

THE CORPORATION OF THE TOWN OF MARATHON

BY-LAW NO. 1660

Being a by-law to repeal By-Law No. 1525, and to provide for the licensing, regulating and governing of taxis, limousines and their drivers, within the Town of Marathon.

WHEREAS Part IV, Section 151, subsection (1) of the Municipal Act, S.O. 2001, c.25, provides that a municipality may provide for a system of licences with respect to a business;

AND WHEREAS Section 9 of the Municipal Act, S.O. 2001 c.25 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 10 subsections (1) and (2) of the Municipal Act S.O. 2001 c.25 provide that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public and may pass by-laws respecting same;

AND WHEREAS Section 156 subsection (1) of the Municipal Act, S.O. 2001 c.25 provides that without limiting sections 9 and 10, a local municipality, in a by-law under section 151 with respect to the owners and drivers of taxis, may,

- a) establish rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality;
- b) provide for the collection of the rates or fares charged for the conveyance; and
- c) limit the number of taxis or any class of them.

AND WHEREAS this by-law and any other by-laws thereafter passed with respect to rates or fares to be charged will be established in the current municipal "Fees and Charges" by-law.

NOW THEREFORE, the Council of the Corporation of the Town of Marathon enacts as follows:

SHORT TITLE

- 1. This by-law may be cited as the "Taxi/Limousine By-Law".

INTERPRETATION

- 2. A) In this by-law:
 - i. words importing the singular number only, include more persons, parties or things of the same kind than one and the converse, and
 - ii. a word interpreted in the singular number has a corresponding meaning when used in the plural.
- B) It is declared that if any section, subsection or part or parts thereof be declared by any court of law to be bad, illegal or ultra vires, such section or part or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

DEFINITIONS

3. In this by-law:
- a) “Council” means the Council of the Corporation of the Town of Marathon.
 - b) “Cab” means the same as taxi.
 - c) Class “A” taxi means a taxi with a seating capacity of not more than six (6) persons exclusive of the driver.
 - d) Class “B” taxi means a taxi with a seating capacity of more than six (6) persons, but less than fifteen (15) persons.
 - e) “Corporation” means the Corporation of the Town of Marathon.
 - f) “Driver” means a person eighteen (18) years of age or older who is in possession of a valid “Driver’s Licence” and is licenced by the Corporation under this by-law to operate a hired vehicle. This includes an owner/operator who drives a licenced vehicle for hire.
 - g) “Disabled” means
 - i) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness, and without limiting the generality of the foregoing, includes diabetes, mellitus, epilepsy, a brain injury, and degree of paralysis, amputation, lack of physical co-ordination, blindness, visual impediment or physical reliance on a guide dog or other animal, in a wheelchair or other remedial device or appliance;
 - ii) a condition of mental impairment or a developmental disability;
 - iii) a learning disability or dysfunction in one or more of the process involved in understanding or using symbols or spoken language;
 - iv) a mental disorder;
 - v) an injury or disability for which benefits were claimed or received under the insurance plan established under the “Workplace Safety and Insurance Act, 1997.”
 - h) “Highway” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof, as defined in the Highway Traffic Act.
 - i) “Holiday Season Licence” means a permit for a taxi issued annually by a licensing officer and approved by Council for a specific period of time, namely; November 15th to January 15th of the following year.
 - j) “Licence” means a permit granted by the Corporation under the provisions of this by-law to a person who owns a business or operates any vehicle for hire used to convey passengers for a fee.
 - k) “Licensing officer” means an employee of the Corporation of the Town of Marathon appointed by Council to administer and/or enforce this by-law.
 - l) “Licensing Year” means a period of time commencing on November 1st of each calendar year and ending on October 31st at 2400 hrs. of the following calendar year.
 - m) “Limousine” which, without limiting the following, includes executive limousine and van limousine means:
 - i) a motor vehicle which does not bear any identification other than the Provincial motor vehicle licence, which does not have a taximeter, rooflight, or two-way radio (or similar device) and which is kept or used

for hire for the conveyance of persons or property from any place within the Town of Marathon to any point outside that area and return pursuant to a written contract or, on a fixed fee basis; or

- ii) a full size luxury motor vehicle with a minimum of four (4) doors and a wheel base of not less than 290 centimeters (114 inches) which does not have a taximeter, rooflight or two-way radio (or similar device and which is kept for the conveyance of persons or property from any place within the Town of Marathon to any point inside or outside that area pursuant to a written contract or invoice solely on an hourly or fixed fee basis; or
- iii) a vintage vehicle that is licenced as such by the Ontario Ministry of Transportation and to which vintage licence plates have been issued which is kept, used or made available for the conveyance of persons or property from any place within the Town of Marathon to any point inside or outside that area pursuant to a written contract, or invoice solely on an hourly or fixed fee basis; but does not include a taxi, bus, special utility vehicle, a vehicle used solely for courier services, an ambulance or funeral hearse.
- n) “Medical Facility” means hospital, clinic or medical centre.
- o) “Motor Vehicle” means an automobile and any other vehicle propelled or driven otherwise than by muscular power, but does not include motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, self-propelled implement of husbandry or road-building machine within the meaning of the Ontario Highway Traffic Act.
- p) “Operator” is a person who manages, maintains and has care and control of a taxi or limousine business at any given point in time. The terms “operate” or “operation” and words of like import or intent have corresponding meanings.

The term “operator” includes any one or more of the following persons:

- 1) The owner of a location from which a taxi or limousine business is conducted;
- 2) The operator of a taxi or limousine business;
- 3) The occupier of a location from which a taxi or limousine business is conducted;
- 4) One who assists or acts on behalf of the owner;
- 5) One who has the care or management of a location from which a taxi or limousine business is conducted; or
- 6) A licensee, including a sole proprietor or the named officers and directors of any corporation where the licensee is incorporated, or the partners of record where shares or joint partnership exists in relation to legal partnerships related to the licensee.
- q) “Owner” means the person with legal title to the lands and premises or his authorized agent in lawful control of the premises, building or occupancy who manages and maintains the operation of the taxi or limousine business.
- r) “Passenger” means any person in a taxi or limousine other than the licensed taxi/limousine driver.
- s) “Police Record Search Certificate” means a document issued by the Ontario Provincial Police following the completion of the form titled “Release and Discharge Relating to Consent to Disclosure of Criminal Record Information.” Also, known colloquially as a “Criminal Record Check” or Police Security Clearance Record Check.

- t) “Senior” means a person of advanced years, also known as an elder.
- u) “Taxi” means a motor vehicle for hire, kept or used for the conveyance of passengers wholly or partly within the Town of Marathon with a seating capacity of not more than fourteen (14) persons, exclusive of the driver. The purpose of a taxi shall be to convey passenger(s) for one specific trip for the transportation exclusively of one person or group of persons, one fare or charge only being collected or made for the trip.
- v) “Taxi” means the same as taxicab or cab.
- w) “Taxi Driver’s Licence/Limousine Driver’s Licence” means a permit issued by a licensing officer and approved by Council under provisions of this by-law to persons authorizing them to drive a taxi or limousine within the jurisdiction of the Town of Marathon.
- x) “Taxi Vehicle Licence” or Limousine Vehicle Licence” means a permit issued by a licensing officer and approved by Council to the registered owner of a motor vehicle authorizing the said motor vehicle to be driven as a taxi or limousine in the jurisdiction of the Town of Marathon.
- y) “Town” or “Town of Marathon” means the Corporation of the Town of Marathon.

GENERAL PROVISIONS

- 4. The following are excluded from this by-law:
 - a) ambulances;
 - b) funeral home vehicles
 - c) vehicles operated by non-profit organizations or medical facilities providing transportation services to “disabled persons” or “seniors” gratis or on a cost recovery basis only through their organization or medical facility;
 - d) vehicles operated by businesses without remuneration for the purpose of transporting their employees, and
 - e) vehicles operated by hospitality businesses without remuneration for the purpose of transporting guests.
- 5. Non profit organization or medical facility vehicles used for the purpose of transporting “disabled persons” or “seniors” shall have:
 - a) a valid insurance policy with all-inclusive insurance coverage in the amount of two million dollars (\$2,000,000.00) for public liability and property damage.
 - b) a valid motor vehicle Safety Standards Certificate issued pursuant to the Ontario Highway Traffic Act and Regulations, which shall be renewed annually.
- 6. Council or a licensing officer may revoke, suspend or cancel a valid Taxi Vehicle Licence, a Limousine Vehicle Licence, a Taxi Driver’s Licence or a Limousine Driver’s Licence for any contravention of this by-law.
 - a) Written notice of the revocation, suspension or cancellation of any licence mentioned in Section 6 will be forwarded to the business owner or driver of the taxi or limousine prior to any action being taken by the Corporation.

- b) The licensee may appeal such decision by filing an appeal with the Clerk of the municipality in writing within fifteen (15) days of notification of revocation, suspension or cancellation of any licence.
 - c) The party(ies) involved shall be given the opportunity to attend before a licensing officer to “show cause” why the particular licence should not be revoked, suspended or cancelled.
7. A licensing officer, as appointed by Council in Schedule “A” attached to and forming part of this by-law, shall be responsible for reviewing all the applications for Taxi Vehicle Licences, Limousine Vehicle Licences, Taxi Driver’s Licences and Limousine Driver’s Licences and for approving or suspending such licences as per provisions of this by-law and the Municipal Act.
 8. Except as permitted by a valid licence issued by the Town of Marathon, no person shall, within the Town operate or cause to be operated any motor vehicle for the purpose of conveying passengers for hire or barter, in a way which is similar to the operation and workings of a taxi or limousine business operation or the role of a licensed taxi or limousine driver.
 9. No owner of a taxi or limousine shall enter into or be party to a lease of that taxi or limousine to any other person, while the taxi or limousine is licensed by the Town to that owner.
 10. In the event a licence issued under this by-law is lost or destroyed, the licensing officer upon satisfactory proof of such loss or destruction, and upon payment of a replacement fee, shall issue a duplicate of the original licence; upon which shall be the word “Duplicate.”
 11. A Licensing Officer, Municipal Law Enforcement Officer, Police Officer or other duly appointed individual may at all reasonable times, inspect or cause to be inspected the premises, facilities, equipment, vehicles, and other property used or kept for hire in connection with the carrying on of a business which is licensed or which is required to be licensed pursuant to this by-law.
 12. Every owner and driver of a taxi shall ensure that such vehicle is only used as a taxi and is not used as a limousine unless otherwise licensed under the provisions of this by-law.
 13. No person shall provide any services or operate as a taxi driver for any taxi business which is not licensed under the provisions of this by-law.
 14. No person shall drive any vehicle operated as a taxi unless such vehicle is licensed as a taxi under the provisions of this by-law.
 15. Every owner/operator shall ensure trip records (also known as daily records) for each taxi are:
 - a) maintained by all drivers under his/her employ while on duty; and
 - b) contain
 - i) The “Taxi Vehicle Licence” number issued under the provisions of this by-law;
 - ii) The name and “Taxi Driver’s Licence” number of the driver;
 - iii) The amount of fare collected for each trip; and
 - iv) The date, time, origin and destination of each trip.
 - c) are turned over to him/her in a timely fashion; and
 - d) are retained for a period of twelve (12) months;

- e) produced upon the request of a Police Officer, Municipal Law Enforcement Officer, Licensing Officer or any other duly authorized person.
16. Every owner shall provide the Licensing Officer at the time of application, renewal, and within fourteen (14) days of any change, a list of all persons operating as a taxi driver for the taxi business. Such listing shall include the name, address, contact number and the Town of Marathon "Taxi Driver's Licence" number for each individual currently operating as a taxi driver for his/her taxi business.
 17. Every owner of a taxi business shall ensure that every driver of a taxi is the holder of any class A, B, C, D, E, F or G driver's licence issued to that driver by the Ontario Ministry of Transportation and that such licence is valid at all times such driver is engaged in driving and licensed taxi owned by him/her.
 18. Every operator/owner shall ensure all his/her employees are familiar with the provisions of this by-law.

FEES

19. The fee to be paid to the Town of Marathon for a Taxi Vehicle Licence, a Limousine Vehicle Licence, a Taxi Driver's Licence or a Limousine Driver's Licence or the transfer of same shall be as specified in the current "Fees and Charges" by-law.
20. No owner or driver of a taxi or limousine licensed by the Town of Marathon shall charge any rate or fare for the conveyance of goods or passengers other than the rate or fare specified in the current "Fees and Charges" by-law.
21. Every owner or driver of a taxi licensed by the Town shall display the fees for the conveyance of goods and passengers, as approved by Council, within the taxi at all times in a location visible to all passengers.

TAXI VEHICLE LICENCES

22. No owner or driver of a taxi used for hire within the Town of Marathon shall operate or cause to be operated a taxi in Town without a valid Taxi Vehicle Licence issued by a licensing officer for the taxi being operated.
 - a) The said valid "Taxi Vehicle Licence" issued to the vehicle being operated, or a copy thereof shall be located in the so named taxi at all times.
23.
 - a) The number of Class "A" and Class "B" Taxi Vehicle Licences combined, to be issued by the Town of Marathon shall be limited to one Taxi Vehicle Licence for every one thousand (1000) residents or portion thereof within the Town of Marathon and the Ojibways of Pic River First Nation Territory, as determined by the most recent population statistics provided by Statistics Canada. Should an increase in the number of available Taxi Vehicle Licences occur during any licensing year, Council may issue a licence to existing licence holder(s), or issue a licence to another qualified applicant during the annual yearly review, held from September 1st through September 14th.
 - b) The number of Class "B" Taxi Vehicle Licences issued by the Town of Marathon shall be determined by Council upon review of recommendations of the licensing officer. Where Council approves the issuance of a Class "B" Taxi Vehicle Licence, the number of Class "A" Taxi Vehicle Licences will be adjusted as to not exceed the total allowable Taxi Vehicle Licences available.

24. No one owner shall control more than sixty percent (60%) of issued Taxi Vehicle Licences in any given year. The Town will receive applications for the renewal of any existing Taxi Vehicle Licences from the owners between October 1st and October 14th. Council will review existing licensee applications and evaluate the level of service provided during the current licence year. Acceptable service levels will dictate the number of licences reissued to the licence holder, up to the sixty percent (60%) maximum stated above.
25. a) Notwithstanding Section 23, in the event
- (ii) applications are not made for the full number of Taxi Vehicle Licences authorized pursuant to Section 24; or
- (ii) applications are made for the full number so authorized, but because of one or more rejected or withdrawn applications, the full number are not issued then anyone, including the operator of an existing taxi business, meeting the provisions of this by-law may apply between October 15th and October 31st, annually for a "Holiday Season Licence" up to the maximum provided for in Section 23.
26. Any Taxi Vehicle Licence issued under the authority of Section 23 & 25 shall expire on the date stated on the licence with no right of automatic renewal.
27. Any Taxi Vehicle Licence issued under Section 25 shall have clearly endorsed thereon the words, "This licence is **NOT** subject to annual renewal", as may be stated in Section 24.
28. Taxi Vehicle Licences granted by the Town after October 31st will be effective until October 31st of the following year.
29. An application for a Taxi Vehicle Licence will not be accepted by the Town unless the applicant is in compliance with the following conditions and all required documents are attached to the application:
- a) A valid copy of the motor vehicle owner's insurance policy showing the motor vehicle proposed to be licensed as a taxi has all-inclusive insurance coverage in the amount of two million dollars (\$2,000,000.00) for public liability and property damage.
- b) The motor vehicle proposed to be licensed as a taxi is less than ten (10) years of age from its date of manufacture, has less than three hundred thousand (300,000) kilometers on its odometer, has a wheel base of greater than one hundred (100) inches (or 254 centimetres) and has a body style with four side entry doors.
- c) A copy of a valid motor vehicle Safety Standards Certificate issued pursuant to the Ontario Highway Traffic Act and Regulations for the motor vehicle proposed to be licensed as a taxi.
- d) A photocopy of the licence plate registration issued by the Ministry of Transportation for the Province of Ontario pursuant to the Highway Traffic Act.
30. Every owner shall, upon change of ownership of the taxi or limousine business return and surrender his/her current licence(s) to the Corporation. The new owner shall make application for a new licence(s) as set out in this by-law. No licence issued under the provisions of the by-law is transferable.
31. Upon the sale or other disposition of a taxi licensed by the Town of Marathon, such taxi licence shall immediately become null and void. At such time all required markings as stated in sections 48 and 49 shall be removed within five

days.

32. Every owner who permits a taxi which has been issued a valid Taxi Vehicle Licence by the Town to remain dormant or out of service for a period exceeding fifteen (15) consecutive days or for more than forty-five (45) accumulated days in any licenced year shall be required to attend before a licensing officer to “show cause” why the owner’s licence or licences should not be revoked or cancelled.

TAXI DRIVERS LICENCE

33. A taxi driver or operator holding a valid, “Taxi Driver’s Licence” issued by the Corporation and employed as such shall be familiar with the provisions of this by-law.
34. (a) No owner or driver of a taxi used for hire within the Town of Marathon shall operate or cause it to be operated in Town without a valid Taxi Driver’s Licence issued by a licensing officer.
- (b) The original Taxi Driver’s Licence issued by the Corporation, or a copy thereof, shall be displayed, at all times, in the driver’s compartment of the taxi while in operation and be visible to all passengers.
35. An application for a Taxi Driver’s Licence will not be accepted by the Town unless all the following documents are attached:
- a) a photocopy of the applicant’s valid Ontario driver’s licence with a minimum class “G” , complete with a clear facial picture of applicant.
- b) a current (within fifteen (15) days) copy of the applicant’s driver abstract as supplied by the Ontario Ministry of Transportation showing the amount, if any, of accumulated demerit points.
- c) a current (within thirty (30) days) “Police Record Search Certificate” issued by the Ontario Provincial Police.
- d) a letter/offer of employment signed by the business owner.
36. In addition to Section 35, subsections (a)(b)(c) and (d) the Corporation may request any information which may be reasonably required to determine the applicant’s suitability for the issuance of a Taxi Driver’s Licence.
37. An application for a Taxi Driver’s Licence may not be approved by a licensing officer if:
- a) there is an accumulation of nine (9) or more demerit points on the driving record of the applicant at the time of application.
- b) the applicant knowingly makes a false statement on the application.
- c) any other circumstances which the licensing officer believes would make the candidate unsuitable.
38. No Taxi Driver’s Licence issued by the Town shall be valid beyond the calendar year in which it was issued.
39. Every taxi driver licenced by the Corporation, while on duty shall keep a daily record, hereafter referred to as a “trip record”, of all calls received by him/her which result in the transportation of a passenger from one location to another and such trip record shall contain the following information:
- i) the Taxi Vehicle Licence number issued under the provisions of this by-law.

- ii) the name, and Taxi Driver's Licence number of the driver;
 - iii) the amount of fare collected for each trip, and
 - iv) the date, time, origin and destination of each trip.
40. Every taxi driver licensed by the Corporation, while in charge of a taxi for hire shall produce trip records upon request of a Police Officer, Municipal Law Enforcement Officer, Licensing Officer or any other duly authorized person.
41. Upon the request of a passenger a taxi driver while in charge of a taxi for hire, shall provide in writing his/her name and Taxi Driver's Licence number.
42. All money or property left in a taxi by a passenger shall forthwith be delivered to the person owning same. If the person cannot be found then it shall be delivered and turned over to the local police with all the information pertaining to the passenger.

VEHICLES (TAXI)

43. No owner or driver of a taxi shall permit the number of persons riding in the taxi to exceed the number of seat belts provided in the vehicle as supplied by the original equipment manufacturer.
44. No owner or driver of a taxi licensed under this by-law shall operate or permit the operation of a taxi which does not meet each and all of the following standards of repair and cleanliness:
- a) Each taxi shall at all times be equipped with a spare tire, wheel and jack in a condition ready for use.
 - b) The exterior of each taxi shall be of uniform colour and shall be maintained in a clean condition and in good repair, including the prompt repair of any significant deposits of rust within thirty (30) days after being given notice of the need for repair by a licensing officer. Any damage to the exterior body of the taxi shall be repaired within thirty (30) days from the date the damage occurred.
 - c) The interior surface of each taxi shall be maintained in a clean, dry and sanitary condition, in good repair and no debris, litter or any other refuse shall be allowed to accumulate in the taxi at any time while the vehicle is in service.
 - d) Each taxi shall have an interior dome light which shall be in good working order at all times.
45. No owner or driver of a taxi licensed under this by-law shall operate or permit the operation of a taxi that is in a dangerous or unsafe condition.
46. No person shall smoke in a taxi licensed under this by-law.
47. Every owner or driver of a taxi licensed under this by-law shall immediately turn off any radio (other than the two-way radio for the taxi), tape or compact disc player, or any other mechanical sound producing device in the taxi upon the request of any passenger, and shall keep such device turned off until that passenger's trip has been completed.
48. Every owner of a taxi licensed by the Town of Marathon shall have the taxi business name displayed on the front door of each side of the taxi and such name shall include the word "taxi", "taxis" or "cabs" and shall be printed in lettering not less than five (5) centimeters (2 inches) in height, and shall be kept clear, clean and distinguishable at all times. Such lettering shall be in a contrasting colour to the colour of the surface to which it is affixed.

49. The “Taxi Vehicle Licence” number issued to the taxi by the Town of Marathon shall be displayed at the rear of the vehicle so as to be clearly visible from the rear. The numbers shall be no less than ten (10) centimeters (3.94 inches) in height. The colour of the numbers must be reflective and in contrast to the colour of the surface to which it is affixed.

LIMOUSINE VEHICLE LICENCE

50. No person shall own, operate, maintain, or provide services as a limousine business without first obtaining a licence to do so.
51. An application for a Limousine Vehicle Licence will not be accepted by the Town unless all the following conditions are in compliance and all required documents are attached to the application:
- a) a valid copy of the motor vehicle owner’s insurance policy showing the motor vehicle proposed to be licensed as a limousine has all-inclusive insurance coverage in the amount of two million dollars (\$2,000,000.00) for public liability and property damage.
 - b) a copy of a valid motor vehicle Safety Standards Certificate issued pursuant to the Ontario Highway Traffic Act and Regulations for the motor vehicle proposed to be licensed as a limousine.
 - c) a photocopy of the licence plate registration issued by the Ministry of Transportation for the Province of Ontario pursuant to the Highway Traffic Act.
 - d) a list of all persons operating as a limousine driver for the business. Such listing shall include the name, address, contact number and Town of Marathon Limousine Driver’s Licence number for each individual operating as a limousine driver for the business.
 - e) a schedule of rates and charges itemizing any and all charges for services to be provided by the limousine business.
 - f) any changes to the stipulations of Section 51 sub sections (c), (d) and (e) shall be reported to the Corporation within fourteen (14) days of any change.
52. No owner or driver of a limousine used for hire within the Town of Marathon shall operate or cause it to be operated as a limousine without a valid Limousine Vehicle Licence issued by a licensing officer for the limousine being operated.
53. The owner shall ensure that every driver of a limousine shall be familiar with the provisions of this by-law.
54. The owner shall ensure that every driver of a limousine is the holder of a valid driver’s licence of a sufficient class to authorize the driving of a limousine and that such licence is valid at all times when such driver is engaged in driving any limousine.
55. Every owner of a limousine service shall:
- a) keep an orderly record of all calls for service for limousines owned by him/her showing the date, time, origin, destination, limousine vehicle licence number, the name of the driver and his/her permit number. The records shall be retained for a period of twelve (12) months from the last date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer, Licensing Officer or any other duly appointed individual, at any reasonable time and may be removed by any

such authorized person and retained for a reasonable period of time for inspection.

- b) submit each limousine owned and operated by him/her for a vehicle safety inspection annually and at any other time as deemed necessary by a Municipal Law Enforcement Officer, Police Officer, Licensing Officer or any other duly appointed individual.
 - c) submit a valid copy of the Safety Standards Certificates with any licence renewal application.
 - d) Ensure that all persons employed as a limousine driver are properly licensed under the provisions of this by-law.
56. The owner shall ensure any limousine operated by him/her is driven for the transportation exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified engagement.
57. No person or owner licensed as a limousine business or limousine driver shall act as a taxi unless licensed to do so under the provisions of this by-law.

LIMOUSINE DRIVER'S LICENCE

58. No person shall operate or carry on business as a limousine driver within the Town of Marathon without first obtaining a licence to do so.
59. An application for a Limousine Driver's Licence will not be accepted by the Town unless the following documents are attached:
- a) proof that s/he holds a valid driver's licence issued by the Ontario Ministry of Transportation of sufficient classification to authorize the driving of a limousine;
 - b) a current (within fifteen (15) days) copy of the applicant's driver abstract as supplied by the Ontario Ministry of Transportation showing the amount, if any, of accumulated demerit points;
 - c) a current (within thirty (30) days) "Police Record Search Certificate" issued by the Ontario Provincial Police.
 - d) documentation to the satisfaction of the Licensing Officer from the owner of the limousine business confirming that the applicant is employed or otherwise authorized to provide services as a limousine driver for the said limousine business.
60. No person shall provide any services as a limousine driver for any limousine business which is not licensed under the provisions of this by-law.
61. No person shall drive any vehicle operated as a limousine unless such vehicle is licensed as a limousine under the provisions of this by-law.
62. Every limousine driver shall be familiar with this by-law.
63. A licensed limousine driver shall while on duty:
- a) keep an orderly record of all calls, showing the date, time, origin, destination, limousine vehicle licence number, the name of the driver and his/her permit number. The records shall be retained for a period of twelve (12) months from the last date of entry and shall be open for inspection by any Municipal Law Enforcement Officer, Police Officer, Licensing Officer or any other duly appointed individual.

- b) ensure that every limousine driven by him/her has a valid and current Safety Standards Certificate for such limousine which has been issued in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990 ch 8 , as amended.
64. The licensee shall ensure that any limousine driven by him/her is driven exclusively of one person or group of persons in the same party and that only one fare or charge is collected for each specified engagement.
65. Every licensed driver of a limousine for hire shall:
- a) display any identification in respect of any licence issued by the Corporation;
 - b) upon the request of any passenger, provide in writing his/her name, Limousine Driver's Licence number and the permit number issued by the Ontario Ministry of Transportation for the limousine s/he is driving;
 - c) immediately upon termination of any hiring or engagement, search the limousine for any property lost or left therein and all property or money if found shall forthwith be delivered to the person owning same. If the person cannot be found then delivered and turned over to the local police with all the information pertaining to the passenger(s);
 - d) travel by the most direct route to the point of destination unless otherwise directed by the person engaging the limousine;
 - e) be neat and clean in his/her personal appearance;
 - f) ensure, at all times passengers are treated with respect and in a professional manner;
 - g) not obstruct the use of any sidewalk;
 - h) not use any abusive language, molest, annoy or insult any passenger;
 - i) carry a greater number of persons than the limousine is intended to seat according to the manufacturer's rating;
 - j) allow any immoral, indecent, disorderly or illegal conduct in the limousine;
66. Every owner and driver of a limousine shall, at all times ensure that the limousine is equipped with a spare usable tire and wheel and a suitable jack for lifting the limousine.
67. Any person who contravenes any of the provisions of this by-law is guilty of an offence and is subject to such fines and penalties authorized pursuant to the Municipal Act, S.O., 2001, c.25 as amended.
68. Every person who contravenes the provisions of this by-law is guilty of an offence and is upon conviction subject to a penalty. All such penalties are recoverable under the provision of the Ontario Provincial Offences Act, R.S.O. 1990 as amended.
69. On the date that this by-law is adopted By-Law No. 1525 is hereby repealed.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, A.D., 2009.

.....
Mayor

(SEAL)

.....
Clerk

READ A THIRD TIME AND FINALLY PASSED THIS _____ DAY OF _____ A.D., 2009.

.....
Mayor

(SEAL)

.....
Clerk

SCHEDULE "A"
TO
TOWN OF MARATHON BY-LAW NO.

LICENSING OFFICERS

Under the authority of Section 151, Subsection (1) of the Municipal Act, S.O. 2001, c. 25, as amended, the Council of the Corporation of the Town of Marathon hereby appoints the following municipal employee positions indicated below as Licensing Officers:

- 1) Municipal Law Enforcement Officer
- 2) Emergency Services Manager
- 3) Chief Administrative Officer or C.A.O./Clerk

TOWN OF MARATHON
TAXI
RATE OR FARES

Under the authority of Section 155 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the Council of the Corporation of the Town of Marathon hereby sets the fees to be charged by all licensed taxi within the Town of Marathon as follows:

- 1) From any point within the Marathon Townsite (for the purpose of this schedule "3", Marathon Townsite shall mean any public roadway of the Town of Marathon from and including the Peninsula Golf Course roadway, south from its intersection with Peninsula Road) to:

any other point in Marathon Townsite \$ 8.00

- 2) Outside of the Marathon Townsite and from any point within Marathon Townsite the following set fees will apply for Taxis and Limousines:

Industrial Park or Pic River Motel	\$ 9.00
Wayfare Inn, Travelodge, Peninsula Inn, Airport or Hill Top Cafe	\$ 14.00
Superior Slopes	\$ 14.00
Heron Bay North	\$ 30.00
Ojibways of The Pic River First Nation	\$ 35.00
Pukaskwa National Park	\$ 45.00
Neys Provincial Park	\$ 50.00
Hemlo Gold Mines	\$ 60.00
Gloria's Motel or White Lake Provincial Park	\$ 75.00
White Lake Lodge	\$ 80.00
Terrace Bay or Mobert	\$ 100.00
Manitouwadge, Schreiber or White River	\$125.00
Nipigon or Wawa	\$250.00
Thunder Bay	\$350.00
Sault Ste. Marie	\$450.00

- 2) Miscellaneous Rates:

Return trips	One half regular rate
Stops/extras (parcels and groceries) stop	\$ 3.00 for up to 3 minute stop
Waiting time stop	\$ 1.50/min after 3 minute stop
Senior citizen one-way rate from and to any points within the Marathon Townsite	\$ 6.50

(All prices include tax)