

1771A

THE CORPORATION OF THE DISTRICT OF BURNABY

BY-LAW NO. 3102

A BY-LAW for licensing and regulating the owners  
and drivers of vehicles for hire in the  
Municipality of Burnaby.

The Municipal Council of The Corporation of the District  
of Burnaby hereby ENACT as follows:-

1. In the construction and for the purpose of this By-law the following words and terms shall have the respective meanings hereby assigned them, unless repugnant to the context thereof, that is to say:

(a) Applicant - means the person who makes and signs an application for any license or transfer of any license.

(b) Cab - means any vehicle for hire used for the transportation or conveyance of persons for hire, and without limiting the generality of the foregoing shall for the purpose of this By-law include the following classifications of different kinds or types of cabs:

Class "A" Taxi-Cab means a cab having a seating capacity of not more than six passengers, and shall include a limousine.

Class "B" Ambulance means a cab used exclusively for the conveyance of sick or injured persons from place to place.

Class "C" Funeral Cab means a cab used for the transportation of persons to and from a funeral and may be used when needed to transport flowers from the Undertaking Parlour to the graveside.

Class "D" School Cab means a cab used for the conveyance of children to or from (or both to and from) school and operated by or under contract with the owner (or other authority in charge) of such school.

Class "E" Charter Cab means a cab having a rated seating capacity of nine or more passengers operated for the carrying of parties by charter on picnics, outings or pleasure trips of fraternal, charitable, educational or religious organizations and athletic groups or of any other group of persons, either wholly within the Municipality or partly within the Municipality and partly without the Municipality.

Class "F" "Drive-self Cab" means a cab which may be hired or rented by the hour, day, week, or longer without a driver and shall be classified as follows:

Group 1. Those drive-self cabs which operate on less than four wheels including motor-cycles and motor scooters.

Group 2. All other drive-self cabs.

(c) "Cab Premises" means any building or place other than a public stand, from which any cab is operated or in which orders for hire are received or dispatched.

- (d) "Chief Constable" means the officer in charge of the Police Force in and for the Municipality of Burnaby under the jurisdiction of the Municipal Council, or anyone to whom this authority is delegated by the Chief Constable.
- (e) "Chauffeur" includes any person who drives or operates a vehicle for hire, or who, as an employee hired or engaged solely or in part for the purpose of driving a motor-vehicle of another person, drives or operates that motor-vehicle.
- (f) "Driver" includes every person who drives a vehicle for hire and includes chauffeurs as herein defined and any other person driving or in charge of such vehicle for hire.
- (g) "Drive-self auto livery" means any place where drive-self cabs may be ordered, hired or rented, and includes the business carried on at that place.
- (h) "Hire" means the fare, toll, gain, fee or rate charged or collected from any person for the carriage or transportation of person or persons other than the carrier by or in a vehicle for hire, and includes remuneration or compensation 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 vehicle for hire.
- (i) "Inspector" means the License Inspector of the Municipality duly appointed by the Council, and includes his lawful assistants.
- (j) "License" means any license required or issued under the provisions of this By-law.
- (k) "Limousine" means a cab having a rated seating capacity of six passengers only, operating from private property only.
- (l) "Owner" includes the proprietor or other person having the conduct or operation of any vehicle for hire or the business incidental thereto.
- (m) "Motor Vehicle" includes automobiles, locomobiles, motor-cycles and all other vehicles propelled otherwise than by muscular power, excepting the cars of electric and steam railways, and other motor-vehicles running only upon rails or tracks and excepting trailers.
- (n) "Permit" means the permit required to be held by a chauffeur pursuant to the Motor Vehicle Act of the Province of British Columbia.
- (o) "Stand" means any area, location or place designated by resolution of the Council and set apart for the use of vehicles for hire.
- (p) "Taxi Service Broker" means any person carrying on, conducting or operating any premises or place where orders for taxi-cabs other than those owned by such person, are received, transmitted back, recorded, dispatched or registered for hire.
- (q) "Taximeter" means any mechanical instrument or device by which the charge for transportation in any taxi-cab is mechanically calculated, either for distance travelled or for waiting time, or both, and upon which the charge is indicated by means of figures.
- (r) "Trailer" means any vehicle, other than a side car of a motorcycle, which is attached to a motor-vehicle for the purpose of being drawn or propelled by the motor-vehicle, and which is used for commercial purposes.

- (s) "Used" where it appears in any subsection of this section means "used, or intended, designed or kept for use".
- (t) "Vehicle for Hire" means any motor-vehicle, wagon, truck, cart, carriage, push cart or other vehicle kept, used or operated for hire.
- (u) "Vehicle Operator (Commercial)" means a person owning or operating a conveyance.
- (v) "Calendar Year" means the period from March 1st to the last day of February in the following year.
- (w) "Vehicle (Commercial)" means any motor-vehicle, wagon, truck, cart, carriage, push cart or other vehicle kept, used or operated for the collection and/or delivery of produce, wood, merchandise or other commodities in the Municipality of Burnaby.

2.

### LICENSES

(1) (a) Every person carrying on, engaged in, owning or operating any of the several trades, occupations, callings, businesses, undertakings or things classified, described or named in Schedule "A" of this By-law shall take out and procure from the Municipality a license in respect thereof, and shall pay therefor such sums as is therein specified.

(b) Where a license in respect of a motor-vehicle for hire is applied for to come into effect on a day after the beginning of the calendar year, the license fee therefor shall be an amount calculated at the rate of one-tenth of the annual license fee for each month or fraction of a month between the time when the license is to come into effect and the end of the calendar year, but no license fee under this subsection shall be less than five dollars.

(2) It shall be unlawful for any person to carry on, engage in, own or operate any of the several trades, occupations, callings, businesses, undertakings or things classified, described or named in Schedule "A" of this By-law, without first having obtained from the Municipality a license therefor, and without having paid therefor the respective amounts applicable thereto as set out in said Schedule "A".

- 3. The granting of any license as herein provided shall be conditional upon the strict observance of this and all other by-laws applicable thereto; and it is hereby made an express condition of the granting of any license that the licensee shall observe all By-laws of the Municipality, and non-compliance with any of the provisions of said By-laws shall be deemed to be a breach of the conditions under which such license was granted, and shall render such license subject to cancellation at the pleasure of the Council. The following limitation and restriction shall apply to the licensing of the owners or operators of taxi-cabs. The total number of taxi-cabs owned or operated by such licenses shall not at any time exceed one Taxi-cab for each two thousand of the population of the Municipality of Burnaby as estimated by the Treasurer of the Corporation of the District of Burnaby for the previous year.
- 4. All applications for licenses or transfers of licenses, except those otherwise specially provided for, shall be made to the License Inspector of the Municipality on the form provided for that purpose.
- 5. Upon receipt of any such application and before issuing any license or transfer in respect thereof, the Inspector shall make fully enquiry as to whether the applicant or transferee is a fit and proper person to hold such license, and if in the opinion of the Inspector the applicant shall not be a fit and proper person to hold such a license, the said License Inspector shall refuse to issue such license.
- 6. If a person be dissatisfied with the decision of the Inspector, he may appeal therefrom to the Council, provided that he shall within fourteen (14) days of being notified in writing of the decision of the Inspector, file with the Clerk of the Corporation a written notice of appeal. He shall prosecute his appeal before such meeting of the Council to be held within one month of receipt of such notice, as is indicated to him in writing by the Clerk of the Corporation.
- 7. All licenses, unless the same become sooner forfeited, shall be for the calendar year current at the time of issuance thereof.

8. (1) The granting or refusing of a license to any person, or the cancellation, revocation or suspension of any license granted to any person to carry on any particular trade, calling, business or occupation as herein provided, shall be deemed to be in the discretion of the Council; and the Council shall not be bound to state any reason for the granting or refusing, cancellation, revocation or suspension of any such license; and the granting or refusing, cancellation, revocation, or suspension of any such license may be done and exercised by resolution of the Council.

(2) Whenever the Council deems it desirable that any license granted under this By-law should be revoked or suspended, the Council may, subject to the provisions of this By-law, revoke, or suspend for any such time as they think proper, such license, without stating any reason therefor; but in the case of the revocation of any licence hereunder, the Treasurer of the Corporation shall refund to the Licensee such proportionate part of the license fee as will represent the unexpired portion of the term for which such license was granted, unless such revocation is occasioned by a breach of the law having been made by such licensee; provided, however, that no such license shall be revoked by the Council unless and before the party to whom such license is granted shall have been given an opportunity of appearing before the Council and showing cause why such license should not be revoked.

(3) The Inspector may at any time cancel, suspend or revoke any license for cause; provided, however, that the licensee shall have the right of appeal to the Council to be reinstated; and such appeal may be heard at the next regular meeting of the Council to be held after such cancellation, suspension, or revocation, as the case may be, and the Council may make such order in the premises amending, varying, reversing or confirming such cancellation, suspension or revocation, as the case may be, as the Council may deem expedient.

9. (1) Every person to whom a license has been granted shall keep an established place of business (which may be his home address) and shall notify the Inspector in writing of the address of the premises where such person keeps his books and records of operation of his business, and such license shall be kept conspicuously posted up in such premises. Such person shall immediately notify the Inspector in writing of any change in such address.

(2) Every person to whom a license has been granted shall, at all reasonable times permit the Chief Constable, Inspector or any other police officer or other official of the Municipality to inspect any place, premises or thing in respect of which such license has been granted.

10. No license with respect to the operation of any cab shall be granted under this By-law unless:

(a) The applicant shows to the satisfaction of the Chief Constable and/or Inspector that he or any driver employed by him has reached the age of twenty-one years; is of good character, can speak, read and write the English language; possesses an intimate knowledge of the Municipality and its traffic regulations and of this By-law, is fit, willing and able to maintain a continuous and satisfactory service to the public during the currency of such license, and is in all respects a fit and proper person to hold such license.

- (b) The applicant is the registered owner of the cab with respect to the operation of which a license has been applied for.
  - (c) Such a cab is, in the opinion of the Chief Constable and/or Inspector in a fit and proper condition for the use intended, and is of the standard, and is equipped as required by this By-Law, and complies in all respects with the Motor-Vehicle Act and the Highway Act of the Province of British Columbia and the regulations passed pursuant to such Acts, as far as the same may be applicable.
11. (1) Before any license shall be issued with respect to the operation of any cab the applicant therefor shall file with the Inspector:

- (a) A certificate from an insurance company authorized to carry on in the Province of British Columbia the business of automobile insurance, certifying that the applicant is the holder of an owner's policy of insurance in the said company, in accordance with Part VII of the Insurance Act, or from Lloyds, London, covering each cab to be operated by him, and that the said policy has been issued to indemnify the applicant and every person who, with the applicant's consent, drives or operates such cab against legal liability (including passenger hazard) in not less than the amounts prescribed by or under subsection (2) of this section, and which, at the date of the certificate, is in full force and effect: or
- (b) A bond of a guarantee company authorized and licensed to undertake guarantee insurance in the Province of British Columbia, covering each cab to be operated by him which shall be in the form prescribed by the Corporation Solicitor. Such bond shall be made and executed to the Corporation as Obligee, and conditioned upon the payment of the amounts prescribed by or under subsection (2) of this section for any and all damages or compensation which such applicant may be liable to pay to any person carried in, on or upon such cab, or to any person who may be injured by reason of such cab or the operation or driving thereof, or the owner of any other vehicle which may be injured by reason of such cab or the operation or driving thereof; Provided that notwithstanding any law or statute to the contrary any such person to whom such applicant shall so become liable shall have a right of action upon such bond against the surety or sureties in such bond for such damages or compensation.

(2) The policy of insurance or bond, as provided for in clauses (a) and (b) of subsection (1) of this section, shall be in not less than the following amounts namely:

- (a) Public liability - \$5,000.00 (exclusive of interest and costs) for bodily injury to or the death of any one person, and subject to such limit for any person so injured or killed.
  - \$10,000.00 (exclusive of interest and costs) for bodily injury to, or the death of two or more persons in any one accident.

If such cab has a rated seating capacity of ten or more passengers the amounts for public liability shall be increased to at least the following amounts, namely:

Where such rated seating capacity does not exceed 20 passengers, \$30,000.00

Where such rated seating capacity exceeds 20 passengers, \$40,000.00.

(3) Every such policy of insurance and every bond filed with the Inspector pursuant to this section shall be continued in force at all times during the currency of the licence with respect to which the same has been filed, and shall not be cancelled, expire or be terminated as the case may be without ten (10) days' prior notice having been filed with the Inspector. Cancellation, expiry or termination of such policy or bond shall automatically suspend the license of the licensee owning or operating the cab mentioned in such policy or bond until a new certificate or bond complying with the provisions of this section is filed with the Inspector.

12. (1) The Inspector shall furnish at the cost of the Municipality to each person taking out a license with respect to the operation of a commercial vehicle or vehicle for hire (except a drive-self cab) a plate for each such commercial vehicle or vehicle for hire kept or used by such person, with the number of the license painted or stamped thereon, such plate to be the property of the Municipality; and on the expiration or suspension of the license corresponding thereto or represented thereby, such person shall forthwith return such license plate to the Inspector. Such plate shall be so furnished not later than two weeks from the date of the issuance of such License.

(2) Every person so licensed shall keep such plate on each such commercial vehicle or vehicle for hire;

(a) With respect to cabs in a place designated by the Inspector.

(b) With respect to other vehicles, in a place designated by the Inspector.

(3) It shall be unlawful for any person so licensed to use or exhibit on any commercial vehicle or vehicle for hire any license number other than the license number set out in the license, except such as may be issued by any other lawful authority.

13. In case of the loss, mutilation or destruction of any plate furnished pursuant to section 12, upon receipt of a written application accompanied by proof satisfactory to the Inspector of such loss, mutilation or destruction and if possible, the said plate, the Inspector may issue a duplicate plate the fee for which shall be one dollar.

14. Every such plate issued in respect of any taxi cab shall have written or printed thereon the number corresponding to the Provincial number plate issued in respect of such cab. The licensee shall notify the Inspector immediately of any change in the Provincial number-plate of any Taxi cab, whereupon the Inspector shall issue a new license plate for which an additional charge of one dollar shall be paid on the issuance thereof.

15. Subject to the other provisions of this By-law no license shall be issued by any person with respect to the operation of a vehicle for hire that is not exclusively used for the purpose for which the application for license is made; and any person who, for monetary consideration, engages for part of his time or that of his vehicle for hire in any other occupation during the currency of the license shall subject his license to immediate cancellation at the discretion of the Council.

16. Every person who obtains a license as an owner or operator of a cab shall also obtain a chauffeur's licence and permit before driving the same as a cab.

17. No person shall be granted a taxi-service broker's license who is not himself a licensed cab owner.

18. No license shall be transferred more than once except under special circumstances when the Council may approve more than one transfer. A transfer charge of five per centum of the license fee with a minimum charge of one dollar shall be made and paid before the granting thereof; and where a new plate has become necessary through such transfer or otherwise, an additional charge of one dollar shall be paid on the granting thereof.

DUTIES OF CHIEF CONSTABLE AND INSPECTOR

19. (1) The Chief Constable and the Inspector shall have supervision over all persons licensed or required to be licensed under the provisions of this By-law and over any premises used in connection with the operation of any vehicle for hire or any business or occupation carried on or conducted in relation to or incidental thereto; and it shall be their duty:

- (a) To ascertain by inspection and enquiry from time to time whether the person receiving a license continues to comply with the provisions of the law and of this By-law;
- (b) To enforce the provisions of this By-law.

(2) It shall be the duty of the Chief Constable and/or Inspector in connection with the provisions of this By-law:

- (a) To examine and inspect the cab of every applicant for a license which is intended to be used by him for the purpose of his business and to determine the fitness of such cab for the purpose for which it is intended to be used.
- (b) To examine every applicant for a licence to operate a cab, and every chauffeur employed by such applicant.
- (c) To cause to be examined and inspected all cabs required to be licensed as to construction, type and fitness of any such cab and any mechanical device or equipment used thereon or therewith, with authority for such purpose to impose and apply any reasonable test as to construction, type, and fitness which he may designate, subject to the provisions of any statutes applicable thereto.
- (d) To keep a record of all taximeters in use, the number of same and the Provincial license number of the vehicle to which same is attached.

20. (1) The rates or fares enumerated and specified in the following tariffs shall be the respective rates and fares which the owners or drivers of taxi-cabs shall be entitled to charge, demand, collect or receive; and no driver or owner thereof shall charge, demand, collect or receive higher, lower or different rates or fares than those contained in said tariffs respectively, nor shall any owner or driver refund or remit in any manner or by device any portion of the rates or fares so specified. No owner shall publish or use or permit to be published or used any rates or fares other than those authorized hereunder respectively, whether such rates or fares are determined by taximeter or by time, provided however that an owner of a sightseeing cab may allow or pay a commission not to exceed 15% of any such rate or fare to a duly authorized agent.



No owner directly or indirectly shall carry or permit to be carried free any passenger, or honour or permit to be honoured any free ticket or free pass (except to his officers, agents or employees or a police officer of the Municipality on duty) or for charitable or patriotic purposes.

RATES OR FARES FOR CABS

Taxi cabs:

The following rates or fares shall be applicable to taxi-cabs (except limousines) as hereinbefore defined.

<u>Point to Point on Meter.</u>	
For the first two-fifths mile or fraction thereof	\$ .35
For each additional two-fifths mile or fraction thereof	.10
For each three minutes stopping or waiting time after the first three minutes	.10
<u>Time or Mileage</u>	
For the first hour or fraction thereof or per mile (whichever is greater)	\$2.50 .25
For each succeeding quarter hour or fraction thereof or per mile (whichever is greater)	.60 .25

Additional passengers

No charge shall be made for additional passengers.

Dismissal Fee

Within a radius of 2 miles of the stand from which the cab is stationed	\$ .35
For each additional half mile	.10

Tariff for Limousines.

The following charges shall be applicable to limousines as defined in this By-law:

Point to Point

For the first mile or fraction thereof	\$ .50
For each additional two-fifths mile or fraction thereof	.10
For each two minutes stopping or waiting time after the first two minutes	.10

Time or Mileage.

For the first hour or fraction thereof or per mile (whichever is greater)	\$3.00 .25
For each succeeding quarter hour or fraction thereof	.75
Or per mile (whichever is greater)	.25

Additional passengers.

An additional charge of 25 cents per hour or fraction thereof shall be allowed for each passenger exceeding four.

Dismissal fee.

Within a radius of two miles of the stand from which the limousine is stationed	.50
For each additional half mile	.15

FERRY AND BAGGAGE RATES OR FARES

The following charges shall be applicable to Tariffs hereinbefore mentioned:

- (a) All ferry and toll charges applicable to the vehicle and its occupants, both going and coming, shall be paid by the passenger.
- (b) For each trunk carried \$ .50
- (c) No charge shall be made for travelling bags, valises, boxes or parcels which the passengers carry by hand.

21. Any person operating a taxi-cab or limousine may operate on a time or mileage basis at the request of a passenger at and for rates and charges specifically provided in this By-law in respect to time rates or fares for such vehicles respectively such rates or charges may include the time occupied in going from the taxi-cab stand or office to the place of call, but shall not include the time occupied in returning to such taxi-cab stand or office after such taxi-cab or limousine has been discharged.

22. The owner and driver of every taxi-cab shall display therein a tariff card of the rates and charges for taxi-cabs as authorized by this By-law. Such tariff card shall be kept and displayed so as to face the passenger and in a place designated by the Chief Constable and/or Inspector. No person shall remove such tariff card or mutilate, deface or otherwise dispose of the same.

23. VEHICLE OPERATOR (Commercial)

Every vehicle operator (commercial) and every owner of a commercial vehicle shall have his name and address plainly painted in a conspicuous place on both sides of every conveyance or commercial vehicle used by him for his trade or business; and every person neglecting to comply with the requirements of this section shall be guilty of a violation of this By-law, and subject to the penalties hereof.

24. It shall be unlawful for the owner or driver of a commercial vehicle or conveyance to carry or permit to be carried

for hire any passenger or person on such commercial vehicle or conveyance.

25.

TAXIMETERS

(1) It shall be unlawful for any person to drive or operate or engage in the business of operating a taxi-cab, excepting a limousine, unless such taxi-cab shall be equipped with a taximeter, which complies in every respect with the requirements hereinafter set out and is of a type approved by the Chief Constable and/or Inspector.

(2) All taximeters shall mechanically register the distance and corresponding rate or charge thereof while under hire, and shall be kept in a condition ensuring accuracy and continuous registration during hire, and shall be so installed as to be automatically operated when the taxi-cab is in motion as well as when such vehicle is standing under hire.

(3) No person shall use or permit to be used upon any taxi-cab a taximeter which shall be in such condition as to be over two per cent. (2%) incorrect to the prejudice of any passenger.

(4) Every taximeter shall be:

- (a) Submitted to the Inspector when required for testing, inspection and sealing; and no taximeter shall be used on any cab until the same has been inspected, tested and sealed by the Inspector in such manner as he may deem advisable, and until the same has been certified as accurate, subject to subsection (3) hereof.
- (b) Adequately illuminated at all times when in use between dusk and dawn;
- (c) Installed and placed at the right side of the driver and in such position that the fare to be paid by the passenger may be easily read from the rear seat, and (except with respect to a receipt-issuing meter) shall be so placed in the cab that the signal lever, indicating whether or not the meter is registering, shall be in plain view both from within and without the cab. If the meter is not equipped with a signal lever, lights shall be installed on both rear fenders which shall be connected and operated in conjunction with the said taximeter and shall indicate, while lighted that the vehicle is engaged, and when not lighted, that the vehicle is for hire. Receipt-issuing taximeters may be located beneath the dash-board, and may be equipped with lights as above provided for, and any taxi-cab so equipped, shall have attached to such vehicle in a location and manner and of a type approved by the Inspector a sign or signs which will indicate whether the vehicle is "for hire" or "engaged". Such signs shall be adequately illuminated when displayed between dusk and dawn.

- (d) Adjusted in accordance with the mileage rates or fares hereinbefore enumerated and specified in this By-law.
- (e) Tested from time to time by running the vehicle to which it is attached over a measured track or distance before being sealed;
- (f) Used only when the seal thereon is intact;
- (g) Used for a period not longer than six months without re-testing and re-sealing;
- (h) Kept in good working condition at all times, and not used when defective in any way.

26. (1) It shall be unlawful for any driver of a taxi-cab while carrying passengers or under engagement to display the signal lever or any sign at such position as to denote that such cab is not engaged; or to display the signal lever or any sign at such position as to denote that such cab is engaged, when such vehicle is not actually engaged.

(2) The driver of every taxi-cab shall place the signal lever of the taximeter in a recording position immediately on the commencement of a trip with a passenger, and at the termination of such trip shall place the signal lever in the non-recording position and shall call the attention of the passenger to the amount of the fare registered on the meter.

(3) This section shall not be deemed to apply when a taxi-cab is being operated on a time or mileage basis.

#### DRIVE SELF CAB

27. No owner shall let for hire a drive-self cab to any person, or allow any person to drive such cab, who is not in possession of a driver's license for the current year under the provisions of the "Motor Vehicle Act", and otherwise conforms to all Acts and By-laws applicable thereto.

28. No owner shall knowingly let for hire a drive-self cab to any person of known immoral character, or to any person apparently under the influence of liquor or drugs, or who, he has reason to suspect, may use such vehicle for any unlawful purpose.

29. No person shall use a drive-self cab, for the transportation of persons or property for hire, or permit such cab to be used by any other person for such purpose.

30. (1) Every person who operates a drive-self auto livery shall keep a record-book in which shall be recorded each and every separate hiring of a drive-self cab hired from such auto livery, and such record-book shall be signed by every person hiring a drive-self cab there from; such record shall contain at least the following information;

- (a) Description of motor vehicle,  
Make of car Registration No. Serial No.
- (b) Description of person renting motor vehicle  
Name Address Occupation  
Driver's licence Number.
- (c) Time of engagement.  
Out Date Hour A.M. or P.M.  
In Date Hour A.M. or P.M.

(2) Such record shall be open at all times to the inspection of the Chief Constable or Inspector.

(3) No drive-self cab shall be let for hire until the person hiring the same has produced a subsisting driver's license under the Motor Vehicle Act, and until the owner or other person in charge of the drive-self auto-livery has compared the signature on such license with the signature in the record and is satisfied that they were written by the same person.

TAXI SERVICE BROKER

31. Every person carrying on, maintaining or operating the business of a taxi-service broker shall conform to and be subject to the provisions of this By-law applicable thereto, and such person shall not transact any business involving the use of any cab unless a license shall have first been issued under this By-law with respect to the operation of such cab.

32. No person shall carry on, maintain or operate the business of taxi-service broker within the Municipality unless such person is the owner of and holds a license to operate a cab as herein provided.

33. Every taxi-service broker shall keep the Chief Constable and Inspector informed at all times of all cabs for which he is accepting or dispatching calls, and shall keep a record in ink in the English language of all such transactions for which he accepts or intends to accept remuneration therefor, which

record shall be available for inspection at all times by the Chief Constable and Inspector.

GENERAL PROVISIONS.

34. No motor-vehicle shall be operated as a cab or conveyance except by the owner thereof, or by a driver employed by and directly responsible to such owner.

35. No cab shall be equipped with blinds or other device so as to obstruct a clear, unrestricted vision through all windows other than the rear window.

36. Every taxi-cab shall be equipped with an interior light sufficient to illuminate the entire passenger compartment; and such light shall, at all times, be maintained in proper working order.

37. The interior and exterior of every cab shall be kept clean and in good repair, and the interior disinfected weekly, or more frequently if and when required; and whenever the owner of any cab receives notice, either given to him personally or to his driver, signed by the Chief Constable, or Inspector, that such cab is not in a fit or proper condition for use, stating briefly the condition complained of, such owner shall forthwith cease to use such cab, or within the time mentioned in such notice put the same in a fit and proper condition for use satisfactory to the Chief Constable or Inspector, and upon default, shall be deemed guilty of an infraction of this By-law.

38. No person shall carry in any cab a greater number of passengers than the number of passengers such vehicle is designed to seat.

39. (1) No person shall be allowed to occupy the runningboard or other outside part of any cab while the same is in motion.

(2) No person owning or operating any cab shall load, carry or transport any baggage on the outside of any cab, except in properly constructed racks for that purpose.

40. (1) Every owner of a taxi or cab shall have painted or permanently affixed on either the rear or front door on each side of such taxi or cab a business name which shall include

the word "Taxi" and such names shall be printed in lettering not less than two inches high and shall be kept clear, clean and distinguishable at all times. In addition an illuminated sign, complying in all respects with the Regulations made pursuant to the "Motor Vehicle Act", bearing the word "Taxi" or "Cab" shall be placed in the front of the taxi or cab, either on the outside above the windshield, or inside behind the windshield in a position satisfactory to the Chief Constable or Inspector. Such sign shall be kept illuminated during the hours of darkness while the taxi or cab is in operation. Provided, however, during the time that a limousine, with respect to which a license has been issued for its operation as a taxi-cab, is being used for funeral or wedding services, the owner thereof may cover up such business name and need not expose such illuminated sign, but shall in all other respects conform to the provisions of this By-law.

(2) No trade name shall be used on any cab unless such trade name shall first have been approved by and recorded with the Inspector; and no licensed owner or driver shall use or publish, or permit to be used or published, in connection with his business or premises any advertising matter or sign indicating, implying or suggesting fares or charges lower than the tariff of fares and charges which owners or drivers of cabs and conveyances are entitled to receive or charge under the provisions of this By-law.

41. The owner of any vehicle for hire in respect of which a license has been issued shall, when required, forthwith submit his vehicle for examination to the Chief Constable, and no owner or driver shall, at any time, prevent or hinder the said Chief Constable from entering the same, or at any time prevent or hinder him from entering his garage or other building for the purpose of inspecting such vehicle.

42. Where any owner disposes of his cab and acquires another cab, he shall submit the latter vehicle to the Chief Constable and/or Inspector for approval in conformity with the provisions of this By-law

before using such vehicle for the purpose of his business.

43. Every owner of any cab shall immediately provide for the proper disinfection of such cab after it has, to his knowledge, conveyed any person suffering from any contagious or infectious disease; and no such owner shall be required to convey any person suffering from any infectious or contagious disease until he has been paid a sum sufficient to cover any loss or expense that may be incurred by him in carrying into effect the provisions hereof.

44. No owner of any vehicle for hire shall employ, engage or permit any person other than a licensed chauffeur to operate or drive any such vehicle for hire.

45. Owners of cabs who employ both male and female drivers shall arrange for suitable and separate washroom accommodation for such male and female drivers.

46. When any owner employs any driver for his cab he shall, within two days thereafter, notify the Chief Constable and/or Inspector that he has employed such driver, and when such driver ceases to be so employed, the owner shall within two days thereafter notify the Chief Constable and/or Inspector to such effect, giving the reasons for such cessation of employment.

47. Every owner granted a license under this By-law shall, during the term of the employment or engagement of any driver, keep a record of the number and date of his chauffeur's license and permit to operate, such number to be ascertained by actual inspection of such license and permit and shall forthwith report the same to the Chief Constable and/or Inspector.

48. Every owner and driver of any vehicle for hire shall at all times obey the lawful orders and directions respectively of the Chief Constable and Inspector.

49. (1) No owner of a vehicle for hire who drives his own vehicle, shall spend more hours in any one day in operating his vehicle than the maximum number of hours as limited for an employee in any similar industrial undertaking, referred to in the "Hours of Work Act" of the Province of British Columbia.



(2) Each owner referred to in subsection 1 of this section, shall keep a true and correct record in ink or in indelible pencil in the English language of the hours worked each day by himself in operating his own vehicle. Such record shall be produced for inspection of the Chief Constable and/or Inspector at all times on demand of the Chief Constable or the Inspector.

(3) "Day" where used in this section shall mean the period of time from midnight of any day to the following midnight.

50. Every holder of a license for operating a taxi-cab shall provide taxi-cab service for not less than ten (10) hours in each twenty-four (24) hour period, and for not less than six (6) days in each calendar week.

51. Every person in charge of any taxi-cab

- (a) Shall be neatly and properly dressed, neat and clean in his person and be civil and well-behaved.
- (b) Shall remain within twenty-five (25) feet of his taxi-cab when the same is on a stand.
- (c) Shall keep the doors of such taxi-cab closed when the same is on a stand waiting for passengers.
- (d) Shall not stand in such manner so as to obstruct the free use of the sidewalk or make any loud noise or disturbance, nor use obscene, impudent or abusive language, nor molest, annoy or insult the owners, occupiers, inmates or inhabitants of any building, house or residence, or any passenger, pedestrian, or other person whatsoever;
- (e) Shall refrain from smoking while driving any passenger or passengers.

52. Every female in charge of any taxi cab

- (a) Shall be not less than 21 years of age.
- (b) Shall wear a cap of the type commonly worn by drivers of taxi-cabs.
- (c) Shall not accept as a passenger any person under the influence of liquor.

53. Every person licensed under this By-law to operate a cab shall upon changing his address; notify the Chief Constable and Inspector thereof within two days, giving his new address and such other particulars as the Chief Constable and Inspector may require.

54. (1) No driver of any cab shall seek employment by repeatedly and persistently driving his cab to and fro upon any street or in a short space in front of, or by otherwise interfering with the proper and orderly access to or egress from, or by cruising or hovering in front of, any theatre, hall,

hotel, public resort, railway or ferry station, or other place of public gathering; provided however, that the driver of a cab may accept passengers at any place of public gathering so long as his taxi-cab is lawfully parked in the vicinity of the place or building where such public gathering is taking place.

(2) No driver of any cab shall loiter or cruise about the streets with his cab for the purpose of obtaining fares.

55. (1) No person required to be licensed under this By-law shall employ or allow any runner or other person to assist or act in concert with him on any street in soliciting any person.

(2) No person shall assist or act in concert with the owner or driver of any cab on any street in soliciting any person.

56. Every owner and driver of any vehicle for hire shall take due care of all property delivered or entrusted to him for conveyance or safe-keeping, and immediately upon the termination of any hiring or engagement, shall carefully search his vehicle for any property lost or left therein; and all property and money left in his vehicle for hire shall be forthwith delivered over to the person owning the same, or if unclaimed, or if the owner cannot at once be found, the same shall be delivered to the Chief Constable, with all information in his possession regarding such property.

57. Every driver of a cab shall proceed by the most direct travelled route to the point of destination, unless otherwise directed by the passenger.

58. (1) Every driver of a taxi-cab shall keep a daily record, "approved by the Inspector" of all trips made by him. The record must contain the following information:

- (a) The date, time, origin and destination of each trip.
- (b) The driver's name and address.
- (c) The Provincial License Number of the taxi-cab.
- (d) The speedometer or other meter reading at the start and finish of the driver's shift.

(2) The driver shall deposit the record with the owner of the taxi-cab at the end of his shift or as soon as possible thereafter.

(3) Every owner of a taxi-cab shall keep a daily record of all trips made by each taxi-cab owned by him. The record shall be in a form approved by the Chief Constable and Inspector and shall contain the same information as required for the driver's daily trip record, as provided in subsection (1).

(4) The owner of a taxi-cab shall check the driver's daily trip record and shall require that each trip be properly recorded and in legible writing before accepting the same from the driver.

(5) The records referred to in subsections (1) and (3) shall be kept by the owner of the taxi-cab for a period of at least six (6) months and during that time shall be produced for inspection at any time on demand by the Chief Constable or Inspector.

59. Every person in charge of any vehicle for hire shall when called upon to do so, assist any constable in the apprehension or the conveyance in his vehicle of any person to the common gaol, or any police station in the Municipality, or in the conveyance of any person to a hospital or elsewhere, as may be required or demanded, provided such person is not suffering from contagious disease; and the owner or driver of such conveyance shall be entitled, after the performance of such service, to the corresponding charge or fare therefor as herein provided as the rates or fares for cabs or conveyances, from the proper authorities.

60. The premises of a person licensed under this By-law shall at all times be subject to inspection by the Chief Constable and Inspector, and shall be maintained at all times in a clean, neat state and in good repair. Notice of any change of location of such premises or location of additional premises during the currency of a license shall forthwith be given in writing to the Chief Constable and Inspector.

61. It shall be unlawful for any person who engages a taxi-cab with respect to the operation of which a license has been granted under this By-law, to fail to pay to the driver the fare asked for provided the same is the proper fare chargeable under this By-law.

62. (1) Every owner and driver of a taxi-cab shall accomodate the persons who desire his service in the order of their application, and if a taxi-cab is not available to give the desired service within a reasonable time, then the applicant shall be informed.

(2) No owner or driver of a taxi-cab shall refuse or neglect to convey any orderly person or persons upon request in the Municipality unless previously engaged or unable or prohibited by the provisions of this By-law.

(3) No driver of a taxi-cab shall convey any person or persons other than the person or persons first engaging the taxi-cab. The carrying of passengers for separate fares is prohibited.

63. Non-compliance with any of the provisions of this or any other By-law applicable to a license or failure to maintain the standard of qualification for the issue of a license as herein provided, shall be deemed to be an infraction of this By-law and shall render a licensee liable to the penalties hereby imposed, or to suspension or cancellation of license.

64. (1) Every person who violates any of the provisions of this By-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this By-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this By-law, or who does any act which violates any of the provisions of this By-law, shall be deemed to be guilty of an infraction thereof, and liable to the penalty hereinafter provided.

(2) Every person who makes any false statement in any application for a license under the provisions of this By-law shall be guilty of an offence against this By-law.

(3) In any prosecution under this By-law in respect of the operation of a vehicle for hire, proof of the fact that passengers or freight were being transported in a vehicle for hire on a highway shall be prima facie evidence that the same was or were being so transported for compensation.

PENALTY CLAUSE.

65. Any person guilty of an infraction of this By-law shall, upon conviction thereof before the Reeve, Police Magistrate, or any two Justices of the Peace, or other Magistrate or Magistrates having jurisdiction in the Municipality of Burnaby, on the oath or affirmation of any credible witness, forfeit and pay at the discretion of the said Reeve, Police Magistrate, Justices, or other Magistrate or Magistrates convicting, a fine or penalty not exceeding the sum of one hundred dollars and costs for each offence; and in default of payment thereof forthwith, it shall be lawful for such Reeve, Police Magistrate, Justices, or other Magistrate or Magistrates convicting as aforesaid, to issue a warrant under his or their hand and seal to levy the said fine or penalty and costs, or costs only, by distress and sale of the offender's goods and chattels; and in case of no distress, or no sufficient distress found to satisfy the said fine or penalty, it shall and may be lawful for the Reeve, Police Magistrate, Justices or other Magistrate or Magistrates convicting as aforesaid to commit the offender to the common gaol or any lockup house in the Municipality of Burnaby for any period not exceeding thirty days (with or without hard labour) unless the said fine or penalty be sooner paid.

66. This By-law shall come into force and take effect on the first day of March A.D. 1951.

Every person to whom this by-law applies, who has paid a license fee as required by the "Burnaby Trades License By-law, 1950", shall be credited with the amount paid to the license fee as required in Schedule "A" of this By-law which is part of this By-law.

67. This By-law may be cited for all purposes as "BURNABY CAB AND COMMERCIAL VEHICLES BY-LAW 1951.

DONE AND PASSED in Open Council this Twenty-second (22nd) day of January, A.D. 1951.

RECONSIDERED AND FINALLY PASSED this Twenty-ninth (29th) day of January, A.D. 1951.



*W.R. Beauséjour*

REEVE

*Charles Brown*

CLERK

SCHEDULE "A"

Being a classification of the trades, occupations, callings, businesses, undertakings or things for which a license is required under this By-law, and a classification of persons carrying on, engaged in, owning or operating any such trades, occupations, callings, businesses, undertakings or things, with the respective license fees payable by such persons, that is to say:

License fees payable in the calendar year by every person owning or operating any of the following vehicles being in the Municipality of Burnaby:

1. Cabs.		
(a) Class "A" Taxi-cab		
For each vehicle		\$40.00
(b) Class "B" Ambulance		
For each vehicle		20.00
(c) Class "C" Funeral cab		
For each vehicle		20.00
(d) Class "D" School Cab		
For each vehicle		20.00
If operated also as Charter Cab for each vehicle so operated additional fee		10.00
(e) Class "E" Charter cab		
For each vehicle		20.00
(f) Class "F" Drive self cab		
Group 1. For each vehicle		3.00
Group 2. For each vehicle		30.00
2. Cab premises		1.00
3. Business of a taxi-service broker		100.00
4. Vehicles used for any business not hereinbefore enumerated		
For each vehicle		15.00
5. Driving Instruction Cab		
For each vehicle		25.00
6. Vehicles (Commercial) other than those used by a Retail Trader licensed pursuant to the "Burnaby Trades License By-law 1950"		
For each vehicle		15.00
7. Vehicles (Commercial) when used for the delivery of merchandise by a licensed Retail Trader		
For each vehicle		5.00