

VEHICLES FOR HIRE BYLAW, AMENDMENT BYLAW (NO. 16)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Vehicles for Hire Bylaw to require development of safety procedures as a requirement of pedicab licensing, increase the number of available pedicab licences, restrict the number of pedicab licences that can be held or managed by one person, and require a business name to be prominently displayed on each pedicab.

Under its statutory powers, including sections 8 and 36 of the *Community Charter*, section 637 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*, and section 9 of the *Victoria City Act, 1934*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "Vehicles for Hire Bylaw, Amendment Bylaw (No. 16)."

Amendments

- 2 Bylaw No. 03-60, the Vehicles for Hire Bylaw, is amended as follows:

- (a) by adding the following new subsection (6) to section 3:

"(6) Before issuing or renewing a sightseeing vehicle licence in respect of a pedicab, the applicant or sightseeing vehicle licensee must demonstrate to the satisfaction of the Licence Inspector that the applicant or sightseeing vehicle licensee has procedures in place to ensure that persons operating the pedicab will do so in a safe manner.",

- (b) in section 12(1), by striking out "28" and substituting "46",

- (c) by adding the following new section 12A immediately after section 12:

"Restriction on the number of licences held

12A (1) Subject to subsection (2), a person may manage a maximum of 15 sightseeing vehicle licences issued in respect of pedicabs.

(2) A person may manage more sightseeing vehicle licences than permitted under subsection (1) if

- (a) the person managed those sightseeing vehicle licences on January 1, 2016, and
- (b) the person has not suspended or discontinued management of those sightseeing vehicle licences.

- (3) For the purposes of this section, a person is deemed to manage a sightseeing vehicle licence if the person, directly or indirectly,
 - (a) holds the licence,
 - (b) has a financial interest in the entity that holds the licence, or
 - (c) manages the operation of a pedicab in respect of which the sightseeing vehicle licence is issued under an agreement with the person or entity that holds the licence.
- (4) For certainty, the person who qualifies under subsection (2) may not increase the number of sightseeing vehicle licences he or she manages above the number of sightseeing vehicle licences managed when this section came into force.”, and
- (d) in section 13(1), by repealing paragraph (c) and substituting the following new paragraph:
 - “(c) select, in accordance with the procedure in section 13A, from the persons who have submitted their names pursuant to paragraph (b), persons who may apply for a business licence to transport passengers in a pedicab.”
- (e) by adding the following new section 13A immediately after section 13:

“Selection procedure

 - 13A (1) Subject to subsection (4), the Licence Inspector will randomly select one person from the persons who have submitted their names pursuant to section 13.
 - (2) Subject to sections 12(1) and 12A, the person selected under subsection (1) will be entitled to apply for up to six business licences to transport passengers in a pedicab every time his or her name is selected and will, at the time of the selection, inform the Licence Inspector as to the number of licences he or she wishes to apply for.
 - (3) The Licence Inspector will deduct the number of licences that a person selected indicated he or she wishes to apply for from the number of available licences and will continue selecting persons in accordance with subsections (1) and (2) until all available licences have been allocated.
 - (4) The Licence Inspector will remove from the selection pool, the name of any person who is already entitled to apply for the maximum number of licences allowed under section 12A.”
- (f) by adding the following new section 18A immediately after section 18:

“Displaying name on pedicab

- 18A A person must not transport passengers in a pedicab unless the trade name of the sightseeing vehicle licensee or the trade name of the entity that manages the operation of the pedicab under a third party operator agreement is visibly and legibly displayed on the pedicab.”

READ A FIRST TIME the	23rd	day of	June	2016
READ A SECOND TIME the	23rd	day of	June	2016
READ A THIRD TIME the	28th	day of	July	2016
ADOPTED on the		day of		2016

CITY CLERK

MAYOR