

BY-LAW NO. 611

A BY-LAW OF THE CORPORATION OF THE TOWNSHIP
OF WESTMEATH TO LICENSE AND REGULATE OWNERS
AND DRIVERS OF VEHICLES FOR HIRE

THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF
WESTMEATH enacts as follows:

1. FOR the purpose of this By-law -
 - (a) "Council" shall mean the Municipal Council of the Corporation of the Township of Westmeath
 - (b) "Clerk-Treasurer" shall mean the Clerk-Treasurer for the time being of the Corporation of the Township of Westmeath
 - (c) "Cab" shall mean any motor vehicle used for hire for the conveyance of persons within the Municipality of the Township of Westmeath or to a point not more than 3 miles beyond its limits
 - (d) "Driver" shall mean any person employed by an owner for the purpose of driving cabs
 - (e) "Owner" shall mean any person owning a motor vehicle or motor vehicles used for hire

2. (1) THE Clerk-Treasurer of the Township of Westmeath shall have supervision over all persons licensed under this By-law and over all cabs together with the equipment used by them and the following shall be the duties of the Clerk-Treasurer in connection with the provisions of this By-law:
 - (a) To report to the Council the performance of his duties under this by-law whenever he is required by the Council to do so
 - (b) To ascertain from time to time, as often as may be required by the Council, whether the persons owning or operating cabs continue to comply with the provisions of the law and this by-law
 - (c) To prosecute all persons who offend against any provisions of the law or this by-law
 - (d) To perform such other duties as may from time to time arise under the law or under this by-law

- (2) ANY act or duty to be performed by the Clerk-Treasurer under this by-law may be performed by any person authorized by the Council to perform any such act or duty

3. THE owner of any cab shall not use or operate the same or allow the same to be used or operated without a license hereinafter set forth, which said license may be in form "B" to this by-law annexed or in some like form and such owner shall prior to obtaining his license pay such fee therefor to the Clerk-Treasurer of the Township of Westmeath as may be prescribed by the Council

4. BEFORE the owner's license shall be issued, the applicant therefor shall file with the Clerk-Treasurer of the Township of Westmeath a certificate of a Policy of Insurance issued by a Company authorized to issue Indemnity Insurance policies in the Province of Ontario, for a period of time which extends to or beyond the expiry of the current license year, insuring the applicant to the amount of \$10,000.00 against liability for damages resulting from injury or death occasioned by any accident arising out of the operations of the Cab in respect of which a license is applied for, with a maximum of \$5000.00 for bodily injuries to or death of any one person arising out of any one accident including passenger hazard for the above amounts, and to the amount of \$1000.00 covering legal liability for damage to property of others. Every such policy shall be kept in force by such owner during the period for which such license issued to him, or any renewal thereof, is in effect and should he fail to renew the same from time to time and pay the premiums due thereon, the Clerk-Treasurer may, upon notice to him, cancel such license. Every authorized insurer insuring the applicant and holders of licenses issued by the Clerk-Treasurer on the recommendation of the Council shall, at least fifteen (15) days prior to the cancellation of any policy held by the holder of any license issued under this by-law notify the Clerk-Treasurer of the said Council by registered mail of its intention to cancel the said policy, and provisions to this effect shall be inserted in the policy by the company issuing same

5. NO person shall drive or act as a driver of any Cab without having a license therefor, which said license may be in form "C" issued by the Clerk-Treasurer on the recommendation of the Council to this By-law ~~annexed~~ or in like form and such person shall prior to obtaining his license pay such fee therefor to the Clerk-Treasurer of the Council as may be prescribed by the said Council

6. EVERY owner of more than one Cab required to be licensed under this by-law shall take out a separate license for each Cab, the fee for such license shall be:

For one automobile used in carrying goods or passengers	\$
For two automobiles used and operated by the same licensee	\$
For each additional automobile in excess of two automobiles operated by a licensee	\$

Such license for carrying passengers shall not authorize the holder thereof to carry for hire, gain or reward, or hope thereof, any goods or chattels other than the bona fide luggage of the passengers being carried by him.

7. ALL applications for licenses to operate motor cars for hire shall be made to the Clerk-Treasurer of the Council and the said Clerk-Treasurer shall have power to recommend the granting or refusing of such application and any license granted shall be subject to suspension at any time by the said Clerk-Treasurer or other person appointed by the Council in his discretion, subject, however, to an appeal by the applicant or the licensee to the Council. Where any such license is revoked, the licensee shall be entitled to a return of part of the fee paid for such license in proportion to the unexpired term of the year for which such revoked license was issued
8. ANY license issued hereunder shall be valid and effective for the current year only, each license dating from the date of issue and expiring on the 31st day of December following
9. THE Clerk-Treasurer shall, upon granting a license furnish to the licensee one copy of this by-law and two cards containing the tariff herein provided for and one tag to be attached to the car in a conspicuous place designating such car to be a licensed taxi cab, and every owner and driver shall keep posted up in a conspicuous place inside his cab one of the tariff cards referred to
10. EVERY driver of a licensed Cab shall retain his driver's license in his possession at all times while operating the same, and shall upon request exhibit the same to the Clerk-Treasurer or other person appointed by the Council
11. EVERY owner of one or more licensed Cabs operated by others shall file with the Clerk-Treasurer the name and address of each licensed driver employed by him, and shall from time to time advise the Clerk-Treasurer of all changes in his staff of licensed drivers
12. THE owner of every licensed Cab who sells, exchanges, or otherwise disposes of it shall, before operating any other Cab in the place thereof, submit the same for examination and approval of the Clerk-Treasurer, and apply for and receive a transfer of all licenses issued in respect thereof, or shall in the alternative apply for and procure such licenses as are required by the provisions of this by-law
13. EVERY owner's license shall be numbered and shall set forth the name of the person licensed and the make, style, serial number and model of the Cab
14. THE Clerk-Treasurer or other person appointed by the Council may at any time, for any cause appearing to him sufficient, suspend the license issued to the owner or driver of any Cab or other vehicle, and shall in such event report such suspension to the Council with all reasonable despatch and the Council may either continue such suspension for such period of time as it shall determine, or may re-instate such license; or if the circumstances shall appear to it to warrant such action, may revoke such license.
15. ANY owner or driver whose license has been suspended, revoked or cancelled shall during such suspension or after such revocation or cancellation, unless the same shall have been dealt with by the Council, be ~~construed~~ ^{understood} to be without a license.

16. IF the holder of a driver's license issued under this by-law shall be convicted three times of any infraction of this by-law or any by-law of the Council regulating the traffic on the streets, or of any infraction of The Highway Traffic Act or any part thereof, or shall be convicted of one infraction of The Liquor Control Act, his license shall be forthwith revoked
17. IF the holder of an owner's license issued under this by-law shall discontinue to operate continuous service of a Cab for a period exceeding one month, or shall allow a judgment recorded against him for damage arising from the use or operation of any Cab to remain unsatisfied for three months, his license shall be forthwith revoked
18. THE Clerk-Treasurer shall satisfy himself that the applicant is of good character and a fit and proper person to receive a license under this by-law
19. NO person shall be eligible to obtain a Cab owner's license unless he produces to the Clerk-Treasurer evidence to his satisfaction that such person is the owner of the Cab in question and he is duly licensed to operate it upon the public highways and no person shall be eligible to obtain a driver's license unless he is of the full age of 18 years and is in possession of a Chauffeur's license issued by the Provincial Government.
20. THE owner and driver of every Cab shall keep the interior and exterior of such Cab clean, dry and in good repair and wherever the owner of any such Cab receives notice, either given to him or his driver and signed by the Clerk-Treasurer that such Cab is not in a fit and proper condition for use, stating briefly the items complained of, such owner shall within the time mentioned in such notice put the same in a fit and proper condition
21. THE owner of every Cab shall when required submit his Cab for examination by the Clerk-Treasurer or other person appointed by Council, and no owner or driver shall at any time when his Cab is not employed, prevent or hinder the said Clerk-Treasurer or other person appointed by Council from entering his garage or other building for the purpose of inspecting the ~~same~~ said cab.
22. NO owner of any Cab shall employ any person other than a licensed driver under this by-law as the driver of his Cab
23. NO owner or driver shall consume or have in his possession illegally any liquor while he is in charge of his Cab nor shall the use of liquor by him be apparent while he is in charge of such cab
24. ANY owner or driver shall not refuse any person requiring the service of his Cab without sufficient cause for such refusal
25. WHERE any order has been given for a Cab that has been previously engaged, the owner or driver shall immediately advise the person so ordering of the prior engagement. Upon the owner or driver accepting a second engagement for the same Cab, he shall immediately advise his first fare.

26. THE rates of fares to be charged by the owners of Cabs within the Township of Westmeath or any point not more than 3 miles beyond its limits shall be exactly as shown in Schedule "A" to this by-law and no higher or lower amount than that contained in said schedule shall be charged or payable

27. NO owner or driver shall publish or use a tariff or demand and receive rates or charges other than those authorized by this by-law, whether such rates and charges are determined by trip or by time

28. NO person employing any Cab shall refuse upon demand to pay the fare or charge authorized by this by-law

29. ANY act done by or by the authority of the Clerk-Treasurer or other person appointed by Council under any of the provisions of this by-law shall be subject to an appeal to the Council by any person feeling aggrieved thereby

30. EXCEPT as otherwise provided herein or by statute, any person convicted of a breach of any of the provisions of this by-law or any by-law amending the same, shall forfeit and pay, at the discretion of the convicting magistrate, a penalty not exceeding \$ for each offence, exclusive of costs and in default of payment of said penalty and costs forthwith, the convicting magistrate may commit the offender to the common gaol of the County of Renfrew, with or without hard labour, for any period not exceeding one calendar month unless the said penalty and costs, including the costs of the committal and conveying of the offender to the said gaol are sooner paid. All penalties hereunder to be recoverable under The Summary Convictions Act. of Ontario.

31. THE license of any person, including licenses issued prior to the passing of this by-law, found by the Clerk-Treasurer not to be observing the provisions of this by-law, may be suspended

32. IN the event of any license being cancelled or revoked, the previous holder thereof shall not receive another license until after the lapse of six months from the date of such cancellation or revocation

33. ALL by-laws or parts of by-laws heretofore passed inconsistent with this by-law are hereby repealed

34. THE provisions of this by-law shall come into force and effect on the passing thereof

PASSED this day of A.D. 1950

Reeve

Clerk-Treasurer.

SCHEDULE "A"

TARIFF RATES

BY TRIP

Party of one or two persons between any two points within the Township of Westmeath or to any point not more than 3 miles beyond its limits \$.

Each additional person .

Each stop en route, for each five minutes or fraction thereof after the first two minutes of each stop .

BY HOUR

For first hour or any part thereof (5 passenger car) .

For first hour or any part thereof (7 passenger car)

For each additional fifteen minutes

Should mileage at . ¢ per mile total a larger amount then mileage at . ¢ per mile to be charged

AMBULANCE SERVICE

For any trip within the Township limits or to any point not more than 3 miles beyond its limits at the rate of \$ per hour or fraction thereof

CHILDREN

Children in charge of an adult - Under 8 years of age free. 8 years to 12 years half fare, over 12 years, full fare

BAGGAGE

Each trunk carried with passenger

Hand baggage if carried in vehicle Free

FORM "B"

Chauffeur License No.

Cab License No.

CAB OWNER'S LICENSE

THIS IS TO CERTIFY that
of the Township of Westmeath is hereby licensed to keep
a Cab No..... for hire in the Township of Westmeath
or to a point not more than 3 miles beyond its limits

This license is to be in force from the date
hereof until the 31st day of December following, and is
issued subject to the provisions of By-law No. or
any amendments thereto or of any by-laws passed in lieu
thereof.

This license is not transferable.

DATED thisday ofA.D.1950

BY order of the Municipal Council of the
Corporation of the Township of Westmeath

Make

Style

Model

Serial Number

Clerk-Treasurer

Received the sum ofDollars
for above license

Clerk-Treasurer

FORM "C"

CAB DRIVER'S LICENSE

Chauffeur's License No. Cab Operator's No.

Dated this day of A.D. 1950

Name in full

Address

This license is issued subject to the conditions of any or all by-laws of the Council of the Corporation of the Township of Westmeath relating to owners and drivers of cabs and other vehicles

This is to certify that is hereby licensed as a cab driver.

This license is in force from the date hereof until the 31st day of December following.

This license cannot be transferred or sold.

By order of the Council of the Corporation of the Township of Westmeath

Received the sum of ~~One Dollar~~ for above license.

.....
Clerk-Treasurer

.....
Signature of licensed person

Bylaw No 611

Laxi

June 1950

CALLIGAN & NEVILLE

BARRISTERS, SOLICITORS,
NOTARIES, ETC.

T. M. J. GALLIGAN, K.C.
ALOYSIUS NEVILLE, B.A.

OFFICES
87 PEMBROKE ST. W.
TELEPHONE 16

PEMBROKE, ONT.

June 1st 1950.

Mrs. A. Davison,
Clerk-Treasurer,
Beachburg, Ontario

Dear Mrs. Davison:-

We enclose herewith By-law for the
regulating of taxi cabs and drivers.

We have left blank places for insertion
of the license fees, penalty for breach of the
by-law and the amounts chargeable under the tariff.

If there is anything which you or the
members of the Council do not understand in connec-
tion with the By-law, if you advise us we will
endeavour to clear up any points which may require
clearing.

TJG/ST

Yours very truly,

GALLIGAN & NEVILLE

T. M. J. Galligan

ENCL.