

The Corporation of Loyalist Township

By-law Number 2026-41

A By-law to Regulate Passenger Transportation Services in Loyalist Township

WHEREAS pursuant to paragraphs 6, 8, and 11 of subsection 10(2) of the *Municipal Act*, a municipality may pass by-laws respecting: (a) health, safety and well-being of persons; (b) protection of persons and property, including consumer protection; and (c) business licensing;

AND WHEREAS pursuant to subsection 8(3) of the *Municipal Act*, a by-law passed under section 10 respecting a matter may: (a) regulate or prohibit respecting the matter; (b) require a person to do certain things respecting the matter; and (c) provide for a system of licences respecting the matter;

AND WHEREAS subsection 151(1) of the *Municipal Act* confers broad authority on a municipality to provide for a system of licences with respect to a business;

AND WHEREAS Loyalist Township Council considers it necessary and desirable to regulate Passenger Transportation Services for the purposes of ensuring the health, safety and well-being of passengers and drivers, and for the protection of persons and property, including consumers; and

AND WHEREAS Loyalist Township has entered into an agreement with The City of Kingston to administer the system for providing licences and enforcement respecting this matter;

AND NOW THEREFORE the Council of Loyalist Township enacts as follows:

1. Interpretation

1.1 This by-law may be cited as the *Passenger Transportation Services By-Law*.

1.2 In this by-law:

“**Accessible taxicab**” means a *taxicab* that is used, in whole or in part, to provide *passenger transportation services* to *passengers* with physical disabilities and that is equipped as a physically disabled passenger vehicle in accordance with Regulation 629 (Accessible Vehicles) made under the *Highway Traffic Act*, and the Canadian Standards Association CAN3-D409-M84 vehicle standards;

“**Accessible taxicab driver**” means an individual licensed under this by-law to operate an *accessible taxicab* for the purpose of providing *passenger transportation services* to *passengers* with physical disabilities;

“Accessible taxicab plateholder” means a *person* licensed under this by-law in respect of an *accessible taxicab* and to whom an *accessible taxi plate* has been issued pursuant to this by-law;

“Accessible taxi plate” means a numbered plate issued by the *City* to an *accessible taxicab plateholder* under the administrative arrangement between the *City* and the *Township* and evidencing authority to operate an *accessible taxicab* under this by-law;

“Age of majority” means the age of 18 years;

“AODA” means the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11;

“Appeals committee” means the appeals committee established by *City of Kingston By-Law Number 2024–375, Appeals Committee By-law* (the **“Appeals Committee By-law”**), and includes any successor committee, tribunal or body designated by council of the *City* to carry out the *appeals committee’s* responsibilities;

“Broker” means a *person* who accepts, orders for, or *dispatches a motor vehicle* for the provision of *passenger transportation services*;

“Call” means a request or direction for the use of a *motor vehicle* for the purpose of *passenger transportation services*, transmitted by soft meter, radio, cell phone, mobile application, by personal request of a prospective *passenger*, or in any other manner;

“City” means the Corporation of the City of Kingston;

“City By-law” means *City of Kingston By-law Number 2026-86, A By-law to Regulate Passenger Transportation Services in the City of Kingston*, as amended or replaced from time to time;

“Clerk” means the *person* appointed by the *Township* as clerk and includes the *clerk’s* designate;

“Controlling individual” means in respect of an *applicant* or *licensee* that is a corporation or partnership, any individual who:

- (a) is a director or officer;
- (b) holds, directly or indirectly, 25 per cent or more of the voting shares; or
- (c) exercises control or direction over the management or operations

of the business;

“Council” means the council of the *Township*;

“Director” means the *City* official responsible for the administration of the *City By-law*, or their designate;

“Dispatch” or **“Dispatches”** means the sending of a *motor vehicle* for the provision of *passenger transportation services* to a location for the purpose of offering or providing transportation to a *passenger*, and includes:

- (a) receiving *calls* from prospective *passengers* and directing a *driver* to attend at the *passenger’s* requested location;
- (b) offering or operating any part of a mobile application or other electronic service that receives requests for *passenger transportation services* from prospective *passengers* and connects such requests to a *driver*, or
- (c) any other action that results in a *passenger* and a *motor vehicle* for the provision of *passenger transportation services* being in the same place at the same time for the purpose of providing the *passenger* with *passenger transportation services*, regardless of whether the *passenger transportation services* are actually provided to the *passenger*;

“Driver” means an individual who operates a *motor vehicle* for the purpose of providing *passenger transportation services*;

“Driver identification badge” means a badge or identification card issued by the *director* identifying a licensed *driver*;

“Highway Traffic Act” means the *Highway Traffic Act*, R.S.O. 1990, c. H.8;

“Holiday” means a Saturday, a Sunday, a statutory holiday, and any other day on which the *Township’s* or the *City’s* administrative offices are closed;

“Law” means all applicable Acts of Parliament, Acts enacted by the Legislature, and by-laws enacted by *council*, and any regulations, codes, directions, licences, orders, permits or rules made under any of them;

“Licence” means a valid licence granted or renewed pursuant to this by-law;

“Licensee” means any *person* that holds a *licence*;

“Mobility aid” means a device used to facilitate the transport of a person with

a physical disability, including a manual wheelchair, electric wheelchair, scooter or walker;

“Motor vehicle” means an automobile, truck or other vehicle propelled or driven otherwise than by muscular power;

“Municipal Act, 2001” means the *Municipal Act, 2001*, S.O. 2001, c.25;

“Officer” means the *director*, a municipal law enforcement officer, a *provincial offences officer*, or any other officer, employee or agent of the *City* authorized to administer or enforce this by-law, and includes any other person appointed or designated by the *Township* for that purpose;

“Passenger” means a *person* who is receiving or has requested *passenger transportation services*;

“Passenger transportation services” means the transportation of *passengers* for compensation by *motor vehicle*, including through *dispatch*, street hail, pre-arrangement or digital platform, and includes any class prescribed in this by-law;

“Person” includes an individual, a corporation, a partnership, and an association;

“Provincial Offences Act” means the *Provincial Offences Act*, R.S.O. 1990, c. P.33;

“Provincial offences officer” has the meaning given to it in the *Provincial Offences Act*;

“Safety standards certificate” means a safety standards certificate issued in accordance with the *Highway Traffic Act* that confirms that the *motor vehicle* meets the minimum safety standards on the date the certificate is issued, and which must include, in the case of an *accessible taxicab*, confirmation that the *accessible taxicab* is compliant with Regulation 629 (Accessible Vehicles) made under the *Highway Traffic Act*;

“Taxicab” includes any *motor vehicle* providing *passenger transportation services* at a public or private taxicab stand, in response to street hails from *passengers*, or in response to requests for service received through a *taxicab broker*, as well as any *motor vehicle* providing *passenger transportation services* that displays any sign or marking identifying, or likely to be perceived by a member of the public as identifying, the *motor vehicle* to be a taxicab;

“Taxicab broker” means a *broker* who accepts, facilitates or coordinates requests for *taxicab services* and *dispatches taxicabs* to provide such services;

“Taxicab driver” means an individual licensed under this by-law to operate a *taxicab* for the purpose of providing *passenger transportation services*, and includes an *accessible taxicab driver*;

“Taxicab plateholder” means a *person* licensed under this by-law in respect of a *taxicab* and to whom a *taxi plate* has been issued pursuant to this by-law, and includes an *accessible taxicab plateholder*;

“Taxi plate” means a numbered plate issued by the *City* to a *taxicab plateholder* under the administrative arrangement between the *City* and the *Township* and evidencing authority to operate a *taxicab* under this by-law;

“Township” means the Corporation of Loyalist Township;

“Treasurer” means the *person* appointed by the *Township* as treasurer and includes the *treasurer’s* designate; and

“Winter tire(s)” means a tire that is marked on at least one sidewall with the Alpine Symbol specified in Transport Canada’s Technical Standards Document No. 139.

1.3 For the purposes of interpreting this by-law:

- (a) a reference to any legislation, regulation, or by-law or to a provision thereof includes a reference to any legislation, regulation or by-law enacted, made or passed in substitution thereof or amendment thereof;
- (b) any reference to legislation includes all of the regulations made thereunder;
- (c) “include”, “includes” and “including” indicate that the subsequent list is not exhaustive;
- (d) “to provide” includes to furnish, to offer, to perform, to carry on, to engage in, and to solicit, and “providing” and “provision” have corresponding meanings;
- (e) to “promote” includes to use any commercial act or practice or to use any commercial communication, through any media or other means, that is intended to or is likely to:
 - (i) encourage the provision or use of *passenger transportation services*; or
 - (ii) create an awareness or an association with *passenger transportation services*; and

- (f) where a class-specific term is used, it prevails over the general term for the purposes of that class.

- 1.4 This by-law will not be interpreted as exempting any *person* from the requirement to comply with any other *law*. In the event of conflict between the provisions of this by-law and any other *Township* by-law, the provision that establishes the higher standard of health, safety and well-being of *persons* and protection of *persons* will apply.

2. Administration

- 2.1 *Council* hereby delegates to the *City*, pursuant to section 157 of the *Municipal Act, 2001*, the powers and duties necessary to administer and enforce this by-law, subject to the delegations expressly made to the *appeals committee* under this by-law.
- 2.2 The *City* is authorized to exercise the delegated powers through the *director*, the *appeals committee* and such other *City* officers, employees and agents as are authorized under this by-law or applicable law.
- 2.3 The *director* is responsible for the administration of this by-law.
- 2.4 The *director* may rectify minor administrative oversights in respect of a *licence* or a *licence* application.
- 2.5 Where this by-law provides that the *director* may do an act, the *director* may, when doing the act, seek and consider information or documents from any *person*, and may consult with other *City* or *Township* employees, legal counsel, or other advisors, all as the *director* considers necessary.
- 2.6 The *director* may, on the *director's* own initiative, refer any matter under this by-law to the *appeals committee* for a determination.
- 2.7 Where this by-law provides that the *director* may do an act, it may be done by a *person* authorized by the *director* to do the act.

3. Licence Requirement

- 3.1 A *person* must not provide one of the classes of *passenger transportation services* prescribed in subsection 3.5 without holding a *licence*.
- 3.2 A *person* must not provide *passenger transportation services* that meet the definition of more than one class of *passenger transportation services* prescribed in subsection 3.5 without holding a *licence* for each such class of *passenger transportation services*.

- 3.3 A *person* must not advertise, publish, or cause to be advertised or published, or make any representation, that the *person* provides *passenger transportation services* for which a *licence* is required under this by-law without holding a *licence*.
- 3.4 A *person* must not provide *passenger transportation services* except under the authority of, and in accordance with the conditions of, a *licence* required under this by-law.
- 3.5 The following classes of *passenger transportation services* require a *licence* under this by-law:
- (a) a *taxicab broker*;
 - (b) a *taxicab plateholder*; and
 - (c) a *taxicab driver*.

4. Additional Licence Requirements

- 4.1 In addition to the requirements of this by-law, an applicant for the grant or renewal of a *licence* must satisfy the requirements applicable to that class of *licence* set out in Schedule “A” to the *City By-law*, to the extent that those requirements relate to the qualifications, training, examination, screening, documentation, insurance, vehicle eligibility or other prerequisites for obtaining or renewing a *licence*.
- 4.2 For the purposes of subsection 4.1, a requirement of Schedule “A” to the *City By-law* that an applicant complete training, pass an examination, provide information or documentation, obtain a certificate, provide proof of insurance, or otherwise demonstrate a qualification or competency is deemed to be a requirement for obtaining or renewing the corresponding *licence* under this by-law.
- 4.3 Where an applicant has satisfied a requirement referred to in subsection 4.1 for the purposes of obtaining or renewing a *licence* under the *City By-law*, the applicant is deemed to have satisfied the corresponding requirement under this by-law, and no duplicate examination, training, screening, inspection or submission is required.
- 4.4 Despite any other provision of this by-law, where an applicant has paid the fee prescribed for the corresponding class of licence under the *City By-law*, no additional licence fee is payable for the grant or renewal of a licence under this by-law. Payment of the applicable fee

under the *City By-law* is deemed to satisfy any requirement under this by-law to pay a fee for the grant or renewal of the corresponding licence.

5. Applying to Obtain or Renew a Licence

5.1 A person may apply to have a *licence* to provide *passenger transportation services* granted or renewed by giving to the *director* the following:

- (a) a completed application in the prescribed form;
- (b) the fee or fees prescribed in the *City By-law*;
- (c) if the *applicant* is an individual:
 - (i) proof satisfactory to the *director* that the *applicant* has attained the *age of majority*;
 - (ii) proof satisfactory to the *director* that the *applicant* is legally entitled to work in Canada as of the day the application is given to the *director*, including one of the following:
 - (I) Canadian citizenship;
 - (II) permanent resident status; or
 - (III) a valid work permit issued by the Government of Canada; and
 - (iii) a statutory declaration by the *applicant* certifying that the information contained in the application is accurate, true and complete as of the date of the statutory declaration;
- (d) if the *applicant* is a corporation:
 - (i) a certificate of status of the corporation, issued by the Ministry of Public and Business Service Delivery and Procurement not more than 90 days before the day the application is given to the *director*, which indicates that the corporation is active;
 - (ii) the certificate of incorporation of the corporation;
 - (iii) the name of every *controlling individual* as of the day the application is given to the *director* and each *controlling individual's* business address and

business telephone number; and

- (iv) the address of the premises at which the corporation carries on activities as of the day the application is given to the *director*;
- (e) if the *applicant* is a partnership, the name and address of each member of the partnership as well as the name under which they provide or intend to provide *passenger transportation services*;
- (f) if the *applicant* is seeking a *licence* as a *driver*:
 - (i) a copy of the *applicant's* current, unrestricted Class 'G' driver's licence issued by the Province of Ontario, which is valid and in good standing;
 - (ii) an original police criminal records and judicial matters check, (including vulnerable sector screening every five years), or equivalent dated less than 90 days prior to the day the application is given to the *director*;
 - (iii) a three-year statement of driving record issued by the Ontario Ministry of Transportation dated within 30 days prior to the day the application is given to the *director*; and
 - (iv) proof satisfactory to the *director* that the *applicant* has at least three years of driving history;
- (g) a copy of a valid *safety standards certificate* dated within 30 days prior to the day the application is given to the *director*, if applicable;
- (h) a copy of a valid motor vehicle permit issued pursuant to the *Highway Traffic Act* for the *motor vehicle* that will be used to provide *passenger transportation services*, if applicable;
- (i) the *motor vehicle* for inspection by the *director* at a time and place satisfactory to the *director*, if applicable; and
- (j) such other information and documents as the *director* may prescribe or otherwise require.

5.2 Where an *applicant* is not an individual, each *controlling individual* must meet the requirements applicable to an individual *applicant*, as determined by the *director*.

- 5.3 Every *licensee* must renew their *licence* prior to the expiry of the *licence* by giving the information and documents required by the *director*, together with payment of the fee or fees prescribed by the *City By-law*. If a *licensee* fails to pay the prescribed fee or fees within the timeframe specified by the *director*, the *licensee* will be required to pay the applicable late payment fee specified by the *City By-law*.
- 5.4 No *person* may submit false or deceptive information or documents or make a false or deceptive statement in an application given to the *director* or in any other document given to the *director*.
- 5.5 Subject to and in accordance with this by-law, in processing an application for a *licence*, the *City*, its employees, or any external authority having jurisdiction, may carry out inspections of any premises or *motor vehicles* to ensure compliance with this by-law and other applicable *laws*.
- 5.6 An application for the grant or renewal of a *licence* that remains incomplete for a period of 90 days after the *director* first notifies the *applicant* of the deficiency may be deemed abandoned by the *director*, and the application may be closed without further notice. In such circumstances, a new application, together with the applicable fee or fees prescribed by the *City By-law* will be required before the *applicant* may obtain or renew a *licence*.

6. Licence Grant or Renewal

- 6.1 The *director* must grant or renew a *licence* to an *applicant* who meets the requirements of this by-law, including the applicable licensing requirements incorporated by reference pursuant to subsection 4.1 of this by-law, except that the *director* may refuse to grant or renew a *licence* on the following grounds:
- (a) the conduct of any *person*, including the officers, directors, employees or agents of a corporation, affords the *director* reasonable cause to believe that the *applicant* will not provide the *passenger transportation services* authorized by the *licence* in accordance with the *law* or with honesty and integrity;
 - (b) the *director* otherwise has reasonable cause to believe that the *applicant* will not provide the *passenger transportation services* authorized by the *licence* in accordance with the *law*;
 - (c) the *motor vehicle* used to provide the *passenger transportation services* does not comply with the provisions of this by-law or any other *law*;
 - (d) if the *applicant* is seeking a *licence* as a *driver*, the *applicant* has been convicted of an offence under the *Criminal Code*, R.S.C.

1985, c. C-46, the *Controlled Drugs and Substances Act*, S.C. 1996, c. 19 or the *Highway Traffic Act* for which, in the opinion of the *director*, it would not be in the interest of public safety to issue or maintain such a *licence* having regard to the nature of the offence, the time elapsed, and its relevance to the provision of *passenger transportation services*;

- (e) the *director* has reasonable cause to believe that the *applicant* will provide the *passenger transportation services* authorized by the *licence* in a way that will adversely affect the well-being or interests of the public or the *Township*;
- (f) the *director* has reasonable cause to believe that any information contained in the application is inaccurate, untrue or incomplete;
- (g) the *applicant* is in default of fines imposed under the *Provincial Offences Act*; or
- (h) if the *applicant* is an individual, the *director* has reasonable cause to believe that the *applicant* is less than the age of majority.

6.2 If the *director* refuses to grant or renew a *licence*, the *director* must give the *applicant* notice of the refusal, which notice may be given to the *applicant* at the address or email address shown on the application.

6.3 The *director* may, when granting or renewing a *licence*, or at any time the *director* considers appropriate, impose such conditions, including special conditions, as the *director* considers appropriate as a requirement of obtaining, continuing to hold or renewing a *licence*.

6.4 If the *director* imposes conditions, including special conditions, on a *licence*, the *director* must give the *applicant* or *licensee* notice of the conditions, which notice may be given to the *applicant* at the address or email address shown on the application or to the *licensee* at the address or email address shown on the *licence*.

6.5 The notice required by subsections 6.2 and 6.4 must set out the reasons for the decision and must state that the *applicant* or *licensee* may, within 15 days of being notified of the decision, file a notice of appeal in the prescribed form on the *City* clerk's form in accordance with the *Appeals Committee By-law*.

6.6 If the *director* grants or renews a *licence* to two or more individuals who

carry on a business as a partnership, each individual will be jointly and severally responsible for observing and performing the *licensee's* obligations under the *licence* and this by-law.

- 6.7 If the *director* grants or renews a *licence* to an *applicant*, the *director* may deliver the *licence* to the *applicant* personally or by sending it by ordinary mail or email to the *applicant* at the address or email address shown on the application.
- 6.8 A *licence* is valid from the date it is granted or renewed until April 30, unless suspended or revoked earlier.
- 6.9 In making a decision under subsection 6.1, the *director* may consider past conduct, including prior compliance with this by-law or any other *law*, and any information the *director* considers relevant to the *applicant's* honesty, integrity, and ability to operate in accordance with the *law* and this by-law.
- 6.10 In making a decision under this by-law, the *director* may consider information obtained through the administration or enforcement of the *City By-law*, including information concerning a person's compliance with that by-law, provided that the information is relevant to a ground upon which the *director* is authorized to make the decision under this by-law.
- 6.11 Where a person satisfies the requirements for a licence under this by-law and the *City By-law*, the *director* may issue a *licence*, *driver identification badge*, *taxi plate* or other credential evidencing the person's authority under both by-laws.
- 6.12 A credential issued pursuant to subsection 6.11 constitutes evidence of the *licence* or authorization independently granted under each applicable by-law. The issuance of a single credential does not merge the licensing regimes or affect the application of either by-law.
- 6.13 Where a credential issued pursuant to subsection 6.11 ceases to accurately reflect the holder's authority under either by-law, the *director* may require its immediate surrender and may issue a replacement credential reflecting the authority that remains in effect.

7. Licence Suspension or Revocation

- 7.1 The *director* may:
- (a) suspend or revoke a *licence* if the *director* has reasonable cause to believe that the *licensee* has not provided the *passenger transportation services* authorized by the *licence* in accordance with the *law* or with honesty and integrity;

- (b) suspend or revoke a *licence* on the grounds specified in subsection 6.1 of this by-law;
- (c) suspend a *licence* where the *licensee* fails to maintain the insurance required under this by-law or fails to provide proof of such insurance upon request. A suspension under this clause (c) will remain in effect until satisfactory proof of insurance is provided to the *director* in accordance with this by-law; or
- (d) suspend a *licence* if the *director* is satisfied that the provision of *passenger transportation services* by the *licensee* poses an immediate danger to the health or safety of any individual or to any property, subject to the following:
 - (i) before suspending the *licence*, the *director* must provide the *licensee* with the reasons for the suspension, either orally or in writing, and an opportunity to respond to them;
 - (ii) the suspension must not exceed 14 days; and
 - (iii) the *licensee* will be provided an opportunity for a hearing before the *appeals committee* as soon as reasonably practicable following the suspension.

7.2 If the *director* suspends or revokes a *licence* under clauses 7.1 (a), 7.1 (b) or 7.1 (c), the *director* must give the *licensee* notice of the suspension or revocation of the *licence*, which notice may be given to the *licensee* at the address or email address shown on the *licence*.

7.3 The notice required by subsection 7.2 must set out the reasons for the decision and must state that the *licensee* may, within 15 days of being notified of the decision, file a notice of appeal in the prescribed form on the *City* clerk, which notice may be given to the *licensee* at the address or email on the *licence*.

7.4 Upon suspension, revocation or expiry of a *licence*, the *licensee* must immediately surrender to the *director* any *licence and driver identification badge* upon request.

8. General Requirements

8.1 A *licensee* must:

- (a) prominently display the *licence or driver identification badge* at or on the premises or in the *motor vehicle* in respect of which the *licence* was granted or renewed, unless otherwise specified in

this by-law;

- (b) produce the *licensee's licence* for inspection when required to do so by the *director* or a *provincial offences officer*;
- (c) comply with any conditions, including special conditions, imposed by the *director* as a requirement of obtaining, continuing to hold or renewing a *licence*;
- (d) operate and maintain every *motor vehicle* that is operated as part of the *passenger transportation services* such that it is in accordance with this by-law; and
- (e) provide the *passenger transportation services* authorized by a *licence* in accordance with the *law*.

8.2 A *licensee* must, within five days after the event:

- (a) notify the *director* in writing of any change in any information or document given to the *director* at the time of application to have a *licence* granted or renewed; and
- (b) give the *director* a statutory declaration by the *licensee* certifying that the change in information is accurate, true and complete as of the date of notification.

8.3 A *licensee* must not cause or permit the *passenger transportation services* authorized by the *licence* to:

- (a) pose a danger to the health, safety or well-being of any individual or to any property, including by:
 - (i) departing from applicable *laws*, manufacturer standards, or any standards expressly adopted by the *Township*; or
 - (ii) knowingly making, causing or permitting to be made any misrepresentation as to the nature, quality or quantity of the *passenger transportation services*; or
- (b) become or cause a public nuisance or cause or contribute to activities or circumstances constituting a public nuisance, including:
 - (i) interference with the use of *highways* and other public places;
 - (ii) the creation of unusual traffic patterns; or
 - (iii) an increase in harassment or intimidation.

8.4 A licensee must not:

- (a) assign, transfer, lease, or otherwise deal with its *licence* without the *director's* prior written consent, which may include a requirement to execute a transfer or assignment agreement and pay the required fee prescribed by the *City By-law*;
- (b) advertise, promote, or provide *passenger transportation services* under any name other than that set out in its *licence*; or
- (c) if the *licensee* provides the *passenger transportation services* as a sole proprietor, use any description or device that would indicate that the *passenger transportation services* are being provided by a corporation or other *person*.

8.5 No *licensee* will discriminate against any *person* because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability, or otherwise contravene the *Human Rights Code*, R.S.O. 1990, c. H.19, in relation to the provision of *passenger transportation services*.

8.6 Without limiting subsection 8.5, no *licensee* will charge:

- (a) a higher fare or an additional fee for *persons* with disabilities than for *persons* without disabilities for the same trip;
- (b) a fee for the storage of *mobility aids* in relation to the provision of *passenger transportation services*; or
- (c) a fee for any service animal, as defined in the *AODA*.

8.7 Every *licensee* must continuously maintain any insurance that was required as a prerequisite to the grant or renewal of the *licence* pursuant to section 4.

9. Motor Vehicle Requirements

9.1 Except as otherwise specified in the schedules to this by-law, every *licensee* must ensure that every *motor vehicle* used to provide *passenger transportation services* meets the following requirements at all times when providing *passenger transportation services*:

- (a) the *motor vehicle* has a valid and current *safety standards certificate*;
- (b) the *motor vehicle* has a valid Motor Vehicle permit issued pursuant to the *Highway Traffic Act*;

- (c) subject to subsection 9.2, the *motor vehicle* is less than 10 model years old (not including the year of the *motor vehicle*);
- (d) the *motor vehicle* complies with all requirements of the *Highway Traffic Act* and is considered mechanically safe, as determined by a licensed mechanic, and does not have any body damage with sharp edges, holes in the floor boards, unserviceable tires, doors that do not close properly, wire protruding from any seat, or any other mechanical defect that would render the *motor vehicle* unsafe;
- (e) if the *motor vehicle* is leased, the lease agreement for the *motor vehicle* is valid and in full force and effect;
- (f) the interior of the *motor vehicle* is maintained in a clean, sanitary condition;
- (g) the *motor vehicle* is equipped with functioning power door locks, heating and air-conditioning;
- (h) the *motor vehicle* is equipped with tires of the same type, tread pattern, size, speed rating and load index on all drive wheels and trailing axles;
- (i) the *motor vehicle* complies with all applicable requirements of the *Highway Traffic Act* respecting window tinting and visibility, and no aftermarket tinting may be applied in a manner that obstructs or impairs the visibility of the interior of the *motor vehicle* from outside the *motor vehicle*; and
- (j) the *motor vehicle* is equipped with four *winter tires* from December 1 to March 15.

9.2 Despite clause 9.1(c) above, the *director* may approve up to four consecutive extensions of six months each permitting a *motor vehicle* to continue operating beyond the 10 model year limit, provided that:

- (a) the *licensee* submits a valid and current *safety standards certificate* for the *motor vehicle* within: (i) 30 days before the expiry of the 10 model year limit; and (ii) 15 days before the expiry of each extension period;
- (b) the *motor vehicle* is made available for inspection by a licensed mechanic within the time periods specified in clause (a) above, and the mechanic provides written confirmation to the *director* that the *motor vehicle* satisfies the requirements of clause 9.1(d) above; and

- (c) the *licensee* submits a completed extension application form in the form prescribed by the *director* and pays the fee or fees prescribed by the *City By-law*.
- 9.3 Every *licensee* must keep copies of the documents and records required pursuant to this section at all times while the *motor vehicle* is used to provide *passenger transportation services* and for a period of not less than three years after the *motor vehicle* ceases to be used to provide *passenger transportation services*.
- 9.4 Every *licensee* will make available to the *director*, within 48 hours after request, all documents and records required pursuant to this section.
- 9.5 No *licensee* will carry in a *motor vehicle* a greater number of *passengers* than the manufacturer's rating of seating capacity for the *motor vehicle* (a minimum of four working seat belts to accommodate four adult *passengers* and one seatbelt for the *driver*).
- 9.6 The *director* may, in its reasonable discretion, require the inspection or reinspection of any *motor vehicle* used to provide *passenger transportation services* by a licensed mechanic designated by the *director*.

10. Taxicab Specific Requirements

- 10.1 Despite anything in this by-law:
 - (a) all *taxicab brokers* must also obtain a *licence* to provide *passenger transportation services* as a *taxicab plateholder*, and
 - (b) all *taxicab plateholders* must also obtain a *licence* to provide *passenger transportation services* as a *taxicab driver*.
- 10.2 No *person* may operate an *accessible taxicab* without an *accessible taxicab licence*.
- 10.3 No *taxicab driver* may provide *passenger transportation services* as a *taxicab driver* unless the *taxicab driver* is associated with a *taxicab broker* licensed under this by-law.
- 10.4 A *taxicab plateholder* must be associated with a *taxicab broker* licensed under this by-law.

11. Enforcement

- 11.1 This by-law may be enforced by an *officer*.

- 11.2 A *person* must not obstruct or hinder or attempt to obstruct or hinder an *officer* who is exercising a power or performing a duty under the *Municipal Act, 2001* or this by-law.
- 11.3 An *officer* may, in accordance with the provisions of the *Municipal Act, 2001*, enter on land at any reasonable time for the purpose of carrying out an inspection, including an inspection of a *motor vehicle*, to determine whether this by-law is being complied with.
- 11.4 For the purposes of an inspection, an *officer* may:
- (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any *person* concerning a matter related to the inspection;
 - (d) alone or in conjunction with a *person* possessing special or expert knowledge, make examinations or take tests or photographs necessary for the purposes of the inspection; and
 - (e) if the inspection is reasonably necessary because the *officer* has been prevented or is likely to be prevented from doing anything set out in clauses (a) to (d), undertake an inspection pursuant to an order under section 438 of the *Municipal Act, 2001*.
- 11.5 A *person* must not neglect or refuse to produce any information or thing or to provide any information required by an *officer* acting pursuant to an order under section 438 of the *Municipal Act, 2001*.
- 11.6 If an *officer* is satisfied that a contravention of this by-law has occurred, the *officer* may make an order requiring the *person* who contravened this by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to:
- (a) discontinue the contravening activity;
 - (b) do work to correct the contravention; or
 - (c) both.
- 11.7 An order under subsection 11.6 must set out:
- (a) reasonable particulars of the contravention adequate to identify

the contravention and the location of the land on which the contravention occurred;

- (b) the work to be done, if any; and
- (c) the date by which there must be compliance with the order.

12. Offences and Penalties

12.1 A *person* who:

- (a) contravenes subsection 3.1, 3.3 or 11.2 of this by-law;
- (b) contravenes an order under subsection 11.6;
- (c) hinders, obstructs or interferes with an *officer* who is exercising a power or performing a duty under the *Municipal Act, 2001* or this by-law; or
- (d) hinders, obstructs or interferes with a *person* authorized by the *director* to do an act in the exercise of that *person's* authority to do the

act; is guilty of an offence as provided for in the *Provincial Offences Act*.

12.2 An officer or director of a corporation who knowingly concurs in the contravention of any provision of this by-law is guilty of an offence as provided for in the *Provincial Offences Act*.

12.3 A *person* who is convicted of an offence under this by-law is liable to a minimum fine of \$500 and to a maximum fine of \$100,000, pursuant to subsections 429

(1) and (3) of the *Municipal Act, 2001*.

12.4 Each offence in this by-law is designated as a continuing offence. A *person* who is convicted of an offence under this by-law is liable, for each day or part of a day that the offence continues, to a minimum fine of \$500 and a maximum fine of \$10,000, and the total of all daily fines for the offence is not limited to \$100,000 as provided for in section 429 of the *Municipal Act, 2001*.

12.5 When a *person* has been convicted of an offence under this by-law, the Ontario Court of Justice or any court of competent jurisdiction may, in addition to any other penalty imposed on the *person* convicted, make an order:

- (a) prohibiting the continuation or repetition of the offence by the *person*

convicted; and

- (b) requiring the *person* convicted to correct the contravention in the manner and within the period that the Court considers appropriate.

12.6 The *Township* may collect unpaid fines for a contravention of this by-law in accordance with the following:

- (a) the *treasurer* may give notice that if any part of a fine for a contravention of this by-law remains unpaid after the fine becomes due and payable under section 66 of the *Provincial Offences Act*, including any extension of time for payment under section 66 or 66.0.1 of the *Provincial Offences Act*, the *treasurer* may give the *person* against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which must be not less than 21 days after the date of the notice; and
- (b) if the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes for the purposes of section 351 of the *Municipal Act, 2001*.

13. Appeals

13.1 An *applicant* or *licensee* may appeal any of the following decisions of the *director* to the *appeals committee*:

- (a) a decision to refuse an application for the grant or renewal of a *licence*;
- (b) a decision to suspend or revoke a *licence*, except for a decision to suspend a *licence* made pursuant to clause 7.1(d);
- (c) a decision to impose one or more conditions as a requirement of obtaining, continuing to hold or renewing a *licence*; or
- (d) a decision respecting the times, dates or places of validity of a *licence*.

13.2 On an appeal, the *appeals committee* may confirm, vary or rescind the decision of the *director* and may substitute its decision for that of the *director*, including by imposing, removing or varying conditions on a *licence*.

13.3 *Council* hereby delegates to the *appeals committee* the authority to hear and determine appeals under this by-law and to exercise all powers conferred upon the *appeals committee* by this by-law.

14. Miscellaneous

- 14.1 Any form, notice or other document is sufficiently given or filed if it is:
- (a) given or filed personally;
 - (b) sent by registered mail;
 - (c) sent by email; or
 - (d) sent by another manner if the sender can prove receipt of the form, notice, or other information or document.
- 14.2 Time limits that would otherwise expire on a *holiday* are extended to include the next day that is not a *holiday*.
- 14.3 The *Township* or the *director* may make available publicly on the *Township's* website, the *City's* website or by any other means that the *Township* determines:
- (a) information about the *passenger transportation services* provided by any class of *licensees*, including their business name, business address, phone number and email address;
 - (b) licensing information about a *licensee*, including the *licensee's* *licence* number, the date that the *licence* expires, specified limitations of the *licence*, conditions, including special conditions, imposed on the *licence* and the current status of the *licence*;
 - (c) information about *persons* whose *licence* has been suspended or revoked; and
 - (d) any other information that the *Township* or the *director* may prescribe.
- 14.4 The *director* may make regulations, procedures, or guidelines prescribing:
- (a) the form of all *licences*;
 - (b) any other forms and providing for their use;
 - (c) the information and documents required to be given to the *director* by a *person* applying to have a *licence* granted or renewed; and
 - (d) the requirements of any photograph of the *applicant's* likeness that may be required for a *driver identification badge*.
- 14.5 The *director* must make every regulation, procedure or guidelines made

under subsection 14.4 available for public inspection upon request.

- 14.6 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid, or to be of no force and effect, it is the intention of *council* in enacting this by-law that each and every provision of this by-law be applied and enforced in accordance with its terms to the extent possible according to law.
- 14.7 On the date that this by-law comes into force and takes effect, a *person* who held a valid licence under the predecessor to this by-law immediately before the date that this by-law comes into force and takes effect is deemed to hold a *licence* under this by-law.
- 14.8 This by-law will come into force and take effect on October 1, 2026.
- 14.9 That By-Law 2022-038 be repealed in its entirety as of the date that this by-law comes into force and takes effect.

ENACTED AND PASSED this X day of September, 2026.

The Corporation of Loyalist Township

Jim Hegadorn

Signed with ConsignO Cloud (2026/09/10)
Verify with verifio.com or Adobe Reader.



Jim Hegadorn, Mayor

Jacob Battenfelder

Signed with ConsignO Cloud (2026/09/10)
Verify with verifio.com or Adobe Reader.



Jacob Battenfelder, Clerk