



**AGENDA**  
**REGULAR MEETING OF THE TOWN OF CARLETON PLACE**

Tuesday, September 22, 2020, 7:00 p.m.

**Pages**

1. CALL TO ORDER

2. APPROVAL OF AGENDA

**Recommended Motion:**

THAT the Agenda be approved as presented.

3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

4. APPROVAL OF MINUTES

1. Council Minutes

5

**Recommended Motion:**

THAT the Council Minutes dated September 8th, 2020, be accepted as presented.

5. CONSENT REPORT

10

**Recommended Motion:**

THAT Council receive the Consent Report dated September 22nd, 2020.

## 6. MOTIONS

### Physical Environment

1. OVRT Road Crossings (Communication 131100)

#### **Recommended Motion:**

THAT Council directs staff to proceed with Option 1 (a combination of works to be completed in 2020 and 2021) as outlined in the report prepared by the Director of Public Works dated September 8, 2020; and

THAT two signs be installed to warn motorists of the trail crossing on Moore Street.

2. Waste Collection Post State of Emergency (Communication 131101)

#### **Recommended Motion:**

THAT Council directs staff to proceed with Option 2 - Extend the One (1) Additional Bag of waste until December 31, 2020, as outlined in the report prepared by the Director of Public Works dated September 08, 2020, in regard to the collection of curbside waste.

3. Bridge Street Stakeholder Committee Report - Update (Communication 131102)

#### **Recommended Motion:**

THAT Council authorizes staff to proceed with the development of one (1) tender to be issued in 2020 that incorporates the Gillies Bridge Rehabilitation, McArthur Island Watermain Crossing, Mill Street Pedestrian Upgrades, and Bell Street Reconstruction in 2021, and the Central Bridge Replacement and Bridge Street Reconstruction in 2022.

### Planning and Protection

4. 3 Francis Street Childcare Centre - Change Orders (Communication 131105)

#### **Recommended Motion:**

THAT Council authorize up to an additional \$100,000 funding towards the 3 Francis Street Childcare Centre addition / renovation to finalize the project with the cost to be funded by development charges and/or Childcare reserves.

Corporate Services

5. Water and Wastewater Financial Plan (Communication 131107)

**Recommended Motion:**

THAT the Town of Carleton Place Water and Wastewater Financial Plan dated June 30, 2020 be approved;

THAT notice of availability of the Financial Plan be advertised;

THAT the Financial Plan dated June 30, 2020 be submitted to the Ministry of Municipal Affairs and Housing; and

THAT the resolution of Council approving the Financial Plan be submitted to the Ministry of Environment, Conservation and Parks (MECP), satisfying the requirements under the Safe Drinking Water Act. (S.D.W.A. Section 32(5)2.ii.).

**7. BY-LAWS**

1. By-law No. 77-2020 - Part Lot Control - 8-10 Berryman Street 11

**Recommended Motion:**

THAT By-law 77-2020 (Part Lot Control 8-10 Berryman Street) be read a first, second and third time, and finally passed.

2. By-law No. 78-2020 - Part Lot Control 14-16 Berryman Street 12

**Recommended Motion:**

THAT By-law 78-2020 (Part Lot Control 14-16 Berryman Street) be read a first, second and third time, and finally passed.

3. By-law 79-2020 - Part Lot Control 20-22 Berryman Street 13

**Recommended Motion:**

THAT By-law 79-2020 (Part Lot Control 20-22 Berryman Street) be read a first, second and third time, and finally passed.

4. By-law No. 80-2020 - Part Lot Control 26-28 Berryman Street 14

**Recommended Motion:**

THAT By-law 80-2020 (Part Lot Control 26-28 Berryman Street) be read a first, second and third time, and finally passed.

5. By-law No. 81-2020 - Part Lot Control Stokes Drive, Block 116 15

**Recommended Motion:**

THAT By-law 81-2020 (Part Lot Control Stokes Drive Block 116) be read a first, second and third time, and finally passed.

6. By-law No. 82-2020 - Taxi By-law (Repeals and Replaces 83-2005) 16

**Recommended Motion:**

THAT By-law 82-2020 (to approve a Taxi-By-law and to repeal and replace By-law 83-2005) be read a first, second and third time, and finally passed.

7. By-law 83-2020 - To Amend Traffic and Parking By-law 46-2003 (Addition of Streets to Schedule I) 35

**Recommended Motion:**

THAT By-law 83-2020 (To Amend Schedule I of Traffic and Parking By-law 46-2003) be read a first, second and third time, and finally passed.

8. ANNOUNCEMENTS

9. CONFIRMATORY BY-LAW 37

1. By-law No. 84-2020 - Confirmation of Council Proceedings

**Recommended Motion:**

THAT By-law No. 84-2020 (To Confirm Council Proceedings) be read a first, second and third time, and finally passed.

10. ADJOURNMENT

**Recommended Motion:**

THAT the 17th regular meeting of the 131st Council of the Town of Carleton Place be hereby adjourned at \_\_\_\_\_ p.m.

## MINUTES

### REGULAR MEETING OF COUNCIL OF THE TOWN OF CARLETON PLACE

**Tuesday, September 8, 2020, 7:00 p.m.**

COUNCIL PRESENT: Mayor Black  
Deputy Mayor Redmond  
Councillor Fritz  
Councillor Seccaspina  
Councillor Randell  
Councillor Tennant  
Councillor Atkinson

COUNCIL ABSENT: Guy Bourgon, Director of Public Works  
Dave Young, Project Manager  
Pascal Meunier, Director of Protective Services

STAFF PRESENT: Diane Smithson, CAO  
Stacey Blair, Clerk

#### 1. CALL TO ORDER

The 16th regular meeting of the 131st Council of the Town of Carleton Place was called to order by Mayor Black at 7:00 p.m.

#### 2. APPROVAL OF AGENDA

**Motion No. 16-131-01**

**Moved by:** Councillor Randell

**Seconded by:** Deputy Mayor Redmond

THAT the Agenda be approved as presented.

**CARRIED**

#### 3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

None.

#### 4. APPROVAL OF MINUTES

1. Council Minutes

**Motion No. 16-131-02**

**Moved by:** Councillor Seccaspina

**Seconded by:** Councillor Tennant

THAT the Council Minutes dated August 25, 2020, be accepted as presented.

**CARRIED**

5. **CONSENT REPORT**

**Motion No. 16-131-03**

**Moved by:** Deputy Mayor Redmond

**Seconded by:** Councillor Randell

THAT Council receive the Consent Report dated September 8th, 2020.

Planning and Protection

1. Request for Refund of Deposits (Communication 131087)

THAT Council deny the request from Brigil Construction to release the forfeited building deposits for the 48-unit townhome development at the corner of Lake and McNeely Avenues.

Corporate Services

2. Financial Report to July 31, 2020 (Communication 131098)

THAT Council receive the Financial Report from the Treasurer to July 31, 2020 as information.

Parks and Recreation Committee

3. Swimming Schedule (Communication 131094)

THAT the Adult Swim from 12:00 p.m. - 1:00 p.m. and Public Swim from 1:00 p.m. - 2:30 p.m. be cancelled on Saturday, November 28, 2020 and Saturday, February 27, 2021 to accommodate the Carleton Place Water Dragon's swim meets.

**CARRIED**

6. **MOTIONS**

None.

7. **ANNOUNCEMENTS**

1. Mayor's Proclamations

a) Mayor Black made the following proclamation in recognition of Big Brothers/Big Sisters Day - September 18th

WHEREAS, Our Kids Count's Big Brothers Big Sisters Program enables life-changing mentoring relationships to ignite the power and potential of young people in our community;

AND WHEREAS, investing in young people's futures pays off, with a social return on investment of \$23-to-1 through improved economic, health, and social outcomes for young people with mentors.

AND WHEREAS, by changing the course of young lives, we shape our community's social and economic future;

AND WHEREAS, Our Kids Count Big Brothers Big Sisters Program creates over 50 meaningful opportunities for Canadians to help young people achieve their biggest possible futures, through their volunteer commitment and support;

AND WHEREAS, the agency's goal is to recruit more volunteers based on the needs of young people in our community;

NOW THEREFORE, I, Doug Black, Mayor of the Town of Carleton Place DO HEREBY PROCLAIM September 18th as Big Brother Big Sister Day. I encourage everyone to Volunteer or donate by visiting <https://lanark.bigbrothersbigsisters.ca/> and learn more about how you can get involved in igniting potential.

<https://lanark.bigbrothersbigsisters.ca/>

NOW THEREFORE, I, Doug Black, Mayor of the Town of Carleton Place DO HEREBY PROCLAIM September 18th as Big Brother Big Sister Day. I encourage everyone to Volunteer or donate by visiting <https://lanark.bigbrothersbigsisters.ca/> and learn more about how you can get involved in igniting potential.

b) Mayor Black made a second proclamation in honour of National Forest Week - September 20th to 26th and National Tree Day - September 23rd.

2020 marks the 100<sup>th</sup> anniversary of National Forest Week which is celebrated across Canada each year. This year, it will take place from September 20<sup>th</sup> to 26<sup>th</sup>.

As well, National Tree Day will take place this year on Wednesday, September 23, 2020. National Tree Day serves as a celebration for all Canadians to appreciate the great benefits that trees provide us – clean air, wildlife habitat, reducing energy demand and connecting with nature.

National Forest Week and National Tree Day provide Canadians with an opportunity to learn more about our forest heritage and to support greater recognition of this valuable resource.

In the Town of Carleton Place, we are fortunate to have the Urban Forest, River Corridor Committee who's mandate it is to preserve and protect the integrity of the tree canopy within our community.

Forests and trees are fundamental to our economy, culture, traditions and history – and to our future. Communities, families and individuals depend on forests for their livelihood and way of life.

Now therefore, I, Mayor Doug Black, hereby proclaim September 20<sup>th</sup> to 26<sup>th</sup> as National Forest Week and September 23<sup>rd</sup> to be National Tree Day in the Town of Carleton Place.

c) Mayor Black also made an announcement about the Slow Roll for United Way Campaign which will take place between Mississippi Mills and Carleton Place on September 12th, 2020.

## **8. CONFIRMATORY BY-LAW**

1. By-law No. 76-2020 - Confirmation of Council Proceedings

### **Motion No. 16-131-04**

**Moved by:** Councillor Tennant

**Seconded by:** Councillor Fritz

THAT By-law No. 76-2020 (To Confirm Council Proceedings) be read a first, second and third time, and finally passed.

**CARRIED**

## **9. ADJOURNMENT**

### **Motion No. 16-131-05**

**Moved by:** Councillor Atkinson

**Seconded by:** Deputy Mayor Redmond

THAT the 16th regular meeting of the 131st Council of the Town of Carleton Place be hereby adjourned at 7:07 p.m.



**CARRIED**

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Doug Black, Mayor

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Stacey Blair, Clerk

## Consent Report

### Consent Items from the September 8, 2020 Committee of the Whole Meeting

#### Physical Environment

1. Quarterly DWQMS Report (Communication 131099)

THAT the 2nd Quarter DWQMS report be received as information.

#### Corporate Services

2. 2020 Appreciation Night (Communication 131106)

THAT the 2020 Appreciation Night be cancelled due to COVID-19 restrictions and impacts; and THAT plans be developed to allow for the announcement and recognition of the 2020 Citizen of the Year and staff Year of Service Awards.

## BY-LAW NO. 77-2020

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO EXEMPT CERTAIN LANDS FROM PART LOT CONTROL, PART OF LOT 14 AND PART OF LOT 15, REGISTERED PLAN 27M-73, BEING PARTS 1 TO 6 INCLUSIVE ON PLAN 27R-11507 IN THE TOWN OF CARLETON PLACE, IN THE COUNTY OF LANARK.**

**WHEREAS** Subsection 7 of Section 50 of *The Planning Act*, R.S.O. 1990 as amended, authorizes a Municipality to provide a by-law that part lot control does not apply to land that is within registered plans or plan of subdivision or parts thereof, subject to the approval of the County of Lanark;

**AND WHEREAS** it is deemed expedient to exempt certain lands located in an area designated Residential in Development Permit By-law 15-2015, and described as Part of Lot 14 and Part of Lot 15, Registered Plan 27M-73, being Parts 1 to 6 inclusive on Plan 27R-11507, in the Town of Carleton Place, in the County of Lanark;

**AND WHEREAS** *The Planning Act*, subsection 50 (7.1) does not come into effect until approved by the County of Lanark;

**NOW THEREFORE** the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. Subsection 5 of Section 50 of *The Planning Act*, R.S.O. 1990, as amended, does not apply to Part of Lot 14 and Part of Lot 15, Registered Plan 27M-73, further described as Parts 1 to 6 inclusive on Plan 27R-11507, in the Town of Carleton Place, in the County of Lanark.
2. This by-law shall be effective only to the extent necessary to permit:
  - a) The creation of blocks and parcels for construction purposes and to permit such lots to be charged and/or discharged
  - b) Individual dwelling units, together with appurtenant rights and easements in land associated therewith, to be conveyed to each initial purchaser of each individual dwelling unit;  
And this by-law shall not be construed as to permit the further severance or re-subdivision of any such parcel.
3. This by-law shall become effective upon the approval of the County of Lanark and registration of the by-law in the land titles office.
4. This by-law shall expire and be of no further force and effect as of September 22, 2022.
5. The property is locally known as 8-10 Berryman Street.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS 22<sup>nd</sup> DAY OF SEPTEMBER, 2020.

\_\_\_\_\_  
Doug Black, Mayor

\_\_\_\_\_  
Stacey Blair, Clerk

## BY-LAW NO. 78-2020

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO EXEMPT CERTAIN LANDS FROM PART LOT CONTROL, PART OF LOT 13 AND PART OF LOT 14, REGISTERED PLAN 27M-73, BEING PARTS 1 TO 5 INCLUSIVE ON PLAN 27R-11506 IN THE TOWN OF CARLETON PLACE, IN THE COUNTY OF LANARK.**

**WHEREAS** Subsection 7 of Section 50 of *The Planning Act*, R.S.O. 1990 as amended, authorizes a Municipality to provide a by-law that part lot control does not apply to land that is within registered plans or plan of subdivision or parts thereof, subject to the approval of the County of Lanark;

**AND WHEREAS** it is deemed expedient to exempt certain lands located in an area designated Residential in Development Permit By-law 15-2015, and described as Part of Lot 13 and Part of Lot 14, Registered Plan 27M-73, being Parts 1 to 5 inclusive on Plan 27R-11506, in the Town of Carleton Place, in the County of Lanark;

**AND WHEREAS** *The Planning Act*, subsection 50 (7.1) does not come into effect until approved by the County of Lanark;

**NOW THEREFORE** the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. Subsection 5 of Section 50 of *The Planning Act*, R.S.O. 1990, as amended, does not apply to Part of Lot 13 and Part of Lot 14, Registered Plan 27M-73, further described as Parts 1 to 5 inclusive on Plan 27R-11506, in the Town of Carleton Place, in the County of Lanark.
2. This by-law shall be effective only to the extent necessary to permit:
  - a) The creation of blocks and parcels for construction purposes and to permit such lots to be charged and/or discharged
  - b) Individual dwelling units, together with appurtenant rights and easements in land associated therewith, to be conveyed to each initial purchaser of each individual dwelling unit;  
And this by-law shall not be construed as to permit the further severance or re-subdivision of any such parcel.
3. This by-law shall become effective upon the approval of the County of Lanark and registration of the by-law in the land titles office.
4. This by-law shall expire and be of no further force and effect as of September 22, 2022.
5. The property is locally known as 14-16 Berryman Street.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS 22<sup>nd</sup> DAY OF SEPTEMBER, 2020.

\_\_\_\_\_  
Doug Black, Mayor

\_\_\_\_\_  
Stacey Blair, Clerk

## BY-LAW NO. 79-2020

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO EXEMPT CERTAIN LANDS FROM PART LOT CONTROL, PART OF LOT 12 AND PART OF LOT 13, REGISTERED PLAN 27M-73, BEING PARTS 1 TO 3 INCLUSIVE ON PLAN 27R-11505 IN THE TOWN OF CARLETON PLACE, IN THE COUNTY OF LANARK.**

**WHEREAS** Subsection 7 of Section 50 of *The Planning Act*, R.S.O. 1990 as amended, authorizes a Municipality to provide a by-law that part lot control does not apply to land that is within registered plans or plan of subdivision or parts thereof, subject to the approval of the County of Lanark;

**AND WHEREAS** it is deemed expedient to exempt certain lands located in an area designated Residential in Development Permit By-law 15-2015, and described as Part of Lot 12 and Part of Lot 13, Registered Plan 27M-73, being Parts 1 to 3 inclusive on Plan 27R-11505, in the Town of Carleton Place, in the County of Lanark;

**AND WHEREAS** *The Planning Act*, subsection 50 (7.1) does not come into effect until approved by the County of Lanark;

**NOW THEREFORE** the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. Subsection 5 of Section 50 of *The Planning Act*, R.S.O. 1990, as amended, does not apply to Part of Lot 12 and Part of Lot 13, Registered Plan 27M-73, further described as Parts 1 to 3 inclusive on Plan 27R-11505, in the Town of Carleton Place, in the County of Lanark.
2. This by-law shall be effective only to the extent necessary to permit:
  - a) The creation of blocks and parcels for construction purposes and to permit such lots to be charged and/or discharged
  - b) Individual dwelling units, together with appurtenant rights and easements in land associated therewith, to be conveyed to each initial purchaser of each individual dwelling unit;  
And this by-law shall not be construed as to permit the further severance or re-subdivision of any such parcel.
3. This by-law shall become effective upon the approval of the County of Lanark and registration of the by-law in the land titles office.
4. This by-law shall expire and be of no further force and effect as of September 22, 2022.
5. The property is locally known as 20-22 Berryman Street.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS 22<sup>nd</sup> DAY OF SEPTEMBER, 2020.

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Doug Black, Mayor

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Stacey Blair, Clerk

## BY-LAW NO. 80-2020

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO EXEMPT CERTAIN LANDS FROM PART LOT CONTROL, PART OF LOT 11 AND PART OF LOT 12, REGISTERED PLAN 27M-73, BEING PARTS 1 TO 3 INCLUSIVE ON PLAN 27R-11508 IN THE TOWN OF CARLETON PLACE, IN THE COUNTY OF LANARK.**

**WHEREAS** Subsection 7 of Section 50 of *The Planning Act*, R.S.O. 1990 as amended, authorizes a Municipality to provide a by-law that part lot control does not apply to land that is within registered plans or plan of subdivision or parts thereof, subject to the approval of the County of Lanark;

**AND WHEREAS** it is deemed expedient to exempt certain lands located in an area designated Residential in Development Permit By-law 15-2015, and described as Part of Lot 11 and Part of Lot 12, Registered Plan 27M-73, being Parts 1 to 3 inclusive on Plan 27R-11508, in the Town of Carleton Place, in the County of Lanark;

**AND WHEREAS** *The Planning Act*, subsection 50 (7.1) does not come into effect until approved by the County of Lanark;

**NOW THEREFORE** the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. Subsection 5 of Section 50 of *The Planning Act*, R.S.O. 1990, as amended, does not apply to Part of Lot 11 and Part of Lot 12, Registered Plan 27M-73, further described as Parts 1 to 3 inclusive on Plan 27R-11508, in the Town of Carleton Place, in the County of Lanark.
2. This by-law shall be effective only to the extent necessary to permit:
  - a) The creation of blocks and parcels for construction purposes and to permit such lots to be charged and/or discharged
  - b) Individual dwelling units, together with appurtenant rights and easements in land associated therewith, to be conveyed to each initial purchaser of each individual dwelling unit;  
And this by-law shall not be construed as to permit the further severance or re-subdivision of any such parcel.
3. This by-law shall become effective upon the approval of the County of Lanark and registration of the by-law in the land titles office.
4. This by-law shall expire and be of no further force and effect as of September 22, 2022.
5. The property is locally known as 26-28 Berryman Street.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS 22<sup>nd</sup> DAY OF SEPTEMBER, 2020.

\_\_\_\_\_  
Doug Black, Mayor

\_\_\_\_\_  
Stacey Blair, Clerk

## BY-LAW NO. 81-2020

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO EXEMPT CERTAIN LANDS FROM PART LOT CONTROL, ALL OF BLOCK 116, REGISTERED PLAN 27M-77, BEING PARTS 1 TO 5 INCLUSIVE ON PLAN 27R-11517 IN THE TOWN OF CARLETON PLACE, IN THE COUNTY OF LANARK.**

**WHEREAS** Subsection 7 of Section 50 of *The Planning Act*, R.S.O. 1990 as amended, authorizes a Municipality to provide a by-law that part lot control does not apply to land that is within registered plans or plan of subdivision or parts thereof, subject to the approval of the County of Lanark;

**AND WHEREAS** it is deemed expedient to exempt certain lands located in an area designated Residential in Development Permit By-law 15-2015, and described as all of Block 116, Registered Plan 27M-77, being Parts 1 to 5 inclusive on Plan 27R-11517, in the Town of Carleton Place, in the County of Lanark;

**AND WHEREAS** *The Planning Act*, subsection 50 (7.1) does not come into effect until approved by the County of Lanark;

**NOW THEREFORE** the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. Subsection 5 of Section 50 of *The Planning Act*, R.S.O. 1990, as amended, does not apply to all of Block 116, Registered Plan 27M-77, further described as Parts 1 to 5 inclusive on Plan 27R-11517, in the Town of Carleton Place, in the County of Lanark.
2. This by-law shall be effective only to the extent necessary to permit:
  - a) The creation of blocks and parcels for construction purposes and to permit such lots to be charged and/or discharged
  - b) Individual dwelling units, together with appurtenant rights and easements in land associated therewith, to be conveyed to each initial purchaser of each individual dwelling unit;  
And this by-law shall not be construed as to permit the further severance or re-subdivision of any such parcel.
3. This by-law shall become effective upon the approval of the County of Lanark and registration of the by-law in the land titles office.
4. This by-law shall expire and be of no further force and effect as of September 22, 2022.
5. The property is locally known as 10, 12, 14, 16, 18, 22, 24, 26, 28, 30, 34, 36, 38 and 40 Stokes Drive.

READ A FIRST TIME, SECOND TIME AND THIRD TIME AND FINALLY PASSED THIS 22<sup>nd</sup> DAY OF SEPTEMBER, 2020.

\_\_\_\_\_  
Doug Black, Mayor

\_\_\_\_\_  
Stacey Blair, Clerk

## **COMMUNICATION 131107**

Received From: Stacey Blair, Clerk  
Jennifer Hughes, By-law Administrative Clerk  
Addressed To: Council  
Date: September 22, 2020  
Topic: Draft Taxi By-law to Repeal and Replace By-law 83-2005

### **UPDATE**

The draft Taxi By-law, which would repeal and replace By-law 83-2005, was considered by the Committee of the Whole on September 8<sup>th</sup>, 2020. At that time, concerns were raised by members of the Committee that staff had not been able to gather input from each of the Town's taxi operators.

One taxi operator had already submitted their comments on the draft By-law and staff was directed to meet with the other operator to gather their input.

Subsequently, staff met with the other operator on September 15<sup>th</sup>, 2020 to hear their concerns.

The following points were brought to staff's attention at this meeting:

- The proposed maximum fee for charging customers for cleaning is too low and does not account for the cost of cleaning bio-hazards;
- The length of time it takes to get a new driver licenced;
- Appreciation for only requiring drivers' abstracts on a bi-annual basis for driver renewals in good standing;
- Concern for the safety of drivers/abusive passengers; and
- Enforcement of the by-law and the provisions granted to By-law Officers

### **DISCUSSION**

After a very productive and positive meeting with the taxi operator, staff is recommending the following amendments to the proposed draft by-law:

- Increase or remove the proposed maximum fee for cleaning;
- Add a provision under Passenger Conduct, making it an offence to verbally or physically abuse a taxicab driver.

Staff recommends increasing the maximum fee for bio-hazard clean-up to \$250.00. In the version of by the By-law presented at Committee of the Whole on September 8, 2020, the fee was recommended at \$75.00 (increased from \$20.00 in By-law 83-2005). Council has the authority to include this provision in the By-law in accordance with Part II, Section 11 (2), 8 of the Municipal Act, as amended which permits a lower-tier municipality to pass by-laws respecting protection of property, including consumer protection.

In terms of the amount of time that it takes to licence a new driver, it is the opinion of staff that the Town shall continue to work with the taxi companies and their drivers to



licence individuals in the most efficient manner possible, however the Town is not able to licence drivers before the required documents are submitted. To reduce the amount of expenses that are incurred by taxi drivers, the Town shall only require drivers' abstracts on a bi-annual basis from drivers that have been licenced in the previous year and who are in good standing. Staff consulted with the OPP on this matter and they were in agreement that a bi-annual requirement would be acceptable, however vulnerable sector checks shall continue to be required on an annual basis by all drivers.

After hearing about the concerns from the operator regarding the safety of their drivers and the abusive actions that can be taken by riders, staff felt that it was necessary to include an additional provision which reiterates that riders need to be respectful of taxi drivers.

Lastly, in terms of enforcement, these elements of the proposed new by-law were taken directly from the previous by-law. Staff encouraged the owner to communicate with Town Staff and members of Council should they have concerns with how the by-law is being enforced.

For the convenience of Council, newly amended sections of the proposed By-law have been highlighted in yellow.

**STAFF RECOMMENDATION**

THAT By-law No. 82-2020 (To licence, regulate and govern operators and drivers of taxicabs and to repeal By-law 83-2005) be read a first, second and third time, and finally passed.

## BY-LAW NO. 82-2020

### A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE, TO LICENCE, REGULATE AND GOVERN OPERATORS AND DRIVERS OF TAXICABS, AND TO REPEAL BY-LAW 83-2005.

**WHEREAS** pursuant to paragraphs 6, 8, and 11 of Subsection 10(2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, a municipality may pass by-laws for the health, safety and well-being of persons, and for the protection of persons and property, including consumer protection, in addition to business licensing;

**WHEREAS** Part IV, the “Licensing and Registration” Section 150(1) of the Ontario Municipal Act S.O. 2001, c. 25 deems that a local municipality may licence, regulate and govern any business wholly or partly carried on within the municipality;

**AND WHEREAS** Part IV, Section 150(2) of the *Ontario Municipal Act*, S.O. 2001, c. 25 deems that a municipality may only exercise its licensing powers under this Section, including imposing conditions, for one or more of the following purposes:

1. Health and Safety
2. Nuisance Control
3. Consumer Protection

**AND WHEREAS** Sections 155 and 156 of the *Ontario Municipal Act*, S.O. 2001 c. 25 details regulations regarding the licensing of taxicabs;

**NOW THEREFORE**, the Council for the Town of Carleton Place enacts as follows:

#### 1 DEFINITIONS

- 1.1 **Accessible Cab** means a taxicab licenced by the Municipality which, as a design criterion, accommodates one or more persons in wheelchairs without transfer, pursuant to all federal and provincial legislation applicable to vehicles used in the transportation of physically disabled persons.
- 1.2 **Applicant** means a person applying for a licence under this By-law and includes the person renewing a licence.
- 1.3 **Car pool vehicle** means a personal motor vehicle not used for personal gain, where the occupants share a common interest and the destination and the occupants, the majority of the time are the same, and where a contribution may be made towards the cost of operating the said vehicle to and from the common destination, but which a fare or charge is not collected for each trip.

- 1.4 **Chief By-law Enforcement Officer** means the appointed Chief By-law Enforcement Officer for the Town of Carleton Place or their designate.
- 1.5 **Clerk** means the Clerk for the Corporation of the Town of Carleton Place.
- 1.6 **Committee** means the Committee of the Whole for the Corporation of the Town of Carleton Place.
- 1.7 **Dispatch** means the act, through electronic or other means, of sending a taxicab to a person or persons requesting the service of a taxicab for the purpose of conveying such person or persons in the Town of Carleton Place.
- 1.8 **Highway Traffic Act** means *Highway Traffic Act*, R.S.O. 1990, c. H.8 and amendments thereto.
- 1.9 **Individual** means a person other than a corporation or partnership.
- 1.10 **Licence** means a licence issued under this By-law.
- 1.11 **Licencee or Licence Holder** means a person licenced under the provisions of this By-law.
- 1.12 **Municipality** means the Corporation of the Town of Carleton Place.
- 1.13 **Passenger** means a person in a taxicab other than the taxicab driver.
- 1.14 **Physically Disabled Person** means:
- 1.14.1 a person who suffers from a physical disability in such a way that his/her mobility is restricted, including, among others, a person, who uses a wheelchair, crutches, braces or other assisting devices;
- 1.14.2 a person who, because of a physical disability, requires assistance in boarding or leaving a taxicab.
- 1.15 **Police Officer** means an Officer with the Ontario Provincial Police (OPP) having jurisdiction in the Municipality.
- 1.16 **Senior Citizen** means a person sixty-five (65) years of age or older;
- 1.17 **Taxicab or Taxi** means a motor vehicle as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended, other than a car pool vehicle, having a seating capacity not exceeding the legal limit for that model, including the driver, hired for a person or group of persons, with only one fare or charge collected for the trip.

- 1.18 **Taxicab Driver** means a person engaged in driving or operating a taxicab for, or on behalf of, another person who is the owner thereof, and where a taxicab owner personally drives or operates a taxicab, shall include such owner.
- 1.19 **Taxicab Driver's Licence** means the licence issued by the Town Clerk to the driver of a taxicab.
- 1.20 **Taxicab Operator's Licence** means the licence issued by the Town Clerk, to the owner of the taxicabs for hire.
- 1.21 **Taxicab Owner** means a person owning a taxicab or having possession or control thereof pursuant to an installment purchase agreement or by way of rental.
- 1.22 **Taxicab Service** means the transportation of passengers by taxicab from one point of pick up to another point of drop off.
- 1.23 **To Operate** includes to drive a taxicab and to make a vehicle available to the public for use as a taxicab.
- 1.24 **Trip** means the distance and time traveled and the distance and time to be traveled, measured from the time and point at which the passenger first enters the taxicab to the time at which the passenger finally leaves the taxicab, which includes but is not limited to the journey between any two points in the Town limits for one or more passengers.

## **2 GENERAL REQUIREMENTS**

- 2.1 No person being the owner of a taxicab shall carry on the business of conveyance of goods or passengers for hire, gain or reward without first obtaining a Taxicab Operator's Licence under this By-law entitling them to do so.
- 2.2 An operator may licence as many taxicabs and hire as many taxi drivers, as the operator deems necessary to provide adequate service to the public.
- 2.3 No person shall employ a person as a driver of a taxicab unless said person has been issued a Taxicab Driver's Licence by the Town Clerk.
- 2.4 No person shall operate a taxicab for the transportation of passengers from any point in the Town except under the authority of a Taxicab Driver's Licence issued by the Town Clerk.
- 2.5 No person shall accept calls in any manner for taxicabs to be used for the transportation of passengers or goods from any point within the Town except

under the authority of a Taxicab Operator's Licence issued by the Town to the owner or operator of the taxi business.

- 2.6 No taxicab operator may have full or partial ownership in any more than one taxi business operating under a Taxicab Operator's Licence within the Town of Carleton Place.
- 2.7 No licence is required for the operation of a taxicab within the Municipality provided:
  - 2.7.1 such taxi is operating for the sole purpose of discharging a passenger who was picked up outside the Town limits, or
  - 2.7.2 where a taxicab is picking up passenger(s) who have pre-arranged pick-up provided they are dropping off the passenger(s) in the Municipal area in which the taxicab is originally from.
- 2.8 Notwithstanding Section 2.7, no person shall dispatch a taxicab to commence the transportation of passengers within the Town limits where the owner of the taxicab does not hold a licence for his or her taxicab in the Municipality.
- 2.9 Every taxicab operator shall ensure that the taxicab maximum fares as listed in Schedule "A" are displayed in the cab in a conspicuous place.
- 2.10 Every taxicab operator shall ensure that the fares charged by the taxicab drivers under their employment are in accordance with the maximum fares listed in Schedule "A" of this by-law.

### **3 TAXICABS FOR PHYSICALLY DISABLED PERSONS**

- 3.1 Accessible taxicabs available to physically disabled persons, which operate as a non-profit organization and are supplying a service to or for physically disabled persons may be exempt from the Licence fees as prescribed by the Town's Annual Fees and Charges By-law.
- 3.2 All taxicab operators and taxicab drivers for accessible taxis must apply for all appropriate licences and successfully fulfill the requirements for said licences as prescribed in this by-law.
- 3.3 All taxi operators and taxicab drivers supplying a taxi service to physically disabled persons who are a for-profit organization must pay the licence fees as prescribed by the Town's Annual Fees and Charges By-law.

### **4 CONDITIONS FOR ISSUANCE OF A TAXICAB OPERATOR'S LICENCE**

- 4.1 All new applicants for a taxicab operator's licence shall submit an application form provided by the Town and pay all appropriate fees as prescribed by the Town's Annual Fees and Charges By-law.
- 4.2 All applications referred to in Section 4.1 shall be presented to the OPP and the Council of the Town of Carleton Place to demonstrate that another taxi operator is necessary before a licence shall be issued.
- 4.3 Previously approved operators must annually pay the appropriate fees as prescribed by the Town's Annual Fees and Charges By-law and submit an application form prescribed by the Town to the Clerk for renewal of their licences.
- 4.4 The operator of a taxicab business must submit to the Town of Carleton Place a written certificate of an insurer, duly licenced under the *Insurance Act*, R.S.O. 1990 c.I.8 to carry on in Ontario the business of automobile insurance, which includes:
  - 4.4.1 a motor vehicle liability policy which is on the date of the certificate in full force and effect;
  - 4.4.2 a liability policy amount not less than \$2,000,000.00 against loss or damage resulting from bodily injury to or the death of one or more persons, including passengers as well as third parties, and loss of or damage to property in any one accident;
  - 4.4.3 30 days' written notice to the Municipality of cancellation or non-renewal;
- 4.5 The previously stated insurance requirements in Section 4.4 shall apply to each vehicle that is used as a taxicab.

## **5 LEASING AGREEMENTS**

- 5.1 A taxicab owner may, in lieu of purchasing a motor vehicle for use as a taxicab, obtain a motor vehicle by a leasing agreement provided that the leasing agreement for the motor vehicle to be used as a taxicab:
  - 5.1.1 is the holder of the current motor vehicle permit issued pursuant to the *Highway Traffic Act* and;
  - 5.1.2 specifies as a minimum requirement:
    - a) the date of execution of the leasing agreement;
    - b) the name and address of the lessee and lessor;

- c) the make, model, serial number and year of the motor vehicle;
- d) the motor vehicle permit number issued pursuant to the *Highway Traffic Act*;
- e) the term and expiry date of the leasing agreement;
- f) the terms and conditions under which the lessee had the right to possession and control of the vehicle, under specified terms and conditions;
- g) all of the lessor's and lessee's rights to early termination of the leasing agreement;
- h) the consideration, and the signatures of the lessee, the lessor and the witnesses thereto.

5.2 The taxicab owner licenced under this by-law, who has entered into a leasing agreement under Section 5.1 of this By-law shall file with the Clerk on the later date of issuance of the licence or the effective date of the leasing agreement a copy of the leasing agreement containing all the information referred to in subsections 5.1.1. and 5.1.2.

5.3 Every taxicab owner shall notify or cause to be notified the Clerk in writing ten (10) days before the termination of the leasing agreement for the motor vehicle registered in respect of his or her Taxicab Owner's Licence with the Municipality.

## **6 VEHICLE AND BUILDING STANDARDS**

6.1 The operator of every licenced taxicab shall at all times keep the same in a clean and sanitary condition and in good repair.

6.2 The Chief By-law Enforcement Officer or Police Officer, upon finding a taxicab in disrepair, or in an unclean, or unsanitary condition, may notify the owner thereof to cease operation of the same as a licenced taxicab and vehicle until such time as the same has been put in a clean and sanitary condition and is in good repair.

6.3 In accordance with Section 6.2, no person shall operate a motor vehicle as a taxicab if the Chief By-law Enforcement Officer or Police Officer has found said vehicle in disrepair, unclean or unsanitary and has notified said operator as such.

6.4 The operator of every taxicab and vehicle licenced under this by-law or anyone acting on his behalf shall submit to the Town, a Certificate of Mechanical Fitness before a vehicle is licenced as a taxicab. A licenced mechanic shall sign said

Certificate of Mechanical Fitness, and said mechanic shall not be the owner or be employed by the owner of the taxicab business.

- 6.5 The operator of a taxicab must submit a new Certificate of Mechanical Fitness for each vehicle being used as a taxicab annually with their application for renewal of a Taxicab Operator's Licence.
- 6.6 Every owner of one or more licenced taxicabs shall file with the Town the names and addresses of all drivers employed by him or her and shall forthwith advise the Town Clerk of all changes in his or her staff of drivers.
- 6.7 Every operator of a taxicab shall submit his or her taxicab for the inspection of the Chief By-law Enforcement Officer or Police Officer when required and no operator or driver shall at any time, when his or her vehicle is not employed, hinder the said officer from entering such vehicle, garage or other building for the purpose of inspecting such vehicle, or the premises where such vehicle is or is kept.
- 6.8 Every taxicab owner shall ensure that his or her taxicab is equipped at all times with at least five (5) serviceable tires, one of which shall be available as a spare and each of which shall comply with the Tire Standards and Specifications, R.R.O 1990 Reg 625, as amended under *The Highway Traffic Act*.
- 6.9 All buildings used in connection with any taxicab shall:
  - 6.9.1 be kept clean at all times;
  - 6.9.2 be subject to all Development Permit requirements as established by the Development Permit By-law (15-2015) and amendments thereto for the Town of Carleton Place.
- 6.10 Owners and operators of taxicabs shall make available vehicle registration and identification information in an accessible format to persons with disabilities who are passengers.
- 6.11 All taxicabs and accessible taxicabs shall adhere to the standards as set out in Schedule "C" of this by-law.

## **7 REPLACEMENT VEHICLES**

- 7.1 Every licenced taxicab owner who replaces his or her taxicab shall apply to the Clerk to change the vehicle with respect to which the licence is designated prior to operating the taxicab, and shall comply with the provisions as prescribed by this by-law.



- 7.2 Upon the Clerk being furnished with satisfactory proof that the applicant has complied with subsection 7.1 and has paid the fee set out in the Town's Annual Fees and Charges By-law, the Clerk will change the vehicle with respect to which the taxicab licence is designated.

## **8 TAXICAB DRIVER'S LICENCE**

- 8.1 Every application for a Taxicab Driver's Licence issued under this by-law shall be submitted to the Clerk on prescribed forms and payment of all appropriate fees as set out in the Town's Annual Fees and Charges By-law.
- 8.2 No person shall be issued a Taxicab Driver's Licence unless the applicant has given to the Clerk satisfactory proof that:
- 8.2.1 the applicant is at least eighteen (18) years of age.
  - 8.2.2 the applicant is a citizen of Canada, or is legally permitted to work in Canada.
  - 8.2.3 the applicant is a holder of a current driver's licence of the appropriate class issued pursuant to the *Highway Traffic Act*, and regulations passed thereunder.
  - 8.2.4 the applicant has provided their Ontario Ministry of Transportation Driver's Licence abstract, dated within 90 days of initial application, indicating any convictions and demerit points in the previous three (3) years, to be resubmitted on a biannual basis.
  - 8.2.5 the applicant has consented to a Police Vulnerable Sector Check when applying for the first time, made by or on the behalf of the local Police Force; and must provide a Police Vulnerable Sector Check every year thereafter.
  - 8.2.6 the applicant has filed two (2) signed current photographs five (5) centimeters by five (5) centimetres in size and that bear a reasonable likeness to the applicant;
  - 8.2.7 one of the photographs described in section 8.2.6. shall be attached by the Municipality to the Taxicab Driver's Licence, which said licence shall be displayed in the interior of the cab in such place and in such manner and form as directed by the Town.
  - 8.2.8 No person shall transfer employment from one taxicab company to another without first reporting said transfer to the Clerk and obtaining the Taxicab Driver Transfer Licence and paying appropriate fees as

prescribed by the Town's Annual Fees and Charges By-law.

## **9 LICENCED TAXICAB DRIVER'S DUTIES**

- 9.1 All taxicab drivers shall adhere to the conditions set out in Schedule "C" of this by-law.
- 9.2 No person shall use a vehicle as a taxi that is in an unsafe driving condition, unclean or untidy inside.
- 9.3 Every driver shall ensure that he or she is neat, clean and polite in manner.
- 9.4 No person, while driving a taxicab, shall fail to take reasonable care to prevent passengers from leaving any property in the vehicle.
- 9.5 No person shall while driving a taxicab fail to restore property left in a cab to the rightful owner, or deliver it to the Town Hall or local Police Station with all relevant information for the owner to claim.
- 9.6 No person shall drive a taxicab without displaying at all times in the prescribed location referred to in Section 8.2.7 the Taxicab Driver's Licence issued to them by the Town when engaged as a driver of said taxi.
- 9.7 No person while driving a taxi shall:
  - 9.7.1 take, consume or have in the driver's possession any intoxicating liquor, or other substance, which would affect the driver's capabilities to drive a motor vehicle.
  - 9.7.2 loiter or solicit business in any street, alley or other public place.
  - 9.7.3 permit any immoral, indecent or disorderly conduct in the vehicle.
  - 9.7.4 make any loud noise or disturbance, such as the unnecessary blowing of a horn, or use obscene, impertinent or abusive language, or molest, annoy or insult any passenger or other person.
  - 9.7.5 carry in any vehicle a larger number of persons or goods than the manufacturer's rating or seating capacity allows for such vehicle.
  - 9.7.6 after leaving a starting point with a passenger, take on any new additional passengers without the consent of those who have already engaged the driver.
  - 9.7.7 smoke or vape while driving a taxi, in accordance with the *Smoke-Free*

*Ontario Act, 2017 S.O. 2017.*

9.7.8 refuse to serve the first person requesting the service of the taxicab unless such person requiring the service:

- a) owes the driver for a previous fare or service.
- b) upon being requested by such driver, the person refuses to disclose the final destination before or immediately after entering the taxicab.
- c) asks the driver to be driven to a remote place in circumstances, which such driver reasonably believes to be unsafe.
- d) has an excessive number of items that will not fit in the cab.

9.7.9 refuse to allow a dog while serving as a guide or leader dog for a visually impaired person, to enter and remain in the taxicab.

9.8 The driver of a taxicab must record immediately all reasons why he or she refused service to an individual and retain the record of refusal for a period of thirty (30) days.

9.9 A taxicab driver, if requested, must give a passenger a receipt showing the driver's name, the date and time of the trip, the points of origin and destination, and the cost of the trip.

9.10 A driver of a taxicab may not charge for time lost through defects or inefficiency of the taxicab or incompetence in driving.

9.11 No person shall charge a higher fare or an additional fee for persons with disabilities than for persons without disabilities for the same trip.

9.12 No person shall charge a fee for the storage of mobility aids or mobility assistive devices.

## **10 EXPIRY, SUSPENSION OR REVOCATION OF LICENCES**

10.1 All taxicab operators' licences and all taxicab driver licences issued by the Town shall expire on the 15<sup>th</sup> day of February each year.

10.2 The holder of the licence is responsible to apply for renewal on or before the date of the first day of February each year.

10.3 The Chief By-law Enforcement Officer may at any time, for any cause appearing to him or her to be sufficient, suspend the licence issued to any taxicab operator

or any taxicab driver and shall, in such event report such suspension forthwith to Council, and Council may either continue such suspension for such period of time as it shall determine or may reinstate such licence, or if the circumstances shall appear to warrant such action, may revoke said licence.

- 10.4 Anyone convicted under any section of the *Liquor Licence Act*, the *Food and Drug Act*, the *Criminal Code of Canada* or the *Highway Traffic Act* shall be liable to have the taxi operator's licence or taxi driver's licence suspended or canceled.
- 10.5 Council, after a hearing, may revoke any or each of the licences held by a licensee for cause and without limiting the generality of the foregoing for:
  - 10.5.1 a breach of the law;
  - 10.5.2 anything which may be in a way adverse to the public's interest;
  - 10.5.3 any other matter which the Municipality is authorized by law to consider, or
  - 10.5.4 any violation of the provisions of this By-law.
- 10.6 Council may suspend a licence for cause for any period that is less than the unexpired part of the period for which it was issued in lieu of revocation as provided in subsection 10.5 hereof.
- 10.7 The Clerk upon receipt of the report suspending or revoking a licence by the Supervising Officer of the OPP shall determine the time and date of the hearing which shall be the next available meeting of Council, while meeting required timeframes in the Procedural By-law, and shall forthwith give notice in writing to the licensee, said notice shall:
  - 10.7.1 state the time, date, place and purpose of the hearing and a statement as to the reasons for the suspension, including reasonable information of any allegations as to the character, or propriety of conduct or competence of a licensee, if same are in issue; and
  - 10.7.2 state if the licensee does not attend the hearing, Council may proceed in his or her absence and he or she will not be entitled to any further notice;
  - 10.7.3 be served personally or by registered mail to the licensee at his or her address last known to the Town Clerk.
- 10.8 Council shall give its decision in writing to the Town Clerk.
- 10.9 The Clerk, in receipt of the decision referred to in 10.8 hereof, shall forthwith

notify the Chief By-law Enforcement Officer and OPP and the licensee of the decision by serving the licensee a copy personally or by registered mail to the licensee's last known address or the counsel or agent of the licensee, at his or her address as stated to the Municipality.

10.10 The holder of a taxicab operator's licence shall provide a reasonable level of service to the public twenty-four (24) hours per day. Failure to do so shall be considered just cause for Council to suspend or revoke any licence.

10.11 Council's decision(s) shall be final and binding.

## **11 PASSENGER CONDUCT**

11.1 No person while a passenger in a taxicab shall smoke or vape, in accordance with the *Smoke-Free Ontario Act*, 2017 S.O. 2017.

11.2 A passenger may refuse to take a taxicab made available to the person if that taxicab does not meet the vehicle standards or the licenced taxicab driver's duties as provided for in this By-law.

11.3 No person shall, while riding as a passenger in a taxicab, be verbally or physically abusive towards the taxicab driver.

## **12 ENFORCEMENT**

12.1 Any person who contravenes any of the provision of this by-law and the procedures with respect thereto is guilty of an offence and the enforcement and the penalty imposed thereunder shall be subject to the provisions of *The Provincial Offences Act*, R.S.O. 1990, Chapter P.53 and any amendments thereto, and the penalty for the commission of any such offence shall be as provided for in the said *Provincial Offences Act*.

12.2 This by-law shall be enforced by the Municipal By-law Enforcement Officer and/or by an Officer of the Ontario Provincial Police.

12.3 Any person or owner operating a Taxicab shall promptly submit proper identification to an officer upon request. Failure or refusal to do so is an offense.

12.4 No person shall give false information to an officer.

12.5 No person shall hinder or obstruct, or attempt to hinder or obstruct, an officer exercising their power authorized by Section 12.2 or performing a duty under this By-law.

### **13 ADMINISTRATION AND PENALTIES**

- 13.1 This By-law shall be enforced by By-law Enforcement Officers and/or a Police Officer.
- 13.2 Any notice or order required to be given or served under this By-law is sufficiently given or served if delivered personally or sent by registered mail, addressed to the person to whom delivery or service is required to be made at the last address for service appearing on the application record with the Town Clerk.
- 13.3 All notices served by mail pursuant to this By-law shall be deemed to be received five (5) days following mailing of the notice.
- 13.4 Any person who contravenes any of the provisions of this By-law, and the procedures with respect thereto is guilty of an offence and the penalty upon conviction therefore shall be as provided for in the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33 and amendments hereto.

### **14 INDEMNIFICATION**

- 14.1 No person shall be granted or hold a licence for a Taxicab Operator's Licence unless he or she has in writing on a form prescribed by the Town, found in Schedule "B" agreed to indemnify and hold harmless the Municipality, its agents, servants, employees and officials from any claims, actions or suits which might be brought against the said person and the Municipality arising out of the operation of the taxicab in any manner whatsoever, or any error, negligence, or omission of the person, his agents, servants or employees.

### **15 VALIDITY**

- 15.1 If any section of this By-law is for any reason deemed invalid by a competent court of law, the remaining sections shall remain in effect until repealed.
- 15.2 Where provisions of this By-law conflict with any other By-laws in force in the Municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public prevails.
- 15.3 This By-law shall come into force and take effect upon its final passing.

### **16 SHORT FORM**

- 16.1 This By-law may be referred to as the Taxi By-law.

**17 REPEAL OF BY-LAWS**

- 17.1 That By-law No. 83-2005 and amendments thereto, being a By-law to licence, Regulate and govern operators and drivers of taxicabs shall be hereby repealed.

READ A FIRST, SECOND AND THIRD TIME THIS 22 DAY OF September, 2020.

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Doug Black, Mayor

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Stacey Blair, Clerk

**SCHEDULE "A" TO BY-LAW NO. 82-2020**

Maximum fare charge for a trip/journey within the limits of the Town of Carleton Place:

Regular fare per trip	\$11.50
Senior Citizen's rate per trip.	\$11.00

Cleaning charge	
(Soiling the inside of a Taxicab with vomit, feces or urine)	\$250.00



**SCHEDULE "B" TO BY-LAW NO. 82-2020**

**INDEMNIFICATION**

In accordance with Section 14 of By-law 82-2020, I hereby agree to indemnify and hold harmless the Town of Carleton Place, its agents, servants, employees and officials from any claim, actions or suits which might be brought against the Town of Carleton Place arising out of the operation of my Taxicab(s) in any matter whatsoever, or any error or omission.

Further, I hereby acknowledge that the Town of Carleton Place will receive in writing (at least 30 days' prior notice) of any cancellation or expiration, or any changes to the terms and conditions of any insurance policy regarding a licenced vehicle.

\_\_\_\_\_  
Owner/Agent Signature

\_\_\_\_\_  
Date

## SCHEDULE "C" TO BY-LAW NO. 82-2020

### TAXICAB AND ACCESSIBLE TAXICAB PASSENGER BILL OF RIGHTS

*Every passenger has the right to a driver who:*

is licenced by the Town of Carleton Place,

is knowledgeable,

knows the major routes and destinations in the Town of Carleton Place,

is courteous and helpful,

offers a safe ride,

knows and obeys all traffic laws,

gives, upon request, a silent ride,

uses a cell phone only in emergencies,

physically assists passengers into his or her vehicle and with their belongings;

takes the most expeditious route, and

and provides upon request a receipt with the date and time, the distance travelled, and the fare charged; and

*A Taxicab or Accessible Taxicab must be kept:*

in good mechanical condition,

with a clean passenger and trunk area,

that is heated or cooled upon request,

with easy access to seat belts, and is

smoke and vape free.

**BY-LAW NO. 83-2020**

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AMEND TRAFFIC AND PARKING BY-LAW NO. 46-2003.**

**WHEREAS** Section 11 (3) 1. of the Municipal Act, 2001, S.O. 2001, c25 authorizes municipalities to pass by-laws relating to Highways, including parking and traffic on highways;

**AND WHEREAS** Section 11 (3) 8. of the Municipal Act, 2001, S.O. 2001, c25 authorizes municipalities to pass by-laws relating to parking, except on highways;

**AND WHEREAS** Section 27 of the Municipal Act, 2001 S.O. 2001, c25 permits a municipality to regulate the Traffic and Parking on municipal streets that they have jurisdiction over;

**AND WHEREAS** Section 63(1) of the Municipal Act, S.O. 2001. C25 permits a municipality to remove, impound, restrain or immobilize an object or vehicle placed, stopped, standing or parked on a highway in contravention of a by-law that a municipality has passed regarding placing, stopping, standing or parking an object or vehicle on a highway;

**AND WHEREAS** the Council of the Town of Carleton Place adopted By-law 46-2003, the Traffic and Parking By-law;

**AND WHEREAS** it is deemed expedient and necessary to amend By-law 46-2003;

**NOW THEREFORE** the Council of the Corporation of the Town of Carleton Place hereby enacts as follows:

1. THAT Schedule "I" to Parking By-law No. 46-2003 No Parking be amended to add the following rows to the Table:

<b>Column 1 Street</b>	<b>Column 2 Side</b>	<b>Column 3 Between</b>	<b>Column 4 Prohibited Times or Days</b>
Munro St.	North	Park Ave & Francis St	Nov 1 to Apr 15
Johnston St.	North & East	Length of road	Nov 1 to Apr 15
Johnston St.	North & East	90-degree turns	Anytime
Franktown Rd.	West	Length of road	Anytime
Franktown Rd.	East	Hwy 7 & Alexander St	Anytime
Franktown Rd.	East	Catherine St & Miguel St	Anytime
Franktown Rd.	East	Alexander St & Catherine St	Nov 1 to Apr 15

Bridge St.            West                            Townline Rd & Central Bridge Anytime

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS  
22<sup>ND</sup> DAY OF SEPTEMBER, 2020.

\_\_\_\_\_  
Doug Black, Mayor

\_\_\_\_\_  
Stacey Blair, Clerk

**BY-LAW NO. 84-2020**

**BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE**

**WHEREAS** the Municipal Act S.O. 2001, c 25, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its council;

**AND WHEREAS** the Municipal Act S.O. 2001, c 25, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9; shall be exercised by by-law;

**AND WHEREAS** the Council for The Corporation of the Town of Carleton Place deems it expedient that the proceedings of meetings of Council be confirmed and adopted by by-law;

**NOW THEREFORE** the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. That the actions of the Council of the Corporation of the Town of Carleton Place at its meeting held on **September 8, 2020**, in respect to each report, motion, resolution or other actions recorded and taken by the Council at its said meeting, except where the prior approval of the Ontario Municipal Board is required, is hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this by-law;
2. That the Mayor and appropriate Manager of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said actions of the Council of the Town of Carleton Place referred to in the proceeding section;
3. That the Mayor and Clerk, and their designates, are hereby authorized and directed to execute all documents necessary on behalf of the Council and to affix the corporate seal of the Corporation of the Town of Carleton Place to all such documents;
4. That the Treasurer, or designate, is hereby directed to execute any documents necessary on behalf of the Council of the Town of Carleton Place and to affix the corporate seal of the municipality to all such documents.
5. That this by-law shall come into effect upon final passage.
6. This by-law may be cited as the "**September 8, 2020 Confirmatory By-Law**"

**READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 8th DAY OF SEPTEMBER 2020.**

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Doug Black, Mayor

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Stacey Blair, Clerk