

## CHAPTER 112: VEHICLES FOR HIRE

### Section

#### *Licensing of Taxi-Cabs*

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#### ***Cross-reference:***

*Fees, Charges, and Rates, see Ch. 34*

*General Licensing Procedures, see Ch. 110*

### ***LICENSING OF TAXI-CABS***

#### **§ 112.01 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***OPERATOR.*** Any person owning or having control of the use of one or more taxi-cabs used for hire upon the streets or engaged in the business of operating a taxi-cab within the city.

***STREET.*** A thoroughfare which affords a principal means of access to abutting property and which has been accepted by the city as a public street.

**TAXI-CAB.** A motor vehicle regularly engaged in the business of carrying passengers for hire, having a seating capacity of no more than seven passengers, and not operated on a fixed route. Also it may include the carrying of small parcels and packages.

**TAXI-CAB DRIVER.** Any person who drives a taxi-cab, whether the person be the owner of the taxi-cab or be employed by a taxi-cab owner or operator.  
(Ord. 284, passed 9-12-85)

### **§ 112.02 LICENSE REQUIRED.**

(A) No person shall operate a taxi-cab within the city limits without having obtained a taxi-cab license thereof under the provisions of this subchapter.

(B) Each applicant for a taxi-cab license shall apply to the City Manager-Clerk for the license upon a form to be provided by the city and must comply with the following provisions of the City Council:

(1) Applicant shall be a citizen of the United States.

(2) Applicant shall be of the age of 18 years or over, and in the case of any co-partnership, firm, or corporation must be authorized to operate a taxi-cab and carry on business in accordance with the laws of the state.

(Ord. 284, passed 9-12-85) Penalty, see § 10.99

### **§ 112.03 TAXI-CAB FEES.**

The applicant for a taxi-cab license shall, before being issued the license, pay into the city treasury the designated sum annually for each and every vehicle to be licensed. The fee shall be returned to the applicant if for any reason the license is denied.

(Ord. 284, passed 9-12-85)

### **§ 112.04 EXAMINATION OF TAXI-CABS.**

(A) Prior to the granting of any license hereunder, the vehicle shall be subject to inspection by the Chief of Police in order to determine that it is in safe condition for the transportation of passengers. Examination can be at a place and by a party to be designated by Chief of Police and any costs charged by the person making the inspection (other than the Chief of Police or a police officer) shall be paid by the applicant prior to the issuance of any license hereunder.

(B) No license shall be issued unless the vehicle is determined to be in safe condition.

(C) Prior to the annual renewal of any license granted hereunder, the vehicle shall be re-examined at a place and by a party to be designated by the Chief of Police to determine that the vehicle is in safe condition for the transportation of passengers. The applicant, prior to the issuance of the renewal license, shall pay any costs charged by the person making the examination.

(D) (1) Any time when the Chief of Police is satisfied that reasonable grounds exist for believing the taxi-cab vehicle is not in a safe condition for the transportation of passengers, he or she may order a re-examination of the vehicle at a place and by a party to be designated by the Chief of Police.

(2) In the event this examination determines that the vehicle is not in a safe condition for transportation of passengers, the Chief of Police shall issue an order immediately revoking the license granted hereunder. Prior to the issuance of a new license, the licensee must produce evidence that the unsafe condition has been remedied.

(3) Re-examination of the vehicle at a place and by a party to be determined by the Chief of Police may be made in order to determine that the unsafe condition is corrected. The cost charged for any examination hereunder shall be paid by the licensee prior to the issuance of any license hereunder. (Ord. 284, passed 9-12-85)

#### **§ 112.05 TAXI-CAB DRIVERS.**

No person, including the owner or an employee of the owner, shall drive a taxi-cab within the city without first having the proper driver's license of this state for transporting passengers for hire, and without having that license upon his or her person.

(Ord. 284, passed 9-12-85) Penalty, see § 10.99

#### **§ 112.06 TAXI-CAB STANDS.**

(A) The City Council, by resolution, may designate certain portions of the city streets to be used and known as public taxi-cab stands. All portions of the city streets so designated shall be plainly marked and no vehicles other than licensed taxi-cabs shall park there. The Council, by resolution, from time to time, may designate which taxi-cab licensee or licensees may use any particular stand and may eliminate, modify, or change the location of taxi-cab stands at any time.

(B) No taxi-cabs shall park within 30 feet of any crosswalk unless that portion of the street has been designated as a taxi-cab stand.

(Ord. 284, passed 9-12-85) Penalty, see § 10.99

**§ 112.07 FARES; REGULATION.**

(A) The City Council may, by resolution, regulate minimum and maximum taxi-cab fares for all taxi-cabs licensed under this subchapter, and these regulated fares shall take effect ten days after the City Manager-Clerk has mailed copies of the resolution regarding the fares to all taxi-cab licensees. In the event that the Council does not set fares, each licensee shall file, with the City Manager-Clerk and Chief of Police, a schedule of the rates to be charged in the operation of his or her licensed taxi-cab. This schedule of rates may be amended by the licensee at any time by filing with the Manager-Clerk and with the Chief of Police an amended schedule.

(B) No licensee, driver, or employee shall charge any other rate for the carrying of passengers in any licensed taxi-cab than that set forth in the schedule set by the Council or on file with the City Manager-Clerk, and any deviation from the schedule shall be considered a violation of this subchapter. (Ord. 284, passed 9-12-85) Penalty, see § 10.99

**§ 112.08 INSURANCE REQUIRED.**

(A) Before a license shall be delivered to any operator, he or she shall deposit with the City Manager-Clerk a policy or policies of any insurance company or companies duly licensed to transact such business in this state, insuring the operator of any taxi-cab to be licensed against loss and the liability imposed by law for damages on account of bodily injuries or death, or for damages to property resulting from the ownership, maintenance, or use of any taxi-cab to be owned or operated under that license, and agreeing to pay any judgment creditor to the extent of the amount specified in the policy, any final judgment rendered against the insured by reason of that liability. The policy or policies shall be approved by the City Attorney as to form and compliance with this subchapter. The limit in any such insurance policy of liability of the insurer on account of the ownership, maintenance, and use of the taxi-cab shall not be less than \$100,000 for bodily injuries to or death of one person and \$300,000 on account of any one accident resulting in injuries to and/or death of more than one person, and a total of \$50,000 liability for damage to property of others, arising out of any one accident. The insurance policy that conforms with this section must be kept in full force and effect at all times a license is issued hereunder.

(B) The licensee shall keep the City Manager-Clerk informed at all times as to his or her insurance carrier and insurance agent. The City Manager-Clerk shall have the right from time to time to verify with the insurance agent the existence of an insurance policy that conforms with the requirements set forth in division (A) above. If the Manager-Clerk should determine that the insurance policy does not exist or that the agent supplied by the licensee is not the correct one carrying his or her present policy,

then any license granted hereunder shall be immediately revoked by the Manager-Clerk upon mailing a notice of revocation of the license to the last known address of the applicant. No license shall be reissued hereunder until the applicant produces satisfactory evidence that he or she is maintaining an insurance policy in conformance with this section.

(Ord. 284, passed 9-12-85)

**§ 112.09 VIOLATIONS.**

Any person violating the provisions of this subchapter shall be guilty of a misdemeanor and shall upon conviction thereof be punished as provided in § 10.99.

(Ord. 284, passed 9-12-85)

**§ 112.10 REVOCATION OF LICENSE.**

In addition to any other penalties or remedies provided herein, whenever the City Manager-Clerk determines that any licensee has violated any of the provisions of this subchapter or has failed to cooperate in the enforcement of this subchapter, he or she shall suspend the license granted hereunder by mailing by certified mail a notice of suspension to the licensee stating the basis for the suspension, including supporting facts.

(Ord. 284, passed 9-12-85)

