

**CITY OF PRINCE GEORGE**  
**BYLAW NO. 7459**

**A Bylaw to amend “Business License Bylaw No. 6279, 1995”**

**WHEREAS** pursuant to the authority granted to it under the *Municipal Act* (now *Local Government Act*) Council of the City has enacted “Business License Bylaw No. 6279, 1995” to authorize the issuance of business licences and to regulate businesses within the City of Prince George;

**AND WHEREAS** pursuant to Section 36(11) of the *Motor Vehicle Act*, RSC 1996, Chapter 318, the council of a municipality may by bylaw provide for the regulation of chauffeurs in the municipality and for the issue of permits to chauffeurs by the chief of police;

**AND WHEREAS** it is deemed desirable to amend City of Prince George Business License Bylaw No. 6279, 1995 to regulate chauffeurs in the municipality and to provide for the issue of permits to chauffeurs by the chief of police.

**NOW THEREFORE** the Council of the City of Prince George, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. That Part 1 – Introductory Provisions of Business License Bylaw No. 6279, 1995, be amended by adding number 1.1 as the number of the first section of Part 1.
2. That Part 1 – Introductory Provisions of Business License Bylaw No. 6279, 1995, be amended by adding, in appropriate alphabetical order, the following definitions:

**Chauffeur** means a person who drives or has control of a Taxicab or Limousine whether or not the Taxicab or Limousine is in motion.

**Chauffeur’s Permit** means a permit issued by the Chief of Police required to be held by a Chauffeur pursuant to the provisions of this Bylaw and the *Motor Vehicle Act* of British Columbia.

**Chief of Police** means the appointed Officer in Charge of the Prince George City Detachment of the Royal Canadian Mounted Police, or his or her designate.

**Hire** means a fare, toll, fee or rate charged or collected from any person for the transportation of a person or persons or chattels of persons.

**Limousine** means any motor vehicle that is licensed under the laws of the Province of British Columbia and this Bylaw for the transportation of passengers for Hire and has not less than 4 doors and a Seating Capacity for not less than 6 and not more than 10 passengers including the driver.

**Seating Capacity** means the rated passenger load assigned to a vehicle as shown on the vehicle registration.

**Taxicab** means any motor vehicle that is licensed under the laws of the Province of British Columbia and this Bylaw for the transportation of passengers for Hire and has not less than 4 doors and a Seating Capacity for not less than 4 and not more than 6 passengers including the driver.

3. That Section 3.9(h) of Business License Bylaw No. 6279, 1995, be deleted and replaced with the following:

3.9(h) Regulation of Chauffeurs and Chauffeur's Permits:

- (i) No person shall drive, operate or be in charge of a Taxicab or Limousine for Hire pursuant to this Bylaw unless that person is the holder of a valid and subsisting Chauffeur's Permit.
- (ii) Any person who is driving, operating or apparently in charge of a Taxicab or Limousine for Hire shall produce for inspection his or her Chauffeur's Permit when requested to do so by a police officer.
- (iii) Every person who wishes to apply for a Chauffeur's Permit pursuant to this Bylaw and the *Motor Vehicle Act* of British Columbia shall deliver in person to the Chief of Police a written application and other documents in the form and with the content referred to in Part 1 of Schedule "D" to this Bylaw, together with the then current fee charged by the R.C.M. Police for a criminal record check.
- (iv) Upon receipt of an application for a Chauffeur's Permit as set out in this Bylaw the Chief of Police will decide whether or not to issue the Chauffeur's Permit on the basis of the criteria set forth in Part 2 and Part 3 of Schedule "D" to this Bylaw.

- (v) If the Chief of Police refuses an application for a Chauffeur's Permit, the Chief of Police shall within twenty four (24) hours after such refusal send a written notice stating the grounds for the refusal to:
    - (A) the applicant for that Chauffeur's Permit; and
    - (B) the owner or lessee of the Taxicab or Limousine that signed the application for that Chauffeur's Permit.
  - (vi) The Chief of Police may at any time suspend or cancel a Chauffeur's Permit on the basis of the criteria set forth in Part 2 or Part 3 of Schedule "D" to this Bylaw.
  - (vii) If the Chief of Police suspends or cancels a Chauffeur's Permit, the Chief of Police shall within twenty four (24) hours after such suspension or cancellation send a written notice stating the grounds for the suspension or cancellation to:
    - (A) the holder of that Chauffeur's Permit; and
    - (B) the owner or lessee of the Taxicab or Limousine that signed the application for that Chauffeur's Permit.
  - (viii) The applicant for a Chauffeur's Permit that has been refused by the Chief of Police, or the holder of the Chauffeur's Permit that has been suspended or cancelled by the Chief of Police, may appeal the decision of the Chief of Police to City Council.
  - (ix) Every person holding a Chauffeur's Permit under this Bylaw shall within ten (10) days after changing his or her residential address notify the Chief of Police in writing of his or her new residential address.
  - (x) Every person holding a Chauffeur's Permit under this Bylaw shall comply with all applicable provisions of this and all other Bylaws of the City.
  - (xi) Chauffeur's Permits issued under the provisions of this By-law shall be issued so as to expire on the 31<sup>st</sup> day of March next succeeding the date of issue.
4. That Schedule attached to this Bylaw be added as Schedule "D" to Business License Bylaw No. 6279, 1995.
5. This Bylaw may be cited for all purposes as "Business License Bylaw No. 6279, 1995, Amendment Bylaw No. 7459, 2003.

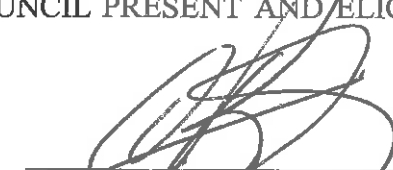
READ A FIRST TIME THE 6<sup>th</sup> DAY OF January, 2003


READ A SECOND TIME THE 6<sup>th</sup> DAY OF January, 2003

READ A THIRD TIME THE 6<sup>th</sup> DAY OF January, 2003

All three readings passed by a unanimous decision of Members of City Council present and eligible to vote.

ADOPTED THE 3<sup>rd</sup> DAY OF February 2003 BY A unanimous DECISION OF ALL MEMBERS OF CITY COUNCIL PRESENT AND ELIGIBLE TO VOTE.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

**PART 1 SCHEDULE "D"**  
**APPLICATION FOR CHAUFFEUR'S PERMIT**

**TO: OIC PRINCE GEORGE DETACHMENT  
 ROYAL CANADIAN MOUNTED POLICE  
 999 BRUNSWICK STREET  
 PRINCE GEORGE, B. C. V2L 2C3**

The undersigned hereby applies for a Chauffeur's Permit supported by the following information:

Surname: \_\_\_\_\_ Given 1: \_\_\_\_\_ Given 2: \_\_\_\_\_

Maiden/Other name(s) used: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth \_\_\_\_ / \_\_\_\_ / \_\_\_\_ / Place of Birth: \_\_\_\_\_  
                   Yr     Mo     Day

If foreign born, arrival date in Canada: \_\_\_\_\_

Have you, the applicant, been charged with any criminal offences, whether convicted or not, during the last five (5) years preceding this application? No \_\_. Yes \_\_. If yes, list all the charges on the back of this page.

**Next of Kin Information**

Surname: \_\_\_\_\_ Given 1: \_\_\_\_\_ Given 2: \_\_\_\_\_

Address: \_\_\_\_\_

Relationship to Applicant: \_\_\_\_\_

**Offer/Confirmation of Employment**

Applicant may be offered employment with, or is presently employed by: \_\_\_\_\_

Signature of Company Representative: \_\_\_\_\_

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Date Signed

Submit Application in person, along with the following:

- (a) two (2) *passport type* photographs of the applicant that are not older than 90 days and that are not larger than 3/4" x 3/4" (these are "not" standard passport photo size),
- (b) one (1) photocopy of the applicant's Driver's Licence; and
- (c) the then current fee charged by the R.C.M. Police for a criminal record check of the applicant.

**PART 2 SCHEDULE "D"****CRITERIA REGARDING REFUSAL, SUSPENSION OR CANCELLATION OF A CHAUFFEUR'S PERMIT**

2.01 For the purposes of this Schedule "D":

"Criminal Code" means the *Criminal Code*, R.S. 1985, c. C-46, as may be amended or replaced from time to time.

"Driver's Licence" means a driver's licence issued pursuant to, or an equivalent licence recognized under, the *Motor Vehicle Act* of the Province of British Columbia.

"Hazardous Moving Violation" means an offence under the *Motor Vehicle Act*, or under the *Motor Vehicle Act Regulations*, in regard to one or more of the sections specified in Part 3 of Schedule "D" to this Bylaw.

"Motor Vehicle Act" means the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, as may be amended or replaced from time to time.

"Motor Vehicle Act Regulations" means *Motor Vehicle Act Regulations*, B.C. Reg. 26/58, as may be amended or replaced from time to time.

"Roadside Suspension" means a 24 hour driving prohibition issued under Section 215 of the *Motor Vehicle Act*.

"Safe Driving Course" means a safe driving course offered by one or more organizations that have been designated for the purpose of this Bylaw from time to time by the Chief of Police.

2.02 The application for a Chauffeurs' Permit will be refused if it is not fully completed and submitted in person by the applicant along with:

- (a) two (2) *passport type* photographs of the applicant that are not older than one year and that are not larger than 2 cm x 2 cm,
- (b) one (1) photocopy of the applicant's Driver's Licence, and
- (c) the then current fee charged by the R.C.M. Police for a criminal record check.

2.03 The application for a Chauffeur's Permit will be refused if it is not signed by:

- (a) the applicant, and
- (b) the person offering or confirming employment of the applicant.

2.04 The application for a Chauffeur's Permit will be refused if the applicant is not over the age of nineteen 19 years at the date the application.

- 2.05 The application for a Chauffeur's Permit will be refused, or the Chauffeur's Permit will be suspended or cancelled, if the applicant or holder of the Chauffeur's Permit, is not the holder of a valid and subsisting Driver's Licence of Class 1, 2 or 4, or any combination of these.
- 2.06 Subject to section 2.07, the application for a Chauffeur's Permit will be refused, or the Chauffeur's Permit will be suspended or cancelled, if the driving record of the applicant or holder of the Chauffeur's Permit includes:
- (a) any driving offence pursuant to the *Criminal Code* of Canada during the preceding five (5) years;
  - (b) more than five (5) Hazardous Moving Violations during the preceding five (5) years; or
  - (c) more than one (1) Roadside Suspension during the preceding three (3) years.
- 2.07 Notwithstanding section 2.06, if the driving record of the applicant or holder of the Chauffeur's Permit includes six (6) or seven (7) Hazardous Moving Violations during the preceding five (5) years, the applicant or holder of the Chauffeur's Permit will be given the opportunity to attend a Safe Driving Course. If the applicant or holder of the Chauffeur's Permit successfully completes the safe driving course and is otherwise entitled to a Chauffeur's Permit under this Bylaw, the Chief of Police, on proof to his or her satisfaction of the successful completion of the Safe Driving Course, may issue a Chauffeur's Permit on the condition that it will be cancelled if the holder receives another Hazardous Moving Violation at any time when the holder already has five (5) Hazardous Moving Violations in the preceding five (5) years.
- 2.08 If the driving record of the applicant or holder of the Chauffeur's Permit includes four (4) or five (5) Hazardous Moving Violations during the preceding five (5) years, the Chief of Police will send a warning letter to:
- (a) the applicant for that Chauffeur's Permit; and
  - (b) the owner or lessee of the Taxicab or Limousine that signed the application for that Chauffeur's Permit.

- 2.09 The application for a Chauffeur's Permit may be refused, or the Chauffeur's Permit may be suspended or cancelled, if the Chief of Police, on proof to his or her satisfaction, believes that the applicant or holder of the Chauffeur's Permit is unfit to act as a Chauffeur because the criminal record of the applicant or holder of the Chauffeur's Permit includes any:
- (a) violence in a relationship;
  - (b) sexual assault;
  - (c) assault; or
  - (d) drug trafficking.
- 2.10 The application for a Chauffeur's Permit may be refused, or the Chauffeur's Permit will be suspended or cancelled, if the Chief of Police, on proof to his or her satisfaction, believes that the applicant or holder of the Chauffeur's Permit is unfit to act as a Chauffeur because of:
- (a) a history of mental instability;
  - (b) substance abuse, including alcohol or narcotic; or
  - (c) any other reason.



**PART 3 SCHEDULE "D"****HAZARDOUS MOVING VIOLATIONS****MOTOR VEHICLE ACT**

[RSBC 1996] CHAPTER 318

*[Updated to November 5, 2001]***SECTION TITLE**

54.....	Permitting passengers on motorcycles
55.....	Operating motorcycle
73.....	Failing to stop and state name
95.....	Driving while prohibited
102.....	Driving while prohibited by court order or operation of law
121.....	Construction and maintenance vehicles
123.....	Police traffic direction
125.....	Obedying traffic controls
129.....	Red light
131.....	Flashing lights
132.....	Pedestrian controls
134.....	Lane direction control signals
140.....	Obedience to speed signs
141.....	Obedying flagger
144.....	Careless driving prohibited
146.....	Speed limits
147.....	Schools and playgrounds
148.....	Excessive speeding
149.....	Meeting school bus
151.....	Driving on laned roadway
154.....	Passing when meeting vehicle
155.....	Highway lines
157.....	Duty when overtaking
158.....	Passing on right
159.....	Passing on left
160.....	Clear view on passing
162.....	Following too closely
163.....	Divided highways
164.....	Entering controlled access highway
165.....	Turning at intersections
166.....	Turning left other than at intersection
167.....	Turning right other than at intersection

**MOTOR VEHICLE ACT (con't)**

[RSBC 1996] CHAPTER 318

*[Updated to November 5, 2001]***SECTION TITLE**

168.....	Reverse turn
169.....	Starting vehicle
170.....	Signals on turning
173.....	Yield signs
175.....	Entering through highway
176.....	Emerging from alleys
177.....	Approach of emergency vehicle
181.....	Duty of driver
183.....	Rights and duties of operator of cycle
185.....	Railway crossings
186.....	Stopping at intersections
193.....	Caution in backing vehicle
195.....	Requirements for moving vehicle
198.....	Following fire vehicle
200.....	Driving on sidewalk
224.....	Driving with more than 80 milligrams of alcohol in blood

**MOTOR VEHICLE ACT  
REGULATIONS**

B.C. Reg. 26/58

*[includes amendments up to B.C. Reg. 304/2001]*

Division 7A — Noise from Motor Vehicles

**SECTION TITLE**

7A.01.....	Prohibition
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