

Appendix "A"

HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER T-119

RESPECTING THE REGULATION OF TAXIS AND LIMOUSINES

BE IT ENACTED by the Council of the Halifax Regional Municipality, under the authority of Section 305 of the Motor Vehicle Act, Chapter 293, R.S.N.S. 1989 that By-law T-108, the Halifax Regional Municipality Taxi and Limousine By-law be and the same is amended as follows:

1. Section 77 of said By-law 108 is repealed and the following substituted therefor:

77 (1) Notwithstanding any other provision of this By-law, there shall be a limit in 2002 of six hundred and ten taxi owner licenses in force in the Halifax zone at any time and thereafter in the years 2003, 2004 and 2005 the maximum number of taxi owner licenses in force shall be the product of six hundred and ten multiplied by the Gross Domestic Product for the Province of Nova Scotia as published by the Conference Board of Canada for the previous year divided by the Gross Domestic Product for the Province of Nova Scotia for the year 2000, rounded to a whole number.

(2) The Taxi and Limousine shall review subsection (1) during 2005 and shall recommend to Regional Council a formula for determining the maximum number of owner's license for 2006 and subsequent year. In the absence of such recommendation, the formula set forth in subsection (1) shall remain in effect.

(3) The Inspector shall not issue a new taxi owner license until the number of such licenses falls below the number prescribed by subsection (1), at which time a further number of such licenses may be issued until the number again reaches the number prescribed by subsection (1).

(4) Effective the date this Section comes into effect, the Inspector shall create a waiting list of taxi drivers licensed in the Halifax zone on that date who do not presently hold a taxi owner license in their own name or in the name of a corporation of which the taxi driver is a shareholder, with the names of the drivers added to the list in the following order of seniority:

(a) The name of the taxi driver first drawn by lot from the names of all licensed taxi driver's first licensed during the calendar year 1995 shall be the first name added to the list; the name of the taxi driver second drawn shall be the second name added and so on until there are no further names of licensed taxi driver's first licensed during the calendar year 1995; and then

(b) the procedure followed in sub-clause (a) shall be followed in respect of any taxi drivers first licensed during the calendar year 1996, 1997, 1998, 1999, 2000, 2001 and during 2002 to the effective date of this Section,

respectively; and then

- (c) the procedure followed in sub-clause (a) shall be followed in respect of any taxi drivers licensed prior to 1991 and each of the calendar years 1991, 1992, 1993, and 1994 respectively.

(5) When any taxi driver who does not on the effective date of this Section hold a taxi owner license in their own name or in the name of a corporation of which the taxi driver is a shareholder are first licensed in the Halifax zone subsequent to the effective date of this Section, the name of the driver shall be added to the end of the waiting list developed pursuant to subsection (4) in order of the date of the issuance of the taxi driver's license.

(6) Whenever new taxi owner licenses can be issued as a result of the total number of licenses in the Halifax zone falling below the number prescribed by subsection (1), persons whose names are on the waiting list shall be offered the first opportunity to obtain a license in order of their seniority and

- (a) The Inspector shall notify such person forthwith by registered mail addressed to the mailing address of the driver maintained by the License Inspector and the person shall complete all of the requirement for licensing a vehicle pursuant to this by law within 30 days of delivery of the notification, provided that any vehicle presented for licensing pursuant to this sub-clause during the 2002 calendar year shall meet the 2002 licensing standards; and
- (b) If the vehicle is licensed pursuant to sub-clause (a), the name of the person shall be removed from the waiting list; but
- (c) If the person does not license a vehicle pursuant to sub-clause (a), the name of the person shall be moved to the end of the waiting list and the license shall be offered to the person being entitled to license a vehicle in order of seniority and the procedure set out herein shall apply *mutatis mutandis* to such person.

(7) When a taxi owner's license is issued to a taxi driver pursuant to this Section who is not nationally certified pursuant to subsection (1) of Section 82 of this By-law, the taxi driver shall register for and successfully complete the national certification process pursuant to said subsection (1) of Section 82 of this By-law within one year of the obtaining the taxi owner's license and if the taxi driver fails to obtain such certification within that time, the License Inspector shall immediately revoke the taxi owner's license issued pursuant to this Section and the name of the taxi driver shall be moved to the end of the waiting list.

(8) Any taxi owner licence which is revoked or surrendered, or which ceases to be in force for any reason other than expiration, shall not be renewed or reissued unless the issuance of such licence will not result in the number of licences exceeding the number prescribed by subsection (1).

Halifax Regional Council

January 29, 2002

February 19, 2002

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: _____
Councillor Stephen Adams, Chairman, Taxi and Limousine Committee

DATE: January 21, 2002

SUBJECT: **By-Law T-119 Amendment to Taxi and Limousine By-law, Section 77**

ORIGIN

The Taxi and Limousine Committee considered this matter at the January 21, 2002 meeting of the Committee.

RECOMMENDATION

That Halifax Regional Council approve the attached amendments to Section 77 of the Taxi and Limousine By-law, T-108.

BACKGROUND

Council gave First Reading to an amendment to Section 77 of the Taxi and Limousine By-law, T-108 to increase the limit of taxi vehicle licenses in the Halifax Zone from 550 to 610 on December 4, 2001. Prior to a public hearing be held regarding this amendment, the Taxi and Limousine Committee began discussions with regard to a mechanism for the distribution of available licenses and providing for the maximum number of license to increase further over the next three years in accordance with the growth rate of the Gross Domestic Product of the Province of Nova Scotia. Given that all the amendments being considered would be encompassed within Section 77, it was felt that the best approach would be to bundle these for consideration by Council. Consequently, the amendment process for the First Reading given on December 4, 2001 was abandoned.

DISCUSSION

The Taxi and Limousine Committee considered proposed amendments to Section 77 of By-law 108 at Committee meetings held on November 19, 2001, December 17, 2001 and January 21, 2002. The attached November 20, 2001 report from Councillor Stephen Adams, Chair, Halifax Regional Taxi and Limousine Committee provides the discussion relative to the increasing of taxi licenses in Halifax from 550 to 610. With the increase to taxi licenses in Halifax, a potential six new roof lights would be issued. Subsequent to a report from the Taxi Inspector indicating that a no valid taxi license waiting list existed in Halifax, proposed criteria regarding distribution of roof lights were introduced on November 19, 2001, reviewed and revised on December 17, 2001 and finalized on January 21, 2001. At the December 17, 2001 meeting of the Committee a resolution to amend the By-law to provide for controlled growth of taxi licenses was introduced and approved. The proposed amendment attempts to address concerns regarding future growth of the industry.

BUDGET IMPLICATIONS

N/A

MULTI-YEAR FINANCIAL IMPLICATIONS

N/A

ALTERNATIVES

Reject the proposed amendments.

ATTACHMENTS

1. November 20, 2001 report from Councillor Stephen Adams regarding the Removal of Limitation of the Number of Taxi Owner License (Roof Lights) in the Halifax and Dartmouth Taxi Zones
2. November 5, 2001 Information Report from P. E. James, Regional Coordinator of By-law Enforcement re Roof Light Waiting List for Halifax and Dartmouth Taxi Zones

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Sherryll Murphy, Assistant Municipal Clerk, 490-6517

Report Approved by: _____

Halifax Regional Council
November 20, 2001

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Councillor Stephen Adams, Chair, Halifax Regional Taxi and Limousine Committee

DATE: November 20, 2001

SUBJECT: **Removal of Limitation of the Number of Taxi Owner Licenses (Roof Lights) in the Halifax and Dartmouth Taxi Zones**

ORIGIN

Halifax Regional Council, at a meeting held on October 23, 2001, referred the matter of removal of the number of Taxi Owner Licenses (roof lights) in the Halifax and Dartmouth taxi zones to the Taxi and Limousine Committee for report and recommendation.

RECOMMENDATION

The Halifax Regional Taxi and Limousine Committee recommends to Halifax Regional Council that limitation of the number of taxi owner licenses (roof lights) in the Halifax and Dartmouth taxi zones remain in place with the limit of taxi owner licenses increasing in Halifax from 550 to 610 and the limit remaining at 200 taxi owner licenses in Dartmouth.

BACKGROUND

Removal of limitations was discussed by Regional Council at a meeting held on March 27, 2001. Council approved the following:

1. Councillor Adams memorandum of March 27, 2001 re Taxi Limitation be referred to staff for a report.
2. The report include information on dispatch and brokers.
3. The report include information on how many taxis are working each night.

Responding to Council's request, staff submitted a supplementary report dated October 16, 2001 which was considered by Council on October 23, 2001. Council referred this report to the Taxi and Limousine Committee for a report and recommendation.

DISCUSSION

The Taxi and Limousine Committee considered the matter of removal of limitation at a meeting held on November 19, 2001. After hearing from the industry, members of the Committee debated the advisability of removing limitation. The debate included the following points supporting the Committee recommendation:

- Approximately 75% of the industry representation received was against the lifting of limitation.
- Drivers are experiencing difficulty making a living. They work longer hours to maintain their income. Lifting limitation would worsen this situation.
- The Hara report on which the staff report is (in part) based, addressed only the Halifax situation and is out of date.
- There are inefficiencies in the dispatch of calls for taxis which should be addressed before any action is taken to lift limitation.

Subsequent to reaching a decision, the Committee discussed proposed criteria regarding the issuance of new roof lights in Halifax. Note should be made that the criteria upon which Dartmouth roof lights are issued will remain the same. The Committee will give further consideration and make a decision relative to these criteria at its meeting on December 17, 2001.

BUDGET IMPLICATIONS

N/A

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

N/A

ATTACHMENTS

N/A

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Report Prepared by: Sherryl Murphy, Assistant Municipal Clerk

Report Approved by: _____

3.2



Taxi and Limousine Committee
November 19, 2001

TO: Chairman and Members of the Taxi and Limousine Committee

SUBMITTED BY: 
P. E. James, Regional Co-ordinator of By-law Enforcement

DATE: November 5, 2001

SUBJECT: Roof Light Waiting List For Halifax and Dartmouth Taxi Zones

INFORMATION REPORT

ORIGIN

Motion of Taxi and Limousine Committee October 15, 2001 (item 3.1) for a report on the Halifax Zone Taxi Drivers Waiting List. The motion requested that a report regarding the roof light waiting list(s) for Halifax and Dartmouth include: the relevancy of the lists (i.e.: are there persons no longer working in the industry on the list, deceased persons, etc).

BACKGROUND

City of Halifax Ordinance Number 116, Respecting the Regulation of Vehicles Transporting Passengers For Hire, Section 10C (1) required that:

“the Inspector shall maintain a waiting list of persons holding taxi driver’s licenses in force at the time of the enactment of this Section in order of their seniority according to the total time they have continuously held owner or driver’s licenses issued under this Ordinance or any predecessor by-law or ordinance regulating the taxi industry in the City of Halifax, and when ever new taxi owner licenses can be issued as a result of the total number of licenses in force falling below Three Hundred and Eight-two, persons whose names are on the list shall have the first opportunity to obtain a license in order of their seniority.”

The Halifax Taxi Owners licenses were increased in 1997 from Three Hundred and Eighty two to Five Hundred and Fifty . The harmonized Taxi By-law T-108, effective July 10, 1999, carried forward the limitation of taxi owners’ licenses in the Halifax and Dartmouth zones.

DISCUSSION**Halifax Zone Roof Light Waiting List**

- 1) 858 persons currently on waiting list;
- 2) List is not in order of seniority;
- 3) 478 of those on the list currently hold a Halifax Zone roof light;
- 4) 642 of those on the list currently hold a Halifax Zone Drivers licence; and
- 5) *Sam* ~~75~~ ⁷⁵ ~~74~~ of those on this list currently have leasing agreements on file.

Staff does not believe the Halifax Zone Roof Light Waiting List is relevant for the issuing of new roof lights in the Halifax Taxi Zone because it has not been properly maintained in order of seniority.

Dartmouth Zone Roof Light Waiting List

- 1) 139 persons currently on waiting list;
- 2) List is in order of date of application;
- 3) 27 of those on the list currently hold a Dartmouth Zone roof light;
- 4) 67 of those on the list currently hold a Dartmouth Zone Drivers licence; and
- 5) 27 of those on this list currently have leasing agreements on file.

Staff believes that the Dartmouth Zone Roof Light Waiting List is relevant for issuance of new roof lights. Staff has used this list to issue roof lights in 1990, 1999, 2000 and currently.

BUDGET IMPLICATIONS/MULTI YEAR FINANCIAL IMPLICATIONS

Nil

MULTI-YEAR FINANCIAL STRATEGY IMPACTS

This Report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

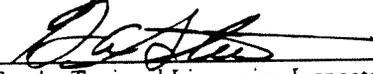
Nil

ATTACHMENTS

Nil

Additional copies of this Report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:


David Steele, Taxi and Limousine Inspector, 869-4240