

**TOWN OF INUVIK  
BY-LAW #2577/L+P/14**

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**A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF INUVIK  
IN THE NORTHWEST TERRITORIES TO REGULATE THE OPERATION AND  
LICENSING OF PASSENGER TRANSPORTATION WITHIN THE TOWN OF  
INUVIK**

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**WHEREAS** the Municipal Corporation of the Town of Inuvik has the authority to regulate the operation and licencing of passenger transportation providers, such as taxis, shuttles and buses, within the Town of Inuvik, pursuant to the *Cities, Towns and Villages Act* and the *Motor Vehicles Act*;

**And WHEREAS** section 70(1)(a) of the *Cities, Towns and Villages Act* grants Council the power to make bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

**And WHEREAS** section 70(1)(b) of the *Cities, Towns and Villages Act* grants Council the power to make bylaws for municipal purposes respecting people, activities and things in, on or near a public place or a place that is open to the public;

**And WHEREAS** section 70(1)(d) of the *Cities, Towns and Villages Act* grants Council the power to make bylaws for municipal purposes respecting transport, motor vehicles, pedestrians and local transportation systems;

**And WHEREAS** section 70(1)(f) of the *Cities, Towns and Villages Act* grants Council the power to make bylaws for municipal purposes respecting businesses, business activities and persons engaged in business;

**And WHEREAS** section 70(1)(k) of the *Cities, Towns and Villages Act* grants Council the power to make bylaws for municipal purposes respecting the enforcement of bylaws;

**NOW THEREFORE** the Council of the Town of Inuvik, in Council duly assembled, enacts as follows:

**1.0 SHORT TITLE**

1.1 This by-law may be cited as the "Passenger Transportation Bylaw".

**2.0 DEFINITIONS**

2.1 In this by-law, the following terms have the following meanings, unless context requires otherwise:

- (a) **"Accessible Taxi"** means a *Taxi* constructed or modified to permit the loading, transporting and unloading of persons in a wheelchair or similar device used to assist disabled persons, providing ease of entry to or egress from the vehicle in a safe and dignified manner by means of an on-board lift or ramp conforming with all sections of Canadian Standard Association D409: Motor Vehicles for the Transportation of Persons with Physical Disabilities;
- (b) **"Ambulance"** means a vehicle operated exclusively for the transportation of injured or ill persons to or from a hospital;
- (c) **"Approved Mechanic"** means a licenced automotive mechanic approved by the *Inspector*;

- (d) **“Bus”** means a vehicle that is used to carry for hire or profit, with seating available for more than twelve (12) passengers excluding the Driver thereof, but does not include an *Ambulance or Shuttle*;
- (e) **“Charter Service”** means a vehicle that is used to carry for hire or profit, with seating available for not more than twelve (12) passengers excluding the Driver thereof, where the origin or destination is outside the boundaries of the Town of Inuvik;
- (f) **“Council”** means the Council of the Town of Inuvik;
- (g) **“Driver”** means a person who is driving or operating a *Bus, Charter Service, Shuttle, Accessible Taxi or Taxi* vehicle;
- (h) **“Driver’s Permit”** means a permit issued to an individual to allow him or her to drive or operate a *Bus, Charter Service, or Shuttle*;
- (i) **“Endorsement” or “Endorsed”** means the written indication on a permit or licence issued under this bylaw that specifies the type of vehicle or service that is authorized;
- (j) **“Escort”** means an abled bodied adult that is capable of providing care and supervision of a disabled or impaired person;
- (k) **“Government Authority”** means another municipality, or a provincial, territorial or state government;
- (l) **“Inspector”** means a person appointed as a By-Law Enforcement Officer for the Town of Inuvik, the SAO, and any other person appointed as an *Inspector* by Council;
- (m) **“Lapsed”** means a permit or licence which has not been renewed or paid for, for a period of greater than forty-five (45) days;
- (n) **“Limousine”** means a luxury vehicle which is used for hire for the conveyance of passengers on an hourly basis and is booked or reserved at least 3 hours prior to departure, but shall not include a vehicle licensed or operated as a *Taxi or Charter Service*;
- (o) **“Operate”** means to be in-service and available for a period of more than one (1) hour in a day;
- (p) **“Passenger Transportation Business”** means a business engaged in the transportation of people by *Bus, Charter Service, Shuttle, or Taxi*;
- (q) **“Passenger Transportation Business Licence”** means a license issued under this bylaw permitting the operation of a *Passenger Transportation Business*;
- (r) **“Peace Officer”** means a person appointed as a By-Law Enforcement Officer for the Town of Inuvik; and includes a person designated as a *Motor Vehicle Officer or ex officio Motor Vehicle Officer*, pursuant to section 318 of the *Motor Vehicles Act*;
- (s) **“Permit”** means a *Driver’s Permit, Vehicle Approval Permit or Taxi Owner/Operator Permit* issued under this bylaw;
- (t) **“Person”** means an individual, partnership or corporation;

- (u) **“Qualified”** means a suitable person who meets all the requirements of this by-law;
- (v) **“SAO”** means the Senior Administrative Officer for the Town of Inuvik or designate;
- (w) **“Shuttle”** means a vehicle used exclusively to transport the guests of a hotel, motel, campground, resort, or tourism operator, to or from an airport or other fixed destination(s), and shall also include a Limousine;
- (x) **“Spare vehicle”** means a vehicle owned by a *Passenger Transportation Business*, to be used by an eligible driver when that driver’s normal vehicle is out-of-service for mechanical reasons;
- (y) **“Taxi”** means a vehicle that is used to carry for hire or profit, with seating available for not more than twelve (12) passengers excluding the Driver thereof, and includes an *accessible taxi*, but does not include an *Ambulance, Bus, Charter Service, or Shuttle*;
- (z) **“Taxi Owner/Operator Permit”** means a permit issued under this bylaw to a designated person and vehicle, to be used as a *Taxi*;
- (aa) **“Unit Number”** means the number of a vehicle as assigned by an *Inspector* and indicated on the *Vehicle Approval Permit*;
- (bb) **“Vehicle Approval Permit”** means a permit issued to a *Bus, Charter Service, or Shuttle*, certifying that the vehicle is approved for use by the holder of a *Driver’s Permit*;
- (cc) **“Town”** means the Town of Inuvik;
- (dd) **“Years Old”** means the age of a vehicle based on the production year of the vehicle as shown on the registration form issued by the Registrar of Motor Vehicles for the Northwest Territories.

### **3.0 BUSINESS LICENSING REQUIREMENT**

- 3.1 No person shall own or operate a *Passenger Transportation Business* without a valid subsisting *Passenger Transportation Business Licence* issued under the authority of this by-law.
- 3.2 A *Passenger Transportation Business* that is licensed by another *Government Authority* is exempt from the requirement to hold a *Passenger Transportation Business Licence*, when:
  - (a) In the case of a *Bus*, the first passenger embarkation is not within the Town, and the *Bus* is not parked or stored within the Town for a period of greater than seven (7) consecutive days; and,
  - (b) In the case of a *Charter Service or Taxi*, the business is based out of another municipality and is in service for the purposes of delivering passengers from that municipality to the *Town*, or taking passengers from that municipality through the Town on a round-trip basis.

### **4.0 DRIVER’S PERMIT REQUIREMENT**

- 4.1 No person shall drive or operate a *Bus, Charter Service, Shuttle, Taxi or Accessible Taxi* vehicle without a valid subsisting *Driver’s Permit* or *Taxi Owner/Operator Permit* issued under the authority of this by-law.

4.2 A person is exempt from holding a *Driver's Permit* or *Taxi Owner/Operator Permit*, when:

- (a) In the case of a *Bus*, the first passenger embarkation is not within the Town, and the *Bus* is not parked or stored within the Town for a period of greater than seven (7) consecutive days;
- (b) In the case of a *Charter Service* or *Taxi*, the driver is based out of another municipality, is licenced by a *Government Authority*, and is in service for the purposes of delivering passengers from that municipality to the *Town*, or taking passengers from that municipality through the Town on a round-trip basis.

## **5.0 VEHICLE APPROVAL PERMIT REQUIREMENT**

5.1 No person shall drive or operate a *Bus*, *Charter Service*, *Shuttle*, *Taxi* or *Accessible Taxi* vehicle, unless the vehicle has a valid *Vehicle Approval Permit* or a valid *Taxi Owner/Operator Permit*.

5.2 A vehicle is exempt from the requirement to have a *Vehicle Approval Permit* or a valid *Taxi Owner/Operator Permit* when:

- (a) In the case of a *Bus*, the first passenger embarkation is not within the Town, and the *Bus* is not parked or stored within the Town for a period of greater than seven (7) consecutive days; and,
- (b) In the case of a *Charter Service* or *Taxi*, the driver is based out of another municipality, is licenced by a *Government Authority*, and is in service for the purposes of delivering passengers from that municipality to the *Town*, or taking passengers from that municipality through the Town on a round-trip basis.

## **6.0 DISPLAY AND USE OF PERMITS**

6.1 No person shall operate a *Bus*, *Charter Service*, *Shuttle*, *Taxi* or *Accessible Taxi*, unless he or she displays any required *Permit* in a prominent place within the vehicle.

6.2 For the purposes of this section, a "prominent place" means a place where the permit is visible to the passengers within the vehicle, and is not obstructed or hidden in anyway.

6.3 No person shall deface or alter any permit or licence issued under this bylaw.

6.4 No person shall transfer or assign any permit or licence issued under this by-law, unless otherwise permitted by this by-law.

6.5 No person shall use a licence or permit that was not issued in their name, or where any of the information on the licence or permit is incorrect or out-of-date.

## **7.0 APPLICATIONS FOR PERMITS OR LICENCES**

7.1 Application forms, permits, and licences issued under this by-law shall be in the form prescribed by the SAO.

7.2 Upon being satisfied that an applicant meets the requirements of this by-law, an *Inspector* may issue or amend a permit or licence under this by-law.

- 7.3 An *Inspector* shall require any new applicant to provide a driver's abstract, criminal record check and vulnerable sectors check. An *Inspector* may for any renewal application request a driver's abstract, criminal record check or vulnerable sectors check. An *Inspector* may also request any document or reference that the *Inspector* believes to be relevant to the application or renewal, including but not limited to: proof of employment and past employment history.
- 7.4 An *Inspector* may refuse to issue a permit, license, or endorsement, to any person that in his or her opinion is not of suitable character. An *Inspector* may refuse to issue any permit or license required by this by-law to any person who has an outstanding debt owed to the Town.
- 7.5 When considering whether an applicant is of suitable character, the *Inspector* shall consider the criminal history of the applicant, including any convictions or current charges for violent or controlled substance based offences. An *Inspector* shall also consider the applicant's ability to perform the roles, duties and responsibilities required of the applicant, in a fair, mature, reasonable, safe, lawful, ethical and moral manner. An *Inspector* may also consider the potential risk of the applicant to harm the public, including vulnerable persons, by means of physical harm or the corruption of morals. When context applies to a corporation or partnership, an *Inspector* shall consider the suitability of each officer or partner of the corporation or partnership, and of the organization as a whole.
- 7.6 Should a permit or licence be refused by an *Inspector*, the *Inspector* shall provide written notice to the applicant of the reason(s) for the refusal.
- 7.7 Any decision by an *Inspector* to refuse a permit, licence, or endorsement issued under this bylaw, is appealable to Council within thirty (30) days of receipt of the written notice by submitting written notice to the SAO. Council may uphold the decision of the *Inspector*, overturn the decision and order the permit, licence, or endorsement be issued, or request further information prior to making a determination.
- 7.8 An applicant that has been refused a permit, licence, or endorsement may not reapply for a period of six (6) months.

## **8.0 PASSENGER TRANSPORTATION BUSINESS LICENCE REGULATIONS**

- 8.1 A *Passenger Transportation Business Licence* is valid for a period no greater than one (1) year, and shall expire on the last day of February.
- 8.2 A *Passenger Transportation Business Licence* is only valid for the operation of the type(s) of vehicle endorsed on the licence.
- 8.3 No person shall be issued a *Passenger Transportation Business Licence*, unless the applicant:
- (a) holds a minimum of two-million dollars (\$2,000,000.00) in liability insurance for the intended operations;
  - (b) is of suitable character as per section 7.5 of this by-law; and,
  - (c) meets any other requirement of this by-law.
- 8.4 A *Passenger Transportation Business Licence* that is endorsed for a *taxi* business may also operate as an *accessible taxi* and *Charter Service* business. No other business other than one endorsed for a *taxi* business may receive a *charter service* business endorsement.

8.5 No *Passenger Transportation Business* shall employ or enter into agreement for service with a person as a driver who does not hold a *Driver's Permit* as required by this by-law.

**9.0 DRIVER'S PERMIT REGULATIONS (NON-TAXI)**

9.1 *Driver's Permits* are valid for a period no greater than one (1) year, and shall expire on the last day of February.

9.2 A *Driver's Permit* is only valid for the type(s) of vehicle endorsed on the permit.

9.3 No person shall be issued an endorsement on a *Driver's Permit*, unless:

- (a) In the case of a ***Charter Service endorsement***, the applicant:
  - (i) is at least eighteen (18) years of age;
  - (ii) has a valid class 1, 2, 3, or 4 Northwest Territories driver's licence or equivalent;
  - (iii) has no more than five (5) convictions related to the operation or parking of a motor vehicle within the last two (2) years;
  - (iv) has not been convicted of an offence under the *Criminal Code of Canada*, the *Controlled Drug and Substances Act*, or the *Liquor Act* within the previous five (5) years for which a pardon or record suspension has not been granted;
  - (v) has not had his or her driver's licence suspended within the previous five (5) years;
  - (vi) has passed a written exam administered by the *Inspector*;
  - (vii) has submitted a letter from a licenced *Passenger Transportation Business* indicating that he or she will be operating a *taxi* on their behalf;
  - (viii) meets any other requirement of this by-law to hold such an endorsement; and,
  - (ix) has paid the fees payable under this by-law
- (b) In the case of a ***Shuttle or Bus endorsement***, the applicant:
  - (i) is at least eighteen (18) years of age;
  - (ii) has a valid driver's licence suitable for the type of vehicle to be operated;
  - (iii) has no more than five (5) convictions related to the operation or parking of a motor vehicle within the last two (2) years;
  - (iv) has not been convicted of an offence under the *Criminal Code of Canada*, the *Controlled Drug and Substances Act*, or the *Liquor Act* within the previous five (5) years for which a pardon or record suspension has not been granted;
  - (v) has not had his or her driver's licence suspended within the previous five (5) years;
  - (vi) has paid the fees payable under this by-law.
- (c) In the case of an ***accessible taxi endorsement***, the applicant:

- (i) meets the requirements of section 9.3 (a), except that the *driver* of an *accessible taxi* need not be a resident of Inuvik;
- (ii) has submitted a letter from a licenced *Passenger Transportation Business* indicating that he or she will be operating an *accessible taxi* on their behalf;
- (iii) has demonstrated to an *inspector* that he or she is capable of loading, unloading, and securing a person in a wheel chair, and is adequately trained on the use of the equipment; and,
- (iv) has a valid standard first aid and level 'C' CPR certificate.

9.4 No person who is required to hold a *Driver's Permit*, shall drive or operate a *Bus, Charter Service, Shuttle or Accessible Taxi*, unless that person is employed for or has a written agreement to provide service on behalf of a *Passenger Transportation Business* that is licenced under this by-law, unless that person has received an exemption by resolution of *Council*.

#### **10.0 VEHICLE APPROVAL PERMIT REGULATIONS (NON-TAXI)**

- 10.1 *Vehicle Approval Permits* are valid for a period no greater than six (6) months, and shall expire on either the last day of February or the last day of August.
- 10.2 A *Vehicle Approval Permit* is issued to the vehicle, and is only valid for the type of use that is endorsed on the permit.
- 10.3 No vehicle shall be issued a *Vehicle Approval Permit* endorsed for an ***accessible taxi or charter service***, unless:
- (a) The vehicle is less than ten (10) *years old*;
  - (b) the vehicle has passed an inspection by an *Inspector*;
  - (c) the vehicle has undergone an inspection by an *approved mechanic* in the last thirty (30) days, and the mechanic has completed an inspection form prescribed by the *Inspector*; and,
  - (d) the fees payable under this bylaw have been paid in full.
- 10.4 No vehicle shall be issued a *Vehicle Approval Permit* endorsed for a ***bus or shuttle***, unless:
- (a) The vehicle is less than fifteen (15) *years old*, and:
    - (i) the vehicle has undergone an inspection by an *approved mechanic* in the last thirty (30) days, and the mechanic has completed an inspection form prescribed by the *Inspector*; and,
    - (ii) the fees payable under this bylaw have been paid in full.
- 10.5 An inspection by an *Inspector* under this part shall include a visual inspection of the interior and exterior of the vehicle and a ride in the vehicle, to ensure that the vehicle is:
- (a) reasonably clean and in good mechanical condition;
  - (b) safe for use by the public; and
  - (c) in compliance with the provisions of this by-law and the *Motor Vehicles Act*.

- 10.6 A Vehicle Approval Permit shall not be issued for a vehicle unless the owner of the vehicle has a valid certificate of public liability and damage insurance for a minimum value of two million dollars (\$2,000,000) for that vehicle.
- 10.7 An *Inspector* or *Peace Officer* may suspend a *Vehicle Approval Permit* if he or she has reasonable grounds to believe that the vehicle is mechanically unfit for service, until such a time as the owner or *driver* of the vehicle has submitted a certificate from *approved mechanic* indicating that the mechanic has inspected the vehicle and is of the opinion that the vehicle is fit for service.

#### 11.0 TAXI OWNER/OPERATOR REGULATIONS

- 11.1 *Taxi Owner/Operator Permits* are valid for a period no greater than six (6) months, and shall expire on either the last day of February or the last day of August.
- 11.2 A *Taxi Owner/Operator Permit* allows the person named on the permit to operate the vehicle described on the permit as a *taxi* or *charter service*.
- 11.3 The requirements of a vehicle to be designated on a *Taxi Owner/Operator Permit* and be used as a *taxi* vehicle are:
- (a) The vehicle is less than ten (10) *years old*;
  - (b) the vehicle has passed an inspection by an *Inspector*;
  - (c) the vehicle has undergone an inspection by an *approved mechanic* in the last thirty (30) days, and the mechanic has completed an inspection form prescribed the *Inspector*;
  - (d) the vehicle is equipped with:
    - (i) a sign on the roof bearing the name and telephone number of the Passenger Transportation Business, which must be lit when the vehicle is available;
    - (ii) a sign bearing the unit number of the *taxi*; clearly identified by 30cm numbers on the left, right and rear sides of the vehicle; and,
    - (iii) a working dispatch radio or computer aided dispatch system; and,
  - (e) the vehicle meets all other requirements specified in this bylaw.
- 11.4 An inspection by an *Inspector* under this part shall include a visual inspection of the interior and exterior of the vehicle and a ride in the vehicle, to ensure that the vehicle is:
- (a) reasonably clean and in good mechanical condition;
  - (b) safe for use by the public; and
  - (c) in compliance with the provisions of this by-law and the *Motor Vehicles Act*.
- 11.5 A *Taxi Owner/Operator Permit* shall not be issued unless the owner of the vehicle has a valid certificate of public liability and damage insurance for a minimum value of two million dollars (\$2,000,000) for that vehicle.
- 11.6 An *Inspector* or *Peace Officer* may suspend a *Taxi Owner/Operator Permit* if he or she has reasonable grounds to believe that the vehicle is mechanically unfit for service, until such a time as the owner or *driver* of the vehicle has submitted a certificate from *approved mechanic* indicating that the mechanic has inspected the vehicle and is of the opinion that the vehicle is fit for service.



- 11.7 To hold a *Taxi Owner/Operator Permit*, the person must:
- (a) be at least eighteen (18) years of age;
  - (b) have a class 1, 2, 3, or 4 Northwest Territories driver's licence or equivalent;
  - (c) have no more than five (5) convictions related to the operation or parking of a motor vehicle within the last two (2) years;
  - (d) not have been convicted on an offence under the *Criminal Code of Canada*, the *Controlled Drug and Substances Act*, or the *Liquor Act* within the previous five (5) years for which a pardon or record suspension has not been granted;
  - (e) not have had his or her driver's licence suspended within the last five (5) years;
  - (f) has passed a written exam administered by the *Inspector*;
  - (g) is employed by a licenced *Passenger Transportation business* that is endorsed for *taxi* service;
  - (h) if the *Taxi Owner/Operator Permit* holder's vehicle is an *accessible taxi*, he or she must:
    - (i) have demonstrated to an *Inspector* that he or she is capable of loading, unloading, and securing a person in a wheel chair, and is adequately trained on the use of the equipment; and,
    - (ii) has a valid standard first aid and level 'c' CPR certificate.
  - (i) meets any other requirement specified in this bylaw.
- 11.8 A *Taxi Owner/Operator Permit* shall not be issued or renewed unless all fees payable under this bylaw have been paid in full.
- 11.9 An applicant seeking to renew a *Taxi Owner/Operator Permit* shall not be required to submit a Criminal Records Check to the *Inspector* where the Town has suitable criminal records check on file for that person that was issued within the previous nine (9) months, unless the *Inspector* has reasonable grounds to believe that there may have been a change in the criminal history of the applicant;
- 11.10 A *Passenger Transportation Business* endorsed for the operation of a *taxi* may, on application to an *Inspector*, receive a *Taxi Owner/Operator Permit* for a *spare vehicle* to be used by *Taxi Owner/Operator Permit* holders when their regular vehicle as described on their permit is out-of-service for mechanical reasons. In the case of a *Taxi Owner/Operator Permit* for a *spare vehicle*, the vehicle must meet the requirements of this section except that a specific person will not be named on the permit. When operating the *spare vehicle*, the driver of a *spare vehicle* must display his or her regular valid *Taxi Owner/Operator Permit* in addition to the one issued to the *spare vehicle*.
- 11.11 A *Passenger Transportation Business* shall keep a log of the name of the driver, and the date and times that a driver is using a *spare vehicle*. This log shall be available for inspection by an *Inspector* upon request, and must be maintained for a period of 18 months.
- 11.12 No driver shall use a *spare vehicle* for more than 30 days in a calendar year, except where granted an exception by resolution of Council.

**12.0 ACCESSIBLE TAXI REGULATIONS**

- 12.1 Every *passenger transportation business* endorsed for the operation of a *taxi* business shall maintain one or more *accessible taxis*, and at least one (1) *accessible taxi* shall be available:
- (a) upon request between the hours of 8:00 AM and 8:00 PM;
  - (b) on a pre-booked basis between the hours of 8:00 PM and 8:00 AM; and
  - (c) at all times when requested to provide assistance during an emergency.
- 12.2 Dispatch priority of an *accessible taxi* must be given to those persons who have mobility issues and challenges getting in and out of the standard *taxi*; when not in use by such persons, the vehicle may operate as a standard *taxi* between the hours of 8AM and 8PM, if the driver has a *Taxi Owner/Operator Permit*.
- 12.3 The *Driver* shall provide assistance upon request to a passenger who requires aid in embarking or disembarking the *accessible taxi*, and shall not demand any compensation for doing so.
- 12.4 The fare payable for transportation in an *accessible taxi* shall be the same fare as if it were an ordinary *taxi*.
- 12.5 An *accessible taxi* shall not be used as a *charter service* vehicle for trips outside of Town, except with the specific written authorization from an *Inspector*.
- 12.6 An *accessible taxi* is exempt from the requirement to hold a valid *Vehicle Approval Permit* when the *accessible taxi* is described on a valid *Taxi Owner/Operator Permit*, provided that that permit is displayed while the *accessible taxi* is in service.

**13.0 DRIVER CONDUCT**

- 13.1 No *Driver* shall:
- (a) smoke or permit any person to smoke in a vehicle;
  - (b) use abusive or insulting language or gestures;
  - (c) carry a greater number of persons than the number of functioning seats or seat belts installed in the vehicle;
  - (d) fail to take due care of all property accepted for conveyance or safekeeping;
  - (e) solicit sexual acts in exchange for transportation, or otherwise engage in immoral, offensive or illegal conduct;
  - (f) be on duty for a period greater than sixteen (16) hours in any twenty-four (24) hour period;
  - (g) operate a *taxi*, *accessible taxi*, *charter service*, *bus*, or *shuttle* vehicle, unless it is:
    - (i) equipped with a usable spare tire, tire jack, and lug wrench;
    - (ii) equipped with an operational and readily accessible fire extinguisher;
    - (iii) clean and in a good state of repair on the interior and exterior;
    - (iv) equipped with fully operational headlights, taillights, turning signals and brake lights; and,

- (v) free from any mechanical defects that may render the vehicle unsafe, including, but not limited to: damaged or worn tires, major body damage, leaking exhaust or fuel system, inoperable horn, ineffective windshield wipers or windshield washer, inoperable defroster or heater, loose latches, inoperable seatbelts, ineffective brakes, reduced steering or throttle control, or excessive noise or vibrations.

13.2 No *Driver* of a *taxi*, *accessible taxi*, or *charter service* shall:

- (a) permit any person to enter a vehicle which is in-service without the consent of all other passengers;
- (b) refuse to convey any orderly passenger unless the vehicle is already in-service or unless otherwise permitted by this by-law;
- (c) refuse to issue a fare receipt to a passenger who requests one;
- (d) refuse to convey a passenger when requested to do so by a *Peace Officer* or member of the Town of Inuvik Fire Department;
- (e) carry passengers without charge if there are paying passengers in the vehicle;
- (f) operate a *Charter Service* vehicle, unless it is equipped with a sign bearing the name and telephone number of the *Passenger Transportation Business* and the unit number of the vehicle on the driver's door, front passenger's door, and the trunk of the vehicle.

13.3 For the purposes of this section, the unit number of a vehicle is the number indicated on the *Vehicle Approval Permit* by the *Inspector*.

#### **14.0 PASSENGER CONDUCT AND PASSENGER SUSPENSIONS**

14.1 No passenger shall:

- (a) act disorderly or abusively;
- (b) smoke or possess open liquor within a vehicle; or
- (c) refuse to pay a fare that is owed to the *driver*.

14.2 A *driver* may refuse to convey a passenger who has acted in contravention of section 14.1, and suspend service to that individual for a period no longer than twenty-four (24) hours.

14.3 Where a *driver* has refused to convey a passenger or otherwise suspended service to a person, the *driver* must provide written notice outlining the circumstances of the refusal to the *Inspector* within twenty-four (24) hours.

14.4 A *driver* or *passenger transportation business* may submit a written request to the *Inspector* for permission to suspend service to an individual for a period longer than twenty-four (24) hours but not more than one (1) year. The *Inspector* shall advise the applicant, and the person who is subject to the request, of the *Inspector's* decision in writing. An *Inspector's* decision under this part may be appealed to *Council* by either party, by submitting written notice to the SAO during the period in which the suspension applies, or in the case where no suspension has been granted, within fourteen (14) days of receiving notice of the *Inspector's* decision.

14.5 No person shall make a request for service, or remain within a vehicle, during the period in which service has been suspended to him or her under this section.

- 14.6 A *taxi* or *accessible taxi* may refuse a fare from a hospital or nursing home where the *Driver* has reasonable grounds to believe that the passenger is medically or physically impaired to such a degree that the person is either unable to care for him/herself or is incapable of moving from the roadway to their final destination without assistance, and no escort has been provided to accompany the passenger. A *Driver* may also require the passenger to present written documentation from a medical practitioner stating that he or she is permitted to leave the facility and does not require an escort. A *Driver* who refuses such a fare shall immediately notify both the facility from where the passenger originated and an *Inspector*.

#### **15.0 VIDEO AND AUDIO RECORDING**

- 15.1 A vehicle subject to this bylaw may be equipped with video and audio recording equipment for the purposes of ensuring the safety and security of the *driver* and passengers of the vehicle.
- 15.2 The owner or *driver* of a vehicle equipped with video or audio recording equipment shall:
- (a) notify the *Inspector* in writing that the vehicle is so equipped; and,
  - (b) immediately notify the *Inspector* in writing if the equipment is removed or inoperable.
- 15.3 The owner or *driver* of a vehicle equipped with video or audio recording equipment shall:
- (a) ensure that the video or audio recording equipment is recording at all times while passengers are present;
  - (b) ensure that a sign is placed in a conspicuous place advising the passengers that they are being recorded and that the recordings will be provided upon request to an *Inspector* or a *Peace Officer*;
  - (c) maintain all recordings for a minimum period of seventy-two (72) hours, and shall provide a copy of the recordings to an *Inspector* or *Peace Officer* upon request; and,
  - (d) ensure that the recordings are kept secure and not made public by any means.

#### **16.0 OUT OF SERVICE VEHICLES**

- 16.1 No person shall drive or operate a *taxi*, *accessible taxi* or *charter service* vehicle while it is out of service or otherwise not available for use by paying passengers, unless he or she has posted a sign on the driver's side dash of the vehicle that is plainly visible outside of the vehicle indicating that the vehicle is "out of service".
- 16.2 A licenced mechanic is authorized to drive a *bus*, *shuttle*, *taxi*, *accessible taxi* or *charter service* vehicle for the purposes of testing its mechanical condition, without holding a valid *Driver's Permit* or *Vehicle Approval Permit*.

#### **17.0 TAXI AND CHARTER SERVICE FARE RATES**

- 17.1 No *Driver* of a *taxi* or *accessible taxi* shall charge a fare rate or any other fee, other than those set out in Schedule 'C' attached to and forming part of this by-law.
- 17.2 Every *taxi* and *accessible taxi* shall have a printed schedule of fares as outlined in Schedule 'C' posted in a visible and prominent location inside the vehicle.

- 17.3 Any interested party may submit requests for revisions to the fare rates set out in Schedule 'C', by making a written submission to the SAO, who shall forward all such submissions to a meeting of *Council* at least once per year. Upon receiving the submissions from the SAO, *Council* shall review the fare rates and determine if any revisions are required. *Council's* decision is final and binding.
- 17.4 Any changes to Schedule 'C' shall be advertised by the Town for two (2) consecutive weeks and posted in five (5) prominent places in the community for a period of thirty (30) days prior to coming into effect.
- 17.5 No *Driver* of a *charter service* shall charge a fee greater than that which was agreed upon prior to the commencement of the trip, except where changes in the duration or destination of the trip are made.

**18.0 LIMITATION ON TAXI AND CHARTER SERVICE BUSINESSES**

- 18.1 Despite any other provision in this by-law, there shall be no more than two (2) businesses with a *Passenger Transportation Business Licence* endorsed for the operation of a *taxi* business at any time. Only a business that is licensed to operate a *taxi* may operate a *charter service*.
- 18.2 No person shall own, possess, control, or have any interest in more than one (1) business with a *Passenger Transportation Business Licence* endorsed for the operation of a *taxi* business.
- 18.3 The two (2) existing businesses currently holding a "Taxi Business License" under By-Law #2430 at the time that this by-law comes into effect, shall be granted a *Passenger Transportation Business Licence* endorsed for the operation of a *taxi* business when this by-law comes into effect, provided they meet the qualifications of this by-law and pay the required fees.
- 18.4 A person who holds a valid, active *Passenger Transportation Business Licence* endorsed for the operation of a *taxi* business may make written application to an *Inspector* to transfer the licence to another qualified person. On finding that the person is qualified to hold such a licence and has paid the required fees, the *Inspector* shall issue the licence. A person whose licence has been revoked or lapsed loses the right to transfer the licence to another person.
- 18.5 Should there be less than two (2) *Passenger Transportation Business Licences* endorsed for the operation of a *taxi* business issued at any given time, the Town shall make one available by auction to the highest qualified bidder.
- 18.6 Any changes in ownership of a corporation or partnership which owns or controls a *Passenger Transportation Business* require the approval of an *Inspector*. Failure to obtain such approval renders the licence null and void.

**19.0 LIMITATION ON TAXI OWNER/OPERATOR PERMITS**

- 19.1 Despite any other provision in this by-law, there shall be no more than thirty (30) persons with a *Taxi Owner/Operator Permit*.
- 19.2 Persons holding a "Taxi Owner/Operator Permit" under By-Law #2430 at the time that this by-law comes into effect, shall be granted a *Taxi Owner/Operator Permit*, provided they meet the qualifications of this by-law and pay the required fees.
- 19.3 A person who holds a valid, active *Taxi Owner/Operator Permit* may make written application to an *Inspector* to transfer the Permit to another qualified person. On finding that the person is qualified to hold such a permit and has paid the required fees, the *Inspector* shall issue the permit. A person whose permit

has been revoked or *lapsed* loses the right to transfer the permit to another person. This part does not apply to a person who obtained their *taxi* endorsement under section 19.2, where under by-law #2430 they held a permit designated as "non-transferable". .

- 19.4 Should there be less than thirty (30) *Driver's Permits* endorsed for the operation of a *taxi* issued at any given time, the Town may make one available by auction to the highest qualified bidder.
- 19.5 A *Taxi Owner/Operator Permit* holder who transfers his permit is not eligible to hold a *Taxi Owner/Operator Permit* for a period of five (5) years from the date of transfer, unless Council, upon application from that person, grants an exception by way of resolution. If a *Taxi Owner/Operator* loses their permit as a result of a violation of the by-law, they are ineligible to apply for a *Taxi Owner/Operator Permit* for a period of ten (10) years, unless Council upon application from that person, grants an exception by way of resolution.
- 19.6 A person who allows her or her *Taxi Owner/Operator Permit* to *lapse* shall forfeit the permit to the Town.

## **20.0 TAXI AVAILABILITY AND DISPATCH RECORDS**

- 20.1 Every business with a *Passenger Transportation Business Licence* endorsed for the operation of a *taxi* business shall maintain at a minimum:
- (a) Twenty-four (24) hour dispatch service;
  - (b) Three (3) *taxis* in operation between the hours of 7:00 AM and 7:00 PM;
  - (c) Two (2) *taxis* in operation between the hours of 7:00 PM and 3:00 AM;
  - (d) One (1) *taxi* in operation between the hours of 3:00 AM and 7:00 AM;
  - (e) An *accessible taxi* as required by this by-law.
- 20.2 For the purposes of this section, "in operation" means that the specified number of vehicles are staffed with *drivers* and are readily available to answer a call for service at all times during that time period;
- 20.3 Every business with a *Passenger Transportation Business Licence* endorsed for the operation of a *taxi* or *Charter Service* business shall maintain detailed dispatch records; such records must be maintained for a period of eighteen (18) months, and available for inspection by an Inspector upon request within twenty-four (24) hours.
- 20.4 Dispatch records shall include:
- (a) the name and start and stop times where a *Driver* is on duty, and the unit number he or she is operating; and,
  - (b) a record of each call for service, including: the name, telephone number or description of the passengers, the pickup location, the time of service request, pickup time, and the taxi unit number assigned to the call.
- 20.5 Every *driver* shall provide the information required in section 20.4 (b) of this bylaw to the *Passenger Transportation Business* within twenty-four (24) hours of dropping off a passenger that was not dispatched to the *driver* by the *Passenger Transportation Business*;

- 20.6 As many drivers allow customers to call their personal or business cellular telephones for service, when a complaint has been received, the inspector may require a *Taxi Owner/Operator Permit* holder to provide a statement from his or her cellular telephone service provider showing the details of all calls made and received during a period of 1 hour before and after the time the complaint is alleged to have occurred. Such a request from the *Inspector* must be complied with by end of the next business day.
- 20.7 If a *taxi, accessible taxi* or *charter service* vehicle is equipped with a computer aided dispatch system or other electronic tracking system, access to the system must be provided to an *Inspector* upon request.
- 20.8 Every person holding a *Taxi Owner/Operator Permit* shall operate a *taxi* in service for paying customers for a minimum of two-hundred-and-fifty (250) days in every three hundred and sixty-five (365) day period, unless an exception has been granted by resolution of *Council*.
- 20.9 *Council* may, by resolution, revoke a *Passenger Transportation Business Licence* or *Driver's Permit* where the requirements of this section are not being met.

## **21.0 AIRPORT OPERATIONS**

- 21.1 No *Passenger Transportation Business* shall operate within the boundaries of the "Commissioner's Public Airport Lands" as defined by the *Public Airport Act*, unless the *Passenger Transportation Business* is in compliance with a written agreement with the authority having jurisdiction.

## **22.0 SUSPENSION OR CANCELLATION OF LICENCES OR PERMITS**

- 22.1 An *Inspector* is authorized to suspend a *Permit*, where:
- (a) the *Inspector* has found the vehicle or *driver* in contravention of this by-law, the *Motor Vehicles Act*, the *Liquor Act*, for a period of no more than twenty-four (24) hours, unless otherwise provide for in this by-law;
  - (b) the *Inspector* has reasonable grounds to believe that there is an imminent danger to public health or safety, for a period of no more than seven (7) days;
  - (c) the *driver* does not hold a valid driver's licence to operate the type of vehicle to be operated, or where his or her driver's licence has been suspended, until such a time as he or she holds a suitable valid driver's licence; or,
  - (d) the registration or liability insurance on a vehicle is no longer valid, until such a time as valid registration or liability insurance has been obtained.
- 22.2 The SAO may suspend or revoke any permit or licence issued under this by-law where:
- (a) the SAO is of the opinion that the suspension or revocation of the licence is necessary to ensure public health or safety, or to prevent the continuation of an offence under this by-law, the *Motor Vehicles Act*, or the *Liquor Act*;
  - (b) where the SAO believes that the person who is subject to the permit or licence has provided false or misleading information on his or her application;

- (c) where the holder of the licence or permit no longer meets the requirements of this by-law or is otherwise not qualified; or,
  - (d) where the person who is subject to the permit or licence is under investigation for, or has been charged with, or has been convicted of, an offence under the *Criminal Code of Canada*, the *Controlled Drug and Substances Act*, or the *Liquor Act*, and the SAO believes that the suspension or revocation is in the public interest.
- 22.3 An *Inspector* or SAO who suspends or revokes a permit or licence under this part, shall provide the person who is subject to the suspension or revocation with written notice detailing the reasons for the suspension or revocation and the period in which it is in effect. Where the *Inspector* or SAO is unable to reasonably locate the person, he or she may notify the person by publishing notice of the suspension or revocation once in a newspaper that circulates in the Town.
- 22.4 A person whose licence or permit has been suspended or revoked under this section may appeal the decision of the *Inspector* or SAO to *Council* within thirty (30) days of notice of the decision by submitting written notice to the SAO. The SAO shall forward the appeal to the next meeting of *Council*, where *Council* will decide whether to uphold the decision, substitute a different period of suspension, or to reinstate the licence or permit.
- 22.5 Any hearing or appeal before *Council* under this by-law is not subject to the normal rules of evidence, any evidence or testimony that *Council* feels relevant may be considered.
- 22.6 No compensation or refund shall be made to any person who has had their licence or permit suspended or revoked in accordance with the provisions of this by-law.

### **23.0 OFFENCES AND ENFORCEMENT**

- 23.1 Every person who contravenes any provision of this by-law is guilty of an offense and is liable upon summary conviction to:
- (a) in the case of an individual, a fine not exceeding two-thousand dollars (\$2,000.00), or to imprisonment for a term not more than six (6) months, or to both; and,
  - (b) in the case of a corporation, to a fine not exceeding \$10,000.00.
- 23.2 An *Peace Officer* may issue a summons by ticket in the form prescribed by the *Summary Conviction Procedures Act*, to any person who contravenes the provisions of this by-law, and such person may, in lieu of appearing in answer to the summons by ticket, pay the Town such penalty as set out in Schedule 'B' attached to and forming part of this bylaw, when it has been so indicated by the *Peace Officer* on the ticket.
- 23.3 No person shall obstruct or interfere with an *Inspector* or *Peace Officer*, or provide false information.
- 23.4 Any person who is required to hold a licence or permit under this by-law shall truthfully answer any questions asked by an *Inspector* or *Peace Officer* regarding any matter that is subject to this by-law.



- 23.5 An *Inspector* or *Peace Officer* is authorized to conduct unscheduled inspections of any vehicle that is subject to this by-law to verify that it is in compliance with the provisions of this by-law and the *Motor Vehicles Act*.
- 23.6 Council may, by resolution, appoint a person as an *Inspector* for the purposes of administration and enforcement of this by-law.

**24.0 EFFECT AND REPEALS**

- 24.1 This by-law will come into effect on May 1, 2015 A.D.
- 24.2 Bylaws #2430/L+P/07 and #2473/L+P/09, and any amendments thereto are hereby repealed when this by-law comes into effect.

**25.0 CONFLICT WITH ANY OTHER BY-LAW**

- 25.1 In the event of any conflict between any provisions of this by-law and any other by-law heretofore passed, the provisions of this by-law shall prevail.

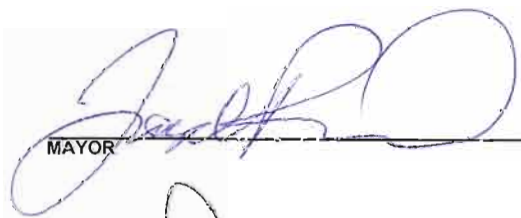
**26.0 SEVERABILITY**

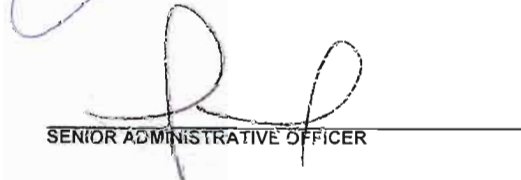
- 26.1 If any provision or part of this by-law is declared by court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the by-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

READ A FIRST TIME THIS 10<sup>TH</sup> DAY OF DECEMBER, 2014 A.D.


READ A SECOND TIME THIS 8<sup>TH</sup> DAY OF APRIL, 2015 A.D.

READ A THIRD TIME AND FINALLY PASSED THIS 8<sup>TH</sup> DAY OF APRIL, 2015 A.D.

  
MAYOR

  
SENIOR ADMINISTRATIVE OFFICER

I hereby certify that this by-law has been made in accordance with the requirements of the Cities, Towns and Villages Act and the by-laws of the Town of Inuvik.

  
SENIOR ADMINISTRATIVE OFFICER

SCHEDULE 'A'

FEES

ITEM	FEE
Issuance or Renewal of a Passenger Transportation Business Licence, for operation of:	
- a <i>Bus or Shuttle</i>	\$100.00
- a <i>Taxi or Charter Service, or an Accessible Taxi</i>	\$100.00
Issuance or Renewal of a <i>Driver's Permit</i> , for operation of:	
- a <i>Bus or Shuttle</i>	\$20.00
- an <i>Accessible Taxi</i>	\$20.00
- a <i>Charter Service</i>	\$5,000.00
Issuance or Renewal of a <i>Vehicle Approval Permit</i> , for operation of:	
- a <i>Bus or Shuttle</i>	\$10.00
- <i>Charter Service, or an Accessible Taxi</i>	\$100.00
Administration Fee for Written Examinations (per attempt)	\$50.00
Issuance or Renewal of a <i>Taxi Owner/Operator Permit</i>	\$100.00
Transfer <i>Taxi Owner/Operator Permit</i> to Another Person	\$5,000.00
Transfer <i>Taxi Owner/Operator Permit</i> to Another Vehicle	\$50.00

SCHEDULE 'B'

SPECIFIED PENALTIES

SECTION	DESCRIPTION	FINE
3.1	Operate a Passenger Transportation Business without a licence	\$1,000.00
4.1	Operate a bus/charter/shuttle/taxi without a valid Permit	\$1,000.00
5.1	Operate a bus/charter/shuttle/taxi vehicle without a valid Permit	\$1,000.00
6.1	Fail to display permit in prominent place	\$100.00
6.3	Alter or deface permit	\$1,000.00
6.4	Transfer or assign permit without authorization	\$1,000.00
6.5	Illegal Use of Permit	\$1,000.00
8.5	Business employ unlicensed driver	\$1,000.00
9.4	Driver operating independent of a licenced Passenger Transportation Business	\$1,000.00
11.3	Fail to maintain taxi vehicle equipment requirements	\$250.00
11.10	Fail to display Permits while operating spare vehicle	\$100.00
11.11	Business fail to maintain log of spare vehicle use	\$500.00
11.12	Use spare vehicle in excess of 30 days in a year	\$500.00
12.1	Business fails to operate Accessible Taxi as required	\$1,000.00
12.2	Fail to give priority to disabled customers for Accessible Taxi	\$1,000.00
12.3	Fail to provide assistance to disabled customer	\$500.00
12.5	Use Accessible Taxi out of town without authorization	\$500.00
13.1 (a)	Driver smoke or permit smoking within vehicle	\$500.00
13.1 (b)	Driver use abusive or insulting language while on duty	\$500.00
13.1 (c)	Driver carry greater number of persons than seats or seat belts	\$500.00
13.1 (d)	Driver fail to take due care of property accepted for safekeeping	\$250.00
13.1 (e)	Offensive or immoral behavior by driver	\$1000.00
13.1 (f)	Driver on duty over 16 hours in 24 hour period	\$500.00
13.1 (g)	Operate vehicle that does not meet minimum standards	\$500.00
13.2 (a)	Permit person to enter vehicle without consent of passengers	\$250.00
13.2 (b)	Unlawfully refuse to convey orderly passenger	\$500.00
13.2 (c)	Driver refuse to issue fare receipt	\$250.00
13.2 (d)	Refused order to convey a passenger	\$250.00
13.2 (e)	Carry passenger without charge when paying customer present	\$250.00
13.2 (g)	Operate charter service vehicle without required equipment	\$500.00
14.1 (a)	Passenger act disorderly or abusively	\$250.00
14.1 (b)	Passenger smoke or possess open liquor within vehicle	\$250.00
14.1 (c)	Passenger unlawfully refuse to pay fare owed	\$250.00
14.3	Driver fail to notify inspector of passenger refusal	\$250.00
14.5	Passenger request service while service has been suspended	\$250.00
14.6	Fail to notify upon refusal of service to a disabled person	\$250.00
15.2	Fail to notify inspector of status of surveillance equipment	\$250.00
15.3 (a)	Driver fail to ensure surveillance equipment is recording	\$250.00
15.3 (b)	Fail to maintain surveillance notification sign	\$250.00
15.3 (c)	Fail to maintain surveillance recording	\$500.00
15.3 (d)	Fail to ensure surveillance recordings are kept secure	\$500.00
16.1	Fail to display out of service sign when required	\$250.00
17.1	Alter taxi fare	\$500.00
17.2	Failure to post fare schedule in prominent location	\$100.00
17.5	Charter service charge more than agreed upon	\$500.00
20.1	Business fail to maintain taxi service availability	\$500.00
20.3	Fail to maintain dispatch records	\$500.00
20.4	Failure to maintain complete dispatch records	\$500.00
20.5	Driver fail to provide dispatch record	\$500.00
20.6	Fail to submit call records upon request	\$500.00
20.7	Fail to provide access to tracking system	\$500.00
21.1	Operate at airport without approval from airport authority	\$500.00
23.3	Obstruct Peace Officer	\$500.00
23.4	Fail to answer questions from Peace Officer	\$500.00

SCHEDULE 'C'

TAXI FARE RATES

"Town Core" means anywhere within the Town of Inuvik bounded on the East by the junction of the Airport Road and Marine By-Pass Road; on the West by the junction of Marine By-Pass Road and Navy Road; on the North by Marine By-Pass Road; and, on the South by the East Branch of the Mackenzie River.

"Child" means a person under the age of fifteen (15).

"Each Stop" means every stop that is made between the location of departure and the destination that does not require deviation off of the most convenient route, and does not include waiting time.

FARES – TOWN CORE	Rate
Car Fare	\$6.00
Adult or Unaccompanied Child	\$6.00
Adult and One (1) Child	\$6.00
Additional Children	\$1.00 Each
Two (2) or More Adults	\$5.00 Each

FARES – TO OR FROM AIRPORT	Rate
One (1) Person	\$30.00
Two (2) Persons	\$18.00 Each
Three (3) or More Persons	\$15.00 Each

FARES – OUTSIDE OF TOWN CORE (within general area)	Rate	
Bay Street	One (1) Person	\$10.00
	Each Additional Person	\$5.00 Each
Carn Road	One (1) Person	\$12.00
	Each Additional Person	\$6.00 Each
Arctic Dove (Petroleum)	One (1) Person – One (1) Way	\$12.00
	Each Additional Person	\$6.00 Each
Rocky's Plumbing	One (1) Person	\$9.00
	Each Additional Person	\$4.00 Each
Juk Park	One (1) Person	\$15.00
	Each Additional Person	\$7.00 Each
Shell Lake	One (1) Person	\$20.00
	Each Additional Person	\$10.00 Each

GENERAL FEES	Rate
Pick-Up and Delivery of Goods Where No Passenger Is Involved	\$5.00 + Fare
Charter Time	\$80 Per Hour
Waiting Time Per Minute After Three (3) Minutes	\$1.25
Each Stop	\$2.00 + Fare
Customer Requested Assistance	\$2.00 + Fare
Station Wagon or Van Request (When requested by a customer other than a customer who is required to use a wheelchair because of a disability)	\$7.00 + Fare