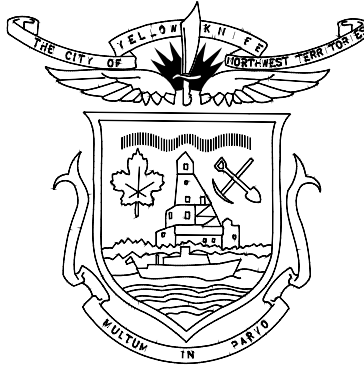


THE CITY OF YELLOWKNIFE

NORTHWEST TERRITORIES



CONSOLIDATION OF LIVERY LICENCE BY-LAW NO. 4526

Adopted August 24, 2009

AS AMENDED BY

**By-law 4694 – July 16, 2012
By-law No. 5000 – June 10, 2019
By-law No. 5017 – April 27, 2020
By-law No. 5050 – February 28, 2022**

**(This Consolidation is prepared for convenience only.
For accurate reference, please consult the City
Clerk's Office, City of Yellowknife)**

**CITY OF YELLOWKNIFE
BY-LAW NO. 4526**

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, to provide for the supervision, licensing and regulation of Taxis.

PURSUANT TO SECTION 70 of the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c. C-8.

WHEREAS the City of Yellowknife deems it desirable to supervise, license and regulate the operation of Taxis;

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular session duly assembled, enacts as follows:

SHORT TITLE

1. This by-law may be cited as the "**Livery Licence By-law.**"

INTERPRETATION

2. In this by-law:

- | | | |
|-----|------------------|---|
| (a) | "City" | means the Municipal Corporation of the City of Yellowknife; |
| (b) | "Council" | means the Council of the City; |
| (c) | "Driver" | means the holder of a valid chauffeurs permit; |
| (d) | "G.S.T." | means the Goods and Services Tax as levied by the Government of Canada; |
| (e) | "Officer" | means a person who is appointed in accordance with the <i>Cities, Towns and Villages Act</i> as a By-law Officer to enforce the By-laws of the City of Yellowknife and any Peace Officer who is authorized to |

enforce the By-laws of the City of Yellowknife;

- (f) **"Permit"** means a chauffeurs permit issued pursuant to this By-law;
- (g) **"Person"** means an individual, partnership or corporation;
- (h) **"Senior Administrative Officer"** means the Senior Administrative Officer of the City appointed pursuant to Section 41 of the *Cities, Towns and Villages Act*, S.N.W.T. 2003,c.22, or his/her delegate;
- (i) **"Taxi"** means a vehicle that is used to carry for hire or profit, not more than twelve passengers excluding the Driver thereof, but does not include a bus, truck, shuttle van or an ambulance;

As amended by By-law No. 5000, June 10, 2019

- (j) **"Taxi Meter Seal"** means, as the case may be, a physical seal or an encrypted software program authorized by the Senior Administrative Officer for tamper proofing the functioning of in-car Taxi Meters;
- (k) **"Taxi Brokerage Business"** means a person, partnership or corporation which holds a valid and subsisting Taxi Brokerage Licence;
- (l) **"Taxi Brokerage Licence"** means a licence issued pursuant to this By-law;
- (m) **"Taxi Licence"** means a licence issued pursuant to this By-law;
- (n) **"Taxi Meter"** means a device that is installed in a taxi, which computes and shows the fare payable for each taxi trip

calculated on the distance traveled or on waiting time elapsed or both;

- (o) **"Taxi Operator"** means a person, partnership or corporation which holds a valid and subsisting taxi licence issued pursuant to this By-law; and
- (p) **"Taxi Stand"** means an area used by a single car and designated by the Senior Administrative Officer to be used for the pick-up and drop-off of passengers as set out in Schedule "A" to this By-law and which is defined with a Taxi Stand sign.
- (q) **"Unit Number"** means a number assigned by a Taxi Brokerage Business to a Taxi for identification.

BROKERAGE LICENCES

- 3. No person shall operate a Taxi Brokerage Business unless there is a valid and subsisting Taxi Brokerage Licence issued to the business pursuant to this By-law.
- 4. An application for a Taxi Brokerage Licence in Form "A" attached to this by-law shall be submitted in writing to the Senior Administrative Officer and shall include the following information:
 - (a) the name of the proprietor or if a partnership or corporation, the names of all partners, shareholders, officers or directors;
 - (b) location and description of dispatch facilities and a complete list of equipment to be used in operating the taxi brokerage business;
 - (c) a fee as prescribed in the City of Yellowknife Fees and Charges By-law No. 4436 or any successor by-law.

5. Upon being satisfied that Section 4 has been complied with, and that the applicant has provided proof of the following:

- (a) valid business licence;
- (b) that the applicant is equipped with properly functioning two way radio equipment licensed by Industry Canada (Spectrum, Information Technologies & Telecommunications Sector), and/or a computerized dispatching system satisfactory to carry out the dispatch functions of a taxi brokerage; and
- (c) that the applicant has entered into written contracts for the provision of a minimum of ten (10) taxis and for the provision of twenty-four hour dispatch service;

the Senior Administrative Officer shall issue a Taxi Brokerage Licence to the applicant.

6. At the request of a Taxi Brokerage Business, the Senior Administrative Officer may designate:

- (a) the type and colour of Taxi roof lights;
- (b) the exterior markings; and
- (c) the exterior paint colour;

for the exclusive use of the holder of a Taxi Brokerage Licence.

7. All Taxis operating under a Taxi Brokerage Licence which has been assigned a colour, shall match the colour as closely as is practicable including any body parts that are replaced because of damage.

8. The person to whom a Taxi Brokerage Licence has been issued shall at all times maintain, and have available to provide 24 hour service, a minimum of ten taxis and shall have at all times:

- (a) a valid certificate of registration as prescribed by the *Motor Vehicles Act of the Northwest Territories R.S.N.W.T. 1988, c. M-16* for each taxi;

- (b) a valid motor vehicle liability policy for each taxi; and
 - (c) ten licenced taxi drivers available to operate said taxis.
- 9. The holder of a Taxi Brokerage Licence is required to notify the Senior Administrative Officer in writing when:
 - (a) the number of licensed taxis associated with the Company numbers less than 10 as required by Subsection 5(c); or
 - (b) the Company can no longer provide 24 hour service as required by Subsection 8; or
 - (c) when any licensed taxi ceases their association with the holder of the Brokerage Licence.
- 10. The Senior Administrative Officer shall cancel the Brokerage Licence whenever the minimum requirements of this By-law cannot be met.
- 11. The holder of a Taxi Brokerage licence is required to maintain:
 - (a) equipment necessary for the dispatch service in a good state of repair; and
 - (b) written records of taxi numbers and drivers working and the shifts worked and retain these records for a period of one year.
- 12. The premises of the holder of a Taxi Brokerage Licence shall be available to an Officer for inspection of the items listed in Section 11.
- 13. A Taxi Brokerage Licence shall be dated the date of issue and shall expire on April 30th following the date of issue.
- 14. A Taxi Brokerage Licence is transferable once;
 - (a) the applicant has submitted an application in Form A; and
 - (b) the Senior Administrative Officer is satisfied that the applicant has met the conditions in Sections 4 and 5.

TAXI LICENCES

15. No person shall operate a taxi within the City of Yellowknife unless there is a valid and subsisting Taxi Licence for such vehicle issued pursuant to this By-law.
16. An application for a Taxi Licence shall be submitted in writing to the Senior Administrative Officer as in Form "C" attached to this by-law and shall include the following information:
 - (a) vehicle description outlining make, model, year and serial number;
 - (b) a certificate of mechanical inspection completed and signed by a Journeyman automotive mechanic/technician, at a licensed automotive repair facility authorized by the City of Yellowknife, no more than thirty (30) days prior to the application; and
 - (c) for vehicles powered by propane or natural gas, a valid gas inspection sticker; and
 - (d) a fee prescribed in City of Yellowknife Fees and Charges By-law No. 4436 or any successor by-law.
17. Upon being satisfied that Section 16 has been complied with and that the applicant has provided proof of the following:
 - (a) valid public service vehicle registration issued pursuant to the *Motor Vehicles Act* of the Northwest Territories and insurance;
 - (b) that the vehicle is equipped with a properly functioning two-way radio licensed by Industry Canada (Spectrum Information Technologies & Telecommunications Sector) and/or a computerized dispatching system that allows for communication between the individual driver and the taxis dispatch center.

Section 17(c), as amended by By-law No. 5000, June 10, 2019

(c) that the vehicle is equipped with a properly functioning Taxi Meter with a Taxi Meter Seal; and

(d) that the applicant has entered into a written contract with a Taxi Brokerage Business for the provision of 24 hour dispatch service, or that the applicant holds a valid Taxi Brokerage Licence;

the Senior Administrative Officer shall issue a Taxi Licence in the form of Form "D" and a taxi plate and the taxi plate shall be displayed prominently in the Taxi at all times.

18. A Taxi Licence can be transferred from one vehicle to another vehicle or from one owner to another owner.

19. An application to transfer a Taxi Licence in Form "E1" or "E2" attached to this By-law shall be completed and shall be accompanied by a fee as prescribed in By-law No. 4436 or any successor by-law.

20. Upon being satisfied:

(a) with respect to an application in Form "E" that the applicant has provided proof that the taxi to whom the taxi licence is being transferred has met the applicable parts of Sections 16 and 17 of this By-law;

(b) with respect to an application in Form "E1" or "E2" that the taxi in respect of which the taxi licence was issued is withdrawn from use as a taxi and the two-way radio equipment and taximeter removed from that taxi;

the Senior Administrative Officer shall approve the transfer, cancel the existing licence and issue a new Taxi Licence to the applicant.

Section 21, as amended by By-law No. 5017, April 27, 2020

21. A Taxi Licence is effective as of the date of issue and expires:

(a) 12 months from the date of issue for a Taxi that is six model years old or less;

- (b) 6 months from the date of issue for a Taxi that is more than six model years old; or
- (c) On any other date as directed by the Senior Administrative Officer.

22. Notwithstanding the specific provisions of Sections 16 and 17, a licence shall be issued or reinstated by the Senior Administrative Officer upon the direction of Council where, following an appeal filed in accordance with Section 51, Council is satisfied that the Licence should be issued or reinstated under the conditions of this by-law.

Section 23, as amended by By-law No. 5050, February 28, 2022

23. Any vehicle being licensed as a taxi in the City of Yellowknife shall not be more than 15 model years old. Any vehicles that are more than six model years old must meet the inspection requirement prescribed in Section 26 on a semi-annual basis.

GENERAL TAXI REGULATIONS

24. No Taxi Operator shall operate or permit to be operated any Taxi unless such Taxi:

- (a) is clean, in good mechanical repair and in safe mechanical condition; and
- (b) has its unit number conspicuously displayed on the exterior of the Taxi in letters of a minimum of three inches in height, on each side and the rear of the Taxi; and

Section 24(c), as amended by By-law No. 5000, June 10, 2019

(c) has a properly functioning Taxi Meter with a Taxi Meter Seal; and

- (d) has effective two-way radio and/or computerized dispatch communications with a dispatcher.

25. Every Taxi Operator and every Driver shall, upon demand by an Officer:

- (a) permit an Officer to inspect any Taxi and the contents thereof; and

- (b) submit and deliver each Taxi, under the control of such Taxi Operator and such Driver, to an Officer for test and inspection, the full cost of which shall be borne by the Taxi Operator.
26. Every Taxi Operator shall, once a year at a time set by the Senior Administrative Officer or his/her designate, submit and deliver each Taxi under the control of such Taxi Operator to an Officer for inspection and Taxi Meter testing, the full cost of which shall be borne by the Taxi Operator.
27. Every Taxi Operator delivering a Taxi for inspection and Taxi Meter testing pursuant to Section 28 shall provide complete and valid documentation including:
- (a) a written, signed contract with a Taxi Brokerage business;
 - (b) a current Motor Vehicle Registration document and a valid motor vehicle liability insurance card; and
 - (c) a certificate of mechanical inspection completed and signed by a Journeyman automotive mechanic/technician, at a licensed automotive repair facility authorized by the City pursuant to the City of Yellowknife Business Licence By-law No. 3451, or any successor by-law, no more than thirty (30) days prior to the inspection;
28. Every Taxi Meter installed in a Taxi shall:
- (a) be so located and so illuminated as to permit the fare to be read at all times by a passenger in the front or in the rear seat of the Taxi;
 - (b) be programmed or set to the fares authorized pursuant to the City of Yellowknife Fees and Charges By-law No. 4436 or any successor by-law; and
 - (c) have the G.S.T. payable on the metered portion of the fare included in the illuminated display on the Taxi Meter.

Section 28(d), as amended by By-law No. 5000, June 10, 2019

- (d) be sealed with a Taxi Meter Seal.

29. Once sealed a Taxi Meter seal shall only be cut by an officer or a person authorized by an officer.
30. No person shall interfere with the proper operation of a Taxi Meter installed in a Taxi.

CHAUFFEUR'S PERMITS

31. No person shall operate a Taxi without a valid Chauffeur's Permit issued under this By-law.
32. No person shall be issued a Chauffeur's Permit unless the person:
 - (a) has attained the full age of twenty-one years;
 - (b) has a valid Class 1, 2, 3 or 4 Driver's Licence issued under the *Motor Vehicles Act* of the Northwest Territories;
 - (c) has completed an application and statutory declaration as set out in Form "F";
 - (d) has provided a criminal records check, no older than 30 days from the date of the application, with an indication of no criminal convictions, or in the case where there are criminal convictions, a true copy of his/her criminal record as confirmed through fingerprints;
 - (e) has provided a certified true copy of his/her Drivers Licence Abstract no older than 30 days from the date of the application;
 - (f) has passed a written test as prescribed by the Senior Administrative Officer; and
 - (g) has passed a practical geography test as prescribed by the Senior Administrative Officer, the purpose of which is to ensure that the applicant knows where various private and public buildings and other points of interest are located in the City.
33. No Chauffeur's Permit or renewal thereof shall be issued to any person who:
 - (a) has been convicted under the Criminal Code of Canada of:

- (i) a sexual offence or offence relating to corrupt public morals; or
 - (ii) an offence relating to, homicide, aggravated assault, kidnapping or abduction; or an offence relating to robbery; or
 - (iii) an offence relating to the trafficking of drugs or narcotics under the *Controlled Drugs and Substances Act* of Canada; or
 - (iv) any offence while on duty as a taxi driver; or
- (b) has been convicted under the *Criminal Code* of Canada or the *Controlled Drugs and Substances Act* within the two year period immediately preceding the date of application of any offence not described in Section 33(a); or
- (c) has been convicted of a total of five offences under the *Motor Vehicles Act*, the *Liquor Act* or any By-law of the City regulating taxis or traffic within a period of one year immediately preceding the application.
34. Any holder of a valid Chauffeur's Permit who is convicted of an offence described in Section 33 shall forthwith report said conviction to the Senior Administrative Officer.
35. The Senior Administrative Officer, upon receipt of:
- (a) an application for a Permit as prescribed in Form "F" of this By-law;
 - (b) a Permit fee as prescribed in By-law No. 4436 or any successor by-law; and
 - (c) upon being satisfied that the conditions of this By-law have been met;
- shall issue a Chauffeur's Permit to the applicant as in Form "G" of this By-law.
36. No person shall provide false information in relation to a chauffeur's permit application.
37. Any application containing false information or failure to provide any required information under

this By-law, may be grounds for refusal to issue a Permit, suspension of a Permit or for immediate cancellation of the Permit.

38. A Permit shall be dated the date of issue and shall be valid for a period of three (3) year unless otherwise cancelled, revoked or suspended.
39. A Driver shall display his or her Permit in such a manner as to be visible to any passenger in the taxi.
40. A Chauffeur's Permit or renewal thereof shall be revoked or suspended by the Senior Administrative Officer if:
 - (a) The drivers licence issued under the *Motor Vehicles Act of the Northwest Territories* has been revoked or suspended; or
 - (b) the Chauffeur's Permit holder has been convicted of any one of the offences specified in Section 33.
41. A Chauffeur's Permit shall be issued or reinstated by the Senior Administrative Officer upon the direction of Council where, following an appeal filed in accordance with Section 51 of this By-law, Council is satisfied that the driving record and criminal record of the appellant is such that the Permit should properly be issued or reinstated under the conditions of this by-law.

GENERAL DRIVER REGULATIONS

42. A Driver shall not:
 - (a) use abusive, insulting or profane language;
 - (b) permit a greater number of passengers to be carried in the Taxi than the number of seats equipped with seatbelts provided;
 - (c) set the Taxi in motion while a passenger is entering or leaving the Taxi;
 - (d) collect fees or give change while the Taxi is in motion;

- (e) take on additional passengers after the Taxi has departed, unless with the consent of the passengers already in the Taxi;
- (f) discriminate in any way against any person while on duty because of sex, race, colour or creed;
- (g) refuse to convey within the City any orderly persons upon request, unless the Taxi is engaged or the Driver is prohibited by law from or incapable of conveying such person, or unless the person is an unaccompanied child under the age of five years;
- (h) eat or talk on a cell phone while conveying passengers for hire; or
- (i) play a radio when requested by a passenger.

43. A Driver shall:

- (a) extend taxi service as is practicable from curb to curb;
- (b) unless otherwise directed by a passenger, drive the most direct practicable route to the destination;
- (c) upon request by a passenger, issue a receipt of the fare paid;
- (d) notify the Senior Administrative Officer of any change of employment or address; and
- (e) be neat and clean in his/her person and dress, subject to approval by the Senior Administrative Officer.

44. A Driver shall, when so requested, assist any Officer, member of the R.C.M.P. or member of the City Fire Division by conveying any person to any place within the City, and the Driver shall be entitled, after the performance of such service, to receive the prescribed fare which shall be paid by the responsible party.

45. No person shall smoke in a licenced Taxi at any time.

TAXI FARES

46. No Driver or Taxi Operator shall charge or permit to be charged fares to passengers in a Taxi in excess of the fares prescribed in the City of Yellowknife Fees and Charges By-law No. 4436 or any successor by-law.
47. A legible schedule of fare rates, as authorized by the Fees and Charges By-law No. 4436 or any successor by-law, shall be kept in a licenced taxi and available for review when requested by a customer.

TAXI STANDS

Section 48, as amended by By-law No. 4694, July 16, 2012

48. The Senior Administrative Officer may create new Taxi Stands, delete unused Taxi Stands and may designate a Taxi Stand to a Taxi Brokerage Business upon receipt of:
 - (a) a written request from the Taxi Brokerage Business stating the reasons a stand is required and the location desired; and
 - (b) payment in the amount prescribed in the City of Yellowknife Fees and Charges By-law No. 4436 or any successor by-law for one year's rental per stand.
49. No Driver or Taxi Operator shall park or occupy a Taxi Stand unless the Taxi Stand is designated for the use of the Taxi Brokerage Business where the Driver is employed or under contract.
50. The rental fee as prescribed in the City of Yellowknife Fees and Charges By-law No. 4436 shall be payable to the City on an annual basis on or before the 31st day of March of each year.

APPEALS

51. An applicant for a Permit or Licence, may appeal to Council the decision of the Senior Administrative Officer to refuse, revoke or suspend a Permit or Licence within ten days of the date of such refusal, revocation, or suspension, and a decision of Council on such appeal shall be final.

52. Any person or company may appeal to Council any decision of the Senior Administrative Officer to grant a Permit or Licence within ten days of the date of issuance, and a decision of Council on such appeal shall be final.
53. An appeal made under Sections 51 or 52 shall:
- (a) be in writing stating reasons for the appeal;
 - (b) be delivered to the City Clerk;
 - (c) be heard by Council at a regular or special Council meeting within twenty-one days from the date it is received; and
 - (d) be accompanied by a fee as prescribed in the City of Yellowknife Fees and Charges By-law No. 4436 or any successor by-law.

PENALTIES

54. Any person violating any provision of this By-law is guilty of an offence and is liable upon Summary Conviction to a fine not exceeding:
- (a) Two thousand (\$2,000.00) dollars for an individual;
 - (b) Ten thousand (\$10,000.00) dollars for a corporation; and/or
 - (c) Imprisonment for a period not exceeding six months, in default of payment of a fine.
55. Pursuant to Section 54 of this By-law, an Officer may issue a Summary Offence Ticket Information in the form prescribed by the *Summary Conviction Procedures Act R.S.N.W.T. 1988, c.S-15* and its regulations, to any person who violates any provision of this By-law and such person may, in lieu of prosecution, pay the City a voluntary penalty of:
- (a) One hundred (\$100.00) dollars for an individual; and
 - (b) Five hundred (\$500.00) dollars for a corporation;

prior to the court date specified on the ticket.

REPEAL

56. By-law Nos. 3653, 3698, 3968, 4009, 4098, 4122, 4238, 4285, 4337, 4423, 4466 are hereby repealed.

EFFECT

57. This By-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.

**CITY OF YELLOWKNIFE
BY-LAW NO. 4526
SCHEDULE "A"**

Taxi Stand Schedule

Schedule A

Removed by By-law No. 4694, July 16, 2012

**CITY OF YELLOWKNIFE
BY-LAW NO. 4526
FORM "D"**

TAXI LICENCE

Date: _____

This is to certify that:

Applicant: _____

Address: _____

Representing: _____

(Company)

has complied with the requirements of the Livery Licence By-law and having paid the prescribed fee, is hereby licensed to operate the following vehicle as a Taxi within the City of Yellowknife.

MAKE	MODEL	YEAR	SERIAL NO.	LIVERY PLATE	LICENCE NO.

This licence expires at midnight (24:00 hours) on
_____.
Day/month/year

Manager, Municipal Enforcement Division

CITY OF YELLOWKNIFE
BY-LAW NO. 4526

SAMPLE TAXI PLATE WITH VALIDATION STICKER



**CITY OF YELLOWKNIFE
BY-LAW NO. 4526
FORM "E1"**

APPLICATION TO TRANSFER LIVERY LICENCE PLATE TO NEW VEHICLE
(Must be Accompanied by Mechanical Inspection Form)

I, _____ of _____
(Applicant) (Address)

representing _____ of _____
(Company) (Address)

hereby make application to transfer my Livery Licence No.
_____ for the current year of _____.

FROM:

MAKE	MODEL	YEAR	SERIAL NO.	LIVERY LICENCE NO.

TO:

MAKE	MODEL	YEAR	SERIAL NO.	LIVERY LICENCE NO.

FEE: \$25.00 per licence

Signature of Applicant

Date

**CITY OF YELLOWKNIFE
BY-LAW NO. 4526
FORM "E2"**

APPLICATION TO TRANSFER LIVERY LICENCE PLATE TO NEW OWNER
(Must be Accompanied by Mechanical Inspection Form)

I, _____ of _____
(Applicant) (Address)

representing _____ of _____
(Company) (Address)

hereby make application to transfer my Livery Licence No.
_____ for the current year of _____ to

_____ of _____
(New Owner) (Address)

Representing _____ of _____.
(Company) (Address)

Taxi is described as follows:

MAKE	MODEL	YEAR	SERIAL NO.	LIVERY LICENCE NO.

Signature of Applicant

Date

Signature of New Owner

Date

**City of Yellowknife
BY-LAW NO. 4526
FORM "F"**

APPLICATION FOR CHAUFFEUR'S PERMIT

Name of Applicant: _____

Address: _____ Telephone No. : _____

I, _____, of the City of Yellowknife, declare that I:

- i) am 21 years of age or more;
- ii) speak, read and write the English language;
- iii) am the holder of a valid Northwest Territories Motor Vehicles Drivers Licence of a class that permits me to operate a taxi for hire; and

that I have received and read a copy of the current City of Yellowknife Livery Licence By-law and agree to operate Taxis in accordance with the provisions of this and other By-laws of the City of Yellowknife, as well as the Motor Vehicles Act of the Northwest Territories and it's regulations relating to traffic and the operation of motor vehicles.

Declared before me at the)
City of Yellowknife in the)
Northwest Territories this)
____ day of _____, 2009.)
)
)
)
)
)

Applicant

A Commissioner for Oaths in and
for the Northwest Territories.
My Commission expires: _____

City of Yellowknife

BYLAW NO. 4526
FORM "G"

CHAUFFEUR'S PERMIT

(City
Crest) **City of
Yellowknife**

insert
photograph
here

Chauffeur's Permit

Date of Issue: _____

Date of Expiry: _____

_____ is hereby authorized to operate a taxi in the
(Name of Taxi Driver)
City of Yellowknife under the provisions of the Livery Licence By-law.

(Sequential Number)

Manager, Municipal Enforcement Division