licence	\$30	
Limo Owner's Licence		
- Annual Licence	\$30	
Local Shuttle Licence (Owner)		
- Annual Licence	\$30	
- An add on (e.g. Limo & Local Shuttle Licence – same vehicle)	\$10	
Local Tour Licence (Owner)		
- Annual Licence	\$25	
- An add on (e.g. Taxi & Local Tour Licence – same vehicle)	\$10	

Criminal Record Check As Per Police Central Fee Schedule.

1. When a licenced vehicle is transferred from one owner to another within the same licencing year. Fee = \$45
2. Any vehicle that is replaced will be subjected to a fee.
 Fee = \$15 outside a metered area - Taxi Fee = \$30 within a metered area – Taxi
3. Fees can be amended from time to time via the General Committee.
4. If an application is either rejected or withdrawn, an administrative processing fee of 10% will be applied as part of the Refund Policy.

Schedule "C"
of the
Taxi By-law
of the
Cape Breton Regional Municipality

Schedule of Fares Within Service Areas
As amended by the Council of the Cape Breton Regional Municipality on March 25,
2022

All Fares Include H.S.T.	Sydney (metered)	Sydney Mines (non-metered)	North Sydney (non-metered)	New Water. (non-metered)	Glace Bay (non-metered)	Florence (non-metered)	Whitney Pier (metered)
Local Rate* Additional charge: \$1.30 per passenger for outside service area Applies to Sydney Only: Tendered Rates & Special Rates for the conveyance of groups may be made by private arrangement with the owner of the taxi business, owner of the vehicle, or driver of the vehicle.	\$5.20 initial charge (\$2.28 per mile or \$1.50 per kilom.) no extra charge \$28.60 per hour on metered fares when meter is running.	\$9.10 flat rate \$0.65 cents (per 3rd person or more) \$1.30 per person for outside Service area.	\$9.10 flat rate \$0.65 cents (per 3rd person or more) \$1.30 per person for outside Service area.	\$9.10 flat rate \$0.65 cents for each additional person; \$1.30 per person for outside Service area.	\$9.10 flat rate within Glace Bay; within Dominion; or Reserve Mines as described below this table \$13.00 flat rate between any two of the above communities \$0.65 cents for each additional person \$1.30 per passenger for outside Service area	\$9.10 flat rate	
Rate for Fares outside the service area	\$1.50 per kilom.	\$1.15 per kilom.	\$1.15 per kilom.	\$1.15 per kilometer	\$1.15 per kilometer	\$1.15 per kilometer	
Waiting Time	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	
Limousine Rate per hour	\$74.75	\$74.75	\$74.75	\$74.75	\$74.75	\$74.75	
Sydney		\$39.00	\$39.00	\$32.50	\$32.50	\$39.00	
Glace Bay	\$32.50	\$71.50	\$71.50	\$26.00	\$ 9.10	\$71.50	
New Waterford	\$32.50	\$71.50	\$71.50	\$ 9.10	\$26.00	\$71.50	\$26.00
North Syd.	\$39.00	\$13.00	\$ 9.10	\$71.50	\$71.50	\$ 13.00	
Syd Mines	\$39.00	\$ 9.10	\$13.00	\$71.50	\$71.50	\$13.00	
Florence	\$39.00	\$13.00	\$13.00	\$71.50	\$71.50	\$ 9.10	

Rates are current based on travel within and between communities noted above. Glace Bay and New Waterford - additional charges for extra passengers .65 cents per person; North Sydney and Sydney Mines additional charges for 3rd passenger or more .65 cents per person. Request for a van extra \$6.50 only if requested through dispatch (not on regular fares).

- - In the Sydney service area the metered rate is in effect within the area bounded by:
 - the Sydney River bridge along Keltic Drive;
 - Highway 125 by-pass intersecting King's Road, Alexandra Street, George Street and Grand Lake Road;
 - up to and including the properties fronting MacLeod Street in South Bar which intersects Victoria Road. (Briands and City Wide request) *
- - In the Sydney Mines and North Sydney service areas the local rate is in effect throughout the service areas.
- - In the New Waterford service area the local rate is in effect in New Waterford and Scotchtown. This local area is bounded by:
 - the Lingan/Phalen Colliery to the east along Hinchey Avenue;
 - Hulme's Lane to the east along Roach's Road;
 - the intersection of Ryan Street and Route 28 to the south;
 - the railroad right-of-way along May Street to the west; and
 - MacNeil's and Webb's Lane along Ellsworth Avenue to the west.
- - In the Glace Bay service area the local rate is in effect for fares where the passenger(s) *are picked up and delivered*
 - *within* the boundary of the former Town of Glace Bay;
 - *within* the boundary of the former Town of Dominion; and
 - *within* Reserve Mines, bounded by the boundaries of the former towns of Glace Bay, Dominion, and the intersection of the Old Airport Road and the Sydney-Glace Bay Highway.

Schedule "D"
of the
Taxi By-law
of the
Cape Breton Regional Municipality

Taxi Businesses in operation prior to the coming into effect of the Cape Breton Regional Municipality Taxi By-law which were not operating a 24 hour a day service.

Schedule "E"
Of the
Taxi By-law
Of the
Cape Breton Regional Municipality

Other than a stretch limousine, only the following makes of vehicle shall be considered a limousine, as defined in the Taxi By-law:

- Cadillac;
- Lincoln;
- Rolls Royce;
- Jaguar;
- Mercedes-Benz;
- Bentley;
- Royal Princess.
- Luxury SUV

Schedule "F"
of the
Taxi By-Law
of the
Cape Breton Regional Municipality

CBRM TAXI BY-LAW
LICENSING STANDARDS

BASIC PRINCIPLES

THE FOLLOWING ARE GUIDELINES TO BE USED BY THE TRAFFIC AUTHORITY AND BY THE CAPE BRETON REGIONAL TAXI BY-LAW ENFORCEMENT OFFICERS WHILE EXERCISING THEIR AUTHORITY UNDER THE BY-LAW TO SUSPEND, REFUSE OR HEAR AN APPEAL REGARDING THE SUSPENSION, CANCELLATION OR REFUSAL OF A TAXI, LIMOUSINE, LOCAL SHUTTLE, LOCAL TOUR OWNER'S OR OPERATOR'S LICENCE.

- It is acknowledged that each case must be reviewed to determine whether the application of the guidelines is appropriate in all of the circumstances. The ultimate decision continues to rest with the Traffic Authority, subject to the applicant's right of appeal to the Appeals Standing Committee of the Municipality.
- Repeated offences may result in greater suspension lengths, at the discretion of the Enforcement Officer. However, steps voluntarily taken by the individual to correct or improve his conduct (for example, completion of the Driver Education Course, regular attendance at Alcoholic Anonymous meetings, completion of a recognized defensive driving course) may result in a shorter suspension.
- In the case of criminal or ordinance charges, provided there is no potential risk to the public safety, suspensions are to commence upon conviction for the offence, regardless of the filing of an appeal.
- Where there has been a suspension prior to conviction, such suspension shall be reviewed by the Enforcement Officer upon a "not guilty" finding by the Courts.
- Where applicable, the suspension is to commence at the completion of any sentence or penalty, including probation, parole or the carrying out of a period of community service.

- **In cases where no charges are laid, the suspension shall commence upon the Enforcement Officer notifying the operator or owner that he is satisfied that acts have been committed which render the operator or owner an unfit and improper person to hold a taxi license.**
- **Offences, which occur while a person is engaged in the operation of a taxi or limousine, may be treated with greater severity than other offences.**
- **The Enforcement Officer may, at his discretion and where circumstances warrant, suspend the operation of a suspension pending the outcome of an appeal before the Appeals Standing Committee of the Municipality.**

REFUSED OR SUSPENSION WITHOUT RENEWAL

The following offences may result in the immediate refusal to grant or suspension of both the operator and owner's licenses. A license will not be renewed or issued where these offences have occurred. The operator's license will be suspended upon the operator being charged. The owner's license will be suspended upon conviction.

- **ABDUCTION**
- **ACTS OF TERRORISM** (i.e., hijacking, hostage taking, pirating)
- **ATTEMPTED MURDER**
- **MURDER**
- **IMPAIRED DRIVING** (second offence)
- **LIVING OFF THE AVAILS OF PROSTITUTION**
- **MANSLAUGHTER**
- **SEXUAL OFFENCES** (i.e., sexual assault, child molestation)
- **DRUG TRAFFICKING/ALCOHOL – BOOTLEGGING**

10 YEAR SUSPENSION

The following offences shall result in the suspension of the operator and owner's license for a period of ten (10) years or refusal to grant a licence for a (10) year period from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any time.

Unless otherwise stated, the suspension of the operator's license is to commence upon the charge, the suspension of the owner's license upon conviction.

- ASSAULT CAUSING BODILY HARM
- ROBBERY

5 YEAR SUSPENSION

The following offences shall result in the suspension of the owner's and operator's license for a period of five (5) years or refusal to grant a licence for (5) years from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any fine.

Unless otherwise stated, the suspension shall take place upon conviction.

- **BREAK AND ENTER**
- **CRIMINAL NEGLIGENCE CAUSING DEATH
(Motor vehicle-related)**
- **POSSESSION OF FIREARMS**

2 YEAR SUSPENSION

The following offences shall result in the suspension of the operator's license for a period of two (2) years or refusal to grant a licence for a period of (2) years from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any fine.

Unless otherwise stated, the suspension shall take place upon conviction.

- **INDECENT EXPOSURE (while on duty as a taxi operator)**
- **POSSESSION OF WEAPONS (other than firearms)**
- **FRAUD**

1 YEAR SUSPENSION

The following offences shall result in the suspension of the operator's license for a period of one (1) year or refusal to grant a licence for a period of (1) year from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any fine.

Unless otherwise stated, the suspension shall take place upon conviction.

- CARELESS AND IMPRUDENT DRIVING
- DANGEROUS DRIVING (Criminal Code Charges)
- IMPAIRED DRIVING (first offence)
- POSSESSION OF DRUGS
- THEFT UNDER \$1,000
- POSSESSION OF STOLEN GOODS
- PROSTITUTION

4 WEEK SUSPENSION

The following offences shall result in the suspension of the operator and/or owner's licenses for a period of four (4) weeks or refusal to grant a licence for a (4) week period from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service or the payment of any fine.

- **DRIVING WITHOUT INSURANCE AS REQUIRED IN THE BY-LAW (suspension is to continue for four weeks Following proof of reinstatement of insurance)**
- **DRIVING WHILE TAXI OPERATOR'S LICENSE IS SUSPENDED (suspension is to continue for four weeks after reinstatement of license)**

APPEALS STANDING COMMITTEE

There will be an Appeals Standing Committee set up to review the by-law from time to time and to hear disputes between drivers/ owners and enforcement officers.

This committee will have authority to rule on issues regarding suspensions and refusals.

APPEAL PROCESS

All appeals to actions of the Enforcement Officer shall be in writing. Forms are to be made available at the office of the manager responsible for this by-law. Prescribed written form will be as developed by the Appeals Standing Committee from time to time and must be signed by both the Complainant and the Enforcement Officer.

A fee of \$25.00 will accompany all applications for appeal. No appeal will be heard with out both the prescribed form and fee submitted. Fees submitted with applications for appeal will be refunded should the applicants appeal be upheld.

The Appeals Standing Committee will develop a guideline for setting up and hearing such disputes that may arise and attached as Appendix A of the taxi by-law.

~~Taxi By-law~~

of the

Cape Breton Regional Municipality

Pursuant to ~~By-Law Number P-500~~ Passenger Vehicle for Hire By-law

A BY-LAW TO LICENSE AND REGULATE PERSONS TRANSPORTING PASSENGERS FOR HIRE BY MEANS OF ANY VEHICLE

NOW THEREFORE the Municipal Council of the Cape Breton Regional Municipality (CBRM), under the authority of Section 305 of the Motor Vehicle Act, Chapter 293 of the Revised Statutes of Nova Scotia, 1995, R.S.N.S. 1989 and amendments thereto, hereby adopts the following By-law:

This Bylaw shall be known as the "Passenger Vehicle for Hire By-law" and may be cited as the "Passenger Vehicle for Hire By-law, No. P-500, 2023".

WHEREAS the Motor Vehicle Act of the Province of Nova Scotia enables a municipality to adopt a by-law regulating and ~~licensing~~licensing persons transporting passengers for hire by means of any vehicle; and

WHEREAS the Cape Breton Regional Municipality intends to regulate the ~~taxi business~~transporting passengers for hire by means of any vehicle in the Regional Municipality to ensure:

- vehicles are adequately maintained;
- vehicles and ~~drivers~~operators are adequately insured;
- vehicles are easily identifiable;
- ~~drivers~~operators are legitimately qualified to operate a ~~taxi~~vehicle;
- the high profile ~~taxi~~ business becomes an exemplary ambassador for the Regional Municipality;
- passengers receive a high degree of service; and
- a fair and equitable schedule of rates is imposed.

The Council of the Cape Breton Regional Municipality hereby adopts this ~~Taxi By-law~~, pursuant to the Motor Vehicle Act.

Where a provision of this By-law conflicts with the provisions of another By-law in force within the Municipality, the more stringent provision prevails.

1 Definitions

By-law Enforcement Officer means an employee of the Cape Breton Regional Municipality under the direction of the Manager responsible for this By-law who is sworn in under the *Police Act* as a Special Constable with authority to administer and enforce this By-law.

Bus for the purposes of this By-law means a motor vehicle used to transport up to 14 passengers.

Business Operator's Licence mean the licence issued to the person operating a Passenger Vehicle for Hire Business in the Cape Breton Regional Municipality,

Driver's Licence means a license issued by the Province of Nova Scotia to a person permitting that person to operate a vehicle in the Province of Nova Scotia.

Limousine means a stretch limousine or any of the four door, full size luxury class vehicles identified in Schedule "E" having a standard seating capacity for at least 5 persons exclusive of the driver and furnished with top quality interior appointments, being of leather or other plush upholstery as well as a minimum of 4 of the following features:

- glass partition separating the front and rear seats;
- power windows;
- one way tinted glass;
- television;
- stereo system;
- cellular telephone; and
- air conditioning.

‡

Local Shuttle Service means a van, ~~limo~~Luxury Vehicle, or bus used to transport individuals or organizational groups of people collected at a given point, such as the ~~Government Wharf~~Port of Sydney Wharf, and dropped off at pre-determined destinations within CBRM ~~(For Tourism Purposes Only)~~. If a fee is charged to the individual being transported, then the owner of the service will require a licence; otherwise, the service provided will be a courtesy service.

~~Taxi~~ means a motor vehicle used to transport passengers and goods for compensation:

- ~~equipped with an engine of at least 4 cylinders;~~
- ~~4 door sedan or a 4 door station wagon excluding hatchbacks~~
 - a. ~~which has a height from the top of the floor to the underneath side of the roof of at least 44.5 inches;~~
 - and
 - b. ~~an interior width where passengers are to be seated of at least 51 inches with a capacity, determined by the number of seat belts, of not more than 6 passengers;~~

Local Tour Service means a predetermined service ~~contract~~ commencing in CBRM with designated locations along the route. Fees applicable within CBRM.

Local Tours Vehicles shall include vans, ~~Limos, buses~~Luxury Vehicles, and Taxis.

Luxury Car means a vehicle that has high-end features that provides increased levels of comfort, equipment, amenities, quality, and performance that go above and ~~taxi~~beyond the average necessities of a moderate vehicle.

Municipality means the Cape Breton Regional Municipality, in the County of Cape Breton, Province of Nova Scotia.

Operator's Licence means the licence issued to Passenger Vehicle for Hire means a motor vehicle that is used by a person pursuant to the By-law authorizing the person to drive a vehicle such as a Taxi, Limo offer, facilitate or operate a transportation service of a passenger for compensation, and may include a Taxi, Luxury Vehicle, Local Shuttle Vehicle or Local Tour vehicle in the Cape Breton Regional Municipality. Vehicle.

Owner's Licence means a licence Passenger Vehicle for Hire Business means a business or corporation offering Vehicles for a vehicle such as a Taxi, Limo Hire which can include a Taxi Business, Ridesharing Business, Luxury Vehicle Business, Local Shuttle Vehicle Business, or Local Tour issued pursuant to this By-law Vehicle Business.

Peace Officer as defined in the Criminal Code of Canada, R.S.C. 1985, Chapter C-46.

Ridesharing Business is a business or corporation that offers passenger vehicles for hire (ie Uber/Lyft type operation) via a website or mobile app.

Smoke means smoke, inhale or exhale smoke from, burn, carry, hold or otherwise have control over a lit or heated cigarette, cigar, pipe, waterpipe, electronic cigarette or other device that burns or heats tobacco, cannabis or another substance that is intended to be smoked or inhaled;

Taxi means a motor vehicle this is operated or intended to be operated for the purposes of transporting passengers for compensation, which includes vehicles used by a Ridesharing Business, and

- is available for on demand service by members of the general public to travel to a destination requested by a customer;
- measures its fare or charge to its customers on the basis of distance traveled, or the amount of time for which the vehicle is hired, or a combination of the same; and
- does not include a vehicle whose manufactured seating capacity exceeds 6 adults, including the driver.

Taxi Depot means an established place of a transportation business utilized by Taxi Owners and Taxi Operators which may include a business office, 24 hours dispatching services, and off-street parking from which request for Vehicles for Hire are received and dispatched.

Traffic Authority means the Chief of the Regional Police and/or the representative of the office of the Manager responsible for the By-Law delegated by the Chief of the Regional Police to administer and enforce this By-law, pursuant to Section 305 of the Motor Vehicle Act, Chapter 293 of the Revised Statutes of Nova Scotia, 1989.

Van for the purposes of this By-law means a motor vehicle used to transport 7 to 14 passengers.

Vehicle means a motor vehicle as defined in the interpretation provisions of the Motor Vehicle Act SNS 1989, c. 293,.

Vehicle Operator's Licence means the licence issued to a person pursuant to the By-law authorizing the person to drive a vehicle such as a Taxi, Luxury, Local Shuttle or Local Tour vehicle in the Cape Breton Regional Municipality

Vehicle Owner's Licence means a licence for a vehicle such as a Taxi, Luxury Vehicles, Local Shuttle or Local Tour issued pursuant to this By-law.

2 Licencing Control

(1) The Manager responsible for this By-law shall be responsible for the administration and enforcement of this By-law.

~~The~~

(2) By-law Enforcement Officers under the direction of the Manager responsible for this By-law and any Peace Officer shall have authority to enforce any and all provisions of this By-law.

~~(3) Any By-law Enforcement Officers under the direction of the Manager responsible for this By-law and any Peace Officer shall have authority to stop any Licensed Passenger Vehicle for Hire or any unlicensed Vehicle that appears to be operating for hire, for the purpose of compliance with this By-law.~~

3 Areas of Jurisdiction

~~(1) The jurisdiction of this Taxi~~the Passenger Vehicle for Hire By-law is the Cape Breton Regional Municipality.

~~(2) Within the Municipality there shall be five service areas.~~

~~(3) A Taxi Driver's~~Vehicle Operator's Licence is valid throughout the Municipality, but a Taxi ~~Vehicle~~ Owner's Licence is only valid for one service area. ~~unless all other requirements of the By-law are met for additional service areas.~~

~~(4) The boundaries of the service areas are as described in Schedule "A" of this By-law.~~

~~(5) No Taxi~~ ~~Driver's~~Operator's Licence and/or ~~Taxi~~Vehicle Owner's Licence shall be issued unless the business address of the taxi business to be hiring the applicant, or owning the ~~taxi vehicle~~Taxi, is in the service area intended to be served by the ~~driver~~Operator or ~~taxi vehicle~~Taxi.

4.1 ~~Requirements to Operate a~~ Taxi-~~Passenger Vehicle for Hire~~ Business

~~(1) Every person engaged in the business of operating a taxi or owning~~Passenger Vehicle for Hire Business, must have a ~~taxi vehicle~~Business Operator's Licence issued under this By-law.

~~(2) Individuals making an application for a Business Operator's Licence for a Passenger Vehicle for Hire Business shall be in;~~

~~provide the~~ employname of ~~a taxi~~the business:

- ~~a. which has a separate address and phone number other than the proprietor's place of residence;~~business
- ~~b. for which the taxi stand depot(s) shall be registered in good standing with the Nova Scotia Registry of Joint Stock companies~~
- ~~c. must have a fee schedule on file, if applicable~~
- ~~d. must have a route schedule available, if applicable~~

- e. if associated with transporting cruise ship passengers, provide confirmation of the completion of the general information course requirement for operators or written confirmation of approval by the Port of Sydney;
- f. if the applicant is a Corporation, a copy of the incorporating document and a copy of the last annual information return which has been filed with the appropriate government department;
- g. if the applicant is a Corporation, any of the directors, shareholders, or officers of the Corporation are obliged to comply with Subsection 9(g) and Subsection 9(i) this By-law.

(3) In addition to Subsection (2), individuals making an application for a Business Operator's Licence for a Passenger Vehicle for Hire Business Hiring who intend on hiring out Taxis must:

- a. have a Development Permit for a Taxi Depot(s) which is in compliance with the provisions of the Land Use By-law of the Regional Municipality in effect for the property on which the ~~stand depot~~ Taxi Depot is located on unless the ~~stand depot~~ Taxi Depot existed at the site prior to the coming into effect of ~~the Taxi~~ this By-law; ~~(amendment April 24th, 1998)~~
- ~~a. which is registered in good standing with the Nova Scotia Registry of Joint Stock Companies; and~~
- ~~b. which operates a 24 hour service, unless the taxi business is listed in Schedule "D" of this By-law, or the address and depot of the taxi business is a minimum of 20 kilometers from the boundary of any of the five service areas illustrated in Schedule "A" of this By-law;~~
- ~~e. which operates a dispatch to taxi two way radio system only, or the address and depot of the taxi business is a minimum of 20 kilometers from the boundary of any of the five service areas illustrated in Schedule "A" of this By-law;~~
 - b. which is operate a 24 hour service,
 - c. operate a dispatch-to-taxi communication system, which can be accessed by the By-law Enforcement Officer for compliance checks.
- b.d. have a primarily operating a fleet of taxi-vehicles Taxis providing passengers with a one call - one direct route to the point of destination service, ~~except for limousine services.~~ Specialized services such as a shuttle service within the Municipality ~~shall only~~ may be permitted as a subsidiary use to the primary operation.

4.2 Requirements to Operate a Local Shuttle Business

(4) Incomplete applications refunded after seven days

~~Every person engaged in the business of operating a local Shuttle Service with reference to the Cruise Industry shall, if applicable, require the following:~~

- ~~b. name of the business and phone number of business;~~
- ~~c. registered in good standing with the Nova Scotia Registry of Joint Stock companies;~~
- ~~d. must have a fee schedule on file, if applicable;~~
- ~~e. must have a route schedule available~~
- ~~e. General information course requirement for operators - Sydney Ports Corp.~~

~~4.3 Requirements to Operate a Local Tour Business~~

~~Every person engaged in the business of operating a local Tour business shall require the following:~~

- ~~a. name of the business and phone number of business;~~
- ~~b. which is registered in good standing with the Nova Scotia Registry of Joint Stock Companies;~~
- ~~c. must have a fee schedule on file, if applicable;~~
- ~~d. must have a route schedule available~~
- ~~e. General tour information course requirement for operators—Sydney Ports Corp.~~

5 Vehicle Owner's Licence Requirements

5.1 Requirements for a Vehicle Owner's Licence – Taxi Vehicle Owners

- (1) No person shall own and operate a ~~taxi~~Taxi for the purpose of transporting persons for hire in the Cape Breton Regional Municipality unless that person is in the employ of a Passenger Vehicle for Hire Business and has a valid Taxi Vehicle Owner's Licence and Taxi Operator's Licence in respect of the vehicle issued pursuant to this By-law.
- (2) A valid Taxi Vehicle Owner's Licence is required with respect to each Vehicle used as a ~~taxi~~Taxi in the Cape Breton Regional Municipality and to be presented on demand of a Peace Officer or By-law Enforcement Officer.
- (3) Every application for a Taxi Vehicle Owner's Licence shall be made in writing to the By-law Enforcement Office or Traffic Authority by the owner. An application for a Taxi Vehicle Owner's Licence shall contain:
 - a. the name, address and telephone number of the applicant;
 - b. the business address, business mailing address (if different from the business address) and business telephone number of the taxi business to be hiring, or owned by, the applicant;
 - c. a description of the Vehicle sufficient to identify it;
 - d. information regarding the insurance policy in effect for the vehicle to be used sufficient to ensure the vehicle is adequately insured in compliance with this By-law, and that the Cape Breton Regional Municipality will be notified by the insurance company if and when the insurance policy on the vehicle in effect with respect to the vehicle to be used has expired;
 - e. proof the vehicle to be used has been inspected by the Motor Vehicle Branch of the Department of ~~Transportation~~Public Works or someone delegated with the authority to inspect vehicles;
 - f. identification of the service area for which the licence is required (see Section 3); and
 - g. if the Taxi Vehicle Owner is not also applying for a ~~Taxi Driver's~~Vehicle Operator's Licence, they are obliged to comply with ~~Part 9, Section e, sub-section 6 of~~ this By-law.
 - h. A letter of permission from a Taxi Business Owner granting vehicle owner permission to licence a vehicle with their company, signed and dated by approved agent.
- (4) After receiving a completed application for a Taxi Vehicle Owner's Licence, the By-law Enforcement Office or Traffic Authority shall refuse to issue a licence if:
 - a. the amount of insurance required by this By-law is not in effect for the vehicle to be licenced;
 - b. the vehicle is not in good condition in accordance with Section 7 of this By-law;

- c. the vehicle, if to be operated as a ~~taxi~~Taxi in the Sydney Service Area, is not equipped with a properly operating taximeter in accordance with Section ~~43.14~~ of this By-law;
 - d. the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of the Department of ~~Transportation~~Public Works and the verification sticker issued by the ~~Municipality~~Province is not displayed in the front windshield.
- ~~(3)~~(5) Notice of refusal by the ~~By-law Enforcement Office or~~ Traffic Authority to issue a Taxi Vehicle Owner's Licence shall be by letter sent by ~~certified~~registered mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality. The Appeals Standing Committee may confirm the decision of the ~~By-law Enforcement Office or~~ Traffic Authority or order that a licence be issued subject to compliance with the provisions of ~~Section~~Subsection 5.4-1(4) of this By-law.
- ~~(4)~~(6) A Taxi Vehicle Owner's Licence issued under this By-law shall be valid until the last day of ~~April~~ next ~~the Month of the~~ following ~~its issue~~year, unless sooner revoked or suspended.
- ~~(7)~~ A Taxi Vehicle Owner's Licence shall be issued for one vehicle only, ~~and shall contain~~ a description of the vehicle ~~shall be given on the licence, provided that if the~~and signed by owner.
- ~~(5)~~(8) If a Taxi Vehicle Owner wishes to discontinue the use of ~~that a~~ licensed vehicle and to substitute another, the ~~By-law Enforcement Office or~~ Traffic Authority shall, ~~if the latter vehicle complies with this By-law~~may, authorize the use of ~~the a~~ previously endorsed licence for ~~such another~~ vehicle ~~instead of for the one that complies with respect to which it was originally issued,~~the By-law and endorse the licence accordingly.
- ~~(6)~~(9) A Taxi Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application ~~by Peace Officer or By-law Enforcement Officer~~.
- ~~(10)~~ — ~~Local Shuttle~~~~Incomplete application refunded after seven days.~~

5.2 Requirements for a Vehicle Owner's Licence ~~Requirements~~ - Excluding Taxi Vehicle Owners

- (1) No person shall own and operate a ~~shuttle~~Passenger Vehicle for ~~the purpose of transporting persons for hire~~Hire in the Cape Breton Regional Municipality ~~(for Tourism purposes)~~ unless that person has a ~~valid Local Shuttle~~ Vehicle Owner's Licence in respect of the vehicle issued pursuant to this By-law.
A ~~Local Shuttle~~
- ~~(2)~~ A Vehicle Owner's Licence must be presented on demand of a Peace Officer or By-law Enforcement Officer.
- ~~(2)~~(3) A Vehicle Owner's Licence is required with respect to each vehicle used ~~as a shuttle (for Tourism purposes, if applicable)~~the purpose of transporting persons for hire in the Cape Breton Regional Municipality.

~~(3)~~(4) Every application for a ~~Local Shuttle~~ Vehicle Owner's Licence shall be made in writing to the By-law Enforcement Office or Traffic Authority by the owner. An application ~~for a Shuttle Vehicle Owner's~~ shall contain:

- ~~1. the name, address and telephone number of the applicant;~~
- ~~2. the business address, business mailing address (if different from the business address) and business telephone number of the shuttle business to be hired, or owned by, the applicant;~~
- ~~3. a description of the Vehicle sufficient to identify it;~~
- ~~4. information regarding the insurance policy in effect for the vehicle to be used sufficient to ensure the vehicle is adequately insured in compliance with this By-law, and that the Cape Breton Regional Municipality will be notified by the insurance company if and when the insurance policy on the vehicle in effect with respect to the vehicle to be used has expired;~~
- ~~5. proof the vehicle to be used has been inspected by the Motor Vehicle Branch of the Department of Transportation or someone delegated with the authority to inspect vehicles;~~
- ~~6. if the Shuttle Vehicle Owner is not also applying for a Shuttle Operator's Licence, they are obliged to comply with Part 9, Section c, sub-section 6 of this By-law.~~

- ~~(4) After receiving a completed application for a Local Shuttle Vehicle Owner's Licence, the Traffic Authority shall refuse to issue a licence if:~~
- ~~a. the amount of insurance required by this By-law is not in effect for the vehicle to be licenced;~~
 - ~~b. the vehicle is not in good condition in accordance with Section 7 of this By-law;~~
 - ~~1. the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of the Department of Transportation and the verification sticker issued by the Municipality is not displayed in the front windshield.~~
- ~~(5) Notice of refusal by the Traffic Authority to issue a Local Shuttle Vehicle Owner's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality. The Appeals Standing Committee may confirm the decision of the Traffic Authority or order that a licence be issued subject to compliance with the provisions of Section 5.d. of this By-law.~~
- ~~f. A Local Shuttle Vehicle Owner's Licence issued under this By-law shall be valid until the last day of April next following its issue, unless sooner revoked or suspended.~~
 - ~~g. A Local Shuttle Vehicle Owner's Licence shall be issued for one vehicle only, a description of the vehicle shall be given on the licence, provided that if the owner wishes to discontinue the use of that vehicle and to substitute another, the Traffic Authority shall, if the latter vehicle complies with this By-law, authorize the use of the licence for such vehicle instead of for the one with respect to which it was originally issued, and endorse the licence accordingly.~~
 - ~~h. A Local Shuttle Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application.~~

~~5.1 Local Tour Vehicle Owner's Licence Requirements~~

- ~~a. No person shall own and operate a vehicle for the purpose of transporting persons for hire in the Cape Breton Regional Municipality (for Tourism purposes only) unless that person has a valid Local Tour Vehicle Owner's Licence in respect of the vehicle issued pursuant to this By-law.~~
- ~~b. A Local Tour Vehicle Owner's Licence is required with respect to each vehicle used as a limo, taxi or bus in the Cape Breton Regional Municipality.~~
- ~~c. Every application for a Local Tour Vehicle Owner's Licence shall be made in writing to the Traffic Authority by the owner. An application for a Local Tour Vehicle Owner's Licence shall contain:~~
 - a. the name, address and telephone number of the applicant;
 - b. the business address, business mailing address (if different from the business address) and business telephone number of the shuttle business to be hiring, or owned by, the applicant;
 - c. a description of the Vehicle sufficient to identify it;
 - d. information regarding the insurance policy in effect for the vehicle to be used sufficient to ensure the vehicle is adequately insured in compliance with this By-law, and that the Cape Breton Regional Municipality will be notified by the insurance company if and when the insurance policy on the vehicle in effect with respect to the vehicle to be used has expired;
 - e. proof the vehicle to be used has been inspected by the Motor Vehicle Branch of the Department of ~~Transportation~~Public Works or someone delegated with the authority to inspect vehicles;
 - f. if the ~~Local Tour~~ Vehicle Owner is not also applying for a ~~Local Tour~~ Operator's Licence, they are obliged to comply with ~~Part 9, Section e, sub-section 69~~ of this By-law.
 - ~~a. A Local Tour Vehicle Owner's Licence shall be issued for one vehicle only, a description of the vehicle shall be given on the licence, provided that if the owner wishes to discontinue the use of that vehicle and to substitute another, the Traffic Authority shall, if the latter vehicle complies with this By-law, authorize the use of the licence for such vehicle instead of for the one with respect to which it was originally issued, and endorse the licence accordingly.~~

~~h. A Local Tour Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application.~~

~~(6)(5)~~ After receiving a completed application for a ~~Local Tour Vehicle~~ Owner's Licence, the By-law Enforcement Office or Traffic Authority shall refuse to issue a licence if:

- a. the amount of insurance required by this By-law is not in effect for the vehicle to be licenced;
- b. the vehicle is not in good condition in accordance with Section 7 of this By-law;
 - ~~i. the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of the Department of~~ the amount of insurance required by this By-law is not in effect for the vehicle to be licenced;
 - ~~ii. the vehicle is not in good condition in accordance with Section 7 of this By-law;~~
- c. ~~the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of the Department of Transportation~~ Public Works and the verification sticker issued by the ~~Municipality~~ Province is not displayed in the front windshield.
- ~~j. —~~

~~(7)(6)~~ Notice of refusal by the By-law Enforcement Office or Traffic Authority to issue a Vehicle Owner's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality. ~~Local Tour Vehicle Owner's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality.~~ The Appeals Standing Committee may confirm the decision of the By-law Enforcement Office or Traffic Authority or order that a licence be issued subject to compliance with the provisions of ~~Section~~ Subsection 5.42 (5) of this By-law.

- a. ~~k. —~~ A Local Tour Vehicle ~~An~~ Owner's Licence issued under this By-law shall be valid until the last day of April next following its issue, unless sooner revoked or suspended.
- b. An Owner's Licence shall be issued for one vehicle only and shall contain a description of the vehicle.
- c. If a Vehicle Owner wishes to discontinue the use of a licensed vehicle and to substitute another, the By-law Enforcement Office or Traffic Authority shall, authorize the use of a previously endorsed licence for another vehicle that complies with the By-law and endorse the licence accordingly.
- d. A Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application.

(7) Incomplete applications refunded after seven days.

6. Insurance

~~The owner of a taxi, local shuttle, limo and local tour licenced under this By-law shall at all times while engaging in the taxi, local shuttle, local tour or limo business or driving a taxi, local shuttle, tour vehicle, or limo for compensation have in force on the vehicle licenced and operated:~~

~~(1) At all times, Licences Owners must have a valid insurance policy that entitles permission to carry passengers for compensation or some comparable form of insurance approved by the Insurance Bureau of Canada in force and providing minimum coverage including:~~

1. public liability;
2. property damage; and
3. cargo or passenger hazard insurance

in the amount of \$~~2,000,000~~, including the Municipality as an additional named insured, 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.

(2) Upon expiration of the valid policy referenced in Subsection (1) a Licenced Owner must provide an updated copy of the their insurance policy to the By-law Enforcement Office upon request.

7. Condition of Vehicle and Inspections

(1) Every vehicle licenced under this By-law shall be kept in a clean, sanitary condition and in good repair at all times when in use and has no visible body fillers, rust, primer paint, accidental damage or similar defects.

(2) Every vehicle shall have affixed appropriate tires for the season not exceeding tread wear of 2/32nds and no visible bulges or other defect.

(2)(3) The owner of every vehicle in respect of which:

- a. an application is being made; or
- b. a licence has been issued;

shall, ~~when required on demand~~ by a By-law Enforcement Officer or Peace Officer, forthwith submit the vehicle for examination to determine compliance with ~~Section~~Subsection 7.a.(1) of this By-law and the *Motor Vehicle Act*.

~~A minimum of 2 vehicle~~

(4) Vehicle inspections conducted by, or on behalf of, the Motor Vehicle Branch of the Department of ~~Transportation~~Public Works of the Province of Nova Scotia shall be required for each vehicle licenced under this By-law. The inspections shall be coordinated to ensure no vehicle licenced under this By-law is operating without a valid vehicle inspection certificate issued by, or on behalf of, the Motor Vehicle Branch of the Department of ~~Transportation~~Public Works with an inspection date older than ~~6~~12 months.

(3)(5) Vehicle Owners shall be permitted to choose a mechanic of their choice in their local area. Additional vehicle inspections to be carried out at a CBRM designated location at the vehicle owner's expense.

~~e.~~

(4)(6) Should the vehicle not meet the requirements of Section 7.a. or fail an inspection conducted —under the *Motor Vehicle Act*, the By-law Enforcement Office or Traffic Authority may notify the owner of the vehicle to cease operating the same as a vehicle licenced under the authority of this By-law, until such time as the same has been put in a clean, sanitary condition and/or in good repair.

(7) Every vehicle to be used as a Taxi shall be:

- a. equipped with an engine of at least 4 cylinders, unless electric or hybrid;
- b. 4-door sedan or a 4-door station wagon including hatchbacks
- c. which has a height from the top of the floor to the underneath side of the roof of at least 44.5 inches; and
- d. an interior width where passengers are to be seated of at least 51 inches with a capacity, determined by the number of seat belts, of not more than 6 passengers.

8. ~~Vehicle~~ Taxi Identification

- (1) Every ~~taxi~~Taxi licenced under this By-law shall have a sign affixed upon the roof of such vehicle which is illuminated at all times:
 - ~~a. when the meter is operating in all areas of jurisdiction which require a taximeter in each vehicle;~~
and
 - ~~b. as the headlights of the vehicle are turned on in accordance with the provisions of the Motor Vehicle Act.~~
 - ~~e.a.~~ The roof light shall be removed or covered by opaque material when the vehicle is not in service as a ~~taxi~~Taxi.
 - b. If the word ~~Taxi~~ or Cab is painted or emblazed on the vehicle then it shall be deemed a Taxi.
 - c. Any vehicle displaying a taxi deck light illuminated or otherwise or displaying signage indicating a Passenger Vehicle for Hire shall be deemed a Taxi
- (2) The sign shall identify the name of the ~~taxi-business~~Taxi Business and the identification number of the vehicle.
- ~~(2)~~(3) The name of the ~~taxi-business~~Taxi Business shall be placed on the sign so that it can be read while standing to the front or rear of the vehicle. ~~The identification number of the vehicle shall be placed on the~~
- (4) The Identification number shall be affixed on the sign so that it can be ~~read~~viewed while standing ~~adjacent both to the front, rear and~~ sides of the vehicle.
- ~~(3)~~(5) The sign shall be of such size, color, design ~~and~~, style and positioned in a manner which ensures the name of the ~~taxi-business~~Taxi Business and the identification number of the vehicle can be identified within 50 feet of the sign.
- (6) Deck light shall be kept in working and good repair

9. ~~Taxi Driver's~~ Vehicle Operator's Licence Requirements

- (1) No person shall drive a ~~taxi~~Passenger Vehicle for ~~the purpose of transporting persons for hire~~Hire in the Cape Breton Regional Municipality unless the person has a valid ~~Taxi Driver's~~Vehicle Operator's Licence issued pursuant to this By-law.
- (2) Everyone operating a Passenger Vehicle for Hire shall on demand of a By-law Enforcement Officer or Peace Officer present a valid Nova Scotia Drivers Licence Class 4 or better as well as a valid CBRM issued Vehicle Operator's Licence.
- ~~(2)~~(3) No person issued a valid ~~Taxi Driver's~~Vehicle Operator's Licence shall drive a vehicle in the Cape Breton Regional Municipality other than a vehicle with a licence to be used as a ~~taxi~~Passenger Vehicle for Hire in the Municipality.
- (4) Every persons requesting a Vehicle Operator's Licence must have a letter of permission from a Passenger Vehicle for Hire Business granting the applicant permission to apply for an Operator's Licence with their company, signed and dated by approved agent.

- ~~(3)~~(5) Every application for a ~~Taxi Driver's~~Vehicle Operator's Licence shall be made in writing to the By-law Enforcement Office or Traffic Authority. An application for a ~~Taxi Driver's~~Vehicle Operator's Licence shall contain:
- the name, address and telephone number of the applicant;
 - the residence address, residence mailing address (if different from the residence address) and home telephone number of the applicant;
 - the business address, business mailing address (if different from the business address) and business telephone number of the taxi business to be hiring, or owned by, the applicant;
 - the age of the applicant;
 - the number and classification of the applicant's driver's licence then in force; and
 - ~~6.~~ for the first time applicant, a statement of record of any convictions against the applicant in the 5 years preceding the date of the application under the Criminal Code of Canada and the *Motor Vehicle Act*.

Operators/Owners Licence

Criminal record statement for last 5 years required

- ~~a~~ Criminal Records ~~checks~~Checks for the last five years will be reviewed and be in compliance with Schedule "D" of this By-law and must be:
 - conducted with new ~~drivers~~Operators and ~~owners~~Vehicle Owners initially. ~~These checks will also be~~
 - ~~conducted for any licensee taxi driver~~Licensed Operator upon the expiration of a Province of Nova Scotia driver's licence. ~~Criminal Records checks are only processed through the CBRM By-law office via Police Central.~~
 - ~~conducted for any Licensed Operator if an Operator's Licence has been expired more than 90 days~~
 - conducted at the request of a Peace Officer or By-law Enforcement Officer of this Bylaw
- ~~a~~ Copy of completed Code of Conduct or Driver Training Checklist signed by both the applicant and Owner hiring Operator.
 - a Nova Scotia Child abuse registry check completed
 - a Nova Scotia Drivers Abstract Provided yearly

(6) Incomplete applications will be refunded after seven days

- ~~(6)~~(7) After receiving a completed application for a Vehicle Operator's Licence, the By-law Enforcement Office or Traffic Authority shall refuse to issue a licence if:
- the applicant is not in possession of a Class 1, 2, 3, or 4 ~~Driver's~~Drivers Licence issued by the Province of Nova Scotia;
 - the applicant does not hold a valid, current Motor Vehicle Licence from the Province of Nova Scotia required under the Motor Vehicle Act for a person operating a ~~taxi~~Passenger Vehicle for Hire;
 - in the judgment of the By-law Enforcement Office or Traffic Authority, the applicant is not a fit and proper person to hold such a licence.
- (8) Notice of refusal by the By-law Enforcement Office or Traffic Authority to issue an Operator's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality **within 30 days of the decision**. The Appeals Standing Committee may confirm the decision of the By-law Enforcement Office or Traffic Authority or order that a licence be issued subject to compliance with the provisions of ~~Section~~Subsection 9.4(7) of this By-law.

- (9) A ~~Taxi-Driver's~~Vehicle Operator's Licence issued under this By-law shall be valid until the ~~last day~~applicant's date of April next birth as indicated on their Nova Scotia Drivers Licence of the following its issue year, unless sooner revoked or suspended.
- (10) No ~~Taxi-Driver's~~Operator's Licence under this By-law may be transferred from one person to another.

~~—Driver~~

10 Vehicle Operator - Dress Code and Conduct

- (1) When engaged in the operation of a ~~taxi~~Passenger Vehicle for ~~hire~~hire licenced under this By-law, every ~~driver~~Operator issued a ~~Taxi-Driver's~~ Licence under this By-law shall:
- a. ~~wear a shirt or blouse;~~
 - b. ~~wear ankle length cuffed or hemmed trousers, or cuffed or hemmed shorts; female drivers shall also have the option to wear a skirt or dress;~~
 - e.a. have on footwear;
 - d.b. ~~wear the required~~maintain clothing in a neat and tidy condition.;
 - e.c. conduct himself/herself in an orderly manner with no solicitation of any kind.
- (2) Every person licenced under this By-law shall notify the office of the Manager responsible for this By-law of a change of address within 7 days.
- (3) Shall keep a log of all fares for a period of six months and be made available to the By-law Officer upon request
- (4) Shall have their Operator's Licence on display at all times while operating any Passenger Vehicle for Hire covered in this bylaw.
- (5) No one is permitted to smoke or vape in a vehicle licenced under this By-law, evidence of smoking or vaping, will result in revocation of the Operator's Licence until remedied and shall be an offence under this By-law.

11 Customer Service

- (1) Every ~~licenced driver~~Licenced Operator shall proceed by the most direct route to the point of destination, unless otherwise directed by the passenger.
- (2) A ~~licenced driver~~Licenced Operator shall only convey the person or persons engaging his vehicle and shall not pick up other passengers, unless agreed to by the person or persons who engaged the ~~licenced driver's~~Licenced Operator's services.
- (3) The ~~owner~~Owner or ~~driver~~Operator of a licenced vehicle shall not refuse or neglect to convey any orderly, fare paying, person, or persons upon request, unless previously engaged, or unable to or prohibited by the provisions of this By-law. ~~A licenced driver~~Licenced Operator may refuse to drive a person whose conduct is disorderly or when such person's conduct may cause the ~~driver~~Operator to fear for his/her safety. An Operator may request payment upfront.
- (4) Every ~~licenced driver shall~~Licenced Operator may offer assistance to the passenger:

- a. entering and exiting the taxi; and
- b. carrying luggage or any goods to and from the taxi.

12 Rates Taxi Fares

- (1) The rates as set out in the Resolution of the Council of the Municipality as per Schedule "C" (Schedule of Taxi Fares) attached to this By-law will be those established annually by Resolution of the General Committee or, from time to time, at any regularly scheduled meeting thereof. The rates shall be charged for conveyance in a licenced vehicle used for transporting passengers for hire, from point to point within the Municipality.
- (2) Copies of the Schedule of Taxi Fares shall be furnished by a By-law Enforcement Officer to every person issued a Taxi Driver's Operator's Licence or Taxi Vehicle Owner's Licence and a copy of such schedule shall be kept available for perusal displayed in a manner that it is easily viewed by a passenger in every motor vehicle all vehicles for which a Taxi Vehicle Owner's Licence has been issued. The fare schedule established by Committee shall be affixed to the rear passenger window of each vehicle.
- ~~(3) Every taxi vehicle owner Taxi Owner or taxi driver Taxi Operator who receives or demands a fare greater than or less than that required by the Schedule of Taxi Fares shall be guilty of an offence under this By-law.~~

***13. Local Shuttles**

- ~~(4)(3) Local Shuttle Service means a van, limo Unless a previous written agreement is arranged. Said agreement shall be made available to Bylaw officer on demand or bus used to transport as soon as reasonably possible. Written agreement will show terms of prearranged agreement, date and individuals or organizational groups of people collected at a given point, such as the Government Wharf, (for Tourism purposes only), and dropped off at predetermined destinations within CBRM. If a fee is charged to the individual being transported, then the owner of the service will require a licensee; otherwise the service provided will be a courtesy service covered under the agreement.~~

~~*~~

- ~~a. A shuttle shall carry no more than 7 to 14 persons;~~
- ~~b. Vans, limos and buses are permitted;~~
- ~~c. Cars are excluded;~~
- ~~d. Taxis are excluded from a shuttle business;~~

~~Magnetic Signage required;~~

13

- ~~e. No deck light or meter is required;~~
- ~~f. A general information course is a requirement of operators Sydney Ports Corp.~~

~~*14. Local Tours~~

~~A local tour means a predetermined service contract commencing in the Cape Breton Regional Municipality with designated locations along the route. Fees applicable within CBRM.~~

~~§~~

- ~~a. Local Tours shall include Limos, taxis, vans and buses;~~
- ~~b. No deck light or meter necessary;~~
- ~~c. Service contracts will be predetermined;~~
- ~~d. Tours to commence in CBRM;~~
- ~~e. Signage on site shall be required and will include:
 - ~~1. Listing of tour area, price, duration of tour;~~
 - ~~2. Minimum size of 30" x 40";~~
 - ~~3. Signage on side of vehicle 1" in height to include company name, Phone #, CBRM licence # (magnetic type);~~~~
- ~~f. General tour information course requirement for operators—Sydney Ports Corp.~~

~~*15. Taxi~~

~~Taxi means a motor vehicle used to transport passengers and goods for compensation.~~

~~§~~

- ~~a. Shall not be more than 6 passengers and be a licenced vehicle;~~
- ~~b. Must be a vehicle (4 door car—minimum 4 doors excluding hatchbacks);~~
- ~~c. Mid size or larger;~~
- ~~d. 4 cylinder or larger;~~
- ~~Limo can be a taxi maximum 6 passengers;~~
- ~~e. ~~Deck light~~ and meter required;~~
- ~~f. General tour information course requirement of operators.~~

~~16. Limousines~~

- ~~a. No person shall own and operate a Limousine service for the purpose of transporting persons for hire within the Municipality unless a Limousine Licence in respect of the vehicle has been issued pursuant to this By-law.~~
- ~~b. An application for a Limousine Licence shall contain all of the information required for an application for a Taxi Vehicle Owner's Licence except for the identification of a service area.~~
- ~~c. All of the provisions regulating taxi vehicles are applicable for a Limousine except the requirements to:
 - ~~1. be properly equipped with a taxi meter;~~
 - ~~2. have an illuminated sign affixed upon the roof; and~~
 - ~~3. schedule of fares affecting taxis.~~~~
- ~~d. Limousines are prohibited from:
 - ~~1. parking at common taxi stand depots;~~
 - ~~2. being held out as being available for the conveyance of persons in a public place—except at an airport or wharf where a cruise ship is about to be (or is) docking.~~~~

17. Exemptions

This By-law does not apply to:

- i. Outside Tours that originate outside of the municipality and
- ii. Charter Buses – 15 persons or more.

1814. Taximeters - Sydney Service Area

(1) Every owner of a motor vehicle used as a Taxi in the Sydney Service Area, as described in Schedule "A" of this By-law, shall provide such vehicle with a taximeter of a model approved by the General Committee: Manager responsible for this By-law. Such taximeter shall:

- a. be at all times in full view of the passengers;
- b. be kept sealed and intact;
- c. be operated from one of the front wheels of the motor vehicle or from the transmission; and
- d. illuminated by a suitable light while in operation after dark.
- e. affixed to the vehicle in a secure manner

(+)(2) A By-law Enforcement Officer or Peace Officer of the Municipality may at any time inspect any taximeter which is installed in a motor vehicle, and no Taxi Vehicle Owner's Licence shall be issued or renewed unless the taximeter is in compliance with Section 13.a. Subsection 14(1) of this By-law.

(2)(3) Every owner Owner or driver Operator of a taxi licenced Taxi Licenced in the Sydney Service Area who transports for hire passengers without causing the taximeter in such vehicle to operate shall be guilty of an offence against this By-law. Unless subject to written arrangement in compliance with Subsection 12(3).

(3) Any passenger who has used a taxi in the Sydney Service Area who refused to pay the tariff rates as shown on a properly operating taximeter shall be guilty of an offence against this By-law.

19

15. Emergency Call Number

No taxi licenced Taxi Owner Licence shall be issued with the number 13. This number shall be available to all taxi driver's operator's when calling dispatch to notify of an emergency situation requiring immediate police help.

2016. Penalties

- (1) Every person who contravenes or fails to comply with any provisions of this By-law shall, for each offence, be liable to a penalty of not less than \$100.00 and not more than ~~\$2005,000.00~~; and, in default of payment, the Manager responsible for this By-law may cancel or suspend the licence of such person.
- (2) Every person who does not have a valid Owner's Licence or Operator's Licence in compliance with this By-law who contravenes or fails to comply with any provisions of this By-law shall, for each offence, be liable to a penalty of not less than \$200.00 and not more than ~~\$5005,000.00~~. Every proprietor of a taxi Passenger Vehicle for Hire business who knowingly:

- a. hires an individual to operate a ~~taxi~~Passenger Vehicle for Hire who is not properly licenced in compliance with ~~Part 9 of this~~ By-law; and/or
- b. ~~2.~~ allows an independent Taxi ~~Vehicle~~ Owner to operate from their ~~taxi stand/depot~~Taxi Depot using a vehicle which is not properly licenced in compliance with ~~Part 5 of this~~ By-law;

shall also be liable to a penalty of not less than \$200.00 and not more than ~~\$500,000.00~~ per individual offence.

- (3) Any person whose ~~license~~Licence has been canceled or suspended may appeal to the Appeals Standing Committee of the Municipality which may confirm or disallow the action of the Manager responsible for this By-law.

- ~~(4) 21~~ Repeated contraventions or non-compliance with this By-law may result in a License being revoked or suspended.

17. Previous By-laws Repealed

~~All Taxi By-laws of the former municipalities of Cape Breton County adopted pursuant to the Motor Vehicle Act to regulate the transporting of persons for hire by means of a motor vehicle are hereby repealed and the provisions of this By-law substituted therefore.~~

~~By-law No. T-100, cited as the Cape Breton Regional Municipality Taxi By-law and all amendments thereto are hereby repealed.~~

PASSED AND ADOPTED by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipality held on ~~September 23rd, 1997 and as amended on November 17, 1998, October 19, 1999, May 20, 2003, July 8, 2003, February 17, 2004, May 17, 2016, August 15, 2017 and March 25, 2022.~~

Mayor Amanda M. McDougall

~~Merrill~~Deborah Campbell
Ryan, Municipal Clerk

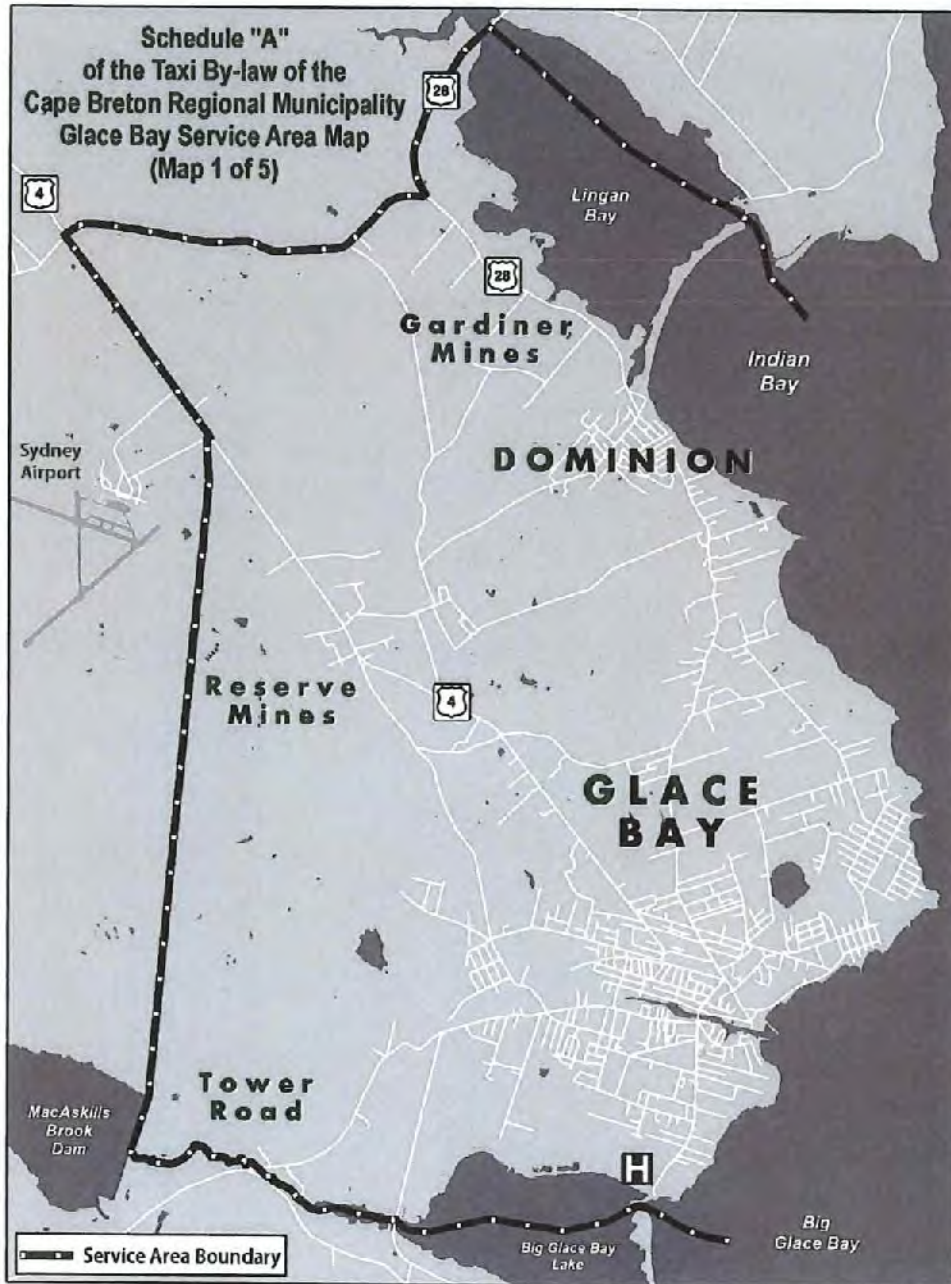
***THIS IS TO CERTIFY** that the attached is a true and correct copy of the ~~Taxi~~Passenger Vehicle for Hire By-law of the Cape Breton Regional Municipality adopted on ~~September 23rd, 1997 and as amended on November 17, 1998, October 19, 1999, May 20, 2003, July 8, 2003, February 17, 2004, May 17, 2016, August 15, 2017, and March 25, 2022.~~*

Deborah Campbell Ryan, Municipal Clerk

PUBLICATION DATE: ~~March 26, 2022~~

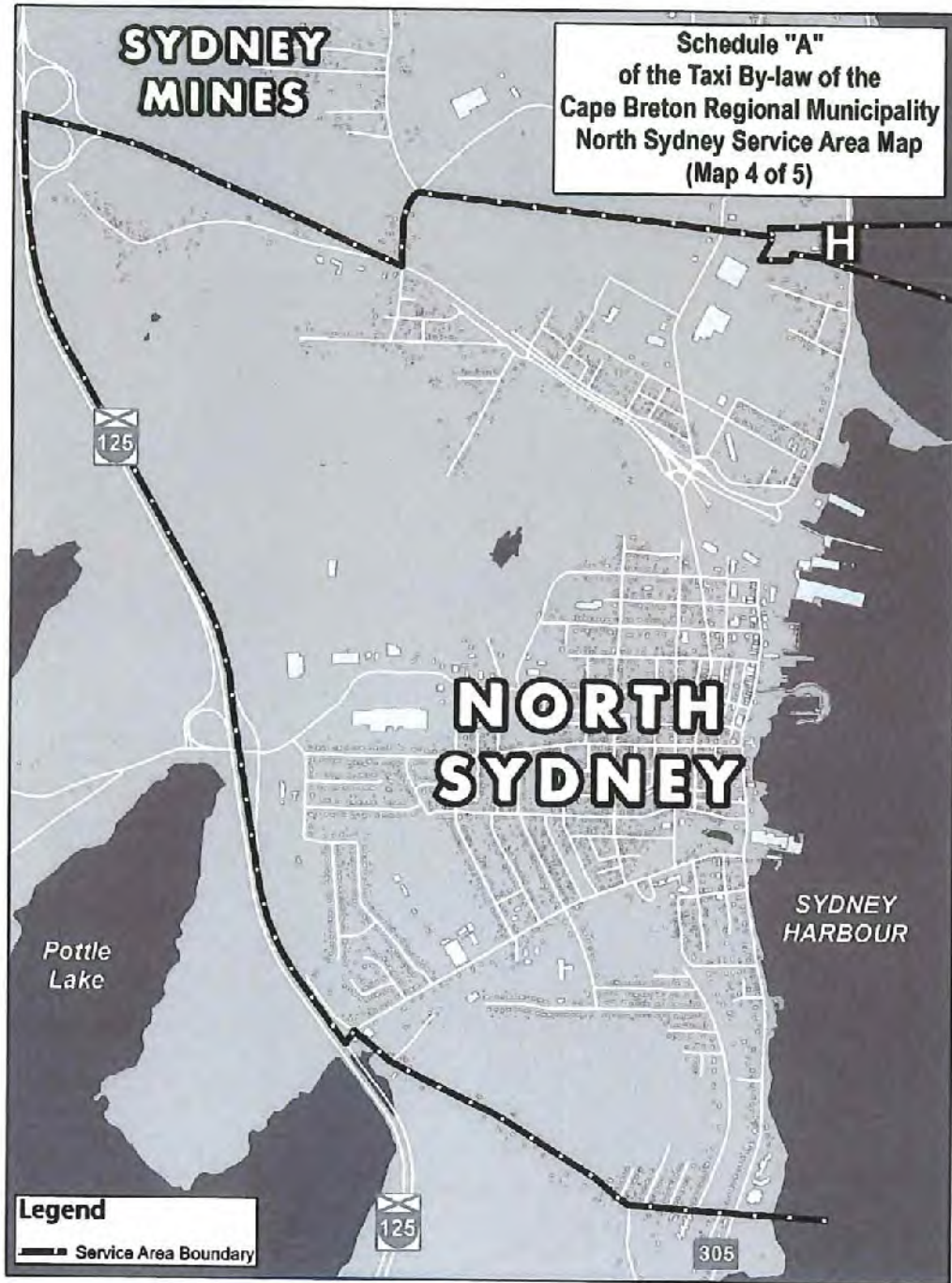
Schedule "A"
Service Areas of the
Taxi-By-law
of the
Cape Breton Regional Municipality

Schedule "A" includes the Glace Bay, New Waterford, Sydney, North Sydney, and the Sydney Mines Service Areas Maps.











Schedule “B”

THAT: ~~the Table of licencing fees in Schedule “B” of the Taxi By-law is amended to read as follows:~~

“Licencing Fees

ALL OPERATOR LICENCE FEES ARE PRO-RATED FOR CBRM FISCAL YEAR	
Vehicle Operator’s Licence (Taxi, Shuttle, Tour) - Annual Licence	\$45
Vehicle Owner’s Licence (Taxi) - Annual Licence	\$45
Limo Per Additional Service Area	\$15
Luxury Vehicle Operator’s Licence — Annual Licence	\$45
LimoLuxury Vehicle Owner’s Licence — Annual Licence	\$45
Local Shuttle Licence (Owner) - Annual Licence	\$45
- An add on (e.g. LimoLuxury Vehicle & Local Shuttle Licence – same vehicle)	\$10
Local Tour Licence (Owner) - Annual Licence	
- An add on (e.g. Taxi & Local Tour Licence – same vehicle)	

~~Criminal Record Check As Per Police Central Fee Schedule:~~

1. When a licenced vehicle is transferred from one owner to another within the same licencing year. Fee = \$45
2. Any vehicle that is replaced will be subjected to a fee.
 Fee = \$15 outside a metered area - Taxi Fee = \$30 within a metered area – Taxi
3. -Fees can be amended from time to time via the ~~General Committee Council~~.
4. If an application is either rejected or withdrawn, an administrative processing fee of ~~4030~~% will be applied as part of the Refund Policy.
5. There shall be a fee of \$10 for the replacement Licence

Schedule "C"
 of the
Taxi By-law
 of the
Cape Breton Regional Municipality

Schedule of Taxi Fares Within Service Areas
 As amended by the Council of the Cape Breton Regional Municipality on March 25,
 2022

All Fares include H.S.T.	Sydney (metered)	Sydney Mines (non-metered)	North Sydney (non-metered)	New Water. (non-metered)	Glace Bay (non-metered)	Florence (non-metered)	Whitney Pier (metered)
Local Rate* Additional charge: \$1.30 per passenger for outside service area <i>Applies to Sydney-Only; Tendered Rates & Special Rates for the conveyance of persons or groups may be made by private arrangement with the owner of the taxi business, owner of the vehicle, or driver/operator of the vehicle in advance of call.</i>	\$5.20 initial charge (\$2.28 per mile or \$1.50 per kilom.) no extra charge \$28.60 per hour on metered fares when meter is running.	\$9.10 flat rate \$0.65 cents (per 3 rd person or more) \$1.30 per person for outside Service area.	\$9.10 flat rate \$0.65 cents (per 3 rd person or more) \$1.30 per person for outside Service area.	\$9.10 flat rate \$0.65 cents for each additional person; \$1.30 per person for outside Service area.	\$9.10 flat rate within Glace Bay; within Dominion; or Reserve Mines as described below this table \$13.00 flat rate between any two of the above communities \$0.65 cents for each additional person \$1.30 per passenger for outside Service area	\$9.10 flat rate	
Rate for Fares outside the service area	\$1.50 per kilom.	\$1.450 per kilom.	\$1.450 per kilom.	\$1.450 per kilom. <i>kilom.</i>	\$1.450 per <i>kilometer</i> <i>om.</i>	\$1.450 per <i>kilometer</i> <i>kilom.</i>	
Waiting Time	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	\$39.00 per hour	
Limousine Rate per hour	\$74.75	\$74.75	\$74.75	\$74.75	\$74.75	\$74.75	
Sydney		\$39.00	\$39.00	\$32.50	\$32.50	\$39.00	
Glace Bay	\$32.50	\$71.50	\$71.50	\$26.00	\$ 9.10	\$71.50	
New Waterford	\$32.50	\$71.50	\$71.50	\$ 9.10	\$26.00	\$71.50	\$26.00

North Syd.	\$39.00	\$13.00	\$ 9.10	\$71.50	\$71.50	\$ 13.00	
Syd Mines	\$39.00	\$ 9.10	\$13.00	\$71.50	\$71.50	\$13.00	
Florence	\$39.00	\$13.00	\$13.00	\$71.50	\$71.50	\$ 9.10	

Rates are current based on travel within and between communities noted above. Glace Bay and New Waterford - additional charges for extra passengers .65 cents per person; North Sydney and Sydney Mines additional charges for 3rd passenger or more .65 cents per person. Request for a van extra \$6.50 only if requested through dispatch (not on regular fares).

- In the Sydney service area the metered rate is in effect within the area bounded by:
 - the Sydney River bridge along Keltic Drive;
 - Highway 125 by-pass intersecting King's Road, Alexandra Street, George Street and Grand Lake Road;
 - up to and including the properties fronting MacLeod Street in South Bar which intersects Victoria Road. (Briands and City Wide request) ²
- In the Sydney Mines and North Sydney service areas the local rate is in effect throughout the service areas.
- In the New Waterford service area the local rate is in effect in New Waterford and Scotchtown. This local area is bounded by:
 - the Lingan/Phalen Colliery to the east along Hinchey Avenue;
 - Hulme's Lane to the east along Roach's Road;
 - the intersection of Ryan Street and Route 28 to the south;
 - the railroad right of way along May Street to the west; and
 - MacNeil's and Webb's Lane along Ellsworth Avenue to the west.
- In the Glace Bay service area the local rate is in effect for fares where the passenger(s) *are picked up and delivered*
 - *within* the boundary of the former Town of Glace Bay;
 - *within* the boundary of the former Town of Dominion; and
 - *within* Reserve Mines, bounded by the boundaries of the former towns of Glace Bay, Dominion, and the intersection of the Old Airport Road and the Sydney-Glace Bay Highway.

**Schedule "D"
of the
Taxi By-law
of the
Cape Breton Regional Municipality**

~~Taxi Businesses in operation prior to the coming into effect of the Cape Breton Regional Municipality Taxi By-law which were not operating a 24 hour a day service.~~

Schedule "E"
Of the
Taxi By-law
Of the
Cape Breton Regional Municipality

Other than a stretch limousine, only the following makes of vehicle shall be considered a limousine, as defined in the Taxi By-law:

- ~~— Cadillac;~~
- ~~— Lincoln;~~
- ~~— Rolls Royce;~~
- ~~— Jaguar;~~
- ~~— Mercedes-Benz;~~
- ~~— Bentley;~~
- ~~— Royal Princess;~~
- ~~— Luxury SUV~~

~~Schedule "F"
of the
Taxi By-Law
of the
Cape Breton Regional Municipality~~

~~CBRM TAXI BY-LAW
LICENSING STANDARDS~~

Licensing Standards

BASIC PRINCIPLES

THE FOLLOWING ARE GUIDELINES TO BE USED BY THE BY-LAW ENFORCEMENT OFFICER OR TRAFFIC AUTHORITY AND BY THE CAPE BRETON REGIONAL TAXI BY-LAW ENFORCEMENT OFFICERS WHILE EXERCISING THEIR AUTHORITY UNDER THE BY-LAW TO SUSPEND, REFUSE OR HEAR AN APPEAL REGARDING THE SUSPENSION, CANCELLATION OR REFUSAL OF A TAXI, LIMOUSINE LUXURY, LOCAL SHUTTLE, LOCAL TOUR OWNER'S OR OPERATOR'S LICENCE.

- It is acknowledged that each case must be reviewed to determine – whether the application of the guidelines is appropriate in all of the circumstances. The ultimate decision continues to rest with the By-law Enforcement Office or Traffic Authority, subject to the applicant's right of appeal to the Appeals Standing Committee of the Municipality.
- Repeated offences may result in greater suspension lengths, at the discretion of the Enforcement Officer. However, steps voluntarily taken by the individual to correct or improve his conduct (for example, completion of the Driver Education Course, regular attendance at Alcoholic Anonymous meetings, completion of a recognized defensive driving course) may result in a shorter suspension.
- In the case of criminal or ordinance charges, provided there is no potential risk to the public safety, suspensions are to commence upon conviction for the offence, regardless of the filing of an appeal.
- Where there has been a suspension prior to conviction, such suspension shall be reviewed by the Enforcement Officer upon a "not guilty" finding by the Courts.

- **Where applicable, the suspension is to commence at the completion of any sentence or penalty, including probation, parole or the carrying out of a period of community service.**
- **In cases where no charges are laid, the suspension shall commence upon the Enforcement Officer notifying the operator or owner that he is satisfied that acts have been committed which render the operator or owner an unfit and improper person to hold a taxi license.**
- **Offences, which occur while a person is engaged in the operation of a taxi or limousine, may be treated with greater severity than other offences.**
- **The Enforcement Officer may, at his discretion and where circumstances warrant, suspend the operation of a suspension pending the outcome of an appeal before the Appeals Standing Committee of the Municipality.**

REFUSED OR SUSPENSION WITHOUT RENEWAL

The following offences may result in the immediate refusal to grant or suspension of both the operator and owner's licenses. A license will not be renewed or issued where these offences have occurred. The operator's license will be suspended upon the operator being charged. The owner's license will be suspended upon conviction.

- **ABDUCTION**
- **ACTS OF TERRORISM (i.e., hijacking, hostage taking, pirating)**
- **ATTEMPTED MURDER**
- **MURDER**
- **IMPAIRED DRIVING (second offence)**
- **LIVING OFF THE AVAILS OF PROSTITUTION**
- **MANSLAUGHTER**
- **SEXUAL OFFENCES (i.e., sexual assault, child molestation)**
- **DRUG TRAFFICKING/ALCOHOL – BOOTLEGGING**
-

- ORGANIZE CRIME
- OUTSTANDING CBRM RELATED MONIES \ FEES \ FINES

10 YEAR SUSPENSION

The following offences shall result in the suspension of the operator and owner's license for a period of ten (10) years or refusal to grant a licence for a (10) year period from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any time.

Unless otherwise stated, the suspension of the operator's license is to commence upon the charge, the suspension of the owner's license upon conviction.

- ASSAULT CAUSING BODILY HARM**
- ROBBERY**

5 YEAR SUSPENSION

The following offences shall result in the suspension of the owner's and operator's license for a period of five (5) years or refusal to grant a licence for (5) years from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any fine.

Unless otherwise stated, the suspension shall take place upon conviction.

- **BREAK AND ENTER**
- **CRIMINAL NEGLIGENCE CAUSING DEATH**
(Motor vehicle-related)
- **POSSESSION OF FIREARMS**

2 YEAR SUSPENSION

The following offences shall result in the suspension of the operator's license for a period of two (2) years or refusal to grant a licence for a period of (2) years from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any fine.

Unless otherwise stated, the suspension shall take place upon conviction.

- **INDECENT EXPOSURE** ~~(while on duty as a taxi operator)~~
- **POSSESSION OF WEAPONS** (other than firearms)
- **FRAUD**

1 YEAR SUSPENSION

The following offences shall result in the suspension of the operator's license for a period of one (1) year or refusal to grant a licence for a period of (1) year from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service, or the payment of any fine.

Unless otherwise stated, the suspension shall take place upon conviction.

- **CARELESS AND IMPRUDENT DRIVING**
- **DANGEROUS DRIVING (Criminal Code Charges)**
- **IMPAIRED DRIVING (first offence)**
- **POSSESSION OF DRUGS**
- **THEFT UNDER \$1,000**
- **POSSESSION OF STOLEN GOODS**
- **PROSTITUTION**

4 WEEK SUSPENSION

The following offences shall result in the suspension of the operator and/or owner's licenses for a period of four (4) weeks or refusal to grant a licence for a (4) week period from the completion of any sentence or suspended sentence, including parole, probation, time spent performing community service or the payment of any fine.

- **DRIVING WITHOUT INSURANCE AS REQUIRED IN THE BY-LAW (suspension is to continue for four weeks Following proof of reinstatement of insurance)**
- **DRIVING WHILE TAXI OPERATOR'S LICENSE IS SUSPENDED or EXPIRED (suspension is to continue for four weeks after reinstatement of license)**

APPEALS STANDING COMMITTEE

There will be an Appeals Standing Committee set up to review the by-law from time to time and to hear disputes between **drivers/operators**/ owners and enforcement officers.

This committee will have authority to rule on issues regarding suspensions and refusals.

APPEAL PROCESS

All appeals to actions of the Enforcement Officer shall be in writing. Forms are to be made available at the office of the manager responsible for this by-law. Prescribed written form will be as developed by the Appeals Standing Committee from time to time and must be signed by both the Complainant and the Enforcement Officer.

A fee of \$25.00 will accompany all applications for appeal. No appeal will be heard with out both the prescribed form and fee submitted. Fees submitted with applications for appeal will be refunded should the applicants appeal be upheld.

The Appeals Standing Committee will develop a guideline for setting up and hearing such disputes that may arise and attached as Appendix A of the taxi by-law.

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
Title – Taxi By-law Statutory Authority	Passenger Vehicle for Hire	Due to the fact the current Taxi By-law applies to other modes of transporting passengers for compensation, it is being recommended a new title, Passenger Vehicle for Hire. As a result of this proposed change, the term passenger vehicle for hire has been added throughout the By-law. Portside Law's regulatory review of CBRM's By-laws recommended updating this Section
1. Definitions	<p>Added</p> <p>The following definitions were added to the By-law to provide clarification of their use:</p> <ul style="list-style-type: none"> • Business Operator's License • Driver's Licence • Passenger Vehicle for Hire (to address the new title of the By-law) • Luxury Vehicle (replace Limousine) • Ridesharing Business (to address evolution of a new business model and ensure equal requirements) • Smoke (to provide clarification for the enforcement of the provisions restricting smoking in vehicles) • Taxi Depot (the term is referenced under the current Taxi By-law but was not defined) 	<p>This Section was Alphabetized. Definitions were also added, deleted, revised, or replaced to provide clarity.</p> <p>Deleted</p> <p>Limousine – was replaced with Luxury Vehicle to address the change in vehicle style to used.</p> <p>Revised</p> <p>Taxi was amended to:</p> <ul style="list-style-type: none"> • Include reference to Ridesharing Business. This ensures Ridesharing Businesses are regulated under the By-law and must comply with the same standards as a Taxi Business. • Remove the exclusion of hatchbacks. • Current definition was added to Section 7. Condition of Vehicle and inspections of the By-law <p>Replaced</p> <ul style="list-style-type: none"> • Operator's Licence – was replaced with the term Vehicle Operator's Licence • Owner's Licence – was replaced with the term Vehicle Owner's Licence

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
2. Licencing Control	<p><u>Licencing Control – Subsection 2(3) was added</u></p> <p>Any By-law Enforcement Officers under the direction of the Manager responsible for this By-law and any Peace Officer shall have authority to stop any Licensed Passenger Vehicle for Hire or any unlicensed Vehicle that appears to be operating for hire, for the purpose of compliance with this By-law.</p>	<p>As a result of the proposed amendments to the definitions identified above, the By-law was amended to include the new terms.</p> <p>This subsection was added to provide clarification for enforcement.</p>
3. Areas of Jurisdiction	<p>3. Areas of Jurisdiction</p> <p>(1) The jurisdiction of the Passenger Vehicle for Hire By-law is the Cape Breton Regional Municipality.</p> <p>(2) Within the Municipality there shall be five service areas.</p> <p>(3) A Vehicle Operator's Licence is valid throughout the Municipality, but a Taxi Owner's Licence is only valid for one service area unless all other requirements of the By-law are met for additional service areas.</p> <p>(4) The boundaries of the service areas are as described in Schedule "A" of this By-law.</p> <p>(5) No Taxi Operator's Licence and/or Taxi Owner's Licence shall be issued unless the business address of the taxi business to be hiring the applicant, or owning the Taxi, is in the service area intended to be served by the Operator or Taxi.</p>	<p>Portside Law's regulatory review of CBRM's By-laws recommended reformatting to include Subsections.</p> <p>Subsection (3) was amended to add "unless all other requirements of the By-law are met for additional service areas" to clarify language for additional service areas. Existing provisions in the current Taxi By-law did not limit the number of Owners Licences, therefore not preventing a business from operating in multiple districts.</p>

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
<p>4.1 Requirements to Operate a Taxi Business</p> <p>4.2 Requirements to Operate a Local Shuttle Business</p> <p>4.3 Requirements to Operate a Local Tour Business</p>	<p>4. Requirements to Operate a Passenger Vehicle for Hire Business</p> <p>(1) Every person engaged in the business of operating a Passenger Vehicle for Hire Business, must have a Business Operator's Licence issued under this By-law.</p> <p>(2) Individuals making an application for a Business Operator's Licence for a Passenger Vehicle for Hire Business shall:</p> <ol style="list-style-type: none"> a. provide the name of the business and phone number of business b. be registered in good standing with the Nova Scotia Registry of Joint Stock companies c. must have a fee schedule on file, if applicable d. must have a route schedule available, if applicable e. if associated with transporting cruise ship passengers, provide confirmation of the completion of the general information course requirement for operators or written confirmation of approval by the Port of Sydney; f. if the applicant is a Corporation, a copy of the incorporating document and a copy of the last annual information return which has been filed with the appropriate government department; g. if the applicant is a Corporation, any of the directors, shareholders, or officers of the Corporation are obliged to comply with Subsection 9(g) and Subsection 9(i) this By-law. <p>(3) In addition to Subsection (2), individuals making an application for a Business Operator's Licence for a Passenger Vehicle for Hire Business Hiring who intend on hiring out Taxis must:</p>	<p>Subsections 4.1, 4.2 and 4.3 were all dealing with the requirements to operate a different forms of Passenger Vehicle for Hire Businesses. For this reason, they combined into one section.</p> <p>This Subsection now allows for alternative methods of dispatch other than two-way radio.</p> <p>These revisions were also made to provide clarity.</p>

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
<p>5. Taxi Vehicle Owner's Licence Requirements</p> <p>5.1 Local Shuttle Vehicle Owner's Licence Requirements</p> <p>5.2 Local Tour Vehicle Owner's Licence Requirements</p>	<p>a. have a Development Permit for a Taxi Depot(s) which is in compliance with the provisions of the Land Use By-law of the Regional Municipality in effect for the property on which the Taxi Depot is located on unless the Taxi Depot existed at the site prior to the coming into effect of this By-law;</p> <p>b. operate a 24 hour service,</p> <p>c. operate a dispatch-to-taxi communication system, which can be accessed by the By-law Enforcement Officer for compliance checks.</p> <p>d. have a primarily operating a fleet of Taxis providing passengers with a one call - one direct route to the point of destination service. Specialized services such as a shuttle service within the Municipality may be permitted as a subsidiary use to the primary operation.</p> <p>(4) Incomplete applications refunded after seven days</p> <p>5. Vehicle Owner's Licence Requirements</p> <p>5.1 <u>Requirements for a Vehicle Owner's Licence – Taxi Vehicle Owners</u></p> <p>(1) No person shall own and operate a Taxi for the purpose of transporting persons for hire in the Cape Breton Regional Municipality unless that person is in the employ of a Passenger Vehicle for Hire Business and has a valid Taxi Vehicle Owner's Licence and Taxi Operator's Licence in respect of the vehicle issued pursuant to this By-law.</p> <p>(2) A valid Taxi Vehicle Owner's Licence is required with respect to each Vehicle used as a Taxi in the Cape Breton Regional</p>	<p>Subsection 5, 5.1, and 5.2 were all dealing with the requirements for Vehicle Owner Licence for different types of Passenger Vehicles for Hire. For this reason, they were replaced with two subsections, one subsection for Taxi Vehicle Owners and one subsection Excluding Taxi Vehicle Owners.</p> <p>These revisions were also made to consolidate requirements and provide clarity.</p>

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
	<p>Municipality and to be presented on demand of a Peace Officer or By-law Enforcement Officer.</p> <p>(3) Every application for a Taxi Vehicle Owner's Licence shall be made in writing to the By-law Enforcement Office or Traffic Authority by the owner. An application for a Taxi Vehicle Owner's Licence shall contain:</p> <ol style="list-style-type: none"> a. the name, address and telephone number of the applicant; b. the business address, business mailing address (if different from the business address) and business telephone number of the taxi business to be hiring, or owned by, the applicant; c. a description of the Vehicle sufficient to identify it; d. information regarding the insurance policy in effect for the vehicle to be used sufficient to ensure the vehicle is adequately insured in compliance with this By-law, and that the Cape Breton Regional Municipality will be notified by the insurance company if and when the insurance policy on the vehicle in effect with respect to the vehicle to be used has expired; e. proof the vehicle to be used has been inspected by the Motor Vehicle Branch of the Department of Public Works or someone delegated with the authority to inspect vehicles; f. identification of the service area for which the licence is required (see Section 3); and g. if the Taxi Vehicle Owner is not also applying for a Vehicle Operator's Licence, they are obliged to comply with Section 9 this By-law. h. A letter of permission from a Taxi Business Owner granting vehicle owner permission to licence a vehicle with their company, signed and dated by approved agent. 	

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
	<p>(4) After receiving a completed application for a Taxi Vehicle Owner's Licence, the By-law Enforcement Office or Traffic Authority shall refuse to issue a licence if:</p> <ul style="list-style-type: none"> a. the amount of insurance required by this By-law is not in effect for the vehicle to be licenced; b. the vehicle is not in good condition in accordance with Section 7 of this By-law; c. the vehicle, if to be operated as a Taxi in the Sydney Service Area, is not equipped with a properly operating taximeter in accordance with Section 14 of this By-law; d. the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of the Department of Public Works and the verification sticker issued by the Province is not displayed in the front windshield. <p>(5) Notice of refusal by the By-law Enforcement Office or Traffic Authority to issue a Taxi Vehicle Owner's Licence shall be by letter sent by registered mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality. The Appeals Standing Committee may confirm the decision of the By-law Enforcement Office or Traffic Authority or order that a licence be issued subject to compliance with the provisions of Subsection 5.1(4) of this By-law.</p> <p>(6) A Taxi Vehicle Owner's Licence issued under this By-law shall be valid until the last day of the Month of the following year, unless sooner revoked or suspended.</p>	

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
	<p>(7) A Taxi Vehicle Owner's Licence shall be issued for one vehicle only and shall contain a description of the vehicle and signed by owner.</p> <p>(8) If a Taxi Vehicle Owner wishes to discontinue the use of a licensed vehicle and to substitute another, the By-law Enforcement Officer or Traffic Authority may, authorize the use of a previously endorsed licence for another vehicle that complies with the By-law and endorse the licence accordingly.</p> <p>(9) A Taxi Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application by Peace Officer or By-law Enforcement Officer.</p> <p>(10) Incomplete application refunded after seven days.</p> <p><u>5.2. Requirements for a Vehicle Owner's Licence – Excluding Taxi Vehicle Owners</u></p> <p>(1) No person shall own and operate a Passenger Vehicle for Hire in the Cape Breton Regional Municipality unless that person has a Vehicle Owner's Licence in respect of the vehicle issued pursuant to this By-law.</p> <p>(2) A Vehicle Owner's Licence must be presented on demand of a Peace Officer or By-law Enforcement Officer.</p> <p>(3) A Vehicle Owner's Licence is required with respect to each vehicle used for the purpose of transporting persons for hire in the Cape Breton Regional Municipality.</p>	

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
	<p>(4) Every application for a Vehicle Owner's Licence shall be made in writing to the By-law Enforcement Office or Traffic Authority by the owner. An application shall contain:</p> <ol style="list-style-type: none"> a. the name, address and telephone number of the applicant; b. the business address, business mailing address (if different from the business address) and business telephone number of the shuttle business to be hiring, or owned by, the applicant; c. a description of the Vehicle sufficient to identify it; d. information regarding the insurance policy in effect for the vehicle to be used sufficient to ensure the vehicle is adequately insured in compliance with this By-law, and that the Cape Breton Regional Municipality will be notified by the insurance company if and when the insurance policy on the vehicle in effect with respect to the vehicle to be used has expired; e. proof the vehicle to be used has been inspected by the Motor Vehicle Branch of the Department of Public Works or someone delegated with the authority to inspect vehicles; f. if the Vehicle Owner is not also applying for an Operator's Licence, they are obliged to comply with Section 9 of this By-law. <p>(5) After receiving a completed application for a Vehicle Owner's Licence, the By-law Enforcement Office or Traffic Authority shall refuse to issue a licence if:</p> <ol style="list-style-type: none"> a. the amount of insurance required by this By-law is not in effect for the vehicle to be licenced; b. the vehicle is not in good condition in accordance with Section 7 of this By-law; c. the vehicle has not been issued a valid vehicle inspection certificate by, or on behalf of, the Motor Vehicle Branch of 	

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
	<p>the Department of Public Works and the verification sticker issued by the Province is not displayed in the front windshield.</p> <p>(6) Notice of refusal by the By-law Enforcement Office or Traffic Authority to issue a Vehicle Owner's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality. The Appeals Standing Committee may confirm the decision of the By-law Enforcement Office or Traffic Authority or order that a licence be issued subject to compliance with the provisions of Subsection 5.2 (5) of this By-law.</p> <p>a. An Owner's Licence issued under this By-law shall be valid until the last day of April next following its issue, unless sooner revoked or suspended.</p> <p>b. An Owner's Licence shall be issued for one vehicle only and shall contain a description of the vehicle.</p> <p>c. If a Vehicle Owner wishes to discontinue the use of a licensed vehicle and to substitute another, the By-law Enforcement Office or Traffic Authority shall, authorize the use of a previously endorsed the licence for another vehicle that complies with the By-law and endorse the licence accordingly.</p> <p>d. A Vehicle Owner's Licence may be revoked at any time if it has been determined that the applicant has falsified any provision of the application.</p> <p>(7) Incomplete applications refunded after seven days.</p>	
6. Insurance	6. Insurance (1) At all times, Licences Owners must have a valid insurance policy that entitles permission to carry passengers for compensation	Minimum insurance coverage was increased to \$2,000,000.

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
	<p>or some comparable form of insurance approved by the Insurance Bureau of Canada in force and providing minimum coverage including:</p> <ol style="list-style-type: none"> 1. public liability; 2. property damage; and 3. cargo or passenger hazard insurance <p>in the amount of \$2,000,000, including the Municipality as an additional named insured, 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.</p> <p>(2) Upon expiration of the valid policy referenced in Subsection (1) a Licenced Owner must provide an updated copy of the their insurance policy to the By-law Enforcement Office upon request.</p>	<p>These revisions were also made to improve enforceability and interpretation by providing the ability to request an updated copy of insurance.</p>
<p>7. Condition of Vehicle and Inspections</p>	<p>7. Condition of Vehicle and Inspections</p> <p>(1) Every vehicle licenced under this By-law shall be kept in a clean, sanitary condition and in good repair at all times when in use and has no visible body fillers, rust, primer paint, accidental damage or similar defects.</p> <p>(2) Every vehicle shall have affixed appropriate tires for the season not exceeding tread wear of 2/32nds and no visible bulges or other defect.</p> <p>(3) The owner of every vehicle in respect of which:</p> <ol style="list-style-type: none"> a. an application is being made; or b. a licence has been issued; 	<p>A requirement was added for season tires.</p> <p>The standards for a Taxi from the definition in the current Taxi By-law were added to this section as it is more a reflection of vehicle condition rather than a definition.</p>

T-100 Taxi Bylaw -- Amendment Summary

Existing Section	Proposed Changes	Explanation
	<p>shall, on demand by a By-law Enforcement Officer or Peace Officer, forthwith submit the vehicle for examination to determine compliance with Subsection 7(1) of this By-law and the Motor Vehicle Act.</p> <p>(4) Vehicle inspections conducted by, or on behalf of, the Motor Vehicle Branch of the Department of Public Works of the Province of Nova Scotia shall be required for each vehicle licenced under this By-law. The inspections shall be coordinated to ensure no vehicle licenced under this By-law is operating without a valid vehicle inspection certificate issued by, or on behalf of, the Motor Vehicle Branch of the Department of Public Works with an inspection date older than 12 months.</p> <p>(5) Vehicle Owners shall be permitted to choose a mechanic of their choice in their local area. Additional vehicle inspections to be carried out at a CBRM designated location at the vehicle owner's expense.</p> <p>(6) Should the vehicle not meet the requirements of Section 7.a. or fail an inspection conducted under the Motor Vehicle Act, the By-law Enforcement Officer or Traffic Authority may notify the owner of the vehicle to cease operating the same as a vehicle licenced under the authority of this By-law, until such time as the same has been put in a clean, sanitary condition and/or in good repair.</p> <p>(7) Every vehicle to be used as a Taxi shall be:</p> <p>a. equipped with an engine of at least 4 cylinders, unless electric or hybrid;</p> <p>b. 4-door sedan or a 4-door station wagon including hatchbacks</p>	

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
<p>8. Vehicle Identification</p>	<p>c. which has a height from the top of the floor to the underneath side of the roof of at least 44.5 inches; and</p> <p>d. an interior width where passengers are to be seated of at least 51 inches with a capacity, determined by the number of seat belts, of not more than 6 passengers.</p> <p>8. Taxi Identification</p> <p>(1) Every Taxi licenced under this By-law shall have a sign affixed upon the roof of such vehicle which is illuminated at all times:</p> <p>a. The roof light shall be removed or covered by opaque material when the vehicle is not in service as a Taxi.</p> <p>b. If the word Taxi or Cab is painted or emblazoned on the vehicle then it shall be deemed a Taxi.</p> <p>c. Any vehicle displaying a taxi deck light illuminated or otherwise or displaying signage indicating a Passenger Vehicle for Hire shall be deemed a Taxi</p> <p>(2) The sign shall identify the name of the Taxi Business and the identification number of the vehicle.</p> <p>(3) The name of the Taxi Business shall be placed on the sign so that it can be read while standing to the front or rear of the vehicle.</p> <p>(4) The Identification number shall be affixed on the sign so that it can be viewed while standing to the front, rear and sides of the vehicle.</p> <p>(5) The sign shall be of such size, color, design, style and positioned in a manner which ensures the name of the Taxi Business and the identification number of the vehicle can be identified within 50 feet of the sign.</p>	<p>This section does not apply to all Passenger Vehicles for Hire, so the title was amended to reflect it applies to Taxis.</p> <p>Portside Law's regulatory review of CBRM's By-laws recommended reformatting to include Subsections. Revisions were also made to improve enforceability and interpretation.</p>

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
<p>9. Taxi Driver's Licence Requirements</p>	<p>(6) Deck light shall be kept in working and good repair</p> <p>9. Vehicle Operator's Licence Requirements</p> <p>(1) No person shall drive a Passenger Vehicle for Hire in the Cape Breton Regional Municipality unless the person has a valid Vehicle Operator's Licence issued pursuant to this By-law.</p> <p>(2) Everyone operating a Passenger Vehicle for Hire shall on demand of a By-law Enforcement Officer or Peace Officer present a valid Nova Scotia Drivers Licence Class 4 or better as well as a valid CBRM issued Vehicle Operator's Licence.</p> <p>(3) No person issued a valid Vehicle Operator's Licence shall drive a vehicle in the Cape Breton Regional Municipality other than a vehicle with a licence to be used as a Passenger Vehicle for Hire in the Municipality.</p> <p>(4) Every persons requesting a Vehicle Operator's Licence must have a letter of permission from a Passenger Vehicle for Hire Business granting the applicant permission to apply for an Operator's Licence with their company, signed and dated by approved agent.</p> <p>(5) Every application for a Vehicle Operator's Licence shall be made in writing to the By-law Enforcement Office or Traffic Authority. An application for a Vehicle Operator's Licence shall contain:</p> <ol style="list-style-type: none"> a. the name, address and telephone number of the applicant; b. the residence address, residence mailing address (if different from the residence address) and home telephone number of the applicant; c. the business address, business mailing address (if different from the business address) and business telephone number of the taxi business to be hiring, or owned by, the applicant; 	<p>As these provisions apply to all Drivers operating a Passenger Vehicle for Hire, the title of the Section was amended.</p> <p>Application requirements were updated to include Code of Conduct or Driver Training Checklist, Nova Scotia Child Abuse Registry, and Nova Scotia Drivers Abstract.</p> <p>Revisions were also made to improve enforceability and interpretation.</p>

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
	<p>d. the age of the applicant;</p> <p>e. the number and classification of the applicant's driver's licence then in force; and</p> <p>f. for the first time applicant, a statement of record of any convictions against the applicant in the 5 years preceding the date of the application under the Criminal Code of Canada and the Motor Vehicle Act.</p> <p>g. a Criminal Records Checks for the last five years will be reviewed and be in compliance with Schedule "D" of this By-law and must be:</p> <p>i. conducted with new Operators and Vehicle Owners initially.</p> <p>ii. conducted for any Licenced Operator upon the expiration of a Province of Nova Scotia driver's licence.</p> <p>iii. conducted for any Licenced Operator if an Operator's Licence has been expired more than 90 days</p> <p>iv. conducted at the request of a Peace Officer or By-law Enforcement Officer of this Bylaw</p> <p>h. a Copy of completed Code of Conduct or Driver Training Checklist signed by both the applicant and Owner hiring Operator.</p> <p>i. a Nova Scotia Child Abuse Registry check completed</p> <p>j. a Nova Scotia Drivers Abstract provided yearly</p> <p>(6) Incomplete applications will be refunded after seven days</p> <p>(7) After receiving a completed application for a Vehicle Operator's Licence, the By-law Enforcement Office or Traffic Authority shall refuse to issue a licence if:</p> <p>a. the applicant is not in possession of a Class 1, 2, 3, or 4 Drivers Licence issued by the Province of Nova Scotia;</p> <p>b. the applicant does not hold a valid, current Motor Vehicle Licence from the Province of Nova Scotia required under the Motor Vehicle Act for a person operating a Passenger Vehicle for Hire;</p>	

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
	<p>c. in the judgment of the By-law Enforcement Office or Traffic Authority, the applicant is not a fit and proper person to hold such a licence.</p> <p>(8) Notice of refusal by the By-law Enforcement Office or Traffic Authority to issue an Operator's Licence shall be by letter sent by certified mail to the applicant. The letter shall state that the applicant has the right to appeal to the Appeals Standing Committee of the Municipality within 30 days of the decision. The Appeals Standing Committee may confirm the decision of the By-law Enforcement Office or Traffic Authority or order that a licence be issued subject to compliance with the provisions of Subsection 9(7) of this By-law.</p> <p>(9) A Vehicle Operator's Licence issued under this By-law shall be valid until the applicant's date of birth as indicated on their Nova Scotia Drivers Licence of the following year, unless sooner revoked or suspended.</p> <p>(10) No Operator's Licence under this By-law may be transferred from one person to another.</p>	
<p>10. Driver - Dress Code and Conduct</p>	<p>10. Vehicle Operator – Dress Code and Conduct</p> <p>(1) When engaged in the operation of a Passenger Vehicle for Hire licensed under this By-law, every Operator issued a Licence under this By-law shall:</p> <ol style="list-style-type: none"> a. have on footwear; b. maintain clothing in a neat and tidy condition; c. conduct himself/herself in an orderly manner with no solicitation of any kind. 	<p>Title was amended to reflect the new terms being used in the By-law.</p> <p>Added provisions:</p> <ul style="list-style-type: none"> • to keep a log of all fares • to display of Operators Licence • prohibit smoking

T-100 Taxi Bylaw -- Amendment Summary

Existing Section	Proposed Changes	Explanation
	<p>(2) Every person licenced under this By-law shall notify the office of the Manager responsible for this By-law of a change of address within 7 days.</p> <p>(3) Shall keep a log of all fares for a period of six months and be made available to the By-law Officer upon request</p> <p>(4) Shall have their Operator's Licence on display at all times while operating any Passenger Vehicle for Hire covered in this bylaw.</p> <p>(5) No one is permitted to smoke or vape in a vehicle licenced under this By-law, evidence of smoking or vaping, will result in revocation of the Operator's Licence until remedied and shall be an offence under this By-law.</p>	
13. Local Shuttles 14. Local Tours 15. Taxi 16. Limousines	Removed	Sections were deleted as they were repetitive to the content of definitions, Section 4 Requirements to Operate a Passenger Vehicle for Hire Business, and Section 5 Vehicle Owner's Licence Requirements.
20. Penalties	16. Penalties Increase in penalties to a maximum of \$5,000	Fees for penalties were increased.
Schedule "B"	Licencing fees	Changed fees for luxury/shuttle/local tour service to \$45 for parity with taxi licence and reduced fee for additional service areas.
Schedule "C"		Whitney Pier falls under Sydney; therefore, it was removed from the table. Removed description of service areas due to conflicts with existing mapped service areas.

T-100 Taxi Bylaw – Amendment Summary

Existing Section	Proposed Changes	Explanation
Schedule "D"		Removed as there are no remaining Taxi Businesses operating prior to the adoption of the current bylaw.
Schedule "E"		Deleted as it is covered in the definition for Luxury Vehicles.
Schedule "F"		Letter was updated to reflect the previously deleted Schedules. Organize Crime and Outstanding CBRM Related Monies\Fees\Fines was added to list of convictions

Paul Burt

From: Joe Ward [REDACTED]
Sent: March-02-23 12:03 PM
To: Mayor's Office; Earlene D. MacMullin; Gordon D. MacDonald; Cyril A. MacDonald; Steve D. Gillespie; Eldon MacDonald; Glenn M. Paruch; Stephen T. Parsons; James D. Edwards; Kenneth B. Tracey; Darren R. Bruckschwaiger; Darren F. O'Quinn; Lorne F. Green; PlanningConsult; Paul Burt; Michael E. Ruus
Subject: Re: Proposed Passenger Vehicle for Hire By-Law (P-400)

CBRM Council & Representatives:

I am writing in regards to the email from Mr. Burt, directed to you as a group, in response to Mr. Skinner-Ryan, as included in the special council agenda for Feb. 28th, 2023.

I also request that a copy of my email be provided without redaction to the taxi working group, and all owners as this process continues, and also that it be included in the agenda package for the next meeting for the new by-law.

Please take note of a specific comment by Mr. Burt in the correspondence as follows:

During the deliberations of the temporary taxi rates that the local Taxi industry was lobbying for council made it clear that they wanted a specific rate charged, not a minimum or a maximum. There were concerns raised about undercutting and the impact of limited revenue would have on the safety and professionalism of the local industry. Rideshare companies want to charge various rates, sometimes cheaper and sometimes more expensive, depending on demand.

He specifically reminds that "council made it clear that they wanted a specific rate charged, not a minimum or maximum."

In a prior council session regarding the taxi bylaw proposed changes, Councillor MacMullin and others discussed discounting, and the above statement by Mr. Burt accurately reflects the outcome of that discussion.

I raised the issue of taxi companies violating the bylaw by discounting in the past, and this practice continues to the present day.

My recommendation is that Council be diligent in ensuring that the **by-law matches your intentions**. With that said, I'm going to draw your attention to a proposed change from the existing bylaw to the currently proposed bylaw which is *not* consistent with your expressed intention to prevent discounting.

In the current version of the bylaw, the rate card includes the following note:

Applies to Sydney Only: Tendered Rates & Special Rates for the conveyance of groups may be made by private arrangement with the owner of the taxi business, owner of the vehicle, or driver of the vehicle.

In the proposed version of the bylaw, this paragraph is changed to:

Tendered Rates & Special Rates for the conveyance of persons or groups may be made by private arrangement with the owner of the taxi business, owner of the vehicle, or operator of the vehicle in advance of call.

As you can see, the intention of the original bylaw was to allow for special rates for **groups**, and you've all made several references in your discussions to Canada Post as an example (re: Councillor Gordon MacDonald). Community Services is another client with these types of arrangements in place.

In the proposed new version, it's been modified to include individuals ("persons"), if simply done "in advance of call", in contrast to a contractual relationship with an organization like Canada Post.

With this change, it allows drivers to discount. The only limitation noted is that it be done in advance. As taxis already discount, and as it is difficult to have oversight, there is no reason to believe that this discounting will be done any differently than in the past. Drivers will choose to do so, or to refuse to do so at will. Those who undercut will make rides with their colleagues (who follow the bylaw's rate schedule and charge the meter) disadvantaged and subject to the disapproval of their customers who regularly receive informal discounts.

However, what this change allows for is the "race to the bottom" that Council was concerned with when they decided against discounting, or setting minimum or maximum rates, when approving the prior modification to the bylaw. Likewise, it gives taxi drivers the choice, as they currently exercise on a daily basis in violation of the bylaw, of picking and choosing to whom, and when they provide discounts, or not.

The reason for codifying a discounting mechanism in the bylaw (if it were desired by Council) is to create a fair playing field where *all customers* know that discounting arrangements are possible and/or required in some circumstances, and that they know they can make the request and have the expectation of it being met.

Example of such a mechanism:

"Drivers must charge the full metered rate, and not more. They are permitted to provide a 10% discount for passengers who ride with the same company for more than 5 rides per 7-day period on a regular basis. Seniors over 60 years, must be given a 10% discount. Students of local colleges or universities who present an ID may have a 10% discount only if travelling to/from the educational institution identified on their valid, non-expired ID, or if they regularly use taxi service 5 or more times per week."

That's an example of codifying it to make it clear, not subject to loose interpretation, and fair for all. Loose interpretation was clearly a massive issue during the February 28th meeting, where Mr. Burt, taxi owners, and Council expressed significant confusion about the old and new bylaw versions, and had to defer to a future meeting so that this serious communication issue could be resolved.

If, however, Council's intention is to stay consistent with their prior position that rejected discounting (and minimums or maximum charges, outside of the approved fare schedule), then you must not allow the changes proposed, as highlighted above. Those changes will directly and clearly negate your stated intention.

My personal view is that if the CBRM has been unable to control unauthorized discounting for decades, it's probably best to codify it so that all passengers are treated fairly, and drivers (both for the same and competing companies) are not stuck in a situation where following the bylaw and charging the meter makes them the "bad guy" when others are participating in the race to the bottom.

There's lots of opportunity to make a better, smarter bylaw, and that opportunity is now. The currently proposed version does not achieve that objective. While my scope was limited to a single element today, there are many gaping holes in the proposed bylaws, and many that work against modernization of our municipality, and improvement of the safety and quality of service that is provided to local residents or visitors.

Regards,

Joe Ward

--

Joe Ward

"A problem is the difference between what is desired and what is perceived"

SOCIAL



Paul Burt

From: *CITY WIDE TAXI <[REDACTED]>
Sent: March-21-23 2:08 PM
To: ClerksOffice
Cc: [REDACTED] Dynastycabs@[REDACTED]
[REDACTED] district11taxidelivery@[REDACTED]
[REDACTED] Gordon D. MacDonald; Earlene D. MacMullin; Cyril A. MacDonald; Steve D. Gillespie; Eldon MacDonald; Glenn M. Paruch; Stephen T. Parsons; James D. Edwards; Kenneth B. Tracey; Darren R. Bruckschwaiger; Darren F. O'Quinn; Lorne F. Green; Mayor's Office; [REDACTED]
Paul Burt
Subject: Fwd: Industry Views on the Proposed Passenger Vehicle for Hire Bylaw

Att: Clerks Office, Mr. Paul Burt and Supervisors

This is Jim Donohue, owner of City Wide Sydney Taxi Depo. This follow-up email is addressed to Mr. Paul Burt, his direct Supervisor and the Clerk's Office. On Record at council Mr. Burt stated he would open some sort of communication with the taxi depots to further discuss the options and changes to the Proposed Passenger for Hire Bylaw. With what seems to be a pattern similar to when Shelia from Buds Taxi Depot stated that himself and his office failed to disclose these drastic changes to the bylaw, he has failed to communicate with us in any way and has not yet answered my email from last week with the questions and concerns of the Taxi Industry. Now, almost 3 weeks since the council meeting, neither Mr. Burt or any of his representatives has reached out in any form to any of the depots. I myself spent hours of work by personally meeting with all the Taxi Depot Owners in the municipality and constructing the email I sent to Mr. Burt, all the 12 Councillors, the Mayor's Office and all of the Taxi Depots so that any replies or conversations were transparent for all parties to see. I would like to request a progress report from Mr. Burts office on their efforts to date on their progress to communicate these changes since the last council meeting. I believe these bylaw changes affect not just the industry it governs but also the public we serve. All parties involved deserve more transparency. We the long standing taxi depots are disappointed with how Mr. Burt is handling the entire process of the rewriting of the Passenger Vehicle For Hire Bylaw and would like some written response on how your office plans to work with us to keep the CBRM taxi industry and small businesses strong. The next reading of this proposed Bylaw is April 11th, only three weeks away. Time is crucial and we, the Taxi Depots firmly believe our livelihoods deserve better representation and communication from the bylaw office.

Thank you for your cooperation.
Eagerly awaiting a response,
Jim Donohue

----- Original Message -----

From: "**CITY WIDE TAXI" [REDACTED]
Date: 14 Mar 2023 19:52:12
Subject: Industry Views on the Proposed Passenger Vehicle for Hire Bylaw
[REDACTED] Dynastycabs@[REDACTED], district11taxidelivery@[REDACTED],
[REDACTED] gdmacdonald@cbrm.ns.ca,
edmacmullin@cbrm.ns.ca, camacdonald@cbrm.ns.ca, sdgillespie@cbrm.ns.ca, emacdonald@cbrm.ns.ca,
gmparuch@cbrm.ns.ca, stparsons@cbrm.ns.ca, jdwards@cbrm.ns.ca, kbtracey@cbrm.ns.ca,
drbruckschwaiger@cbrm.ns.ca, dfoquinn@cbrm.ns.ca, lfgreen@cbrm.ns.ca, mayor@cbrm.ns.ca, [REDACTED],
pburt@cbrm.ns.ca

To: Taxi Industry, CBRM Councillors, By-law Office:

This email has been prepared by Jim Donohue Owner/Operator of City Wide Taxi Sydney Depot with the co-operation of Buds Taxi, Margs Taxi, Sonnys Taxi, Midway Taxi and Island Taxi with efforts to include all other depots in the industry. As I have been involved with the Taxi Industry either directly or indirectly since 1997 I have prepared this email as a way to clearly communicate our current Taxi Industries concerns to the devastation effects the new proposed Passenger Vehicle for Hire ByLaw poses to our transportation industry within the CBRM.

Previously, as Paul Burt had stated, there were no limits on how many Taxi Companies someone could own, start up or buy out, which is correct however the previous bylaw balanced the industry so that each of the zones have a proper level of service while keeping a level playing field for all. The Taxi market is and has always been open to all new businesses. If you wanted to purchase or open a depot in any of the zones you were free to do so but you needed a fully separate fleet of vehicles and drivers registered to that particular service zone as per the by-law. This can be backed by section 3 of the current Taxi bylaw which states, "No Taxi Driver's Licence and/or Taxi Vehicle Owner's Licence shall be issued unless the business address of the taxi business to be hiring the applicant, or owning the taxi vehicle, is in the service zone intended to be served by the driver or taxi vehicle."

The allowance of Taxi's Owners Licenses to service multiple zones is detrimental to the industry. If taxi's owners licenses are allowed to cross multiple boundaries, you will inevitably have 4 or more long standing taxi depots close as this will enable larger companies to flood these economically smaller zones at peak times, then abandon the zone when the call volume dies off leaving smaller companies without the peak revenue they require to survive a 24hr work day in a post-covid state and force them to close after 30+ years of service after being forced to operate at a loss during the pandemic as an essential 24hour service.

A body of government is supposed to keep order and protect the people it governs, its supposed to write in laws that aid its people and help regulate and organize what they govern, they're not supposed to write in laws that would decimate small business and with that the lively hood of its people.

On behalf of 6 long lasting taxi depots that presented our concerns verbally during the last council meeting, we appreciate and thank the council for hearing our concerns. Within this email I will to the best of my ability with my 29 years in the industry help clarify some terms used in the Taxi ByLaw to help council write into law a more clear, black and white Passenger Vehicle For Hire ByLaw with no room for different interpretations or loop holes as it was intended to regulate the industry while supporting our current depots and any new depots that would meet all the bylaw requirements and operate within CBRM.

Since the bylaw in 1998 it was clearly stated that we had to dispatch by 2-way CB radios. We the depo owners fully support allowing us to use apps within our service zone as a tool to dispatch and track cars. An app not only makes it a more convenient way for a client to book a taxi and track their progress but gives our drivers another direct link with the depot and police in the case of a crime or robbery.

We do not support just adding an app as a way to dispatch and eliminate the 2-way radios completely. The CB radios are not only a dispatch tool but a major safety tool for the drivers. Ex: A tablet or other device may not be as easily accessible as the mic from the CB radio which usually sits on the drivers lap. This mic can be easily keyed without the customers notice to alert the 24 hour dispatcher when in distress. After working with Occupational Health and Safety this summer on a Violence in the Work Place statement and plan we have learned that the Taxi Industry is the highest rated occupation at risk for violence. This is why the CB Radio along with an App is an extremely important tool as the driver has the ability to discreetly key the mic when in distress to alert dispatch of the situation.

Along with other changes/amendments this new Passenger Vehicle for Hire ByLaw creates many loopholes and room for misinterpretation. This allows a select few the opportunity to have a monopoly over the taxi business by not having a 24 dispatch in each service zone while also potentially reducing the quality of service for the customer in smaller zones by allowing drivers and vehicle owners to cross the service zones. Mr. Burt's proposal to allow vehicle owners to start

crossing service zones and having a dummy store front office instead of 24 hour monitored depots would decrease the service level and security for the public and the drivers.

As it has always been the bylaw office does not have enough enforcement officers to enforce such changes as the enforcement agents utilize the depots as a way to help enforce the bylaw.

We the long-lasting taxi depots are requesting to leave in or put back some of the amended rules and regulations that were in the original 1998 taxi bylaw that gave a black and white definition with no room for loopholes or ways to be misinterpreted and were not communicated to the industry as they were amended. When there were amendments made to the Taxi Bylaw, the wording changed from meaning we must offer 24 hour dispatch to we must offer 24 hour service. This is what created the initial loophole. We in the industry were not informed of this and do not agree with this.

1. A taxi depot must provide 24-hour physically monitored dispatch for the service zone it was intended to serve by way of 2way radio and/or the use of an app to solicit local business within that service zone.
2. A taxi owners licence and taxi driver's badge is registered to the depot and the service zone the depot is registered to. There is no jumping service zone.

The definition of taxi stand. A taxi stand is either located at the taxi depo which according to land use registered to park our taxis or spread out within the municipality the oldest taxi stand provided by the municipality is on the corner of Pitt and Charlotte has a sign clearly stating taxi parking only. Others are places like in Sobey's parking lot, bars, ect...

The definition of taxi depot. According to land use the main office where a taxi company operates their 24-hour physically monitored dispatch. Place where the cars can park. There were never any restrictions that prevented anyone from owning or operating more than one depo as long as we followed the regulations to operate in that service zone.

There are currently 2 taxi depots in new Waterford, 3 taxi depots in glace bay, 2 taxi depots in Sydney, 1 depot in north Sydney and 1 in Sydney Mines. As of January, without the new bylaw going into effect as law there is a gentleman that purchased 3 depots. One in new Waterford, one in Sydney, and one in Sydney Mines. They are dispatching from Sydney, and we have already lost multiple 24-hour dispatching jobs. We believe this was an unfair advantage to our already existing taxi depots and if you the council write the new passenger for hire bylaw without keeping the 24 hour physically monitored dispatch for depots in place there will be further loss of dispatching jobs within the CBRM.

With the new proposed bylaw there may be a minimum of 4 more depots closed in the near future. That's a rough total of 30 full time dispatcher jobs lost. Keep in mind that if these depots close we have lost a valuable asset to our taxi industry that the CBRM has depended on through out the years along side of uncertain times such as Covid. We the taxi depots were forced to stay open 24 hours during Covid lockdowns which in turn led to a significant loss of revenue almost forcing some of us to go out of business at that time.

With the new proposed passenger for hire bylaw and allowing owners taxi licence to move through out the zones it clearly states we must provide 24-hour service to those zones. Logically speaking it creates another loophole that in the nighttime when its slow will allow companies to keep the bare minimum of cars in the smaller zones. Therefore they will receive service but could take up hours to be picked up locally causing some people to take the worst option and potentially take the chance and drive their vehicle home after drinking as no one will wait for a taxi that long.

In closing, please support our local taxi depots and keep us strong by clarifying in black and white with no loopholes or room for future misinterpretation keep our 24 hour physically monitored dispatch per zone to properly serve the public and keep our drivers safe. Allow the use of an App as a tool along with 24 hour monitored dispatch and CB radios for the driver's safety. Keep our taxi owners licence valid for the one service zone that has always been. Mr. Burt please give a more clear definition as to what adding the line of ride share companies to this proposed bylaw by attaching it to a depot as we the depot owners are puzzled as to what that could create.

Mayor, Deputy Mayor, and council thank you again for hearing the voices from the industry we hope your vote will help protect our depots jobs, taxi owners/operators/drivers and way of life because if they are lost, it would become a lost and forgotten industry just like our coal mines and steel industry as they will never come back. This is a vital service that we the depots along with the CBRM have provided for many years.

In closing:

I am attaching Mr. Burt, mayor, deputy mayor, all councillors, every depot owner to this email as this email was prepared by myself John Donohue. The councillors, bylaw enforcement office and taxi depots could use the email thread as an open communication source to ask more questions between the CBRM and the current taxi depot owners. As of today, March 14, 2023, Mr. Burt or bylaw office has not reached out any of the depots as promised on February 28. It also leaves opportunity for all to add their concerns for all to see.

Thank you for your attention to this matter, I look forward to hearing from you.

Jim Donohue

Owner/Operator

City Wide Sydney Taxi Depot Est 1975

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Thank you for your attention to this matter, I look forward to hearing from you.

Regards,

John Donohue, Owner

City Wide Taxi

Main Line: 1 (902) 567 3838

Fax: 1 (902) 567 6742

Email: [REDACTED]

Location: Sydney, Cape Breton Regional Municipality, Nova Scotia CANADA

Rodents

Motion:

Moved by Councillor Gordon MacDonald, seconded by Councillor Cyril MacDonald, that staff be directed to prepare a Report on controlling and or eliminating rodents, specifically rats, in the CBRM.

Discussion:

Some of Council discussion included the idea of new greens bins without the vents. Staff confirmed that green bins have to be inspected by the property owner and if damaged, should be repaired or replaced and this can be done through CBRM's Solid Waste Department at no charge.

Motion Carried.



CAPE BRETON
REGIONAL MUNICIPALITY

ISSUE PAPER

TO: CBRM Council

DATE: April 5, 2023

FROM: Director, Planning & Development

RE: MUNICIPAL RODENT CONTROL (RATS)

BACKGROUND

On January 17th, Council passed a motion for staff to prepare a report on options for how CBRM can assist with the controlling and/or eliminating rodents, specifically rats, in the CBRM. Council noted that rodents can cause a variety of problems in municipalities, including damage to buildings, transmission of diseases, and contamination of food supplies.

In this report, staff have explored several options that can be used to control and/or eliminate rodent populations in the municipality.

DISCUSSION

In Nova Scotia, rodent populations are primarily controlled through the efforts of individual property owners and tenants, with support and guidance provided by the provincial government and municipalities. Rodent management is a complex issue and requires expert knowledge of rodent biology, risks associated with rodenticides, Integrated Pest Management practices, and rodent control devices. Management control programs face challenges due to this complexity. A key component to studied rodent management programs is public education, to inform the public of methods to mitigate rat populations.

The province's Department of Environment provides information and resources to the public on how to control rodents, including guidance on effective and safe methods for using rodenticides and other control measures. The department also enforces regulations related to the use of rodenticides and pest control services.

Individual property owners and tenants are responsible for controlling rodents on their property and preventing infestations from spreading to neighboring properties. They can take several steps to control rodent populations, including maintaining clean and sanitary conditions, sealing entry points and holes, and using traps or rodenticides.

At the municipal level, CBRM has various Departments that have been dealing with rodent issues. Rodent issues are cross-departmental, involving Parks and Recreation, Building and Inspections, and Solid Waste. Rodent management current practices are as follows:

- CBRM practices for municipal baiting occur as required on municipal properties;
- CBRM Building Inspections respond to unsightly properties with food sources such as garbage or unkempt properties by issuing notices for the property owner to clean the property;
- CBRM’s Minimum Standards By-law M-100 requires property owners to secure dwellings in tenant occupied premises to prevent the infestation of rodents;
- CBRM Solid Waste Resource Management By-law S-300 requires residents to maintain adequate containers for waste collections to mitigate potential food sources for rodents; and
- CBRM facilitates community cleanup programs to reduce habitats for rodent activities.

It was noted that other municipalities have also added requirements for contractors and developers to incorporate rodent and pest control into their construction and demolition plans.

Should Council wish to introduce additional measures, attention could focus on public education to further reduce habitat and food sources as suggested by subject matter experts. Community effort is also key in pest prevention to educate the public on best practices. Measures for proactive rodent control should include a public education campaign to rodent proof buildings, eliminate rodent habitats on private properties, and remove food and water by properly storing garbage in rodent proof containers. In addition, further education on the proper handling and management of solid waste on private property will also be included. Options for Council’s consideration on this issue are provided below:

OPTIONS	ENFORCEMENT/ ADMINISTRATION	FINANCIAL IMPLICATION	EASE OF IMPLEMENTATION
Education	Educate the public about the risks of rats and how to prevent and control infestations.	Low – Staff resources and advertising to promote and share educational materials.	High – Educational material is easily shared through CBRM platforms and media.
Community Programming	Additional community clean up days facilitated by staff, yard	Medium – Staff resources, advertising,	Medium – Organization and promotion of community programs.

	beautification recognitions, etc.	promotion to encourage participation.	
Integrated Pest Management Program	A comprehensive approach to pest control, combining several strategies including traps and habitat modification to control rat populations.	High - Staff and operations budget increases required to provide service.	Low – With the complexity of the issue, a subject matter expert should be retained to consult on an Integrated Pest Management Plan.

RECOMMENDATION:

Rodents are considered a complex and cross-departmental issue. Controlling rodent populations should focus on the reduction of food sources and habitats. Municipal efforts in CBRM have focused on controlling rodent populations through a variety of departmental strategies. However, further work at a neighborhood level is required to rodent-proof buildings, eliminate potential habitats, and remove food sources. Community-wide efforts to reduce habitats and food sources may reduce the current rodent population. CBRM can support an education campaign outlining methods of rodent proofing buildings and decreasing rodent access to food supplies.

It is therefore recommended that CBRM Council direct CBRM staff to develop an educational campaign to provide guidance to property owners on how to mitigate rodent issues on private property.

If Council wishes to escalate the issue further, Council should consider advocating for Provincial operational funding to retain a consultant for the purposes of implementing an Integrated Pest Management Program, such as those pioneered in other jurisdictions.

Respectfully submitted by:

Michael Ruus
Director, Planning & Development

Wayne MacDonald
Director, Engineering & Public Works



City Hall
 320 Esplanade
 Sydney, NS B1P 7B9

Item No.

Council Agenda Request Form		
<input type="checkbox"/> Included on Agenda (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	<input type="checkbox"/> Late Item (Submitted to Municipal Clerk's Office by Noon the day before the meeting)	<input type="checkbox"/> Request from the Floor: (New Business) - Announcement - Referral - Submit Petition - Notice of Motion
Date of Council Meeting:		
Subject: Rodents		
Motion for Council to Consider: Staff report on controlling and or elimination of rodents, specifically rats, in CBRM.		
Have staff investigate how the CBRM can assist with the control and or elimination of rodents, specifically rats, in areas that they become a problem to residents.		
Reason: Due to many types of issues that can create issues with rats, such as demolition of buildings, or neighborhood garbage, rats on occasion become a problem for residents. When one resident or business is trying to be vigilant by keeping the population of rats down, others around that resident may not see the same need for a clean space. Rats are carriers of disease, invade your home or vehicles, chew wiring and in some cases cause house fires and vehicle fires. Rats can cost a taxpayer thousands of dollars in damages, and it shouldn't be allowable for rats to get out of control in our community.		
Outcome Sought: To find a way to assist those residents and businesses, that do their part in controlling the rat population, when others in the same areas are unwilling to participate, and the problem starts to get out of control. To look at areas like Alberta, that has a robust rat control policy, and other areas that may be dealing with similar issues from a rat population, and what the provincial standards from the Department of environment have in place to deal with these issues.		
<i>Councillor Gordon MacDonald</i>	<i>District 1</i>	
<i>Date: November 23, 2022</i>	<i>Received by Clerk's Department (date):</i>	

