

**Chapter 16 -- TAXICABS\*****Sec. 16-1. Definitions.**

In this chapter, unless otherwise provided, the following shall have the meaning indicated:

**Cab** means a taxicab as herein defined.

**Driver** means the driver of a taxicab.

**Operator** means a person operating a taxicab service which receives and discharges passengers for hire, with or without baggage, in the city, and the operator of a jitney service as defined by general law. The term shall not apply to a person whose service is wholly within the jurisdiction of the state public service commission or the interstate commerce commission.

**Taxicab** means any motor vehicle used by an operator in providing taxicab service, excluding vehicles which are subject to regulation by the state public service board or the interstate commerce commission, except when such vehicles are engaged in rendering services not regulated by the board of commission.

**Sec. 16-2. License required; fee; limitations.**

(a) It shall be unlawful to be an operator of a taxicab service in the city without first having procured a taxicab operator's license in accordance with the applicable provisions of this chapter.

(b) Before a taxicab operator's license is issued, the application therefor shall be referred to the chief of police for investigation.

(c) A person shall not be eligible for a taxicab operator's license, if he or any stockholder thereof, has been convicted, within the previous five (5) years of a felony, or has been convicted of three (3) moving motor vehicle violations within the past five (5) years. The applicant shall also satisfy the chief of police that the vehicle or vehicles to be used in providing taxicab service are in good mechanical condition, are suitable for the purpose of transporting passengers, and in all respects comply with the requirement of the state law.

(d) There will be annual license fees to be paid by the operator for the first cab operated and for each additional cab operated. The fees for the license shall be designated by the city council and upon adoption of the rates the council shall publish in the local newspaper the rate changes thirty (30) days prior to the effective date of the rate changes. (Ord. No. 1983-1, 1-13-83, Ord. No. 1989-4, 6-6-89, Ord. No. 1993-6, 1-2-94, Ord. No. 2005-1, 8/18/05)

**Sec. 16-3. Driver's license required; limitation.**

(a) It shall be unlawful for a person to drive a taxicab, while carrying passengers for hire, unless he has a taxicab driver's license procured.

(b) Before a taxicab driver's license is issued, the application therefor shall be referred to the chief of police for investigation.

(c) A taxicab driver's license shall not be issued to a person who while driving a motor vehicle has been involved in an accident or collision which occurred through his fault or negligence, which resulted in:

(1) Property damage of more than one thousand dollars (\$1,000) or

(2) Personal injury requiring more than (2) days hospitalization for any person involved in the accident or collision, during the three (3) years immediately preceding his application for a taxicab driver's license.

(d) (1) Taxicab driver's license shall not be issued to a person who, within the two (2) years prior to the making of said application, has been convicted of a felony, driving while under the influence of alcohol or drugs, has received three motor vehicle violations, a breach of the peace for destruction of property, assaulting, beating, or striking another person, has been, two (2) or more times in the two (2) years preceding the making of the application, convicted of intoxication or whose character is not good.

(2) A taxicab driver's license shall not be renewed if the applicant for renewal has been, during the preceding license period, convicted of a felony, driving while under the influence of alcohol and/or drugs, a breach of the peace for destruction of property, assaulting, beating or striking another person, and upon being convicted of a felony, driving while under the influence of alcohol and/or drugs, or breach of peace for the destruction of property, assaulting, beating, or striking another person, said license shall be automatically suspended and shall not be reinstated or renewed except upon application for the same, and upon such application, the other applicable provisions of this ordinance shall apply, if said driver shall be convicted of intoxication during the license period, his license shall be automatically suspended for a period of thirty (30) days, and upon the expiration thereof be automatically reinstated, upon said person's second conviction of intoxication within any one license period, his said license shall automatically be suspended and shall not be reinstated or renewed except upon such application, for the same and upon such application the other applicable provision of this ordinance shall apply.

(e) Before a license is issued the applicant must demonstrate to the chief of police that he is competent to operate taxicabs which he proposes to drive, and that he is familiar with the traffic laws and provisions of this Code.

(f) The fee for a taxicab driver's license shall be designed by the city council and upon adoption of the rates the council shall publish in the local newspaper the rate changes thirty (30) days prior to the effective date of the rate changes. (Ord. No. 2005-1, 8/18/05)

(g) Other provisions of the Code notwithstanding, the clerk shall, on the recommendation of the manager or chief of police issue a temporary taxicab driver's license, which shall expire at the

end of the next regular meeting of the council. The fee for a temporary taxicab driver's license shall be designated by the city council and upon adoption of the rates the council shall publish in the local newspaper the rate changes thirty (30) days prior to the effective date of the rate changes. Not more than one temporary license shall be issued to the same person in any one calendar year. (Ord. No. 1983-1, 1-13-83; Ord. No. 1983-5, 4-13-83, Ord. No. 1989-4, 6-6-89, Ord. No. 2005-1, 8/18/05)

**Sec. 16-4. Suspension and revocation.**

Upon conviction for any offense a taxicab driver's license may be suspended by the council. If the offense is a violation of a traffic law or ordinance, the taxicab driver's license may be suspended for not more than five (5) days for a first offense, and not more than twenty (20) days for any subsequent offense. In cases of conviction for a felony, the taxicab driver's license shall be revoked.

**Sec. 16-5. Duties of drivers.**

(a) It shall be the duty of a taxicab driver to obey traffic laws and ordinances

(b) It shall be the duty of a taxicab driver to accept as a passenger any person who seeks to use the taxicab service, provided the person is not intoxicated and conducts himself in an orderly manner. No person shall be admitted to a cab occupied by a passenger unless the passenger consents.

**Sec. 16-6. Inspections.**

Every vehicle used in taxicab service in the city shall be inspected quarterly by an authorized motor vehicle inspection station, approved by the state department of motor vehicles. A taxicab shall not be operated unless the station certifies that the cab meets the requirements of state law and regulations. (Ord. 1993 -6, 1/2/94)

**Sec. 16-7. Reserved.**

**Editor's note-** Pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983, Sec. 16-7, relative to package delivery service, has been deleted.

**Sec. 16-8. Designation of cab stands.**

Other provisions of this Code notwithstanding, the council may from time to time, by resolution, designate portions of streets or parking lots as cab stands, to be used only by cabs in providing taxicab service. It shall be unlawful for a person to occupy or park a vehicle, other than a taxicab in a cab stand.

**Sec. 16-9. Reserved**

**Editor's note--** Pursuant to Ord. No. 1983-1, adopted Jan. 13, 1983, Sec. 16-9 relative to fares,

has been deleted. Formerly said section did not carry a history note, but was amended by Ord. No. 1977-1, adopted Feb. 12, 1977.

**Sec. 16-10. Violation; penalty.**

An operator who violates any provision of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars (\$100.00) for each such violation. Each day in which any such violation shall continue shall be deemed a separate offense.