

CITY OF BURNABY

BYLAW NO. 12658

A BYLAW for regulating and licensing
the owners and operators of
cabs in the City of Burnaby

The Council of the City of Burnaby ENACTS as follows:

1. This BYLAW may be cited as **BURNABY CAB REGULATION BYLAW 2009**.

DEFINITIONS

2. In this Bylaw, unless the context otherwise requires:

“Applicant” means the person who makes an application for a License, transfer of a License, or Chauffeur’s Permit.

“Burnaby RCMP Chauffeur (Taxi) Permit Process” means the written administrative procedure issued by the Burnaby RCMP and governing applications for Chauffeur Permits and renewals of such permits.

“Business License Bylaw” means the Business License Bylaw of the City.

“Cab” means a Motor Vehicle used for the carrying, transportation or conveyance of persons for Hire and shall for the purpose of this Bylaw include, but not be limited to, a Dual Taxicab, and Taxicab, but does not include a Limousine, Charter Bus, public transit service bus or rental private passenger vehicle.

“Cab Premises” means an established place of business in the City from which any Cab is operated or in which orders for Hire are received or dispatched.

“Charter Bus” means a Motor Vehicle licensed as such by the Passenger Transportation Board and charging a certain sum per person for each trip or operating by charter to transport persons on a prearranged basis to a specified location.

“Chauffeur” means a person who drives or operates a Cab, whether as an Owner or as an employee hired or engaged solely or in part for the purpose of driving a Cab of another person.

“Chauffeur’s Permit” means the permit required to be held by a Chauffeur pursuant to this Bylaw and under the authority of the Motor Vehicle Act.

“Chief of Police” means the officer in charge of the Burnaby Detachment of the Royal Canadian Mounted Police or his or her duly authorized representative.

“City” means the City of Burnaby.

“Council” means the Council of the City of Burnaby.

“Dual Taxicab” means a Cab of a type, design and construction that is adapted for use primarily for transporting people who have a disability or disabilities, including persons who use a wheelchair, scooter or other necessary Mobility Aid which may preclude them from accessing, using, or utilizing a standard Taxicab.

“Guide Animal” means a guide animal as defined in the Guide Animal Act.

“Hire” means the fare, toll, gain, fee or rate charged or collected from any person for the transportation of a person or persons, or chattels of persons by or in a Cab, and includes remuneration of any kind paid, promised or demanded, direct or indirect, as well as personal services or the sharing of any expense of the operation of a Cab.

“Inspector” means the Chief License Inspector of the City and includes his or her lawful assistants.

“License” means the License required or issued under this Bylaw in respect of the operation of a Cab or Cab Premises.

“Limousine” means a Motor Vehicle licensed as such by the Passenger Transportation Board and used for carrying persons by charter for a fixed fee or hourly rate where arrangements respecting the Hire of the vehicle have been made prior to its arrival to pick up passengers.

“Mobility Aid” means a device or thing, including a manual wheelchair, electric wheelchair and scooter, that is used to facilitate the transport, in a normally seated orientation, of a person with a physical disability, and for the purposes of this Bylaw shall include a Guide Animal.

“Motor Vehicle” includes an automobile, motorcycle and any other vehicle propelled otherwise than by muscular power, except vehicles running only upon rails or tracks, and excepting trailers.

“Owner” means the owner or other person having the conduct or operation of any Cab or the business related thereto.

“Passenger Transportation Board” means the Passenger Transportation Board established under the Passenger Transportation Act.

“Peace Officer” means any person defined as a peace officer by the Interpretation Act.

“Public Place” means all streets, lanes, avenues, ways, drives, boulevards, sidewalks, squares, triangles, school grounds, public places and all rights of way open to the use of the public in the City.

“Stand” means a location designated by the City for the purpose of a Cab to stop or park while waiting for Hire.

“Street” means all streets and includes public highways in the City.

“Taxicab” means a Cab having a Taximeter and, unless the context otherwise requires, includes a Dual Taxicab, but does not include a Shuttle Cab.

“Taximeter” means any mechanical or electronic instrument or device by which the charge for transportation in any Taxicab is mechanically or electronically calculated either for distance travelled or for waiting time, or both, and upon which the charge is indicated by means of figures or words.

CHAUFFEUR PERMITS

3. (1) No person shall drive or operate a Cab in the City without holding a valid and subsisting Chauffeur’s Permit issued by the Chief of Police.
- (2) Every person applying for a Chauffeur’s Permit shall make application to the Chief of Police.
- (3) The criteria for obtaining a Chauffeur’s Permit shall be established by the Chief of Police from time to time in the form of the Burnaby RCMP Chauffeur (Taxi) Permit Process which shall be made available to all Applicants.
- (4) The Chief of Police may issue a Chauffeur’s Permit upon satisfaction that the Applicant:
 - (a) meets or satisfies the requirements of the Burnaby RCMP Chauffeur (Taxi) Permit Process;
 - (b) after January 1, 2010, holds a Taxi Host Level 1 or Taxi Pro certification or equivalent certification from the Justice Institute of British Columbia; and
 - (c) is otherwise of good character and is fit, willing and able to provide satisfactory service to the public.
- (5) The Chief of Police may suspend or cancel a Chauffeur’s Permit for reasonable cause but shall provide the holder with written reasons.

- (6) In the event of a refusal to issue, suspension or cancellation of a Chauffeur's Permit by the Chief of Police, the Applicant or permit holder may appeal to the Council within 30 days of such refusal, suspension or cancellation. The Applicant or permit holder shall be given an opportunity to appear before Council to show cause why the Applicant or permit holder should be issued a Chauffeur's Permit or why the Chauffeur's Permit should not be suspended or cancelled. Council may confirm, reverse or vary the refusal, suspension or cancellation and in doing so may impose terms and conditions.
- (7) Every holder of a Chauffeur's Permit who drives, operates or is in charge of a Cab shall have his or her Chauffeur's Permit in his or her possession and shall immediately upon request by the Chief of Police or Inspector produce it for inspection.
- (8) Chauffeur's Permits shall be issued and valid for a period of:
 - (a) three (3) calendar years if the Applicant holds a License or is employed by a person who holds a License to operate a Cab or Cab Premises in the City; or
 - (b) one (1) calendar year in any other case.
- (9) Notwithstanding subsection (8), the Chief of Police may issue a Chauffeur's Permit on a probationary basis for any period less than that provided for in subsection (8) where the Chief of Police considers it to be in the public interest.
- (10) The Chief of Police may at any time after the issuance of a Chauffeur's Permit and during the term of that Chauffeur's Permit perform interim criminal record and drivers record checks of the holder of the Chauffeur's Permit but may not charge the holder for the cost of such interim checks.

BUSINESS LICENSE

4. (1) No person shall carry on the business of operating a Cab without:
 - (a) holding a valid and subsisting Licence; and
 - (b) Passenger Transportation Board approval;for that Cab.
- (2) Every person to whom a License to operate a Cab business is granted shall:
 - (a) maintain Cab Premises;
 - (b) post the License in a conspicuous place in the Cab Premises;

- (c) keep the books and records of the business at premises in the City and advise the Chief of Police and the Inspector in writing of the address of those premises and any changes of the address.
- (3) More than one holder of a License to operate a Cab may operate from the same Cab Premises.
- (4) The Inspector may issue a License to operate a Cab, with or without conditions, upon being satisfied that the vehicle with respect to the operation of which a License has been applied for is suitable for the use intended, equipped as required by this Bylaw, and complies in all respects with applicable provisions of the Motor Vehicle Act, Passenger Transportation Act, Transportation Act and any other laws that apply to the vehicle.
- (5) The Inspector may for reasonable cause, but subject to the provisions of the Business License Bylaw, cancel or suspend for such period as he or she may determine, a License.
- (6) The Inspector shall provide written reasons for the refusal to issue, suspension or cancellation of a License.
- (7) In the event of a refusal to issue, suspension or cancellation of a License by the Inspector, the Applicant or License holder may appeal to the Council. The Applicant or License holder shall be given an opportunity to appear before Council to show cause why the Applicant or License holder should be issued a License or why the License should not be suspended or cancelled. Council may confirm, reverse or vary the refusal, suspension or cancellation and in doing so may impose terms and conditions.
- (8) The holder of a License shall, upon request by the Inspector, provide the Inspector with such information deemed by the Inspector to be relevant to the maintenance of the License, and which may be needed from time to time during the currency of the License.
- (9) The holder of a License shall, at all reasonable times, permit the Inspector, or any Peace Officer or official of the City, to inspect any Cab or Cab Premises in respect of which such License has been granted.
- (10) Every person who obtains a License to operate a Cab shall obtain a Chauffeur's Permit before driving the Cab, and must ensure that every driver or operator of the Cab holds a valid Chauffeur's Permit before driving the Cab.
- (11) It is a condition of the issuing of a License that the holder of the License observe all of the bylaws of the City, and non-compliance with any of the provisions of those bylaws shall be deemed to be a breach of the conditions under which the License was issued, and shall render the License subject to suspension or cancellation.

- (12) The provisions of the Business License Bylaw shall, except to the extent that they are inconsistent with the provisions of this Bylaw, apply to a License.

TRANSFER OF LICENSE

5. Any person desiring to obtain a transfer of any License must make an application in the same manner as is required to obtain a License under this Bylaw, and the powers, conditions, requirements and procedures relating to the granting and refusal of the licenses and appeals thereon shall apply.

NUMBERS OF LICENSES

6. (1) The maximum number of Cabs that may be licensed to operate in the City at any time shall be determined by the Passenger Transportation Board.
- (2) Every business operating Taxicabs in the City under its business name and required to hold a License under this Bylaw, whether or not it is the Owner of all of the Taxicabs operating under its business name, shall at all times ensure that not less than fifteen percent (15%) of the Taxicabs operating under its business name are Dual Taxicabs.
- (3) Every person who intends to apply to the Passenger Transportation Board for approval to
- (ii) operate one or more additional Cabs in the City; or
 - (iii) to change their existing Cab business operations to increase or decrease the number of Cabs operated by them in the City;

shall provide written notice to the Inspector of their intention to do so before submitting the application to the Passenger Transportation Board together with a copy of their application to the Passenger Transportation Board.

PLATES AND DECALS

7. (1) The Inspector shall furnish to each person obtaining a License with respect to the operation of a Cab a numbered plate or decal for the vehicle. The plate or decal shall remain the property of the City and on the expiration, cancellation or suspension of the License corresponding to that Cab, that person shall forthwith return the plate or decal to the Inspector.
- (2) A person to whom a plate or decal has been issued pursuant to this Bylaw shall keep that plate or decal firmly affixed on the Cab in a place designated by the Inspector and shall not transfer the plate or decal from the Cab to which it was assigned by the City, except with the consent of the Inspector.

- (3) Where a Cab plate or decal furnished pursuant to this Bylaw has become lost, mutilated or destroyed the Inspector may, upon receipt of written proof satisfactory to the Inspector setting out the circumstances of the loss, mutilation or destruction, issue a replacement plate or decal.

AGE OF CAB VEHICLE

8. From and after April 1, 2010:
 - (a) a Motor Vehicle shall not be used as a Taxicab if the age of that vehicle exceeds seven years;
 - (b) a Motor Vehicle shall not be used as a Dual Taxicab if the age of that vehicle exceeds ten years.

STANDARDS OF SERVICE

9. (1) Every holder of a License to operate a Taxicab shall provide a 24-hour service to all persons and, if approved by the Passenger Transportation Board to do so, shall include a Dual Taxicab service to persons who have a disability or disabilities, and persons who use a Mobility Aid.
 - (2) Every holder of a License to operate a Dual Taxicab shall, upon telephone request or other notification, and after the person has identified themselves as one who requires the service because of a handicap or who uses a wheelchair, scooter or other Mobility Aid, give priority of access to the Dual Taxicab to that person, and must ensure that the Dual Taxicab is available to primarily serve those persons' on demand transportation requirements at all times that the Cab is available to the public, including, but not limited to, periods of high demand.
 - (3) The holder of a License to operate a Taxicab business which includes a Dual Taxicab service, shall ensure that all requests for service from a person or persons who have a disability or disabilities, or any person who uses a Mobility Aid, are satisfied in a timely and efficient manner and that a sufficient number of vehicles are available at all times to provide such services.

DUAL TAXICABS

10. (1) Every Dual Taxicab shall:
 - (a) comply with all Provincial and Federal laws applicable to Dual Taxicabs;
 - (b) have posted on each side of the vehicle the International Symbol of Accessibility for people with disabilities; and
 - (c) have displayed, in a position on each side of the vehicle at the rear windows and so as to be easily seen and identifiable by a person seated inside the vehicle in a wheelchair or scooter, the Cab identification number.

- (2) Every holder of a License to operate a Dual Taxicab shall:
 - (a) ensure that each driver of the Dual Taxicab is suitably trained for, and is physically capable of assisting in, the correct and safe loading and unloading of people who have a disability or disabilities and people who use a Mobility Aid; and
 - (b) ensure that each driver of the Dual Taxicab records, in a daily written record, every trip that involved the transporting of a person with a disability, stating in each case whether such person used a wheelchair, a scooter or other Mobility Aid.

TAXICAB IDENTIFICATION

11. (1) No person shall use or operate a Taxicab unless it has an illuminated sign bearing the word "Taxi" or "Cab" complying in all respects with the Motor Vehicle Act and which is placed on the front of the Taxicab, either outside above the windshield, or inside behind the windshield in a position satisfactory to the Inspector. The sign must be illuminated between dusk and dawn at such times that the Taxicab is available for Hire.
- (2) No person shall drive or operate a Taxicab unless there is painted on or otherwise permanently affixed to the vehicle:
 - (a) a business name and the words "Taxi" or "Cab" in figures not less than 5cm high on either the rear doors or front doors on each side of the Taxicab; and
 - (b) a number which uniquely identifies that Taxicab in figures not less than 8cm high on both sides of the Taxicab near the front and on the rear of the Taxicab in a position satisfactory to the Inspector.
- (3) The number referred to in subsection (2)(b) shall also be displayed in figures not less than 5cm high on the inside of the vehicle in a prominent location that is visible to a passenger in the rear seat.
- (4) All words, letters and number required to be placed or displayed under this section shall be kept clean and clearly visible and legible at all times.
- (5) Every business operating Taxicabs in the City under its business name, whether or not it is the owner of all of the Taxicabs operating under its business name, shall ensure that all of those Taxicabs are uniformly painted as to colour business identification and numbering.

VEHICLE REQUIREMENTS

12. (1) A Taxicab shall not be equipped with tinted windows, blinds or other devices that may restrict vision in either direction through all windows.
- (2) Every Taxicab shall be equipped with a two-way radio, which must be maintained in good working order and capable of receiving and acknowledging calls for customer service.
- (3) Every Cab shall be equipped with an interior light sufficient to illuminate the entire passenger compartment and which shall at all times be maintained in proper working order.
- (4) The interior and exterior of every Cab shall at all times be kept clean and in good repair. Whenever the Owner of any Cab receives notice, either given to the Owner personally or to a Chauffeur of the vehicle, signed by the Inspector, that the Cab is not in a fit or proper condition for use, stating briefly the condition complained of, the Owner shall forthwith cease to use the vehicle and, within the time mentioned in that notice, remedy the condition complained of in the notice.
- (5) The Owner of a Cab shall, when requested by the Inspector, forthwith submit the Cab for examination to the Inspector.
- (6) Where the Owner of a Cab disposes of it and acquires a replacement Cab, the Owner shall submit the replacement Cab to the Inspector for approval in conformity with the provisions of this Bylaw before using it as a Cab.
- (7) Where a Cab is not in service due to a mechanical failure or for repairs, or due to other reasons beyond the control of the owner of the Cab, the Inspector may permit a replacement vehicle to be temporarily used to provide service if such vehicle:
 - (a) is approved by the Passenger Transportation Board to be used as a Cab to provide service to the public;
 - (b) is mechanically sound in all respects and has successfully completed a mechanical inspection by a government approved testing facility;
 - (c) in the opinion of the Inspector, the exterior and interior appearance of the vehicle is of an acceptable standard;
 - (d) is equipped with a Taximeter which complies in every respect with the requirements of the Passenger Transportation Board; and
 - (e) complies with this Bylaw and the requirements of the Passenger Transportation Board.

The replacement vehicle must cease to be used as a Cab when the Cab that it is replacing is able to resume service to the public.

OWNERS AND CHAUFFEURS

13. (1) Every Chauffeur shall:
 - (a) be neatly and properly dressed, neat and clean in person, and be civil and well-behaved;
 - (b) remain within seven (7) metres of the Cab when the same is at a Stand; and
 - (c) keep the doors of the Cab closed when waiting for passengers at a Stand.
- (2) A Chauffeur shall not seek customers by driving a Cab to and fro upon any street, or by interfering with the proper and orderly access to or egress from, or by cruising or hovering in front of, any theatre, hall, hotel, transit station, or other place of public gathering. A Chauffeur of a Taxicab may accept passengers at any place of public gathering if the Taxicab is lawfully parked on a street or at a Stand in the vicinity of the place or building where that public gathering is taking place.
- (3) A Chauffeur of a Taxicab shall proceed by the most direct route to the point of destination, unless otherwise specifically directed by the passenger.
- (4) No Chauffeur shall carry in any Cab a greater number of passengers than the seating capacity of the Cab or the number of passengers the Cab is authorized to accommodate, whichever is the lesser.
- (5) No Chauffeur shall load, carry or transport any baggage on the outside of a Cab, except in racks designated and constructed for that purpose.
- (6) A Chauffeur of a Taxicab shall keep a daily written record of all trips made, containing the following information:
 - (a) the date, time, origin and destination of each trip, which shall be entered in the record as soon as practical after the completion of the trip;
 - (b) the Chauffeur's name and address;
 - (c) the Taxicab number; and
 - (d) the odometer reading at the start and finish of the Chauffeur's shift.
- (7) A Chauffeur of a Taxicab shall no later than twenty-four (24) hours after completion of each shift, deposit in the business office of the Owner of the Taxicab the daily record required by subsection (6) that relates to that shift.
- (8) Before accepting the daily trip record from the Chauffeur, the Owner of the Taxicab must ensure that each trip is legibly and properly noted in the record.

- (9) The records referred to in subsection (6) shall be kept by the Owner of the Taxicab business at the Owner's place of business for a period of one (1) year, and during that time shall be produced for inspection at any time on request by the Chief of Police or the Inspector.
- (10) The Owner and Chauffeur of a Taxicab shall, subject to section 9(2), accommodate the persons who request Taxicab service in the order of their request and, if a Taxicab is not available to give the service within a reasonable time, then the person must be so informed.
- (11) No Owner or Chauffeur of a Taxicab shall refuse or neglect to convey any person or persons upon request in the City unless previously engaged or unable or prohibited by the provisions of this Bylaw or permitted to refuse service pursuant to the Passenger Transportation Act or any regulation hereunder.
- (12) No Chauffeur shall refuse service to a person because that person is accompanied by a Guide Animal.
- (13) No Chauffeur of a Taxicab shall convey any person or persons other than the person or persons first engaging the Taxicab, and shall not carry passengers for separate fares unless authorized by the Passenger Transportation Board.
- (14) A Motor Vehicle shall not be operated as a Cab except by the Owner thereof or by a Chauffeur employed by and directly responsible to the Owner. Every Owner granted a License to operate a Cab shall, on the engagement of any Chauffeur, provide the number and date of the Chauffeur's driver's license to operate a Cab and Chauffeur's Permit to the Chief of Police and shall, during the term of the Chauffeur's employment, keep a record of such driver's license and Chauffeur's Permit.
- (15) An Owner and Chauffeur of a Cab shall at all times obey the lawful orders and directions respectively of the Chief of Police and Inspector.
- (16) An Owner of a Cab who drives the Cab shall not spend more hours in any one day in operating the Cab than the maximum number of hours of work for a Cab driver permitted by law. The Owner shall keep a true and accurate written record of the hours worked each day in personally operating the Cab. Those records shall be produced for inspection on demand by the Inspector or Chief of Police.
- (17) Every person holding a License to operate a Cab shall, upon changing Cab Premises or establishing additional premises, so notify the Chief of Police and the Inspector within two (2) days by providing the new or additional address and such other particulars as the Chief of Police or the Inspector may require.
- (18) Every person holding a Chauffeur's Permit shall, upon changing his or her home address, so notify the Chief of Police within two (2) days, giving the new address and such other particulars as the Chief of Police may require.

- (19) Every person holding a Chauffeur's Permit and who is charged with an offence under the Criminal Code of Canada shall report that fact to their employer and to the Chief of Police within 72 hours of being charged and provide details of the nature of the charges.
- (20) An employer who receives a report from a Chauffeur in his or her employment pursuant to subsection (19) shall report that fact to the Chief of Police within 72 hours of receipt of that report.
- (21) A Chauffeur shall not operate a Cab if his or her British Columbia drivers license has been suspended, for the period of that suspension, or cancelled.
- (22) No person shall assist or act in concert with the Owner or Chauffeur of a Cab on any street in soliciting any business.
- (23) The Owner and Chauffeur of any Cab shall take due care of all property delivered or entrusted to him or her for conveyance and immediately upon the termination of any hiring or engagement, shall carefully search the vehicle for any property lost or left therein, and all property and money left in the Cab shall be forthwith delivered over to the person owning the same. If the owner of the property or money cannot at once be found, the property or money shall be delivered to the Cab Premises of the Cab for safe keeping until such time that the owner of the property or money is found, and
 - (a) information relevant to identify the property or money shall be recorded in a log specifically kept for that purpose and which shall be available for inspection upon request by the Chief of Police;
 - (b) the property or money shall be stored in such a way as to ensure its integrity with all information which might assist in establishing ownership of the property or money;
 - (c) the Owner and Chauffeur shall make every reasonable effort to locate and contact the owner of the property or money; and
 - (d) in the event that the owner cannot be located and contacted, the property or money shall be held for a period not less than thirty (30) days.

CHARGES AND FARES

14. (1) An Owner or Chauffeur of a Taxicab shall not charge, demand, collect or receive any fare or charge except in accordance with the tariff of fares authorized by the Passenger Transportation Board. An Owner or Chauffeur of a Taxicab shall not refund or remit in any way any portion of the fares so specified.

- (2) The Owner of a Taxicab shall not publish or use or permit to be published or used any rates or fares other than those authorized by the Passenger Transportation Board or maximum thereof, whether such rates or fares are determined by Taximeter or by time.
- (3) If authorized to do so by the Passenger Transportation Board a Taxicab may be operated on a time or mileage basis at the request of a passenger at and for rates and charges as authorized by the Passenger Transportation Board in respect to time rates or fares for that Taxicab.
- (4) The Owner and Chauffeur of a Taxicab or Shuttle Cab shall display therein a tariff card of the rates and charges for those Cabs authorized by the Passenger Transportation Board in a position that is clearly visible to passengers in the rear seat. No person shall remove such tariff card or mutilate, deface or otherwise dispose of it.

TAXIMETER

15. (1) No person shall operate a Taxicab unless that Taxicab is equipped with a Taximeter which complies with the requirements of this Bylaw and the requirements of the Passenger Transportation Board.
- (2) A Taximeter shall be installed so as to be automatically operated when the Taxicab is in motion as well as when it is standing under Hire, and shall be maintained in a condition ensuring accuracy and continuous registration during Hire.
- (3) No person shall use or permit to be used in any Taxicab with a Taximeter which registers more than two percent (2%) incorrectly.
- (4) At the request of the Inspector, and in any event once in every calendar year, every Taximeter shall be tested to ensure that it displays the correct tariff authorized by the Passenger Transportation Board and that it is accurate within the limit set out in subsection (3) and is otherwise in good working order.
- (5) The Chauffeur of a Taxicab shall ensure that its Taximeter is:
 - (a) adequately illuminated at all times when in use between dusk and dawn;
 - (b) installed and placed at the right side of the driver and in such a position that the fare to be paid by the passenger may be easily read from the rear passenger compartment, and placed in the Taxicab so that the face of the meter is in plain view both from within and without the Taxicab;
 - (c) adjusted in accordance with the distance rates or fares specified by the Passenger Transportation Board;
 - (d) used only when the seal thereon is intact; and

- (e) maintained in good working condition at all times, and not used when defective in any way.
- (6) No Chauffeur of a Taxicab while carrying passengers or under engagement shall indicate that the Taxicab is not engaged or, when the Taxicab is not engaged, indicate that the Taxicab is engaged.
- (7) The Chauffeur of a Taxicab shall place the Taximeter in the hired mode only when the passenger is securely in the vehicle and the vehicle is put into motion, and must disengage the Taximeter from the hired mode when the vehicle has ceased motion at the termination of such trip. This subsection shall not apply when a Taxicab is being operated on a time or distance basis.
- (8) If the Owner or Chauffeur of a Taxicab is required to collect a tax imposed by a government, that tax shall be included in the fare shown on the Taximeter and may be collected or received in addition to the fare or charge collected or received pursuant to this Bylaw. A sign clearly indicating that the fare shown including that tax must be posted inside the Taxicab in proximity to the tariff card.

CHAUFFEUR EMPLOYMENT

- 16. (1) The Owner of a Cab shall not employ, engage or permit any person to operate the Cab unless that person holds a valid Chauffeur's Permit and driver's license of the type required by the Motor Vehicle Act for the operation of that vehicle.
- (2) Within two (2) days of the engagement of a Chauffeur, the Owner of a Cab shall notify the Chief of Police that the Chauffeur has been employed, and when that Chauffeur ceases to be so employed the Owner shall, within two (2) days thereafter, notify the Chief of Police to that effect, giving the reasons for the cessation of employment.

ENFORCEMENT

- 17. The Chief of Police and the Inspector may enforce the provisions of this Bylaw, inspect all vehicles regulated by this Bylaw, and inspect any premises used as Cab Premises or the business premises of the holder of a License to operate a Cab.

FEES

- 18. Every person applying for a License, transfer of License or Chauffeur's Permit or other service or matter described in Schedule "A" to this Bylaw shall pay the fee prescribed therefore in Schedule "A".

OFFENCES AND PENALTIES

19. (1) Every person who:
- (a) violates any provision of this Bylaw;
 - (b) causes or suffers or permits any act or thing to be done in contravention, or in violation of any provision of this Bylaw;
 - (c) neglects or refrains from doing anything required to be done by any provision of this Bylaw; or
 - (d) fails to comply with an order to comply, direction or notice given under this Bylaw;
- shall be deemed to be guilty of an infraction of this Bylaw, and shall be liable to the penalties hereby imposed.
- (2) Any person who is guilty of an infraction of this Bylaw is liable to a fine and penalty as provided for in the Offence Act from time to time.


SEVERABILITY


20. If a court of competent jurisdiction should declare any section or part of a section of this Bylaw to be invalid the remainder of the Bylaw shall be valid and shall remain in force.

REPEAL

21. Burnaby Cab and Commercial Vehicles Bylaw 1951 is repealed.

Read a first time this 1st day of June 2009
Read a second time this 1st day of June 2009
Read a third time this 1st day of June 2009
Reconsidered and adopted this 15th day of June 2009


MAYOR


CLERK

SCHEDULE "A"

Cab license – (annual)	\$360 \$200	(first license) (renewal license)
Cab Premises license (annual)	\$426 \$125	(first license) (renewal license)
Chauffeur's Permit	Cost of Criminal Record check	
Transfer of license to new Owner	\$75	
Transfer of license to new Cab	\$75	