

COMMUNICATION 131104

Received From: Stacey Blair, Clerk
Jennifer Hughes, By-law Administrative Clerk
Addressed To: Committee of the Whole
Date: September 8, 2020
Topic: Draft Taxi By-law to Repeal and Replace By-law 83-2005

SUMMARY

Staff is recommending the repeal and replacement of Taxi By-law 83-2005.

The attached draft by-law includes the following updates:

- A new requirement that all taxi drivers must submit an Ontario driver's abstract upon initial application and bi-annually on an ongoing basis;
- A new requirement that all new taxi drivers must undergo a Vulnerable Sector Police Check every year;
- New requirement that drivers are legally permitted to work in Canada;
- A new no smoking or vaping provision for both drivers and passengers;
- A new schedule of maximum fare charges for rides within Town; and
- A new schedule of passenger bill of rights.

DISCUSSION

The Town's Taxi By-law (83-2005) was chosen by staff for review as it contained a number of problematic requirements and did not provide adequate direction in others. In developing the suggested draft, staff reviewed more recent by-laws from other municipalities. As well, staff consulted with the local taxi companies, members of Council, the OPP and the Ministry of the Attorney General in order to try to produce a new by-law which prioritizes safety while remaining fair to the local operators.

The proposed new by-law addresses some important safety issues such as driver qualifications and criminal records. One of the requirements in the old by-law was the requirement for the local police to verify that applicants were "of good character". This is a provision that is neither quantifiable nor enforceable. As well, the existing by-law did not provide direction to staff regarding applicants with criminal records. This is now addressed in the new by-law and clearly sets out under what circumstances licences are to be denied.

Further to this, the new by-law requires annual vulnerable sector checks and bi-annual drivers' abstracts for taxi drivers. In considering these specific prerequisites, Town staff consulted the local OPP who were not only supportive of these requirements, but strongly recommended their inclusion in the new by-law. By requiring vulnerable sector checks and drivers' abstracts, the Town will be helping to ensure the safety of taxi patrons within the Town.

Lastly, all references of taxi meters which are not used by any of the taxi companies that operate within the Town were removed from the new by-law and references to smoking have been updated to reflect current legislation.

STAFF RECOMMENDATION

THAT the proposed new Taxi By-law, which would repeal Taxi By-law 83-2005, be forwarded to Council for approval.