



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 154-97

A By-law to add a schedule for Pedicabs  
to the Licensing By-law 15-91

The Council of The Corporation of the City of Brampton hereby Enacts as follows:

1. By-law 15-91 is hereby amended as follows:

- (1) Section 1 of By-law 15-91 be amended to include the definition of pedicab between the definitions of "pawnbroker" and "person" as follows:

"Pedicab" means a vehicle drawn, propelled or driven by human muscular power and includes a rickshaw, but does not include a bicycle as defined in the *Highway Traffic Act*.

- (2) Section 2 be amended by adding as subsection 35:

(35) "every owner or driver of a pedicab"

- (3) Section 1 Definitions be amended in the definition of "passenger" after the word "vehicle" add the word "pedicab".

- (4) The attached Schedule 1 is added as Schedule 35 to by-law 15-91.

Read a First, Second and Third time and Passed in Open Council, this 23rd day of June, 1997.

The Corporation of the City of Brampton

Peter Robertson

Mayor

Leonard J. Mikulich

Clerk

APPROVED  
AS TO FORM  
LAW DEPT  
BRAMPTON  
  
DATE 08/07/97

**SCHEDULE 1 TO BY-LAW 154-97**

**SCHEDULE 35 TO BY-LAW 15-91**

**Relating to Owners and Drivers of Pedicabs**

1. In this Schedule:
  - (1) "Driver" means an individual person who operates, drives, pulls or otherwise draws a pedicab and includes an owner who operates, drives, pulls or otherwise draws a pedicab;
  - (2) "Owner" means a person who owns a pedicab or pedicabs licensed as such or required to be licensed as such under this By-law;
2. Every driver and every owner shall at all times when operating a pedicab have his or her name, together with a photograph of his or her person, affixed in a place on the pedicab in such a manner as may be approved by the Licence Issuer so that such name and photograph are plainly visible to and readable by any passenger of the pedicab.
3.
  - (1) Every licence issued to an owner is valid only for such owner and no owner's licence may be transferred, leased or sold.
  - (2) Subject to s.5 of this Schedule, where any pedicab is sold, or where the owner of any pedicab gives up, transfers, leases or otherwise parts with possession or control or the right to possession or control of such pedicab, the licence and plate issued in respect of the pedicab shall be terminated.
  - (3) Every owner who sells a pedicab shall notify the Licence Issuer of the sale within ten (10) days after such sale, and shall within the same period surrender the licence and plate issued in respect of such pedicab to the Licence Issuer.
4. No owner shall permit any person other than himself, herself or a driver employed or otherwise retained by such owner to operate the pedicab or to make it available to the public for hire.
5.
  - (1) Every owner shall, in respect of each pedicab for which a licence is held, obtain, maintain and pay for a liability insurance policy to cover the offering and operating of pedicabs for hire with a limit of not less than \$2 million combined bodily injury, death and property damage, exclusive of costs and interest, for any one accident or occurrence.
  - (2) The policy referred to in subsection (1) shall be endorsed to the effect that the Licence Issuer will be given ten (10) days' notice in writing of any cancellation, expiration, variation or suspension of the policy or of any reduction in the amount of coverage under the policy.
  - (3) Every owner shall ensure that the Licence Issuer receives notice of any change respecting the insurance policy as referred to in subsection (2).
6.
  - (1) Every owner shall produce for inspection by staff of the Licence

Issuer, a copy of such owner's insurance policy whenever an application for, or a renewal of, a licence is made and the Licence Issuer shall note the name of the insurer, the amount of coverage and the policy number in the owner's file at the City of Brampton.

- (2) Every owner shall ensure that the driver of such owner's pedicab carries and every such driver shall carry a certificate or other proof of insurance as provided by the insurer, at all times while the vehicle is hired or available for hire and will produce for inspection such certificate or other proof of insurance to an inspector or peace officer upon request.
7. No owner or driver shall operate or permit to be operated or made available for hire any pedicab unless it is:
  - (1) clean and in good repair as to its exterior;
  - (2) clean, dry and in good repair as to its interior; and
  - (3) free from mechanical defects.
8. No owner shall permit such owner's pedicab to be hired or made available for hire and no driver shall operate such pedicab unless it is equipped with both front and rear reflective devices in good working condition and satisfactory to the Licence Issuer.
9.
  - (1) No owner or driver shall permit more than two persons to be passengers in a pedicab at any time.
  - (2) Notwithstanding subsection (1), an owner or driver may permit a third person to be a passenger in a pedicab provided such person is twelve (12) years of age or younger.
10. Every driver of a pedicab shall be properly dressed, neat and clean in his or her person, and be civil and well-behaved whenever the pedicab is hired or made available for hire and such driver shall not make any loud noise or disturbance.
11. No owner or driver shall permit a pedicab to obstruct the roadway or the sidewalk either while such pedicab is hired or available for hire.
12. Every owner shall, for each pedicab for which such owner holds a licence, affix and maintain a sign in a place in the pedicab approved by the Licence Issuer that is plainly readable by any passenger in or near the pedicab, which indicates all rates or fares to be charged for the hiring of the pedicab and their method of calculation including whether such charges are to be per passenger.
13. Every owner or driver shall give a passenger a receipt showing the owner's name, licence or plate number and the driver's name and licence number whenever requested or where there is a dispute over the fare.
14.
  - (1) Every owner shall file with the Licence Issuer a schedule of all the rates or fares to be charged for the hiring of the pedicab which schedule shall include the same rates and fares as referred to in this schedule.

- (2) A schedule of rates filed with the Licence Issuer by an owner may not be altered or amended without the consent of the Licence Issuer or unless notice in writing setting out the amended rates is given to the Licence Issuer at least thirty (30) days before such rates come into effect.
  - (3) No owner or driver shall demand or request payment for services other than in accordance with the schedule of rates filed with the Licence Issuer.
15. No owner or driver shall take, consume or have in his or her possession any liquor while he or she is in charge of a pedicab, nor shall the use of liquor by him or her be apparent while he or she is in charge of any such pedicab.
16. Every owner shall ensure that the driver of such owner's pedicab carries personal identification of himself or herself which shall include a photograph, at all times while the vehicle is hired or available for hire and will produce for inspection such identification to an inspector or peace officer upon request.
17. Any licence issued under this schedule of By-law 15-91 is limited to the geographic boundaries as follows:
  - (1) Highway 7 to South, Central Park Drive to the West and to the North and Bramalea Road to the East, but does not include any part of the above-noted bounding highways.