



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Mayor and Members of Council
From: Laura Moy, Director Corporate Services & Clerk
Date to Council: November 27, 2018
Report Number: CS-2018-31
Subject: Taxi Cab Owner License Limitation

Recommendations

It is recommended:

That the number of Taxi Cab Owner Licenses **be maintained** at a maximum of twelve (12) licenses;

And that the number of Accessible Taxi Cab Owner Licenses **be maintained** at a minimum of three (3) licenses;

And further that CS-2018-31 dated November 27, 2018, respecting the limitation imposed on the issuance of Taxi Cab Owner's Licenses, as required under Section 16.2 of the Taxi By-law No. 2003-85, as amended, **be received**;

And furthermore that the fees and fares set out in Schedule B of By-law No. 2003-85, **be amended**, as follows:

\$4.15 start
\$2.31 first km
\$39.60 / hour waiting

Background

Town Council enacted By-law No. 2003-85 on November 18, 2003, providing for the licensing, regulating and governing of taxi cabs, their owners and drivers, and for regulating the fares to be charged (Taxi By-law).

Taxis are regulated in accordance with Section 151 of the Municipal Act, 2001 which permits a municipality to provide for a system of licenses with respect to a business, and Section 156 which specifically permits, where a by-law has been adopted a by-law under Section 151 with respect to the owners and drivers of taxicabs, that a municipality may,

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

The Taxi By-law currently establishes the following rates and fares:

First 105 m: \$3.50

Each additional 69 m: \$0.10

Waiting time while under engagement: \$25.00

In 2004, the Taxi By-law was amended [By-law No. 2004-04] to impose a limitation on the number of Taxi Cab Owner Licenses issued by the Town at a ratio of one (1) license for each 1,540 residents of the Town. A minimum of three (3) licenses are to be reserved for Accessible Taxi Cab Owners.

Pursuant to paragraph 16.2 of the Taxi By-law, the number of Taxi Cab Owner Licenses is to be determined by the Clerk during the year of a regular municipal election. The population statistics, as provided by the Municipal Property Assessment Corporation, are to be used for calculating the number of licenses in accordance with the ratio.

The Town currently issues twelve (12) Taxi Cab Owner Licenses. The licenses are equally issued (6 each) to Gerry's Tecumseh Taxi and Tecumseh Cab & Lakeshore Taxi Inc.

Comments

The Municipal Property Assessment Corporation's Population Report for Tecumseh, as of July 31, 2018, states the Town's population to be 21,270.

Based on the ratio of one (1) license for every 1,540 residents, the maximum number of Taxi Cab Owner Licenses which may be issued is fourteen (14) [21,270/1540].

Under the *Accessibility for Ontarians with Disabilities Act, 2005*, Section 79(1) of the Integrated Accessibility Standards, Ontario Regulation 191/11, states that:

Every municipality shall consult with its municipal accessibility advisory committee, where one has been established in accordance with subsection 29 (1) or (2) of the Act, the public and persons with disabilities to determine the proportion of on-demand accessible taxicabs required in the community.

Consultation on taxi service, and in particular accessible taxi service, was held with the Tecumseh Accessibility Advisory Committee (TAAC) at their meeting held on Tuesday, November 20, 2018. The TAAC offered no recommendation as to the need to increase the number of available Accessible Taxi Cab Owner Licenses from three (3). It was suggested, however, that the Town look into a subsidy to equip Accessible Taxi Cabs as applications have not been received, to date, for the three (3) reserved Accessible Taxi Cab Owner Licenses.

A need for additional licenses has not been requested, nor demonstrated, by the current licensed Taxi Cab Owners.

Gerry's Tecumseh Taxi ceased its operations in mid 2018 due to financial constraints. The business has since been sold. Renewal applications are pending from both the new owners of Gerry's Tecumseh Taxi and the owner of Tecumseh Cab & Lakeshore Taxi Inc. for 2019 Licenses.

It is recommended that the number of Taxi Cab Owner Licenses be maintained at a maximum of twelve (12) licenses and that the number of Accessible Taxi Cab Owner Licenses be maintained at a minimum of three (3) licenses.

The taxi cab companies have requested that the Town review the current rates and fares established in the Taxi By-law and amend them to be consistent with the City of Windsor taxi cab regulations. The Town's rates and fares were last reviewed in 2008.

The City of Windsor's rates and fares were reviewed, as well as other area municipalities that regulate taxis. Other large and small communities were also examined. The Town's current rates are generally less than those researched.

It is therefore recommended that the Town's current taxi rates and fares be amended to be consistent with the City of Windsor, being:

\$4.15 start
\$2.31 first km
\$39.60 / hour waiting

The Taxi By-law was initially adopted in 2003 under, what was then, new provisions in the Municipal Act, 2001. Section 150 (2)-(5) confined municipalities to exercise licensing powers only for the purposes of health and safety, nuisance control or consumer protection and the need to provide an explanation as to the reason for licensing a business or imposing conditions. Bill 130, the *Municipal Statute Law Amendment Act, 2006* removed these restrictions.

Notwithstanding these conditions have been removed, the Town continues to regulate taxi cabs for the purposes of health and safety, nuisance control and consumer protection. Taxi Cab Owners are required to provide the following with their application:

- proof of ownership;
- proof of insurance in respect of each vehicle to be licensed indemnifying and protecting the Owner and the public, including passengers in the amount of not less than \$2,000,000.00 for each incident;

- a certificate of accuracy for the taximeter issued by a qualified and authorized representative of the manufacturer of the said taximeter and certifying the taximeter is properly sealed and registers accurately; and
- Current motor vehicle inspection report.

Taxi Drivers are required to provide the following with their application:

- proof of either Canadian citizenship, landed immigrant status or a valid work permit to work as a driver issued by the Government of Canada;
- a current valid full Class G Provincial motor vehicle driver's license issued under the provisions of the Highway Traffic Act;
- file the written consent of the Taxi Cab Owner to employ the person;
- furnish two photographs of a size and type as specified by the Clerk, for the purpose of attaching same to the Taxi Driver's License and for filing in the office of the Clerk. The license is to be displayed in the Taxi Cab;
- a current Highway Traffic Act abstract identifying violations; and
- a current Criminal Code abstract identifying violations.

Consultations

Municipal Property Assessment Corporation
Gerry's Tecumseh Taxi
Tecumseh Cab & Lakeshore Taxi Inc.

Financial Implications

There are no financial implications.

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

**Attachment
Number**

None

**Attachment
Name**

None