

**CONSOLIDATION OF BYLAW NO. 405-97**

**TAXI & LIVERY BYLAW  
Adopted September 22, 1997**

**AS AMENDED BY:  
Bylaw No. 500-2001 adopted September 10, 2001  
Bylaw No. 581-2004 adopted February 14, 2005**

**This consolidation is not an Official Bylaw. It is prepared by the City Clerk's Office for assistance only. Copies of the official bylaw(s) may be purchased from the City Clerk's Office.**

**This consolidated bylaw was authorized pursuant to Bylaw No. 389-97**

**Bylaw No. 405-97  
TAXI & LIVERY BYLAW**

**A BYLAW OF THE CITY OF LEDUC IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR LICENSING, REGULATING AND CONTROLLING TAXI AND LIVERY BUSINESSES IN THE CITY OF LEDUC.**

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Part 2 of the *Municipal Government Act*, R.S.A. 1994, Chapter M-26.1, as amended grants a municipality the authority to pass bylaws for the licensing, regulating and controlling of certain businesses.

**THEREFORE**, the Council of the City of Leduc in the Province of Alberta duly assembled, hereby enacts as follows:

**PART I: BYLAW TITLE**

1. That bylaw shall be known as the 'Taxi and Livery Bylaw'.

**PART II: DEFINITIONS**

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

City: the Municipal Corporation of the City of Leduc, *or where the context so requires, the area contained within the boundaries of the city of Leduc;*

Council: the Council of the City;

Handi-van: a Livery Vehicle used for transporting elderly or disabled persons;

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

*Licence Inspector:* deleted

Licensed

Mechanic: a person who is the holder of a Certificate of Proficiency as a motor mechanic issued pursuant to the Apprenticeship and Industry Training Act of Alberta, R.S.A., 1993;

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

*Licencing Authority:* any City Bylaw Officer;

Limousine: a large luxurious chauffeur driven Livery Vehicle that usually has a glass partition separating the driver's seat from the passenger compartment;

Livery Vehicle: a motor vehicle that has a seating capacity of not more than 12 persons, not including the operator, and is used to transport passengers and their baggage to a requested destination;

Passenger: any person who is transported in a Livery Vehicle, except the operator of the vehicle;

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- Peace Officer: any member of the Royal Canadian Mounted Police, or any City Municipal Bylaw Officer, or any Special Constable;
- Shuttle-bus: a vehicle operated by, or on behalf of a hotel or motel business used only for the transportation of passengers or goods between the hotel or motel and airport.

**PART III: APPLICATION**

1. No person shall operate a Livery Vehicle or livery business, or allow their vehicle to be operated as a Livery Vehicle without first having complied with this Bylaw.
2. This Bylaw does not apply to shuttle-bus services.
3. Licensing of Livery Businesses:
  - a) No livery business or livery owner shall operate within the City prior to obtaining a City Livery Business Licence in accordance with this Bylaw and the Business Licence Bylaw.
  - b) A livery business must operate at least two licenced Livery Vehicles and provide service to persons 24 hours a day, 7 days a week. This clause shall not apply to a Limousine service or Handi-van service.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- c) An applicant for a City Livery Business Licence shall produce, upon application, and upon annual renewal of the Livery Business Licence, and at such other time as may be directed by a *Peace Officer*, the following:
  - i) name(s) of the registered owner and drivers;
  - ii) proof of registration of the vehicle or vehicles to be Licenced;
  - iii) make, year, colour and serial number of the vehicle(s);
  - iv) name of the Livery Business and its identifying colour scheme;
  - v) written mechanical inspection of each vehicle, as prescribed in this Bylaw;
  - vi) a certificate from an insurance company licenced to carry on business in the Province of Alberta, showing that the applicant for the Livery Business Licence is the holder of a subsisting policy of insurance issued by such insurer in respect of the Livery Vehicles for which the applicant intends to obtain a licence to operate a Livery Vehicle(s).

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- d) The *Licencing Authority* shall issue the City Livery Business Licence upon satisfaction of compliance with the above listed requirements, and payment of a fee as set out in the City's Business Licence Bylaw.

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4. Mechanical Inspections:

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- a) No owner or operator of a Livery Vehicle shall operate the vehicle without having obtained an approved mechanical inspection check in the form prescribed in Schedule "C" which shall be completed and signed by a Licenced Mechanic *who is not employed by the same Livery Business under which the Livery Vehicle(s) operate.*
- b) An approved mechanical inspection check shall be obtained annually, in conjunction with the Livery Business Licence renewal.
- c) Each mechanical inspection check shall be at the expense of the Livery Vehicle owner or representative.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- d) If the *Licencing Authority* has reasonable grounds to believe that a Licenced Mechanic has certified a Livery Vehicle when such vehicle does not meet the requirements in reference to Schedule "C", the *Licencing Authority* may refuse to accept the Livery Vehicle mechanical inspection certificate and may suspend or cancel the approval given to the business.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- e) If a Peace Officer is of the opinion, at any time, that the condition of a Livery Vehicle does not comply with Schedule "C", the Peace Officer may direct the owner, or representative of the owner, to have the vehicle inspected by a Licenced Mechanic at a location specified by the Peace Office, immediately, and at the expense of the Livery Vehicle owner. Refusal to abide by an order may result in immediate licence suspension.

5. Livery Driver Permit:

- a) No person shall operate a Livery Vehicle in the City unless they hold a valid Livery Driver Permit in the form set out as Schedule "B", which is attached to and forms part of this Bylaw.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- b) An application for a Livery Driver Permit shall be fully completed and signed by the applicant. The application form is prescribed in Schedule "A" and the completed application form shall be submitted to the *Licencing Authority*.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- c) A person is eligible for a Livery Driver Permit if:
  - i) *they have not been convicted of an offense under Part V or Part VII of the Criminal Code (Canada) within the five years preceding the application, and*

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- i.) *they have not been convicted of an offense that in the opinion of the Licencing Authority, posed a threat to public safety under any other criminal statute of Canada or any other country within the five years preceding the application;*

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- ii) there has not been a breach of the Taxi & Livery Bylaw or any conviction pursuant to any municipal bylaw or provincial statute which would adversely affect the driver's ability to properly conduct their duties as a livery driver.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- d) Upon receipt of an application for a Livery Driver Permit, the *Licencing Authority, or designate,* shall take such steps deemed necessary to verify the accuracy of the information contained in the application.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- e) *If the Licencing Authority, or designate, determines that the applicant is eligible to operate a Livery Vehicle and upon payment of an annual fee of \$10.00, a Livery Driver Permit shall be issued to the applicant within two (2) working days of receipt of the completed application for a Livery Driver Permit.*

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- f) A Livery Driver Permit expires on *January 31* of each year, or earlier if the Permit is suspended or cancelled by a *Peace Officer*.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- g) The holder of a Livery Driver Permit shall:
  - i) report the loss or theft of the permit to the *Licencing Authority, or*
  - ii) surrender the permit to a *Peace Officer* when such permit has been cancelled or suspended.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

6. Refusal, cancellation or suspension of a Livery Driver Permit or Livery Business Licence:

- a) the *Licencing Authority* shall refuse to issue a Livery Driver Permit or Livery Business Licence if the applicant is ineligible for a permit or Livery Business Licence, in accordance with this Bylaw.
- b) A *Peace Officer* shall cancel a Livery Driver Permit if the permit holder becomes ineligible for a permit in accordance with this Bylaw.
- c) A *Peace Officer* may suspend a Livery Driver Permit or a Livery Business Licence for a time not exceeding the unexpired term of the permit or licence.
- d) If the suspension is for non-compliance with any requirement of this Bylaw, the suspension may be until such time as the requirements of

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the Bylaw have been complied with, in the opinion of a *Peace Officer*.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

7. *Licencing Authority's Decision:*

- a) The applicant or holder of a Livery Driver Permit or Livery Business Licence holder shall be notified in writing if the *Licencing Authority*:
  - i) refuses to issue a Livery Driver Permit or Livery Business Licence
  - ii) cancels a Livery Driver Permit or Livery Business Licence
  - iii) suspends a Livery Driver Permit or Livery Business Licence.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- b) The written notice shall state the following:
  - i) the decision of the *Licencing Authority*
  - ii) reasons for the decision
  - iii) appeal process available.

8. *Appeal Process:*

- a) If the owner of a Livery Business, or a Livery Driver Permit holder receives a notice in accordance with section 6 of this Bylaw, within 7 days of receiving the notice the person so affected may appeal such action to the Council by notifying the City Clerk of the intention to appeal by:
  - i) personally delivering written notice of appeal and reasons therefore to the office of the City Clerk, or
  - ii) mailing a double registered written notice of appeal and reasons therefore to the City Clerk.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- b) Council shall conduct a hearing within 21 calendar days of receipt of the written notice of appeal.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- c) Council shall render a decision to:
  - i) uphold the appeal and direct that the licence or permit be issued or reinstated, or
  - ii) dismiss the appeal and direct that the decision of the *Licencing Authority* is final.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- d) If the refusal, cancellation or suspension of a Livery Driver Permit or Livery Business Licence is appealed, the *Licencing Authority's* decision shall be in effect until Council renders a decision. Council's decision shall be final and binding.

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9. Livery Vehicle Appearance and Identification:

- a) All Livery Vehicles, with the exception of Handi-vans and Limousines, shall prominently display on each side of the exterior of the vehicle, the name of the company and phone number that the Livery Vehicle is associated with.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- a.1) *Livery Vehicle signage required in 9.a) shall be distinctive from any other signage used by any other Livery Business in the City.*
- b) All Livery Vehicles, with the exception of Handi-vans and Limousines, shall be equipped with a light mounted on the roof of the vehicle identifying the livery business by name and/or telephone number.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- c) *Each Livery Business shall have each of the vehicles painted the same color and an illuminated roof light of a color or design to identify the company.*
- d) *Each Livery Business shall ensure that each vehicle has a vehicle unit number displayed on a minimum of the left front fender, right rear fender and rear of the vehicle, distinctive from any other unit number in use by the Livery Business. The unit number shall be a minimum of seven (7) cm in height."*

10. General Provisions:

- a) A Livery Driver must openly display their Livery Driver Permit in the Livery Vehicle, at all times and in such a manner as to be visible to passengers.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- b) Every Livery Vehicle owner:
  - i) shall ensure that all persons operating the vehicle are in possession of a current and valid driver's licence for the operation of a Livery Vehicle, and a current and valid Livery Driver Permit.
  - ii) or driver shall, upon being requested by a Peace Officer, give full information concerning the address of a house or place to or from which any passenger has been driven.
  - iii) shall ensure that the Livery Vehicle will be maintained in a clean and sanitary condition at all times.
  - iv) shall ensure that the exterior of the Livery Vehicle shall be maintained in a clean, undamaged condition and present a favourable appearance. Exterior of vehicles shall include body paint, all glass, hubcaps, head and tail lights, grilles, bumpers, and body trim.

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- v) shall ensure that a vehicle which has been damaged, but remains driveable, shall be fully repaired within three weeks or the vehicle will be restricted from operating within the City until proper repairs are made.
- c) Every Livery Driver shall:
  - i) be neatly dressed, clean, well behaved and courteous to passengers.
  - ii) unless otherwise directed by a passenger, drive passengers by the most direct practical route to their destination.
  - iii) whenever requested by a passenger, issue a receipt for the amount of the fare paid by such passenger.
  - iv) be entitled to refuse a person as a customer if such person is:
    - a) drunk or disorderly
    - b) indebted to the driver or the Business owner with which the vehicle is affiliated with
    - c) unable to pay for the livery service
    - d) requesting the driver to carry an animal or any baggage which might be detrimental to the repair, cleanliness or sanitary condition of the vehicle, with the exception of a blind person's guide dog.
    - e) requesting the taxi driver to carry any passengers or baggage which the vehicle is incapable of carrying.
- d) Every Livery Driver shall not:
  - i) operate or be in charge of a vehicle while the driver's ability to drive a motor vehicle is impaired by alcohol or drugs,
  - ii) carry or allow to be carried in a Livery Vehicle, alcohol to be consumed in the vehicle or by the operator on duty,
  - iii) carry or allow to be carried in a Livery Vehicle alcohol for delivery unless the necessary permit has first been obtained from the Alberta Gaming and Liquor Commission.
  - iv) at any one time carry more passengers than the maximum insured capacity of the Livery Vehicle,

**Bylaw No. 581-2004 adopted FEBRUARY 14, 2005**

- v) *pursuant to Bylaw No. 581-2004, as amended from time to time, smoke or allow any person to smoke in a livery vehicle,*
- vi) carry any passenger other than the person employing the livery service, unless first obtaining approval by the person employing the livery service.

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

- e) The Livery Business shall, no later than the third day of each month, deliver to the *Licencing Authority* the following:
  - i) a list of the livery drivers employed by the company as of the last day of the preceding month;
  - ii) an approved mechanical inspection form for any replacement or additional vehicle;

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- iii) *a list of Livery Vehicles used by the company as of the last day of the preceding month.*

**PART IV: PENALTIES**

1. Any person who contravenes any provision of this Bylaw is guilty of an offence and liable upon Summary Conviction to a fine of not exceeding \$2,500.00.
2. A person charged with an offence under this Bylaw may, in lieu of prosecution, pay the voluntary fine identified in Schedule "D" within thirty (30) days of the date of issue of the offense ticket.

**PART V: ENACTMENT**

This Bylaw shall come into force and effect on January 1, 1998.

First Reading date:	June 23, 1997
Second Reading date:	July 14, 1997
Third Reading date:	September 22, 1997
Date Signed:	September 23, 1997

\_\_\_\_\_  
"John Jackie"

Mayor

\_\_\_\_\_  
"Coral Callioux"

City Clerk

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Code 04/10



**Schedule A  
Livery Driver Permit Application**

NAME:	TELEPHONE:
_____ surname                      given name	

OTHER NAMES  
EVER USED: \_\_\_\_\_

DATE OF BIRTH:	PROVINCE OF BIRTH:	MAILING ADDRESS:
		CITY:
		POSTAL CODE:

STREET ADDRESS: \_\_\_\_\_

IF YOU HAVE LIVED AT THAT STREET ADDRESS FOR LESS THAN 3 YEARS, PROVIDE THE ADDRESSES OF PLACES LIVED AT FOR THE PAST THREE YEARS:

DRIVER'S LICENCE #	CLASS	EXPIRY DATE
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IF YOU HAVE HELD A DRIVER'S LICENCE IN ANY OTHER PROVINCE, PLEASE LIST THE PROVINCE(S):
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NAME OF LIVERY COMPANY YOU ARE EMPLOYED WITH:
LIVERY COMPANY MAILING ADDRESS:

**BYLAW NO. 500-2001 ADOPTED SEPTEMBER 10, 2001**

ENSURE THE FOLLOWING ITEMS ARE ATTACHED TO YOUR APPLICATION:

- a driver's abstract from the Motor Vehicles Branch of the Province of Alberta which is dated not more than 4 weeks prior to the date of submitting this application form
- a completed Criminal Record Check obtained from the RCMP *Leduc Detachment* dated not more than 4 weeks prior to the date of submitting the application

APPLICANTS ARE REQUIRED TO PRODUCE THEIR VALID AND SUBSISTING ALBERTA OPERATOR'S LICENCE OF A CLASS WHICH PERMITS THE OPERATION OF A LIVERY VEHICLE WITHIN THE PROVINCE OF ALBERTA

<b>I certify that the information given is true to the best of my knowledge and belief and that I have read the Taxi &amp; Livery Bylaw and am eligible to hold a Livery Driver Permit in accordance with Part III, section 5. c).</b>
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_____ Signature of Applicant	_____ Date
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**Schedule A continued  
Livery Driver Permit Application**

To be completed by *Licencing Authority*

Approval Date: \_\_\_\_\_ Refusal Date: \_\_\_\_\_

REASONS FOR REFUSAL:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Permit #
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\_\_\_\_\_  
*Licencing Authority*

**Cancellation or Suspension Information**

On \_\_\_\_\_ City of Leduc Livery Driver Permit # \_\_\_\_\_ was ( ) cancelled or ( ) suspended. The Permit was returned to the City of Leduc and is attached to this form.

REASONS FOR CANCELLATION OR SUSPENSION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<p><i>The personal information on this form is being collected for the purpose of determining eligibility of an applicant to obtain a Livery Driver Permit. The information is collected under the authority of Section 32 (b) of the Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information can be directed to the City Clerk at (780) 980-7177, #1 Alexandra Park, Leduc, Alberta T9E 4C4.</i></p>
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**Schedule B  
City of Leduc Livery Driver Permit**

In accordance with the provisions of the City of Leduc Taxi & Livery Bylaw No. 405-97, the person named hereunder is permitted to drive a Livery Vehicle in the City of Leduc, Alberta.

**(DRIVER'S PHOTOGRAPH)**

(Driver's Name)
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Livery Driver Permit #

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Expiration Date:

--

Issue Date:

--

\_\_\_\_\_  
*Licensing Authority*

- This Permit must be produced to any Peace Officer upon demand
- This Permit must be prominently displayed in the Livery Vehicle clearly visible to all passengers and must be produced to any passenger upon demand
- This Permit may be cancelled or revoked for cause by a Peace Officer
- If this Permit is lost, the Permittee is required to report such loss to the *Licensing Authority*

I am aware of the above conditions of this Livery Driver Permit
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(Permittee's signature)
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*The personal information on this form is for the purpose of obtaining a Livery Driver Permit. The information is collected under the authority of Section 32 (b) of the Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information can be directed to the City Clerk at (780) 980-7177, #1 Alexandra Park, Leduc, Alberta T9E 4C4.*

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**Schedule C  
Livery Vehicle Mechanical Inspection Form**

Vehicle Owner \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_

Serial # \_\_\_\_\_ Licence: \_\_\_\_\_ Odometer: \_\_\_\_\_

Livery Business: \_\_\_\_\_ Color: \_\_\_\_\_

OK	REPAIR	BRAKES	OK	REPAIR	STEERING
		PEDAL FREE PLAY			TIE ROD ENDS
		MASTER CYLINDER			IDLER ARM
		BRAKE HOSES-FRONT			LOWER BALL JOINTS
		BRAKE HOSES-REAR			STEERING BOX
		VISUAL LEAKS-FRONT			CONTROL ARM BUSHING
		VISUAL LEAKS-REAR			SHOCK ABSORBERS
		PARKING BRAKE			STEERING ABILITY ON ROAD TEST
		BRAKING ABILITY ON ROAD TEST			

OK	REPAIR	TIRES	OK	REPAIR	EXHAUST SYSTEM
		FRONT-LEFT			MANIFOLD
		FRONT-RIGHT			EXHAUST PIPE
		REAR-LEFT			MUFFLER
		REAR-RIGHT			TAIL PIPE
		SPARE			SUPPORTS
		BALANCE			COMMENTS:
		ALIGNMENT			
		WHEEL BEARINGS			
		AXLE BEARINGS			

OK	REPAIR	LIGHTS-FRONT	OK	REPAIR	LIGHTS-REAR
		SIGNALS			SIGNALS
		4-WAY FLASHERS			4-WAY FLASHERS
		PARKING LIGHTS			TAIL LIGHTS
		SIDE MARKERS			SIDE MARKERS
		HEADLIGHTS-HIGH			BRAKE LIGHTS
		HEADLIGHTS-LOW			BACKUP LIGHTS

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**Schedule C continued  
Livery Vehicle Mechanical Inspection**

OK	REPAIR	OTHER	OK	REPAIR	OTHER
		HORN			HOOD LATCH
		DOOR LATCHES			WIPERS
		WASHERS			SIGNAL LIGHT INDICATORS
		MIRRORS			HEATER
		SEAT BELTS			GLASS
		SPEEDOMETER			BUMPERS
GENERAL COMMENTS (vehicle body condition, etc.)					

I HEREBY CERTIFY THAT THE VEHICLE DESCRIBED HAS BEEN MECHANICALLY INSPECTED AND HAVE INDICATED THAT THE ITEMS TO BE INSPECTED ARE EITHER ON ORDER OR NOTED FOR REPAIR.

Mechanic's Name \_\_\_\_\_  
 Company \_\_\_\_\_  
 Certificate # \_\_\_\_\_

Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Inspection

**Bylaw No. 500-2001 adopted SEPTEMBER 10, 2001**

If a Peace Officer has reasonable grounds to believe that a Licenced Mechanic has certified a Livery Vehicle when such vehicle does not meet the requirements in reference to the Bylaw, a Peace Officer may refuse to accept the Livery Vehicle mechanical inspection certificate signed by that Licenced Mechanic and in addition, may suspend or cancel the approval given to the business.

If a Peace Officer is of the opinion, at any time, that the condition of a Livery Vehicle does not comply with the Taxi & Livery Bylaw, the Peace Officer may direct the owner or representative of the owner to have the Livery Vehicle inspected by a Licenced Mechanic at a location specified by the Peace Officer, immediately, and at the expense of the Livery Vehicle owner.

*The personal information on this form is being collected for the purpose of determining eligibility of a Livery Company to have mechanically sound vehicles to operate a Livery Business . The information is collected under the authority of Section 32 (b) of the Freedom of Information and Protection of Privacy Act. Questions regarding the collection of this information can be directed to the City Clerk at (780) 980-7177, #1 Alexandra Park, Leduc, Alberta T9E 4C4.*

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**Schedule D  
Voluntary Fines**

Description of Offence	Bylaw Section	Voluntary Payment in Lieu of Prosecution
	Part III	
Use of Livery Vehicle prior to receiving an approved mechanical inspection	4 a)	\$250.00
Failure to make Livery Vehicle available for inspection	4 e)	\$50.00
Operate a Livery Vehicle without a Livery Driver Permit	5 a)	`\$100.00
Failure to surrender a Livery Driver Permit	5 g) ii)	\$50.00
Name of livery business or telephone number not properly displayed	9 a)	\$25.00
Livery Vehicle not equipped with illuminated light on roof or improperly identified	9 b) 9 c)	\$100.00/vehicle
Livery Driver Permit not displayed	10 a)	\$25.00
Livery Vehicle owner permitting a driver to operate a Livery Vehicle without a Livery Driver Permit	10 b) i)	\$500.00
Failure to operate Livery Vehicle in clean and sanitary condition	10 b) iii)	\$25.00
Failure to supply list of drivers or vehicles	3 c) i) 10 e)	\$50.00