



OFFICE CONSOLIDATION

BYLAW NUMBER 91/77

**BEING A BYLAW OF THE CITY OF CALGARY TO
REVISE A BYLAW DEALING WITH THE TAXI
BUSINESS**

(Amended by Bylaw Number 41M79, 1M80, 21M80, 61M81, 1M83, 10M83, 32M83, 33M86, 58M87, 64M87, 22M89, 13M91, 8M92, 28M92, 68M92, 23M93, 52M93, 3M94, 30M95, 73M95, 41M96, 16M98, 52M99, 1M2000, 37M2001, 27M2002, 38M2003)

WHEREAS Section 234 to the Municipal Government Act provides that Council may pass Bylaws licensing, regulating and controlling the taxi business and may delegate the power to a taxi commission established as provided in the said Section;

AND WHEREAS Section 117 of the Municipal Government Act provides that Council may pass Bylaws for the peace, order and good government of the municipality, for promoting the health, safety, morality and welfare thereof.

AND WHEREAS the Taxi Business Bylaw, being Bylaw Number 8/75 of the City of Calgary, was passed on the 24th day of March, A.D. 1975, and subsequently amended;

AND WHEREAS it is advisable to review the Taxi Business Bylaw;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

1. This Bylaw may be cited as the "Taxi Business Bylaw".
2. In this Bylaw, including this Section, unless the context otherwise requires:
 - (a) "Act" - means the Municipal Government Act, as amended or replaced;
 - (b) "Applicant" - means a person who applies for a license or renewal of a license required by this Bylaw and shall also mean a person who is appealing from the refusal, revocation, or suspension of a license;
 - (c) "Chairman" - means the Chairman of the Commission;
 - (c.1) "Chief Executive Officer" means the person designated by Council as its chief administrative officer or his designate;
 - (d) "Chief of Police" - means the Chief of Police of the Calgary Police Service and includes any person designated by the said Chief of Police to perform his duties with respect to this Bylaw;
 - (e) "Chief Taxi Inspector" - means the person appointed as the Chief Taxi

- Inspector by the Commission;
- (f) "*City*" - means the corporation of the City of Calgary or the area contained in the City boundary as the context requires;
 - (g) "*Commission*" - means the Taxi Commission which is continued by this Bylaw;
 - (h) REPEALED BY B/L 52M99, 1999 OCTOBER 4;
 - (i) "*Council*" - means the municipal council of the City;
 - (j) REPEALED BY B/L 58M87, 1987 NOVEMBER 2;
 - (k) "*General Manager*" means the Chief Executive Officer or his designate;
 - (l) "*license*" - means a license issued, or required, pursuant to this Bylaw;
 - (m) "*The License Bylaw*" - means By-law Number 85/76 of the City as amended from time to time and includes any Bylaw passed in substitution therefor;
 - (n) "*license period*" - means the normal period for which a license is to be issued;
 - (o) "*licensed taxi broker*" - means a taxi broker who is the holder of a valid and subsisting taxi broker's license issued pursuant to this Bylaw;
 - (p) "*licensed taxicab*" - means a taxicab which is the subject of a valid and subsisting taxicab license issued pursuant to this Bylaw;
 - (q) "*licensed taxi driver*" - means the holder of a valid and subsisting taxi driver's license issued pursuant to this Bylaw;
 - (r) "*licensee*" - means a person holding a valid and subsisting license issued pursuant to this Bylaw;
 - (r.1) REPEALED BY B/L 3M94, 1994 MARCH 22
 - (s) "*motor vehicle*" - means a motor vehicle as defined in the Highway Traffic Act (1975) as amended or replaced;
 - (t) "*operate*" - means to drive or operate a taxi whether such taxi is involved in the carriage of passengers or not;
 - (u) "*owner*" - means the person, who, in the opinion of the Commission, is the true owner of the motor vehicle, whether or not such motor vehicle is registered in the name of such person or such person holds legal title to such motor vehicle; and in the absence of a decision by the Commission means the person named as the registered owner on the Vehicle Registration Certificate issued by the Motor Vehicles Branch of the Solicitor General's Department of the Province of Alberta of the motor vehicle;

- (v) "*person*" - means a natural person or a body corporate and includes a partnership, a group of persons acting in concert or an association unless the context explicitly or by necessary implication otherwise requires;
- (w) "*Planning Bylaw*" - means any zoning and/or development control Bylaw or any substitution thereof in force in the City from time to time;
- (x) "*Regulations*" - means regulations made by the Commission pursuant to this Bylaw;
- (y) (i) "*Taxi*" means a motor vehicle which is kept for hire for gain or reward with a driver, and:
 - (a) is available for immediate hire by members of the general public to travel to a destination requested by the customer; and
 - (b) measures its fare or charge to a customer:
 - (i) on the basis of distance travelled;
 - (ii) amount of time for which the vehicle is hired; or
 - (iii) on a combination of distance travelled and the amount of time for which the vehicle is hired.
- (ii) No vehicle shall be licensed as a taxi if it has less than three (3) doors and a manufacturer's seating capacity of less than five (5) adults including the driver.
- (z) "*taxi broker*" - means any person who carries on the business of a taxi brokerage;
- (aa) "*taxi brokerage*" - means the business of accepting calls for the dispatch of taxis and includes the business of dispatching taxis;
- (bb) "*taxi driver*" - means a person required to be licensed pursuant to this Bylaw to drive a taxi and "taxicab driver" has the same meaning;
- (cc) "*Taxi Inspector*" - means a Taxi Inspector appointed by the General Manager to assist in carrying out the administration and enforcement of this Bylaw and includes the Deputy Taxi Inspector and a License Inspector as defined in the License Bylaw;
- (dd) "*taxi meter*" - means a device which is used to compute and show the fare payable for services rendered by a taxi calculated on the distance travelled or the waiting time elapsed or both;
- (ee) "*Vice Chairman*" - means the Vice Chairman of the Commission;

- (ff) "License Appeal Committee" - means the Committee so authorized to hear License Appeals.

(B/L 41M79, 1979 October 01)
(B/L 1M80, 1980 January 29)
(B/L 58M87, 1987 November 02)
(B/L 41M96, 1996 October 7)
(B/L 16M98, 1998 May 4)
(B/L 1M2000, 2000 January 24)

3. (1) The Taxi Commission, as established by Bylaw Number 8/75, is hereby continued as a Commission.
- (2) (a) The Taxi Commission shall be composed of seven (7) Members appointed by Council as follows:
- (i) Three (3) persons at large;
 - (ii) Four (4) additional persons, all or any one of whom may be a member of Council, an employee of The City of Calgary or the Calgary Police Commission
- (b) Two (2) of the four (4) persons appointed at large shall be appointed by Council for a period of two (2) years with the other two (2) such persons at large being appointed for three (3) years.
- (c) The persons appointed by Council pursuant to Section 3 (2) (a) (ii) shall be appointed for a length of term to be at the discretion of Council.
- (d) Should any person appointed to the Commission under Section 3 (2) (a) (ii) cease to be a member of Council or an employee of The City of Calgary during the course of such person's term of appointment, such person's appointment shall be automatically terminated upon the cessation of membership on Council or loss of employment with The City of Calgary.
- (3) Pursuant to Subsection (2), Clauses (a), (b) or (c) the names of the persons so designated to compose the Commission shall be registered with the City Clerk.
- (4) REPEALED BY B/L 1M80, 1980 JANUARY 29.
- (5) REPEALED BY B/L 1M80, 1980 JANUARY 29.
- (6) A quorum shall be constituted by any number of members greater than one half of the membership of the Commission.
- (7) The Commission may prescribe its own rules of procedure.

- (8) The Commission shall, subject to the provisions of this Bylaw and every other applicable Bylaw of the City and the Act, Motor Transport Act, the Highway Traffic Act, the Motor Vehicle Administration Act, or any other applicable Statute of Alberta, or Regulations made under any such Statute, have control of the licensing and operation of taxis, taxi brokers, taxi drivers and the taxi business in the City.

(B/L 1M80, 1980 January 29)

(B/L 21M80, 1980 March 18)

(B/L 61M81, 1981 November 02)

(B/L 32M83, 1983 July 26)

(B/L 33M86, 1986 July 28)

(B/L 58M87, 1987 November 02)

(B/L 13M91, 1991 March 4)

(B/L 68M92, 1992 December 14)

(B/L 30M95, 1995 April 3)

(B/L 73M95, 1995 December 4)

(B/L 27M2002, 2002 July 22)

4. (1) The Chairman and the Vice Chairman shall be elected by the members of the Commission.
- (2) The Chairman and the Vice Chairman shall each have a vote on all matters before the Commission.
5. All amounts, including without limitation, all fees, fines, levies and charges obtained by the Commission under the authority of this or any other Bylaw shall be placed in the general revenue of the City for the exclusive use of the Commission in administering, enforcing, regulating or controlling any Bylaw or other matter that the Commission is charged with or responsible for.
- (B/L 37M2001, 2001 October 01)
6. (1) The Chief Executive Officer or his designate shall appoint a person to be the General Manager of the Commission.
- (2) The General Manager shall:
- (a) Report to the person designated as the Director, Calgary Transit for The City of Calgary.
- (b) Supervise, control and administer the office of the Commission and;
- (c) Enforce the provisions of the Taxi Business Bylaw and regulations.
- (B/L 1M80, 1980 January 29)
- (B/L 58M87, 1987 November 21)
- (B/L 73M95, 1995 December 4)
- (B/L 52M99, 1999 October 4)
- (B/L 1M2000, 2000 January 24)
- (B/L 38M2003, 2003 October 6)

7. (1) The Commission may limit the number of taxi licenses, which may be issued in any one-license period.
- (2) When the Commission, pursuant to Subsection (1) of this Section limits the number of taxi licenses which may be issued, the Commission shall, in the issue of taxi licenses available, give such preference to the holders of taxi licenses in the previous license period, as seems just and equitable under the circumstances.
- (3) Where it appears to the Commission that there are insufficient taxis licensed in the City to provide adequately for the requirements of the public for taxi transportation, the Commission may increase the number of taxi licenses which may be issued during the current license period.
- (4) Where it appears to the Commission that the number of taxi licenses issued or allowed to be issued during the current license period is in excess of the requirements of the public for taxi transportation, the Commission may reduce the number of taxi licenses to be issued in that license period but no taxi license which has already been issued shall be revoked during that license period by reason only of the said reduction.
- (5) The Commission may establish and specify different classes of taxi licenses.
- (6) The General Manager may establish a central registry in which records are maintained concerning:
 - (a) All licenses applied for, issued or refused;
 - (b) The health and driving records of taxi drivers;
 - (c) Accident records involving taxis; and
 - (d) Convictions made against persons licensed pursuant to this Bylaw.
- (7) The Commission shall establish and specify the rates or fares that may be charged for the hire of taxis for the conveyance of passengers and their baggage and parcels and without limiting the generality of the foregoing, the Commission may:
 - (a) Vary the rates according to the class of taxi;
 - (b) Vary the rates according to the number of passengers carried;
 - (c) Establish and specify the rates that may be charged for the carriage of baggage and parcels; and
 - (d) Set special rates for taxis furnishing contract taxi services.

8. (1) Subject to the applicable provisions of:
- (a) The Municipal Government Act;
 - (b) Motor Transport Act, the Motor Vehicle Administration Act, and the Highway Traffic Act and all Regulations made under any such Acts; and
 - (c) The Calgary Traffic Bylaw, the Street Bylaw and any other Bylaw of the City which may relate to the providing of transportation for the public, the Commission may make Regulations, governing those matters set out in Section 234 of the Municipal Government Act, not inconsistent with this Bylaw and on matters for which no provision is made in this Bylaw for the licensing, regulation and control of taxis, taxi owners, taxi brokers, taxi drivers and the taxi business in the City.
- (2) Subject to the limitations in, but without limiting the generality of, Subsection (1) of this Section the Commission may make Regulations:
- (a) Establishing the obligations of licensees operating in the City or partly in the City and partly beyond the boundaries of the City;
 - (b) Setting requirements for the licensing of taxis, taxi brokers and taxi drivers;
 - (c) Specifying license periods, the license fees payable for licenses, and the time of payment for such license fees;
 - (d) Specifying license application fees, the time for payment of such fees and provisions relating to the refunding of such fees;
 - (e) Establishing minimum requirements of safety, cleanliness and service for taxis operated in the City or partly in the City and partly beyond the boundaries of the City;
 - (f) Establishing different fares for different classes or types of taxi service;
 - (g) Setting passenger capacity requirements and operating policies in respect to the furnishing of taxi service in the City;
 - (h) Establishing public liability insurance requirements for taxis, subject to the insurance requirements of the Province of Alberta;
 - (i) Providing for the issuing, suspension and revocation of permits in respect to the use of taxi meters;
 - (j) Providing for the testing and examination of applicants which may be a prerequisite for the issuance of a license;

- (k) Providing for the testing and examination of taxis for mechanical fitness, safety, and cleanliness;
 - (l) Requiring licensees to keep and produce records in regard to the use and operation of taxis;
 - (m) Providing for the issuance, production and display of licenses, permits, license plates, identification cards, registration cards and any other document or device required pursuant to this Bylaw or the Regulations;
 - (n) Providing for the inspection of premises on which a taxi brokerage is operated;
 - (o) Establishing the equipment and facilities which a taxi broker is required to maintain;
 - (p) Requiring taxis operated for a taxi broker to be identified by markings or specific paint colours;
 - (q) Establishing the markings to be displayed on all taxis;
 - (r) Regulating and controlling the advertising which is displayed on taxis;
 - (s) Limiting the number of taxis which may be operated in any area or district of the City;
 - (t) Limiting the number of taxis which may be used by a person in the taxi business;
 - (u) Requiring the installation of taxi meters in taxis;
 - (v) Limiting the number of hours any person may drive a taxi in any 24 hour period.
- (3) Regulations may be in the form which is from time to time adopted by the Commission.
- (4) Regulations may be signed by the Chairman, the Vice Chairman or any Two (2) Members of the Commission.

(B/L 1M80, 1980 January 29)

LIMOUSINE CLASS TAXIS

8.1 REPEALED BY B/L 3M94, 1994 MARCH 22

8.2 REPEALED BY B/L 3M94, 1994 MARCH 22

9. (1) The owner of one or more taxis shall obtain a separate license for each taxi and shall pay the license fee specified by the Regulations for each such taxi license.
- (2) No person shall own or operate a taxi, or permit a taxi to be operated, unless such a taxi is a licensed taxi.
- (3) If the holder of a taxi license ceases to own or operate a licensed taxi, he shall surrender the taxi license for such taxi to the Chief Taxi Inspector.
- (4) Nothing in this Bylaw shall prohibit the owner of a licensed taxicab from replacing such taxi with another taxi owned by him provided the prior approval of the Chief Taxi Inspector has been obtained and the fee prescribed by the Regulations has been paid.
- (5) No person shall permit a taxi driver to operate a taxi in contravention of any of the provisions of this Bylaw or the Regulations.
- (6) In addition to a license or permit required by the Province of Alberta pursuant to the Highway Traffic Act, the Motor Vehicle Administration Act, or Motor Transport Act, a person who operates a taxi shall take out a license as a taxi driver.
- (7) No person shall operate a taxi unless he is a licensed taxi driver.
- (8) No person shall permit any person who is not a licensed taxi driver to operate a taxi.
- (9) Notwithstanding Subsections (7) and (8) of this Section:
 - (a) Police Officers and Taxi Inspectors may operate taxis in the course of their duties as Police Officers or Taxi Inspectors; and
 - (b) A person who is proceeding to, attending at, or returning from a taxi inspection, which is required by the Regulations, or a person who is operating a taxi as a necessary part of his duties in relation to the repair or maintenance of the taxi, may operate a taxi if a sign bearing the words "Not for Hire" is prominently displayed on the taxi.
- (10) A person who carries on business as a taxi broker shall take out a license as a taxi broker.
- (11) No person shall carry on business as a taxi broker unless he is a licensed taxi broker.
- (12) No person shall operate, or permit the operation of a taxi which is not operated as a part of a taxi fleet which is dispatched by a licensed taxi broker.
- (12.1) REPEALED BY B/L 3M94, 1994 MARCH 22.

- (12.2) REPEALED BY B/L 3M94, 1994 MARCH 22.
- (12.3) REPEALED BY B/L 3M94, 1994 MARCH 22.
- (13) No taxi broker shall permit a taxi which is operated as a part of his taxi fleet to be operated in contravention of this Bylaw or the Regulations.
- (14) The Commission may require taxis, or classes of taxis, to be equipped with a communications radio, which is capable of receiving dispatch messages issued by a taxi broker.
- (15) A license for a taxi broker or a taxi driver is not capable of being transferred from one person to another.
(B/L 52M93, 1993 November 22)
- (16) Where a corporation is the holder of a taxi license or a taxi broker's license, the corporation shall forthwith notify the Commission in writing of all transfers of existing shares and the issue of all new shares of the capital stock of the corporation.
- (17) (a) REPEALED BY B/L 52M93, 1993 NOVEMBER 22
- (b) Where a corporation incorporated under the Co-operative Association Act, R.S.A. 1980, c.C-24, as amended, is the holder of a taxi licence or a taxi broker's licence, the corporation shall forthwith notify the Commission in writing of a sale of all or substantially all of the assets of the corporation.
- (c) Where the Commission determines that a purchaser of the assets of a co-operative under subsection (b) is not controlled, directly or indirectly, by the same persons who controlled the selling corporation, all taxi licences and any taxi broker's licence held by the co-operative shall be cancelled by the Commission. Notwithstanding Section 9(15) of this Bylaw, the Commission may re-issue the licence or licences in the name of the purchaser if it determines it would not be contrary to the public interest to do so.
(B/L 28M92, 1992 May 4)
- (18) The Chief Tax Inspector shall consider the written recommendation of the Chief of Police prior to the issuance of a license pursuant to this Bylaw.
- (19) Where a license has been issued to a person who has filed a recommendation for approval in writing signed by or on behalf of the Chief of Police as required by Subsection (18) of this Section, then, if during the course of the license period the Chief of Police advises the Chief Tax Inspector that such recommendation is revoked, the Chief Tax Inspector may revoke or suspend the license.
- (20) When a person applies for a license as a taxi broker:

- (a) For the first time, and the premises on which the brokerage will be operated has not been approved for such use by the Planning Department; or
 - (b) When a licensed taxi broker wishes to move his brokerage to a new location, he shall provide the General Manager with a certificate from the Planning Department of the City setting out:
 - (i) the provisions of the Planning Bylaw and the Planning Act, amendments thereto, or any substitution thereof, allowing the business of a taxi broker to be carried out at the location or locations set out in the application; and
 - (ii) the details of any limitation or condition under the Planning Bylaw or the Planning Act which is imposed on the business of a taxi broker at the location or locations where the taxi brokerage is to be operated.
- (21) Where, on inspection, a taxi brokerage which is subject to an inspection by or on behalf of:
- (a) A Fire Marshall;
 - (b) A Building Inspector; or
 - (c) A Planning Officer of the City;
- is found to contravene respectively the provisions of:
- (d) The Fire Prevention Act, or the Calgary Fire Prevention Bylaw;
 - (e) The Building Bylaw;
 - (f) The Planning Act;
 - (g) A Planning Bylaw of the City;
- or any Amendments thereto, Regulations made thereunder, or any substitution thereof, such Fire Marshall, Building Inspector or Planning Officer shall report the contravention to the Chief Taxi Inspector who may revoke or suspend the taxi broker's license therefor.
- (22) The Commission may:
- (a) Direct the Chief Taxi Inspector to refuse to issue a new license where in the opinion of the Commission the applicant does not comply with the requirements of the Bylaw or Regulations;
 - (b) Direct the Chief Taxi Inspector to revoke or suspend an existing license where in the opinion of the Commission the licensee does

not comply with the requirements of the Bylaw or Regulations.

- (23) Where any certificate, authority, license or other document of qualification under this or any other Bylaw, or under any Statute of Canada or Alberta is suspended, cancelled, terminated or surrendered, any license issued under this Bylaw, based in whole or in part on such certificate, authority, license or other document of qualification, shall be revoked or suspended automatically forthwith.
- (24) Upon a license being revoked or suspended, the Chief Taxi Inspector shall notify the licensee thereof by delivering a notice to him either by personal service, or by mailing a registered letter to his last known address.
- (25) Where a license is surrendered, revoked, or suspended, the licensee shall forthwith return the license and any license plate, registration or identification card relating to such license to the Office of the Taxi Commission.
- (26) No taxicab licence holder shall charge any fee, charge or levy whatsoever for the use by any person of a taxicab licence.
- (27) No taxi broker shall allow a taxicab licence issued in the name of the taxi broker to be used by a taxi other than those affiliated with that broker its parent or subsidiary company.
- (28)
 - (a) Notwithstanding any other provision of this Bylaw, the Taxi Commission shall re-issue any and all taxicab licenses that have been surrendered to the Commission for cancellation or those licenses which may be revoked for any reason by the Commission.
 - (b) The Commission shall re-issue the licenses referred to in subsection (a) by lottery or quarterly licence draws on the basis of eligibility criteria for such lottery or draw that the Commission may determine to be just and equitable under the circumstances.
- (29) The Commission may, by regulations, establish a fee or charge to be paid by the Commission to a taxicab licence holder who surrenders his licence for cancellation to the Commission, and a higher fee to be paid by a licensee obtaining a licence under the provisions of subsection (28).
- (30) The Commission may establish by regulations a fee or charge to the applicable for all lottery or draw entrants.
- (31) Except as herein provided, no holder of a taxicab licence shall lease, transfer or otherwise dispose of a taxicab licence except to the Taxi Commission for re-issuance to existing taxi industry participants.
- (32) The Chief Taxi Inspector shall accept taxi licenses which no longer have an active taxi registered against the taxi licence on a voluntarily surrendered basis. The said licence which is voluntarily surrendered shall not be

cancelled, unless such cancellation is agreed to by the licensee, but shall be held by the Chief Taxi Inspector until such time as the licensee registers an

approved taxi against the said licence. No refund of the licence fee or any portion thereof shall be made in the case of voluntarily surrendered licenses.

(B/L 1M80, 1980 January 29)

(B/L 10M83, 1983 April 25)

(B/L 28M92, 1992 May 4)

9.1 (a) The prohibition on the issuance of any new taxi licenses for the operation of a regular class taxi instituted by the Taxi Commission as of February 6, 1986, and continued by the Taxi Commission up to the date of the passage of this Bylaw, is hereby continued and the Taxi Commission shall issue no new licenses for the operation of a regular class taxi but only renew to licensees, in accordance with the Taxi Business Bylaw, such regular class taxi licenses as were issued to such licensees for the previous license year.

(b) Notwithstanding subsection (a) the Taxi Commission may issue licenses in accordance with the lottery provisions described in Section 9(28) or in accordance with Section 9.2

(B/L 23M93, 1993 April 27)

9.2 (a) "immediate family member" means the spouse, siblings or children of the taxi licensee.

(b) Notwithstanding section 9(15) a taxi license held by a deceased taxi licensee shall be capable of being transferred to the estate of the deceased licensee, or to an immediate family member of the deceased, if the transfer occurs without remuneration from the estate of the deceased to the transferee.

(c) REPEALED BY B/L 52M93, 1993 NOVEMBER 22

(d) REPEALED BY B/L 52M93, 1993 NOVEMBER 22

(e) The Chief Taxi Inspector may refuse to approve of the transfer of a taxi license as described in this section if in his opinion there exists reasonable grounds so to do and the intended transferee may appeal such refusal as provided in Sections 15 and 16 of this Bylaw.

(B/L 23M93, 1993 April 27)

TRANSFERABILITY OF TAXICAB LICENSES

9.3 (a) The licensee of a taxi license shall not transfer or otherwise dispose of a taxi license unless:

(1) the licensee does so in accordance with this Bylaw and the

regulations; and

- (2) the licensee pays the license transfer fee as set out in this Bylaw.
- (b) When the licensee of a taxicab license wishes to transfer one or more taxi licenses he shall make application to the Commission for approval of the proposed transfer on such application forms as prescribed by the Commission, which forms shall require the licensee to disclose the purchase price paid to such licensee for the license.
- (c) The Commission may refuse to approve of the transfer of any taxi license where the proposed transferee does not meet the requirements of the Bylaw or the regulations or where the Commission determines that it would not be in the public interest or in the best interests of the taxi business to do so.
- (d) Where the Commission approves of the transfer of a taxi license or licenses the Commission shall re-issue the license being transferred into the name of the transferee.
- (e) A transfer fee of \$200.00 per license shall be applied to each taxi license which is approved for transfer by the Commission and shall be paid to the Commission prior to the issuance of the transferred license into the name of the approved transferee. The said license transfer fee may be amended from time to time by the Commission and the Commission may exempt a party or parties from the payment of the transfer fee where the Commission is satisfied that the license transfer has occurred without an exchange of remuneration in the matter of an estate or any non-arms length transaction including a transfer of licenses between parent and subsidiary companies.
- (f) The Commission shall not approve transfers of taxicab licenses from a licensee who is not a taxi broker to a taxi broker, but may approve, subject to compliance with this Bylaw and regulations, transfers of a taxi license from one taxi broker to another.
- (g) All license transferees must immediately register a taxi approved by the Commission against each transferred license. The transferred license must be kept in active use for a one year period immediately following the transfer date by having an approved taxicab registered against the transferred license. The Commission may exempt a transferee from the requirement to activate non-active taxicab licenses transferred as part of the sale of an entire taxi business or pursuant to the administration of the estate of a taxi licensee under Sections 9.2 and 9.5 or where taxi licenses are transferred from a subsidiary to its parent company or from a parent company to a subsidiary company.
- (h) Following the one year period described in subsection (g), the transferred taxi license may be voluntarily surrendered to the Commission upon the request of the licensee pursuant to Section 9 (32) of this Bylaw.

- (i) Subject to Section 9.5, in order to be eligible to be a transferee of a taxi license the transferee must meet the eligibility criteria set out in Schedule "1" of this Bylaw.
 - (j) (i) Subject to subsection 9.3(k) only, no person or corporation may acquire more than one taxi license from any taxi license transferor following the passage of Bylaw 52M93.
 - (ii) Following the acquisition of one taxi license under subsection (j)(i) above by any natural person or corporation, the Taxi Commission shall not approve of any license transfer of a taxi license into the name of any applicant corporation in which that natural person is a director or in which that natural person or corporation holds 10 percent or greater of the voting shares of the applicant corporation.
(B/L 41M96, 1996 October 7)
 - (k) (i) Notwithstanding subsection 9.3(j) of this Bylaw a corporation being a taxi broker may transfer a taxi license or taxi licenses held by it to its parent company or the parent company may transfer a taxi license or taxi licenses to a subsidiary company subject to the approval of the Taxi Commission acting in the public interest.
(B/L 3M94, 1994 March 22)
 - (ii) Notwithstanding subsection 9.3(j) a taxi license or taxi licenses are capable of being transferred into or by an estate and the provisions of Sections 9.2, 9.3 and 9.5 of this Bylaw are applicable to such transfer.
- 9.4 (a) If the Commission determines that the controlling interest in a corporation or co-operative incorporated under the Co-operative Association Act has changed hands, whether by direct or indirect means, it may suspend or revoke the taxi licenses and taxi broker licenses held by the corporation or co-operative if it determines that it is in the public interest so to do.
- (b) Where the Commission determines that the controlling interest in a corporation or co-operative has changed hands under s.9.4(a) such determination shall constitute a deemed license transfer by the taxi licensee and the provisions of Section 9.3(e) shall be applicable to the deemed license transfer.
- 9.5 (a) Notwithstanding any other provisions of this Bylaw when a taxi license is held by an estate, a taxi license can only be held by the estate for a period of one year, and if not disposed of by the estate to an eligible transferee as described in this Bylaw within the one year period, the license shall be revoked by the Chief License Inspector.
- (b) Notwithstanding items B and C in Schedule "1", where a person becomes the holder of a taxi license through the administration of the estate of a deceased taxi licensee and such person is not the owner or operator of a taxi as required by Section 9(3) such person shall have a period of ninety

(90) days to comply with Section 9(3), failing which the Chief Taxi Inspector shall revoke the license or licenses held by such person.

9.6 Notwithstanding Section 9.1, where it appears to the Commission that it is in the public interest or the best interests of the taxi business, the Commission may increase the number of taxi licenses which may be issued. Should the Commission consider increasing the number of taxi licenses issued reasonable prior notice to the taxi industry shall be given by the Commission.

9.7 (a) Notwithstanding Section 9(29) if the Commission determines that a number of taxi licenses have been issued which is in excess of the need to service the taxi transportation requirements of the travelling public in the City of Calgary, the Commission may in order to reduce the number of licensed taxis enter into an agreement with a taxi license holder to pay an amount to the taxi license holder for the voluntary surrender of the license to the Commission.

(b) Notwithstanding Section 9(28) any and all licenses surrendered to the Commission pursuant to a determination that excess taxi licenses have been issued under (a) shall not be re-issued by the Commission but shall be cancelled.

(B/L 52M93, 1993 November 22)

10. (1) The Chief Taxi Inspector shall:

(a) See that this Bylaw and Regulations are enforced; and

(b) Report to the Commission, the Commissioners and Council on matters concerning the Commission in such manner and at such times as they may require.

(2) In the absence of the Chief Taxi Inspector, the Deputy Taxi Inspector shall carry out the functions and duties of the Chief Taxi Inspector.

(3) The Chief Taxi Inspector may, if in his opinion there exists reasonable grounds so to do, revoke or suspend a license, or refuse to issue a new license, and at the next meeting of the Commission the Chief Taxi Inspector shall inform the Commission of the suspension, revocation or refusal to issue, and the Commission shall, as soon as reasonably possible, consider whether or not such license should be reinstated or issued.

(4) Notwithstanding Subsection (3), the Chief Taxi Inspector may reinstate a suspended license if in his opinion the requirements of the Bylaw or Regulations have been met.

(5) The Chief Taxi Inspector and the Deputy Taxi Inspector are municipal officials as defined by the Act.

(6) Taxi Inspectors shall be under the supervision and direction of the Chief Taxi Inspector.

(B/L 1M80, 1980 January 29)

11. (1) The Commission shall specify license periods for taxi licenses, taxi broker's licenses and taxi driver's licenses.
 - (2) Prior to or at the commencement of a license period, licenses shall be issued for the license period and after the commencement of a license period, licenses shall be issued for the remainder of the license period.
 - (3) Every license shall indicate the date on which it is issued and the date on which it will expire.
12. (1) No license shall be issued until the applicant has paid to the City the fee specified by the Regulations.
 - (2) Where a fee has been paid by the tender of a cheque the license:
 - (a) Is issued subject to the cheque being accepted and cashed by the bank without any mention of this condition being made on the license; and
 - (b) Is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.
 - (3) Where the license fee for a license period is greater than Seventy-Five Dollars (\$75.00) and a license is issued for a portion of a license period, the fee for such license shall be equal to that portion of the full license fee for the license period that the number of full calendar months remaining in the unexpired portion of the license period bears to the number of full calendar months in the license period.

. . . . calculated to the nearest One Dollar (\$1.00)
 - (4) Where the license fee for a license period is less than or equal to Seventy-Five Dollars (\$75.00) and a license is issued for a portion of a license period, the fee for such license shall be the full license fee for the license period.
 - (5) Where a license is surrendered or revoked and the license fee for a license period is greater than Seventy-Five Dollars (\$75.00), the holder of such license shall be entitled to a refund which is equal to that portion of the full license fee for the license period that the number of full calendar months remaining in the unexpired portion of the license period bears to the number of full calendar months in the license period.

. . . . calculated to the nearest One Dollar (\$1.00)
 - (6) Where a license is surrendered or revoked and the license fee for a license period is less than or equal to Seventy-Five Dollars (\$75.00), there shall be no refund of license fees.

- (7) No person shall be entitled to a refund of a license application fee unless such refund is provided for in the Regulations.
 - (8) A license shall be produced:
 - (a) Under the personal signature of the Chief Taxi Inspector, the Deputy Taxi Inspector or a Taxi Inspector authorized by the Commission; or
 - (b) Under the mechanically reproduced signature of the Chief Taxi Inspector; or
 - (c) On a form bearing the identification of the City.
 - (9) Licenses, license plates, identification cards, registration cards, permits and other documents and devices which are issued pursuant to this Bylaw, or the Regulations, whether subsisting or not, are and shall remain the property of the City.
 - (10) No person shall deface, mutilate or destroy, or permit the defacing, mutilation or destruction of a license, license plate, identification card, registration card, permit or any other document or device which is issued pursuant to this Bylaw or the Regulations.
 - (11) Subsection (10) of this Section does not apply to a Taxi Inspector who is destroying, voiding or recovering a license, license plate, identification card, registration card, permit or any other document or device which is issued pursuant to this Bylaw or Regulations, and is no longer subsisting.
 - (12) The Taxi Commission shall, on a quarterly basis throughout the calendar year publish the names of all persons who are the holders of valid and subsisting taxi driver's licenses, taxi broker's licenses and taxicab licenses.

(B/L 1M80, 1980 January 29)
(B/L 1M83, 1983 January 24)
(B/L 28M92, 1992 May 4)
13. A person who fails to do anything which he is required to do pursuant to this Bylaw or the Regulations, or who does anything which he is prohibited from doing under this Bylaw or the Regulations, is guilty of an offence and is liable on Summary Conviction:
- (a) For a first offence for a contravention of Sections 9 (2) and 9 (11) to a fine of not less than Two Hundred and Fifty Dollars (\$250.00) and not more than Ten Thousand Dollars (\$10,000.00) or in default of payment of the fine and costs to imprisonment for a period not exceeding one year;
 - (b) For a second or subsequent offence for a contravention of Sections 9 (2) and 9 (11) to a fine of not less than Five Hundred Dollars (\$500.00) and not more than Ten Thousand Dollars (\$10,000.00) or in default of payment of the fine and costs to imprisonment for a period not exceeding one year;

- (c) For a first offence for a contravention of any of the remaining provisions of this Bylaw to a fine of not less than Fifty Dollars (\$50.00) and not more than Ten Thousand Dollars (\$10,000.00) or in default of payment of the fine and costs to imprisonment for a period not exceeding one year; and
- (d) For a second or subsequent offence for a contravention of any of the remaining provisions of this Bylaw to a fine of not less than One Hundred Fifty Dollars (\$150.00) and not more than Ten Thousand Dollars (\$10,000.00) or in default of payment of the fine and costs to imprisonment for a period not exceeding one year.

(B/L 58M87, 1987 November 02)

(B/L 41M96, 1996 October 7)

- 14. Notwithstanding the provisions of Section 3 the members of the Commission appointed pursuant to Bylaw 8/75 shall continue in office until new members are appointed to the Commission pursuant to Section 3.
- 15. (1) Any person who has had any license issued in his or her name revoked or suspended, or any applicant who has been refused the issuance of a license by the Chief Tax Inspector may appeal any such revocation, suspension or refusal to the License Appeal Board established under Bylaw 47M83.
- (2) Any person described in subsection (1) may appeal to the License Appeal Board by notifying the City Clerk of his or her intention to appeal the said revocation, suspension or refusal within thirty (30) days of the date of the decision of the Chief Tax Inspector.
- (3) Notice to the City Clerk shall be in writing either delivered personally or sent by double registered mail.

(B/L 1M80, 1980 January 29)

(B/L 73M95, 1995 December 4)

16. REPEALED BY B/L 73M95, 1995 DECEMBER 4

16.1 REPEALED BY B/L 73M95, 1995 DECEMBER 4

16.2 When the Chief Tax Inspector revokes or suspends a license pursuant to the provisions of this Bylaw, and the person whose license has been revoked or suspended notifies the City Clerk of his intention to appeal the said revocation or suspension to the License Appeal Board the Chief Tax Inspector shall stay the revocation or suspension pending the hearing of the appeal where in the opinion of the Chief Tax Inspector the person whose license has been revoked or suspended does not present a danger to public safety or welfare by his continued holding of the license.

(B/L 64M87, 1987 November 02)

(B/L 8M92, 1992 January 6)

(B/L 73M95, 1995 December 4)

17. The Regulations made by the Commission pursuant to Bylaw Number 8/75 shall, except where inconsistent with this Bylaw, continue in force until amended or repealed by the Commission.
18. Regulations shall be filed with the City Clerk of the City and the City Clerk may make certified copies of the Regulations.
19. Bylaw Number 8/75 is hereby repealed.
20. Should the provisions of this Bylaw conflict or be inconsistent, either expressly or by necessary implication with any provisions of any Regulation passed under the provisions of this Bylaw, the provisions of this Bylaw shall be paramount.
(B/L 58M87, 1987 November 02)

READ A FIRST TIME THIS 18th DAY OF APRIL, 1977.

READ A SECOND TIME THIS 18th DAY OF APRIL, 1977.

READ A THIRD TIME THIS 18th DAY OF APRIL, 1977.

(Sgd.) Edwin A. Oman
DEPUTY MAYOR

(Sgd.) Frank Byrne
CITY CLERK

SCHEDULE "1"

In order to be eligible for approval by the Commission of an application to transfer a taxicab license the Transferee must:

- A. have resided continuously in the Province of Alberta for a period of twelve (12) months immediately preceding the date of application for the license. A corporation shall be deemed to have been resident within the Province of Alberta:
 - (1) during any period to which the corporation continuously maintained a registered office in the Province of Alberta, as required by the Alberta Business Corporations Act, and
 - (2) during any period in which all the persons holding shares in the corporation resided continuously within the Province of Alberta;
- B. have been active on a full-time basis (1800 hours per year for regular class taxis, and 750 hours per year for mini bus class taxis) in the taxi industry in Calgary for twelve (12) consecutive months during the two (2) years immediately preceding the date of application for transfer. A corporation shall be deemed to meet this requirement if an officer of the corporation, or a person employed as a manager for the corporation is in compliance with the requirements;
- C. have a satisfactory record of taxi service in the industry and with the Commission;
- D. have the application reviewed by the Calgary Police Service;
- E. submit a broker's affiliation letter, except when the transferee is the holder of a current taxi broker's license;
- F. in the case of a corporate transferee, be a corporation in good standing under the laws of Alberta, and with the Taxi Commission.