VEHICLES FOR HIRE BYLAW
BYLAW NO. 03-60

This consolidation is a copy of a bylaw consolidated under the authority of section 139 of the Community Charter. (Consolidated on September 14, 2016 up to Bylaw No. 16-057)

This bylaw is printed under and by authority of the Corporate Administrator of the Corporation of the City of Victoria.
VEHICLES FOR HIRE BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to consolidate the Vehicles For Hire Bylaw.

Contents

PART 1 – INTRODUCTION

1 Title
2 Definitions

PART 2 – PEDICABS

Division 1 – Licences
3 Licence
4 Number of licences
5 Licence fee
6 Insurance
7 Driver’s licence

Division 2 - Regulations
8 Construction of pedicab
9 Building for business
10 Area of operation
11 Stopping and parking
12 Number of passengers
13 Stereo
14 U-turn

PART 3 – SIGHTSEEING VEHICLES

Division 1 – Licences
15 Licence
16 Types and sizes of sightseeing vehicles
17 Licence holders decal
18 Insurance
19 Transfer, suspension, cancellation of licence
20 Driver’s licence
21 Provincial and federal regulations
Division 2 – General Regulations

22 Keeping vehicle in repair

Division 3 – Horsedrawn Vehicles

23 Removing excrement of horses
24 Stabling horses
25 Restricted area for use of horsedrawn vehicles
26 Restricted hours for use of horsedrawn vehicles
27 Nighttime use of horsedrawn vehicles

Division 4 – Use of Streets

28 Parking horsedrawn vehicles
29 Parking non-horsedrawn vehicles
30 Using streets and sidewalks to solicit sales of tours
31 Special events’ licence
32 Special events’ restricted area of use
33 Special events’ routes

PART 4 - TAXIS

Division 1 – Taxi Drivers’ Permits

34 Permit requirements
35 Disqualification
36 Suspension or cancellation
37 Appeal
38 Fee
39 Permit

Division 2 - Licences

40 Licence requirement
41 Application for licence
42 Report to Council
43 Corporate prosecution
44 Meter, insurance
45 Conditions for licence
46 Transfer
47 Validation period
48 Refund
49 Decal
50 Cancellation
Division 3 – Licence Holders’ Duties

51 Place of business
52 Examination of trip records
53 Business name in directory
54 Business inspection report
55 Condition of taxi
56 Taxi sign
57 Display of decals

Division 4 – Taxi Meters

58 Meter required
59 Display on meter
60 Accuracy of meter
61 Sealed meter
62 Use of defective meter
63 Operating meter

Division 5 – Operation of Taxi

64 Soliciting business
65 Use of public place
66 Duties of driver
67 Radar detection device
68 Permission of passengers
69 Charging and receipts
70 Parking taxi
71 Taxi stand
72 Objects left in taxi
73 Trip record
74 Rates & number of passengers

PART 5 - GENERAL PROVISIONS

75 Severability
76 Offences and penalties
77 Repeal

Schedule A – Boundaries for Pedicab Area of Operation
Schedule B – Map for Horsedrawn Vehicle Area of Operation
Schedule C – Sightseeing Vehicle Licence Holders
Schedule D – Horsedrawn Sightseeing Vehicle Parking Stands
Schedule E – Motor Sightseeing Vehicle Parking Stands

Under its statutory powers, including section 363 and Part 20 of the Local Government Act; section 3 of the 1907 Act relating to the City of Victoria, section 18 of the Victoria City Act, 1919,
section 16 of the Victoria City Act, 1922, and section 9 of the Victoria City Act, 1934, the Council of The Corporation of the City of Victoria enacts the following provisions:

PART 1 - INTRODUCTION

Title

1 This Bylaw may be cited as the "VEHICLES FOR HIRE BYLAW."

Definitions

2 In this Bylaw:

“bus”

means a vehicle that has a seating capacity of at least 9 passengers, and that is operated

(a) over a defined route,

(b) between fixed termini, or

(c) on a regular time schedule;

“Chief”

means

(a) the Chief of Police for the City of Victoria in connection with the exercise of powers related to taxi driver’s permits, and

(b) the Chief of Police for the City of Victoria, or another person who

(i) is designated in writing by the Chief of Police to act on behalf of the Chief of Police for a purpose

(A) that is specified in the designation, and

(B) that is not in connection with a power related to taxi driver’s permits, and

(ii) is an employee of the City’s Police Department;

“lease operator”

means a person who leases a pedicab carriage from a licence holder;
“Licence Inspector”

means a person employed as Business Licence Inspector for the City;

“limousine”

means a motor vehicle

(a) that is not equipped with a taxi meter or an instrument resembling a taxi meter,

(b) that does not show a sign or mark indicating that it is a cab or taxi,

(c) that does not have a dome on its roof, and

(d) whose owner or operator does not claim or pretend that it is a cab or taxi;

“pedicab”

means a three wheeled, human powered cycle, including a peditrail;

“pedicab licence issued holder”

means the holder of a valid business licence under the provision of this Bylaw and the Business Licence Bylaw for the operation of a pedicab;

“peditrail”

means a three wheeled, human powered cycle which tows a two wheeled trailer carriage;

“sightseeing licence holder”

means the holder of a valid business licence, issued in accordance with this Bylaw and the Business Licence Bylaw, for the operation of a sightseeing vehicle;

“sightseeing vehicle”

means a cab, carriage, omnibus, cart, wagon, dray, motor vehicle, vessel or other conveyance or vehicle with a driver, used primarily for sightseeing or charter purposes, including horsedrawn vehicles but excluding

(a) horsedrawn vehicles used for special events, and

(b) a vehicle for which a licence is required under the Taxi Bylaw;
“taxi”
means a motor vehicle which is used in the conveyance of passengers for hire, but does not include an ambulance, a bus, a hearse, a limousine, a vehicle driven by the person who hires it or a vehicle, the sole commercial use of which is as a licensed sightseeing vehicle;

“taxi driver's permit”
means a chauffeur's permit under the provisions of the Motor Vehicle Act;

“taxi meter”
means a mechanical or electronic instrument or device by which the charge for transportation in a taxi is mechanically or electronically calculated either for distance travelled or for waiting time or both and upon which the charge is indicated in Canadian currency by means of figures;

“taxi owner”
includes a person who leases a vehicle;

“taxi stand”
means an area designated as a taxi stand by the Streets and Traffic Bylaw.

PART 2 – PEDICABS

Division 1 – Licences

Licence

3  (1) A person may operate a business using pedicabs only if that person holds a valid and subsisting licence issued under the provisions of this Bylaw and the Business Licence Bylaw.

(2) A person may operate a pedicab, with a passenger in or on it, only if a valid and subsisting business licence has been issued under the provisions of this Bylaw and the Business Licence Bylaw.

Number of licences

4  (1) The number of licenses issued for pedicabs must not exceed 24.

(2) Not more than 15 licences for pedicabs may be issued to one person.
Licence fee

5 An applicant for a business licence to operate a business using pedicabs must pay the licence fees prescribed by the Business Licence Bylaw.

Insurance

6 (1) The Licence Inspector must not issue a business licence for a pedicab unless the Licence Inspector is satisfied that the applicant for the business licence is insured in an amount of not less than $1,000,000.00 against any claims arising from the operation of the pedicab.

(2) A person must not operate a pedicab with a passenger in or on it unless the insurance required by this section is in effect and covers every passenger in the pedicab.

(3) The Licence Inspector at any time may require proof of insurance and, in default of satisfactory proof by the pedicab licence holder, may refuse to renew a business licence or may revoke an existing business licence.

Driver's licence

7 A person may drive a pedicab with a passenger in or on it only if that driver holds a valid Class 5 or 6 British Columbia Driver's Licence or an equivalent driver's licence issued by another province or state.

Division 2 - Regulations

Construction of pedicab

8 (1) A pedicab licence holder must ensure that the pedicab is equipped with:

(a) hydraulic rear disc brakes and front drum brakes;
(b) a front headlight and rear tail lights;
(c) metal hydraulic brake lines, heavy duty steel rims, and extra-strength spokes on all wheels;
(d) turn signal lights and four-way flashers;
(e) two side reflectors on each side of the pedicab;
(f) rear bumper protection;
(g) the trailer hitch referred to in section 7.07(1)(a), (b) and (c) of British Columbia Regulation 26/58, the Motor Vehicle Act Regulations.
(2) Subsection (1)(a) does not apply to the trailer carriage of a peditrail.

Building for business

9 An applicant for a business licence for the operation of a pedicab must provide a building or part of a building for the maintenance, storage and administration related to the business.

Area of operation

10 (1) Subject to subsections (3) and (4), a person may operate a pedicab only within the area that is described in Schedule A and that is shown shaded on the map in Schedule A.

(2) The area shown shaded on the map in Schedule A prevails if it is inconsistent with the area otherwise described in Schedule A.

(3) A person may operate a pedicab outside the areas designated in subsections (1) and (2) after 6:00 p.m. on a week day or a Saturday, and all day on a Sunday or holiday.

(4) A person may operate a pedicab across the Johnston Street Bridge only at times other than between 3:30 p.m. and 5:30 p.m. of the same day.

Stopping and parking

11 (1) An operator of a pedicab must comply with the parking and stopping provisions of the Streets and Traffic Bylaw and the Motor Vehicle Act.

(2) Despite subsection (1) the operator of a pedicab may park it

(a) on a yellow curb within 6 m of a legal parking or loading space, for a maximum time of one hour, unless otherwise restricted by a traffic order under the Streets and Traffic Bylaw;

(b) in the Tourist Parking and Passenger Loading Zone on the west side of the 700 block of Government Street;

(c) on Government Street between Humboldt and Yates Streets, on the sidewalk between the curb and the drainage grates;

(d) on the east side of the 700 block of Government Street

(i) between the midblock crosswalk and the main entrance to the building located at 721 Government Street, and

(ii) in the 8 m distance measured southerly from a point 6 m south of the southern end of the Tour Bus Loading Zone that is located immediately north of Belleville Street;
(e) at a metered parking space if

(i) that does not result in more than 2 pedicabs being parked there simultaneously, and

(ii) the pedicab operator pays for the parking.

Number of passengers

12  (1) An operator of a pedicab that is not a peditrail must not carry more than 3 passengers in the pedicab simultaneously.

(2) An operator of a pedicab that is a peditrail must not carry more than

(a) 2 passengers in the trailer carriage;

(b) a total of 5 passengers.

Stereo

13  An operator of a pedicab must not allow a stereo to be operated in or on the pedicab after 7:00 p.m. except within the area bounded on the south by Belleville Street, on the east by Cook Street, on the north by Bay Street, and on the west by the Johnson Street Bridge.

U-turn

14  An operator of a pedicab may make a U-turn only

(a) in a safe manner, at a slow rate of speed and without obstructing traffic; and

(b) within the area described under section 10.

PART 3 -SIGHTSEEING VEHICLES

Division 1 – Licences

Licence

15  (1) A person may operate a business using a sightseeing vehicle only if that person holds a valid and subsisting licence for the vehicle, issued under the provisions of this Bylaw and the Business Licence Bylaw.

(2) A person may drive a sightseeing vehicle, with a passenger in or on it, only if a valid and subsisting licence has been issued for the vehicle in accordance with this Bylaw and the Business Licence Bylaw.
(3) Despite subsection (1) and any other provision of this Bylaw, a person may operate a business using a horsedrawn sightseeing vehicle, and may drive a horsedrawn sightseeing vehicle with a passenger in or on it, if that person holds a valid and subsisting Cruise Ship Tour Licence for that purpose and that vehicle.

(4) The provisions of this Bylaw and the Business Licence Bylaw, in relation to the licensing of horsedrawn sightseeing vehicles, apply to a Cruise Ship Tour Licence.

(5) Subject to subsection (6), the provisions of this Bylaw in relation to the operation of horsedrawn sightseeing vehicles apply to a vehicle used under a Cruise Ship Tour Licence.

(6) The following requirements apply to the operation of horsedrawn sightseeing vehicles under a Cruise Ship Tour Licence:

(a) a Cruise Ship Tour Licence may be issued only if the applicant already holds a valid and subsisting licence that is for a horsedrawn vehicle and that is not a Cruise Ship Tour Licence;

(b) a person must not hold more than one Cruise Ship Tour Licence;

(c) a person holding a Cruise Ship Tour Licence must apply for a Cruise Ship Tour Permit for each trip that person intends to make using a vehicle authorized under that Licence;

(d) a person must not operate more than 6 horsedrawn sightseeing vehicles under a Cruise Ship Tour Licence;

(e) a vehicle operating under a Cruise Ship Tour Licence may only be a wagon using 2 horses and having a maximum seating capacity of 15 passengers;

(f) an application for a Cruise Ship Tour Permit must be made to the City in writing at least 24 hours in advance of a trip for which the Permit is to be used;

(g) an applicant for a Cruise Ship Tour Permit must provide the following information;

   (i) the name of the cruise ship from which the vehicle will load passengers,

   (ii) the name of the booking agent for the use of the vehicle,

   (iii) the number of passengers to be loaded onto the vehicle,

   (iv) the vehicle’s proposed route,
(v) the time and date of the vehicle’s trip;

(h) an applicant must pay a $15 permit fee for each Cruise Ship Tour Permit;

(i) if the operation of a horsedrawn sightseeing vehicle under a Cruise Ship Tour Permit could reasonably be expected to result in traffic congestion, to interfere with access to or from a street, or to interfere with public safety,

(i) the Director of Engineering may request that an alternative route be used, or

(ii) if an alternative route is unavailable because of similar concerns with traffic congestion, street access, or public safety, the Director of Engineering may refuse to issue the Cruise Ship Tour Permit at the time and date proposed;

(j) a Cruise Ship Tour Permit is valid only for pre-booked trips;

(k) a vehicle operating under a Cruise Ship Tour Permit may load passengers only at Ogden Point;

(l) a vehicle operating under a Cruise Ship Tour Permit may unload passengers at any place within the area of operation shown on the map in Schedule B;

(m) all routes taken for trips by a vehicle operating under a Cruise Ship Tour Permit must be within the area of operation shown on the map in Schedule B.

(7) Subsections (3) to (6), and all licences and permits issued under those subsections, expire and have no effect or validity after October 31, 2003.

Types and sizes of sightseeing vehicles

16 (1) A licence for the operation of a sightseeing vehicle must not be issued to a person other than those referred to in Schedule C.

(2) A person referred to in Schedule C must not operate more sightseeing vehicles or a different type or size of sightseeing vehicle than those set out in Schedule C.

Licence holder’s decal

17 (1) The Licence Inspector must issue a decal to a sightseeing licence holder at the same time that the Licence Inspector issues a business licence for that sightseeing licence holder’s sightseeing vehicle.

(2) A sightseeing licence holder receiving a decal must place it
(a) on the rear window of a motor vehicle for which it is issued;

(b) so that it is legible on the vessel for which it is issued when that vessel is moored at its designated area at the Victoria Inner Harbour floats;

(c) so that it is clearly visible on a sightseeing vehicle that is not a motor vehicle or a vessel.

(3) A person must not transfer, lease, rent, or lend a decal that is issued to a licence holder for a horsedrawn sightseeing vehicle.

Insurance

18 (1) The Licence Inspector may issue a business licence for a sightseeing vehicle only if the applicant for the licence is insured for an amount of not less than $1,000,000.00 for vessels and $2,000,000.00 for other sightseeing vehicles against any claims arising from the operation of the vehicle.

(2) A person may drive a sightseeing vehicle with a passenger in or on it only if the insurance required under subsection (1) is in effect.

Transfer, suspension, cancellation of licence

19 (1) A sightseeing licence holder may apply to the Licence Inspector for the transfer of a licence from a sightseeing vehicle that is inoperative to a replacement sightseeing vehicle.

(2) The Licence Inspector must issue a licence and decal for a replacement sightseeing vehicle if

(a) the sightseeing licence holder of an inoperative sightseeing vehicle surrenders its licence and decal to the Licence Inspector for the purpose of transferring the licence to the replacement sightseeing vehicle;

(b) that sightseeing licence holder pays a transfer fee of $25.00; and

(c) the Licence Inspector is satisfied that the sightseeing licence holder is insured in accordance with section 18(1) against any claims arising from the operation of the replacement sightseeing vehicle.

(3) The vehicle from which a licence has been transferred must not be operated until a valid licence has been obtained for that vehicle.

(4) The Council may suspend or cancel the licence for a sightseeing vehicle or business if

(a) the licence holder is convicted of an offence, under this Bylaw or the Streets and Traffic Bylaw, relating to the operation of that vehicle or business; and
(b) the Council gives the licence holder an opportunity to be heard by the Council.

(5) Subject to subsections (1) and (2), a person must not transfer, lease, rent, or lend a licence that is issued for a horsedrawn sightseeing vehicle.

Driver's licence

20 A person may drive a sightseeing vehicle with a passenger in or on it only if that driver has a valid driver's licence issued under the provisions of the Motor Vehicle Act unless otherwise provided in this Bylaw.

Provincial and federal requirements

21 (1) Before granting or renewing a business licence for a sightseeing vehicle, the Licence Inspector may require proof that a permit, for the vehicle or its operation, required under provincial law, has been obtained and is in force.

(2) An applicant for a licence to operate a vessel as a sightseeing vehicle must provide the Licence Inspector with proof that the applicant has obtained from the Canadian Coast Guard:

(a) for each vessel defined in the Canada Shipping Act to be a passenger ship, a valid inspection certificate issued by the Ships Safety Branch; and

(b) for each vessel not defined in the Canada Shipping Act to be a passenger ship, written proof that during the current year the vessel has passed a courtesy examination by the Search and Rescue Branch.

Division 2 – General Regulations

Keeping vehicle in repair

22 The sightseeing licence holder and the owner of a sightseeing vehicle must ensure that it is maintained in a safe and clean condition and in good repair.

Division 3 – Horsedrawn Vehicles

Removing excrement of horses

23 (1) The sightseeing licence holder of a horsedrawn sightseeing vehicle must remove from a street all excrement dropped by a horse used to pull the vehicle.

(2) After giving the holder an opportunity for a hearing before Council, the Council may suspend the licence of a horsedrawn sightseeing vehicle for not more than
90 days if its sightseeing licence holder habitually fails to remove excrement as required under subsection (1).

Stabling horses

24 A sightseeing licence holder may use a horse to pull a sightseeing vehicle only if that horse is stabled outside of the City.

Restricted area for use of horsedrawn vehicles

25 (1) A horsedrawn sightseeing vehicle may be driven only within the area shown shaded on the map in Schedule B.

(2) Despite subsection (1), a horsedrawn sightseeing vehicle must not be driven between 8:00 a.m. and 6:00 p.m. on any day, from Monday to Friday, that is not a holiday, in the area that is shown unshaded and outlined in a heavy border on the map in Schedule B.

(3) Subsections (1) and (2) do not apply to a horsedrawn sightseeing vehicle for which a licence for a special event has been issued under section 31 for an area of operation or a time of operation that conflicts with the restrictions in those subsections.

Restricted hours for use of horsedrawn vehicles

26 A person must not drive a horsedrawn sightseeing vehicle between 4:00 p.m. and 5:00 p.m. on any day from Monday to Friday in the following areas:

(a) Superior Street between Menzies and Douglas Streets;

(b) Southgate Street between Douglas and Quadra Streets; and

(c) Douglas Street between Michigan and Belleville Streets.

Nighttime use of horsedrawn vehicles

27 (1) A person must not drive a horsedrawn sightseeing vehicle later than 1/2 hour after sunset or earlier than 1/2 hour before sunrise.

(2) Subject to section 25(3), a horsedrawn sightseeing vehicle that is equipped with the lights required and the turn signals described under the Motor Vehicle Act may leave a parking stand on Menzies Street

(a) subject to paragraph (b), up to 9:00 p.m. on any day if that vehicle is drawn by 2 to 4 horses and has a seating capacity for at least 11 passengers;
(b) up to 10:30 p.m. on any day if that vehicle is of the type described in paragraph (a) and no more than one other vehicle of that type has left a parking stand on Menzies Street after 9:00 p.m. of that day;

(c) up to 10:30 p.m. on any day if that vehicle is drawn by 2 to 4 horses and has a maximum seating capacity of 10 passengers and no more than two other vehicles of that type have left a parking stand on Menzies Street after 9:00 p.m. of that day;

(d) up to midnight on any day if that vehicle is drawn by 1 horse and has a maximum seating capacity of 6 passengers.

(3) A person must not load or unload horses into a vehicle after 9:00 p.m. in the area that is commonly known as James Bay and that is described in section 32.

**Division 4 – Use of Streets**

**Parking horsedrawn vehicles**

28  (1) A person must not park a horsedrawn sightseeing vehicle in the area lying within the boundaries formed on the

(a) north by Johnson Street;

(b) east by the east side of Cook Street;

(c) south by the south and southwest sides of Dallas Road; and

(d) west by that part of Victoria Inner Harbour which extends from the Johnston Street Bridge to the northerly extension of Dallas Road from its intersection with Erie Street.

(2) Subsection (1) does not apply to the parking of a horsedrawn sightseeing vehicle that is parked within a Passenger Zone, designated under the Streets and Traffic Bylaw, on the west side of Menzies Street between Belleville and Quebec Streets; and

(b) if the Passenger Zone described in paragraph (a) is not required for use by a motor vehicle.

(3) Subsection (1) does not apply to the parking of a horsedrawn sightseeing vehicle that is

(a) licensed as a sightseeing vehicle; and

(b) parked within a parking stand area described in Schedule D.
(4) The sightseeing licence holders listed in Schedule D must daily alternate their use of the parking stand areas described in Schedule D.

(5) A person may park a vehicle in a parking stand area described in Schedule D only if the vehicle is a sightseeing vehicle of the sightseeing licence holder entitled to use that parking stand at that time in accordance with subsection (4).

(6) A sightseeing licence holder, of a horsedrawn sightseeing vehicle, to whom a parking stand is allocated under this section must pay to the City an annual rental for the stand that is equal to the amount of revenue which would be produced from a parking meter at that location if the meter were used at the meter rates of the preceding January 1 and were used for every day of the year from 9:00 to 6:00 p.m.

Parking non-horsedrawn vehicles

29 (1) A person must not park a sightseeing vehicle that is a motor vehicle in the area lying within the boundaries formed on the

(a) north by Johnson Street;
(b) east by the east side of Cook Street;
(c) south by the south and southwest sides of Dallas Road; and
(d) west by that part of Victoria Inner Harbour which extends from the Johnson Street Bridge to the northerly extension of Dallas Road from its intersection with Erie Street.

(2) Subsection (1) does not apply to the parking of a sightseeing vehicle that is a motor vehicle that is

(a) licensed as a sightseeing vehicle of one of the sightseeing licence holders referred to in Part 1 of Schedule C;
(b) permitted under the Streets and Traffic Bylaw to park in a Hotel Zone designated under that Bylaw; and
(c) parked in a Hotel Zone designated under the Streets and Traffic Bylaw.

(3) Subsection (1) does not apply to the parking of a sightseeing vehicle that is a motor vehicle that is

(a) licensed as a sightseeing vehicle of one of the sightseeing licence holders referred to in Part 1 of Schedule C; and
(b) parked within a parking stand that is designated as a parking stand for sightseeing vehicles that are motor vehicles.
(4) A sightseeing vehicle that is a motor vehicle may park in a parking stand allocated in accordance with Schedule E.

(5) A person may park a vehicle in a parking stand allocated under subsection (4) only if the vehicle is a sightseeing vehicle of the sightseeing licence holder to whom the parking stand is allocated.

(6) The sightseeing licence holder to whom a parking stand is allocated under this section must pay to the City a rental for the stand according to the following:

(a) for a stand on Belleville Street, an annual amount equal to the revenue which would be produced from a parking meter at that location if the meter were used at the meter rates of the preceding January 1 and were used for every day of the year from 9:00 a.m. to 6:00 p.m.;

(b) for a stand on Government Street, an annual amount equal to the greater of the following amounts:

(i) the revenue produced from a parking meter at that location if the meter were used in the same way as described in paragraph (a), and

(ii) the commercial market lease value of the stand's space, as determined by an independent appraiser.

Use of streets and sidewalks to solicit sales of tours

30 (1) Except as permitted by this section, when in or on a street, a person must not advertise for, or offer tickets for sale for a sightseeing tour verbally, by distributing literature, carrying a placard, or using a recorded picture.

(2) On a sidewalk within 3 m of the parking stand allocated under this Bylaw to a licence holder for a sightseeing vehicle, up to 3 people may distribute brochures to advertise for, and offer tickets for sale for, a sightseeing tour, but may not distribute the brochures of any other business or undertaking.

(3) Despite subsection (2), a licence holder for a horsedrawn sightseeing vehicle is limited to one person who sells or advertises ticket for sale, and that person may sell or advertise only from the locations set out in Schedule D.

(4) Without limiting the generality of subsection (1), and except as permitted by this or any other bylaw, a person must not deposit or leave or keep a placard, sandwichboard sign, ticket booth, or other object on a street or sidewalk for the apparent purpose of selling or promoting the sale of sightseeing tours.

(5) A person must not be pressing or persistent when advertising, offering tickets for sale for, or otherwise promoting, a sightseeing tour.
Special events' licence

(1) The Licence Inspector may issue a business licence for a horsedrawn sightseeing vehicle to be used for special events where the applicant for the licence

(a) is insured for an amount of not less than $2,000,000.00 against any claims arising from the operation of the vehicle;

(b) pays the applicable fees set out in the Business Licence Bylaw; and

(c) pays a $15.00 Special Event Permit fee to the City.

(2) The Licence Inspector may issue a business licence for a horsedrawn sightseeing vehicle to be used for a special event only if the applicant already holds a valid and subsisting licence for a horsedrawn vehicle for operations that are not special events.

(3) A licence for a special event may be used for a horsedrawn wagon using 2 horses and having a maximum seating capacity of 15 passengers only if

(a) the special event is a wedding, a tour, Christmas caroling, a Halloween ghost tour, or a use by a school, senior citizens' group, or a family centre;

(b) the wagon is reserved for the special event at least 24 hours before it is to occur; and

(c) passengers for the special event are not loaded or unloaded at a parking stand allocated under section 28.

(4) A licence for a special event may be used for a horsedrawn carriage using 1 horse and having a maximum seating capacity of 6 passengers only if

(a) the special event is a wedding, horsedrawn picnic, parade, complimentary tour for dignitaries or journalists, or a photographic or cinematographic event; and

(b) passengers for the special event are not loaded or unloaded at a parking stand allocated under section 28.

(5) Sections 17(1) and (2)(c) apply to the issue and display of a decal for a horsedrawn sightseeing vehicle used for a special event.
Special events' restricted area of use

32 A person must not drive a horsedrawn vehicle for a special event within the neighbourhood commonly known as James Bay and described as lying within the following boundaries:

(a) starting at a point being the intersection of the high water mark with the southerly extension of the east boundary of Douglas Street;

(b) then along the east boundary of Douglas Street and Blanshard Street to an intersection with the north boundary of Belleville Street;

(c) then along the north boundary of Belleville Street to the northwest corner of the intersection of Belleville and Government Streets;

(d) then north to an intersection with the high water mark;

(e) then continuously following the high water mark, starting in a westerly direction, to the starting point.

Special events' routes

33 (1) A person who is licensed to operate a horsedrawn sightseeing vehicle for a special event

(a) must provide the City’s Director of Engineering with the proposed route, date and time of the use of the vehicle before operating it for that purpose; and

(b) must not operate the vehicle if the Director of Engineering refuses under subsection (2) to approve the route, date or time.

(2) The Director of Engineering may take either of the following actions when traffic congestion would result from the operation of a horsedrawn sightseeing vehicle for a special event:

(a) request that an alternate route be used;

(b) refuse to approve the proposed route for the special event at the date and time proposed when an alternative route is unavailable because of traffic congestion.
PART 4 - TAXIS

Division 1 – Taxi Drivers’ Permits

Permit requirements

34 A person must not be employed as, and must not act or engage to act as a taxi driver unless that person

(a) is at least 19 years of age;

(b) holds a valid class 1, 2 or 4 driver’s licence issued under the Motor Vehicle Act; and

(c) holds a taxi driver’s permit issued to that person by the Chief.

Disqualification

35 (1) The Chief must issue a taxi driver’s permit to a person who qualifies under section 34, unless the applicant for the permit

(a) has been convicted

   (i) within the previous 5 years of an offence under the Criminal Code involving dishonesty or violence, or of a sexual offence under Part V of the Criminal Code,

   (ii) within the previous 5 years of an offence under the Controlled Drugs and Substance Act, or under any other federal or provincial legislation, involving the possession of or trafficking in a controlled substance,

   (iii) within the previous 2 years of a Criminal Code offence involving a motor vehicle, including without limitation the offence of operating a motor vehicle while impaired or operating a motor vehicle with more than 80 mg. of alcohol in the applicant’s blood, or

   (iv) within the previous 2 years of 6 or more driving offences under the Motor Vehicle Act, its regulations, or the equivalent legislation of another Province or Territory of Canada;

(b) has been convicted at any time of any of the offences referred to in paragraph (a), and has served a term of imprisonment as a result of that conviction, any part of which term of imprisonment was served within 5 years of the date of the application;
(c) has received within the previous 2 years more than one temporary driver’s licence suspension under the provisions of the *Motor Vehicle Act*, or the equivalent legislation of another Province or Territory of Canada, on grounds related to the amount of alcohol in the applicant’s blood, which suspension has not been cancelled or set aside by judicial process or under a provision of a statute; or

(d) does not have adequate oral, reading, or writing proficiency related to occupational functions, the geography of the City and its surrounding municipalities, or the contents of this Bylaw.

(2) In order to determine if an applicant meets the requirements of subsection (1)(d), the Chief may

(a) require the applicant to undertake a test of oral, reading, and writing proficiency related to occupational functions, the geography of the City and its surrounding municipalities, and the contents of this Bylaw;

(b) from time to time establish the form and content of the test to be administered under this subsection.

(3) An applicant who has previously held a taxi driver’s permit is not required to undertake the examination required by subsection (2) if the application is made within 6 months of the expiry of the previously held permit.

(4) In order to determine whether an applicant meets the requirements of subsection (1)(a) the Chief may require the applicant to provide a copy of a record of criminal convictions, with respect to the applicant, that has been obtained within the previous 60 days.

**Suspension or cancellation**

36 The Chief may suspend or cancel a taxi driver’s permit where for the Chief, being satisfied by proof, believes that the holder of the permit is unfit to act as a taxi driver because of that holder’s

(a) use of or other dealing in intoxicants or narcotic drugs; or

(b) actions involving dishonesty, violence or indecency.

**Appeal**

37 (1) Within 24 hours after a decision to refuse, suspend or cancel a taxi driver’s permit, the Chief must give written reasons for the decision to the applicant or holder of the permit.

(2) The applicant or holder may appeal the Chief’s decision to the Council.
(3) The Council may suspend or cancel a taxi driver’s permit where the holder of the permit

(a) is convicted of an offence under the *Criminal Code* involving dishonesty or violence, or of a sexual offence under Part V of the *Criminal Code*;

(b) is convicted of an offence under the *Controlled Drugs and Substance Act* or any other federal or provincial legislation, involving the possession of or trafficking in a controlled substance;

(c) is convicted of a *Criminal Code* offence involving a motor vehicle, including without limitation the offence of operating a motor vehicle while impaired or operating a motor vehicle with more than 80 mg. of alcohol in the permit holder’s blood;

(d) is convicted within the previous 2 years of 6 or more driving offences under the *Motor Vehicle Act*, its regulations, or the equivalent legislation of another Province or Territory of Canada; or

(e) ceases to hold a valid class 1, 2 or 4 driver’s licence, issued under the *Motor Vehicle Act*, by reason of the revocation or suspension of that licence under that Act.

(4) The Council’s decision concerning an appeal is final.

Fee

38 There is no fee for the issue of a taxi driver’s permit.

Permit

39 (1) The Chief may

(a) prescribe the form of the taxi driver’s permit that is issued under this Bylaw;

(b) require that a photograph of the holder of taxi driver’s permit be attached to that permit.

(2) A permit issued by the Chief is valid for one year.

(3) The Chief may renew a taxi driver’s permit if its holder requests that before the permit expires.

(4) The holder of a taxi driver’s permit must

(a) possess the permit when driving or operating a taxi on a street;
(b) display the permit in a prominent place within the taxi that the holder is operating, so that the permit is visible to an occupant of the taxi; and

(c) produce the permit for inspection when it is demanded by a Peace Officer or Constable.

Division 2 - Licences

Licence requirement

40  (1) A person must not use or allow a vehicle to be used as a taxi unless the taxi owner of the vehicle holds a valid licence for the taxi, issued in accordance with this Bylaw.

(2) For the purposes of subsection (1), the existence of the licence must be shown by the vehicle's owner.

Application for licence

41  (1) An application for a licence must

(a) be made in writing to the Chief on a form to be provided for that purpose by the Licence Inspector; and

(b) must contain all pertinent information, including the business name under which the applicant intends to operate, if that name differs from the applicant's name, and vehicle identification for the taxi.

(2) An application for a licence must disclose whether the applicant, within the period of 2 years immediately preceding the date of the application

(a) has been convicted of an offence under a bylaw of the City or of another municipality and that is related to the conduct of a business or to dishonesty;

(b) has been convicted of an offence against a law of Canada or of a Province

(i) related to dishonesty, violence or indecency; or

(ii) concerning narcotics or intoxicants; or

(c) is subject to a pending prosecution for an alleged offence of the kind described in paragraphs (a) and (b).

(3) In order to determine whether an applicant meets the requirements of subsection (2)(b) the Chief may require the applicant to provide a copy of a record of
criminal convictions, with respect to the applicant, that has been obtained within the previous 60 days.

(4) If a prosecution is pending against an applicant for an alleged offence described in subsection (2), the Chief may reject that person's application and advise the applicant to submit a fresh application after the conclusion of the prosecution.

(5) The Licence Inspector must refer an application to the Council instead of issuing a licence if the applicant has been convicted of an offence described in subsection (2) within a period of 2 years immediately preceding the date of application.

(6) Where an application is referred by the Licence Inspector to the Council, the Council

(a) must give the applicant an opportunity to be heard by the Council; and

(b) on the affirmative vote of at least 2/3 of its members, may direct that a licence is not to be issued to the applicant until a specified date or at the end of 2 years after the date of the most recent of the applicant's convictions.

(7) The Licence Inspector must disregard an applicant's convictions and process that person's application if Council does not give a direction in accordance with subsection (6)(b).

Report to council

42 (1) The Chief may report to Council a licence holder's conviction referred to in section 41(2), or a licence holder's contravention or non-compliance with this Bylaw.

(2) Where the Chief reports to the Council under this section, the Council

(a) must give the holder an opportunity to be heard by Council; and

(b) may direct that the licence be cancelled or, if it is expired, that it not be renewed.

Corporate prosecution

43 (1) For the purposes of sections 41 and 42, a conviction of or a prosecution against a director or a person owning or controlling a corporation which is an applicant for a licence is considered to be a conviction of or a prosecution against the corporation.

(2) An applicant must disclose on an application a conviction referred to in subsection (1).
Meter, insurance

44 A licence must not be issued until the applicant produces evidence to the satisfaction of the Chief that:

(a) the vehicle concerned is equipped with an efficient taxi meter which was tested and approved by a member of the Victoria City Police not more than 30 days before the submission of the application; and

(b) the applicant has liability insurance in respect of the motor vehicle for not less than $2,000,000.00.

Conditions for licence

45 The Licence Inspector must issue a licence and the decals described in section 49(1) to an applicant where

(a) the applicant complies with this Bylaw;

(b) Council does not refuse the licence; and

(c) the applicant pays the licence fee prescribed by the Business Licence Bylaw.

Transfer

46 (1) The holder of a licence may apply in writing to the Chief to transfer the licence from one taxi to another owned by the holder.

(2) An application for a transfer must contain the information, described in section 41(1), that relates to the taxi to which the transfer is requested.

(3) On surrender of the licensed vehicle decal issued under section 50 or on satisfactory proof that it has been lost or destroyed, the Licence Inspector must issue a new licence and licensed vehicle decal to the applicant where

(a) the Chief is satisfied that the applicant remains eligible for a licence;

(b) the requirements of section 45 are satisfied;

(c) the applicant pays a $25.00 licence fee to the City.

(4) An additional licence fee is not payable for a licence during the then current licence year if the amount in subsection (3)(c) is paid for that licence.

(5) A licence holder may transfer the licence to another person who applies for it on an application form provided by the Licence Inspector where

(a) the holder surrenders, to the Licence Inspector, the holder's licensed vehicle decal issued under section 50; and
(b) the applicant pays a $25.00 licence fee to the City.

(6) An additional licence fee is not payable for a licence during the then current licence year if the amount in subsection (5)(b) is paid for that licence.

(7) A licence is deemed to be cancelled where a licence holder transfers to another person the ownership of the taxi indicated on the licence and does not transfer the licence to another taxi or to another person in accordance with this section.

Validation period

47 A licence is valid until the earlier of

(a) the 15th day of January following the date of issue of the licence; or

(b) the day the licence is suspended or cancelled.

Refund

48 A reduction or a refund is not payable for a licence that is valid for less than a full year.

Decal

49 (1) The Licence Inspector must issue to each licence holder

(a) a licensed vehicle decal; and

(b) a rate decal containing the rates established by section 74(4).

(2) A replacement licensed vehicle decal may be purchased for $1.00 from the City if the decal is lost or destroyed.

(3) A taxi licence must not be transferred

(a) until the licensed vehicle decal for that taxi is returned to the Licence Inspector; or

(b) if the licensed vehicle decal for the taxi has been lost or destroyed, until the licence holder has provided written reasons, to the Licence Inspector, for not returning that decal.

Cancellation

50 A licence must be cancelled 30 days after any of the following events:

(a) the expiry or cancellation of the liability insurance of the taxi to which the licence applies;
(b) the involvement of that taxi in a collision in which the taxi is damaged beyond repair;

(c) the licence holder give the Licence Inspector written notice that the licence is no longer required.

**Division 3 – Licence Holders’ Duties**

**Place of business**

51 (1) A licence holder must keep a place of business within the City or within 5 miles of the City.

(2) At that place of business a licence holder must keep, in accordance with section 74, daily trip records for the taxi to which the licence applies.

(3) Within the 24 hours following a change of address of that place of business the licence holder must give to the Chief written notice of the change.

**Examination of trip records**

52 A licence holder must at all reasonable times permit the Chief to enter the holder’s place of business to examine the daily trip records and to make copies or extracts of them.

**Business name in directory**

53 (1) A licence holder, as soon as is possible, must cause the holder’s telephone number and business name to be placed in the City of Victoria Telus telephone directory.

(2) A licence holder that carries on business under the holder’s personal name must have that name placed in the directory.

**Vehicle inspection report**

54 (1) Where demanded by the Chief or a police officer, a licence holder must produce a motor vehicle inspection report, issued by the Province of British Columbia, for the holder’s taxi.

(2) A licence that is cancelled under subsection (1) may be reissued after 30 days following the cancellation if the requirements of section 45 are satisfied.

**Condition of taxi**

55 (1) A licence holder must maintain the interior and exterior of the holder's taxi in a clean condition.
(2) The Chief must notify a taxi driver when in the Chief's opinion that driver's taxi is in an unsafe or unclean condition.

(3) The holder of the licence for the taxi or the taxi driver must submit the taxi for a safety inspection by a licensed mechanic or for a cleanliness inspection by the Chief.

(4) Where a taxi fails to pass a safety or a cleanliness inspection, the Chief must suspend the licence for the taxi until it is re-inspected and approved as to safety and cleanliness.

(5) A licence holder must cause the holder’s taxi to be equipped with an interior light sufficient to illuminate the entire passenger compartment and must at all times maintain the light in proper working order.

**Taxi sign**

56 (1) A licence holder must cause the holder's business name and the word "TAXI" or "CAB" to be displayed conspicuously in legible lettering at least 3" high on the outside of the holder's taxi.

(2) A licence holder who carries on business under the holder’s personal name must display that name on the holder’s taxi in the manner described in subsection (1).

**Display of decals**

57 (1) A licence holder must display in the holder's taxi the following decals in the location described below in a manner making them legible from outside the taxi:

(a) the licensed vehicle decal must be displayed in the rear window on the driver's side; and

(b) the rate decal containing the rates established by section 74(4) must be displayed near the top of the window on the passenger seat behind the driver.

(2) The licence holder must keep the decals clean and legible at all times.

(3) The licence holder must not display more than one of each of the decals.
Division 4 – Taxi Meters

Meter required

58 A person must not drive or operate a taxi or engage in the business of operating a taxi unless the taxi is equipped with a taxi meter that is approved by the Chief and complies with the requirements of this Bylaw.

Display on meter

59 (1) A taxi’s licence holder and the taxi’s driver must ensure that while the taxi is under hire its meter
(a) mechanically or electronically measures the taxi’s travelled distance and waiting time; and
(b) legibly displays, to all passengers in the taxi, in figures in Canadian currency, the charge for stopping for a customer and the taxi’s travelled distance and waiting time.

(2) The displayed charge must not exceed the amount calculated by applying the rates set out in section 74(4).

Accuracy of meter

60 A taxi’s licence holder and the taxi’s driver must ensure that while the taxi is under hire its meter automatically, accurately and continuously performs the functions described in section 59(1) to the extent that the meter is not more than 3% incorrect to the prejudice of a passenger.

Sealed meter

61 (1) A meter that has been installed in a taxi must not be used unless the Chief has had the meter inspected, tested and sealed, the Chief has certified that the meter is in accurate working condition and
(a) the meter remains sealed; or
(b) the taxi driver possesses an unexpired temporary permit issued under subsection (4).

(2) A taxi’s licence holder must pay to the City a fee of $30.00 for the inspection, testing, and sealing of each taxi meter under subsection (1).

(3) If the seal of a taxi’s meter is broken, the taxi’s driver must immediately report it to the Chief and present the taxi to verify the report.
(4) After causing the report to be verified, the Chief must issue a temporary permit that allows the use of the meter for a period of not more than 14 days.

(5) During the period referred to in subsection (4), the taxi’s licence holder must cause the taxi to be presented to the Chief for inspection, testing and sealing of its meter.

(6) The Chief must not issue more than 3 temporary permits in a calendar year.

(7) A taxi’s licence holder must ensure that the measuring function of the taxi’s meter, referred to in section 59(1)(a), is incapable of being altered while the meter is sealed.

Use of defective meter

62 A taxi’s licence holder and the taxi’s driver must not use the taxi’s meter if it is defective.

Operating meter

63 (1) A taxi driver must start the operation of the taxi’s meter at the start of the period that the taxi is under hire.

(2) At the end of the period that a taxi is under hire its driver must stop the operation of its meter and ensure that the passenger is aware of the amount of the charge displayed on the meter.

Division 5 – Operation of Taxi

Soliciting business

64 (1) A person must not solicit or cause or allow soliciting for business for the taxi on a street or in any other public place.

(2) Subsection (1) does not apply to a taxi driver who seeks business by driving or stopping a taxi on a street.

Use of public place

65 A taxi’s licence holder, the holder’s agent and the taxi’s driver, while acting in those capacities, must not

(a) obstruct the use of a sidewalk or any other public place;

(b) make or cause a disturbance or a disturbing noise;

(c) use obscene, impudent or abusive language; or
(d) molest, annoy or insult any person.

Duties of driver

66 While on duty, a taxi driver must

(a) be clean, neatly dressed, groomed and courteous to the driver's passengers; and

(b) not consume alcoholic liquor nor possess an unsealed container of alcoholic liquor.

Radar detection device

67 A taxi driver must not have a radar detection device, including an inoperative one, in the driver's taxi.

Permission of passengers

68 A taxi’s driver must comply with the following regulations unless the passengers in the taxi give their express permission otherwise:

(a) the driver must not smoke;

(b) the driver must not operate a radio or a device that produces music or sound from a tape or a compact disc;

(c) the driver must not load other passengers into the taxi;

(d) the driver must drive on the most direct route to the passengers’ destinations.

Charging and receipts

69 (1) When requested by a passenger of a taxi, the taxi’s driver must give the passenger a written receipt showing payment of the charge for hiring the taxi and showing the date and time of the issue of the receipt.

(2) A taxi driver must charge only the taxi’s sole remaining passenger for the use of the taxi where two or more passengers share the taxi and all but one of them is unloaded before the taxi reaches its final destination.

(3) Subsection (2) does not apply where the passengers and the driver agree to another method of payment for the hire of the taxi.

Parking taxi

70 (1) A person must not park a taxi or leave it parked on a street in an area that is not a taxi stand except:
(a) despite the Streets and Traffic Bylaw, during the time needed to load or unload passengers;

(b) outside a place of public gathering from the time when the gathering is ended until 30 minutes after that time; or

(c) where the taxi is used for a lawful purpose other than as a taxi.

(2) Subsection (1)(a) does not allow the stopping of a taxi in an area that is designated by the City’s Director of Engineering as a bus zone or a zone where stopping is prohibited for all vehicles.

(3) A person who parks a taxi or leaves it parked in the circumstances described in subsection (1)(c) must not allow a customer to enter the taxi.

Taxi stand

71 (1) Taxi drivers in a taxi stand must

(a) arrange their taxis and load passengers into the taxis in the successive chronological order in which the taxis arrived in the taxi stand, with the taxis that arrive earliest placed nearest the front of the taxi stand; and

(b) drive forward in succession to occupy areas vacated by taxis that leave the taxi stand.

(2) If a taxi from one company enters a taxi stand after 2 or more taxis from another company, the drivers of the taxis from that other company, except the driver that was earliest in the taxi stand, must leave it.

(3) When a taxi is stopped in a taxi stand and the taxi’s driver is not loading, unloading or assisting passengers, the driver must

(a) remain with the taxi; and

(b) keep the taxi’s doors closed.

Objects left in taxi

72 (1) While a taxi is under hire, its driver must care for all property delivered to the driver for transporting or safekeeping.

(2) Immediately after a taxi has been under hire, its driver must

(a) carefully search it for property that was left or lost in the taxi;

(b) immediately return the property to its owner; and
if the property is unclaimed or the owner cannot be found within 8 hours, give notice of that to the Chief.

Trip record

73  (1) A taxi driver must keep a legible English language daily trip record that contains
(a) the taxi driver's name;
(b) the British Columbia licence number of the driver's taxi; and
(c) the date, time, origin and destination of the trips made by the driver's taxi when it is under hire

(2) At the end of a taxi driver's shift of duty, the driver must give the daily trip record to the holder of the licence for the driver's taxi.

(3) The licence holder must ensure that a daily trip record is legible and contains the information required by this section.

(4) The licence holder must retain daily trip records for 6 months.

(5) If requested by the Chief during the 6 months after a daily trip record is made, the taxi driver or the licence holder must
(a) produce the record for inspection; and
(b) where in the Chief's opinion it is necessary for the purpose of enforcing this Bylaw, allow the Chief to copy and retain the copy of the record.

Rates & number of passengers

74  (1) Despite the number of passengers carried on a single trip by a taxi, the taxi's driver must charge only a single fare for that trip.

(2) At any one time a taxi driver may convey only those passengers who first engaged that driver's taxi.

(3) A taxi driver must not charge for carrying a passenger's luggage or freight unless the passenger expressly agrees to the amount of the charge before the luggage or freight is carried.

(4) A taxi driver may charge up to the following amounts for the hire of a taxi:
(a) the greater of the following amounts:
   (i) $31.00 per hour or portion of an hour,
   (ii) $1.45 for each kilometre; or
(b) the amount calculated by applying the following rates:

(i) $2.50 for loading a customer and for travelling an initial distance of 68.9 m or less,

(ii) $0.10 for each additional distance of 68.9 m or portion of that, after the initial 68.9 m referred to in subparagraph (i), and

(iii) $0.10 for each 11.6 seconds of the taxi's stopping or waiting time.

(5) A taxi’s driver must not demand or receive the charge referred to in subsection (4)(b)(iii) for any time less than 3 minutes during which the taxi stops to load a customer when the taxi is hailed.

PART 5 - GENERAL PROVISIONS

Severability

75 Each provision of this Bylaw is intended to be independent of and severable from its other provisions so that the invalidity of any portion of the Bylaw does not affect the validity or enforceability of any other portion.

Offences and penalties

76 (1) A person who violates a provision of this Bylaw is guilty of an offence and is subject to the penalties imposed by this Bylaw and the *Offence Act*.

(2) The minimum penalty for a violation of a provision of

(a) Part 2 is a fine of $52.50;

(b) Part 3 is a fine of $112.50;

(c) Part 4 is a fine of $75.00.

(3) The maximum penalty for a violation of Part 4 and for the making of a false statement or entry in an application, record, or document that is made, kept, or produced under Part 4 is a fine of $200.00.

(4) An offence notice may be delivered to another person by a police officer or by a person who is authorized by or under a resolution of the Council if that police officer or authorized person has reason to believe that the other person has committed an offence under this Bylaw.

(5) An offence notice may be delivered

(a) by giving it to or by sending it by prepaid registered mail to the person believed to have committed an offence; or
(b) for Parts 3 and 4, by leaving it on the vehicle involved.

(6) An offence notice may indicate the alleged offence and the amount of the voluntary penalty that may be paid to the City for the alleged offence.

(7) A prosecution must not be started for an offence described in an office notice if a voluntary penalty is paid in compliance with this Bylaw before an information is sworn and a Summons is issued.

(8) The voluntary penalty for a violation of a provision of Part 2 is
   (a) $25.00 if paid within 14 days from the date of the offence notice;
   (b) $37.50 if paid after 14 days but within 45 days of the date of the offence notice;
   (c) $52.50 if paid after 45 days from the date of the offence notice.

(9) The voluntary penalty for a violation of a provision of Part 3 is
   (a) $85.00 if paid within 14 days from the date of the offence notice;
   (b) $97.50 if paid after 14 days but within 45 days of the date of the offence notice;
   (c) $112.50 if paid after 45 days from the date of the offence notice.

(10) The voluntary penalty for a violation of a provision of Part 4 is
    (a) $50.00 if paid within 14 days from the date of the offence notice;
    (b) $60.00 if paid after 14 days but within 45 days of the date of the offence notice;
    (c) $75.00 if paid after 45 days from the date of the offence notice.

Repeal

77 Bylaw No. 96-27, the Vehicles For Hire Bylaw, is repealed.

READ A FIRST TIME the 10TH day of JULY 2003.

READ A SECOND TIME the 10TH day of JULY 2003.

READ A THIRD TIME the 10TH day of JULY 2003.
ADOPTED on the 24th day of JULY 2003.

“ROBERT G. WOODLAND”
CORPORATE ADMINISTRATOR

“ALAN LOWE”
MAYOR
Schedule A

Boundaries for Pedicab Area of Operation

The following area is that within which a pedicab may be operated under section 10 of this Bylaw:

(a) starting at the intersection of the westerly extension of the north boundary of Pembroke Street with the high water mark at the Inner Harbour;
(b) then along the extension of the north boundary and the north boundary of Pembroke Street to its intersection with the west boundary of Douglas Street;
(c) then along the west boundary of Douglas Street to its intersection with the south boundary of Fort Street;
(d) then along the south boundary of Fort Street to its intersection with the east boundary of Douglas Street;
(e) then along the east boundary of Douglas Street to its intersection with the north boundary of Pembroke Street;
(f) then along the north boundary of Pembroke Street to its intersection with the west boundary of Blanshard Street;
(g) then along the west boundary of Blanshard Street to its intersection with the south boundary of Fort Street;
(h) then along the south boundary of Fort Street to its intersection with the east boundary of Blanshard Street;
(i) then along the east boundary of Blanshard Street to its intersection with the north boundary of Caledonia Avenue;
(j) then along the north boundary of Caledonia Avenue to its intersection with the east boundary of Cook Street;
(k) then along the east boundary of Cook Street to its intersection with the north boundary of Yates Street;
(l) then along the north boundary of Yates Street to its intersection with the west boundary of Harrison Street;
(m) then along the extension of the west boundary of Harrison Street to its intersection with the south boundary of Fort Street;
(n) then along the south boundary of Fort Street to its intersection with the east boundary of Joan Crescent;
(o) then along the east boundary of Joan Crescent to its intersection with the north boundary of Rockland Avenue;
(p) then along the north boundary of Rockland Avenue to its intersection with the east boundary of St. Charles Street;
(q) then along the east boundary of St. Charles Street and its southerly extension to its intersection with the high water mark of Ross Bay;

(r) then continuously following the present high water mark, starting in a westerly direction, to the starting point.

Map for Pedicab Area of Operation
Schedule B

Map for Horsedrawn Vehicle Area of Operation
Schedule C

Sightseeing Vehicle Licence Holders

Part 1 – Non-horsedrawn

A to B Discount Tours, a business carried on by Charles Khouri and Anna Maria DeLuca
Action Tours, a business carried on by Lorna J. McLachlan
British Double Decker Tours Ltd.
Gray Line of Victoria Ltd.
Marguerite Tours Ltd.
Royal Blue Line Motor Tours Ltd.
Seagull Expeditions Ltd.
Victoria Tours Ltd.

Part 2 – Horsedrawn Vehicles

1. In this Schedule,

   (a) “carriage” means a horsedrawn sightseeing vehicle that is pulled by no more than one horse, and which has a maximum seating capacity of 6 passengers;

   (b) “wagon” means a horsedrawn sightseeing vehicle that is pulled by no more than 2 horses, and which has a maximum seating capacity of 15 passengers.

2. The sightseeing licence holders, of horsedrawn sightseeing vehicles, listed in the first column below at any one time must not operate more sightseeing vehicles, or a different type or size of sightseeing vehicle, than those set out in the second column below:

<table>
<thead>
<tr>
<th>Operator</th>
<th>Restriction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black Beauty Line Victorian Carriage Tours Ltd.</td>
<td>6 horsedrawn vehicles, up to 4 of which may be either carriages or wagons</td>
</tr>
<tr>
<td>Capital City Tally-Ho Sightseeing Company (1980) Ltd.</td>
<td>6 horsedrawn vehicles, up to 4 of which may be either carriages or wagons</td>
</tr>
<tr>
<td>Victoria Single Horse Drawn Carriage Tours Inc.</td>
<td>6 horsedrawn vehicles, up to 4 of which may be either carriages or wagons</td>
</tr>
</tbody>
</table>
Schedule D

Horsedrawn Sightseeing Vehicle Parking Stands

1. Parking stands for horsedrawn sightseeing vehicles are located in the areas described in the second column of the table below, and must be alternated daily among the sightseeing licence holders listed in the first column:

<table>
<thead>
<tr>
<th>Licence Holder</th>
<th>Parking Stand Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black Beauty Line Victorian Carriage Tours Ltd.</td>
<td>the west side of Menzies Street, a distance of 25 m measured southerly from a point 4.9 m south of the south property line of Belleville Street</td>
</tr>
<tr>
<td>Capital City Tally-Ho Sightseeing Company (1980) Ltd.</td>
<td>the east side of Menzies Street, a distance of 25 m measured southerly from a point 18.3 m south of the south property line of Belleville Street</td>
</tr>
<tr>
<td>Victoria Single Horse Drawn Carriage Tours Inc.</td>
<td>the west side of Menzies Street, a distance of 25 m measured southerly from a point 29.9 m south of the south property line of Belleville Street</td>
</tr>
</tbody>
</table>

2. A person who sells or advertises tickets for sale for a licence holder for a horsedrawn sightseeing vehicle must alternate locations daily in accordance with the daily alternating of parking stands used by that licence holder.

3. The licence holder occupying the northerly most parking stand on the west side of Menzies Street may sell or advertise tickets for sale only on the sidewalk on the north side of Belleville Street a distance of 21.7 m measured westerly from the northerly lateral extension of the east property line of Menzies Street.

4. The licence holder occupying the southerly most parking stand on the west side of Menzies Street may sell or advertise tickets for sale only on the sidewalk on the southwest corner of the intersection of Belleville and Menzies Streets at least 1.5 m from that part of the street that is used for vehicles.

5. The licence holder occupying the parking stand on the east side of Menzies Street may sell or advertise tickets for sale only on the sidewalk on the southeast corner of the intersection of Belleville and Menzies Streets at least 1.5 m from that part of the street that is used for vehicles.
## Schedule E

### Motor Sightseeing Vehicle Parking Stands

<table>
<thead>
<tr>
<th>Licence Holder</th>
<th>Purpose</th>
<th>Parking Stand Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gray Line of Victoria Ltd., British Double Decker tours Ltd., Marguerite Tours Ltd., Victoria Tour Ltd.</td>
<td>Loading and Unloading of Passengers</td>
<td>The east side of Government Street, a distance of 21.4 m measured northerly from a point 68.4 m north of the north property line of Belleville Street</td>
</tr>
<tr>
<td>Royal Blue Line Motor Tours Ltd.</td>
<td>Loading and Unloading of Passengers</td>
<td>The north side of Belleville Street, a distance of 11.0 m measured westerly from a point 30.5 m west of the northerly lateral extension of the west property line of Menzies Street</td>
</tr>
</tbody>
</table>

**Parking Stand C**

Unloading of Passengers

The south side of Humboldt Street, a distance of 21.4 m measured easterly from a point 16 m east of the east property line of Government Street.

**Parking Stand D**

Loading and Unloading of Passengers

The east side of Government Street, a distance of 21.4 m measured northerly from a point 39.5 m north of the north property line of Belleville Street.

**Parking Stand E**

Loading and Unloading of Passengers

The north side of Belleville Street, a distance of 11.0 m measured westerly from a point 59.7 m west of the northerly lateral extension of the west property line of Menzies Street.

From May through September in each year, Parking Stand C may be used for the loading and unloading of passengers by any licensed sightseeing vehicle providing cruise ship passenger service.