



City of Grand Island

Tuesday, February 22, 2005

Council Session

Item F10

#8962 - Consideration of Amendments to Chapter 34 of the City Code Relative to Taxi Cab and Taxi Driver Permits

This item relates to the aforementioned Ordinance Item F-2.

Staff Contact: Doug Walker

ORDINANCE NO. 8962

An ordinance to amend Chapter 34 of the Grand Island City Code; to delete Article II. and Sections 34-75 through 34-81 pertaining to Taxicab Companies; to delete Article III. and Sections 34-85 through 34-98 pertaining to Taxicab Drivers' Permits; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Article II. and Sections 34-75 through 34-81 of the Grand Island City Code is hereby deleted:

Article II. Taxicab Companies

~~§34-75. Taxicab Company Permit; Required~~

~~It shall be unlawful for any person owning or operating a motor vehicle for the transportation of passengers for hire, to operate such vehicle, or cause such vehicle to be operated, upon the streets or alleys of the City without first obtaining a permit to do so.~~

~~§34-76. Taxicab Company Permit; Application~~

~~All applications for permit required by §34-75 shall be made to the city clerk on a form to be provided by the city clerk. Such application form shall require the applicant to set forth his or her name, residence, occupation, copy of certificate of public convenience and necessity, certificate of insurance, and such other facts as are necessary to show whether or not such applicant is a person of good moral character and otherwise qualified to operate vehicles carrying passengers for hire.~~

~~§34-77. Taxicab Company Permit; Fees~~

~~Every application for a permit as required by §34-75 shall be accompanied by a receipt signed by the city treasurer showing proof that the occupation tax has been paid in accordance with the City of Grand Island Fee Schedule. The money paid for the occupation tax shall go into the general fund of the City.~~

~~§34-78. Permit; Issuance~~

~~If the information on the application required by §34-76, duly verified, shall show that an applicant for a permit pursuant to the provisions of §34-75 is properly qualified, and if such applicant has complied with the requirements of §34-77 regarding the payment of fees, the city clerk shall issue such permit.~~

~~§34-79. Permits to be Numbered; Expiration Date~~

~~Permits issued pursuant to §34-78 shall bear a number signed by the city clerk with the name and address of the holders thereof. All such permits shall expire on December 31 of the year in which they are issued.~~

~~§34-80. Permit; Forfeiture~~

~~Every person violating any of the provisions of this chapter shall forfeit his or her permit issued pursuant to this article, at the discretion of the mayor and city council.~~

Approved as to Form _____
February 16, 2005 City Attorney

ORDINANCE NO. 8962 (Cont.)

§34-81. Taximeters

~~Every motor driven vehicle seating seven passengers or less shall have affixed thereto, in plain view, a taximeter, or other mechanical device, by which the charge for hire of such motor vehicle is mechanically calculated, either for distance driving or for waiting time, or for both, and upon which such charge shall be indicated by means of figures, and all fare of passengers shall be determined by such device or meter.~~

~~No license shall be issued to operate such motor vehicle until the taxi meter attached thereto has been inspected and found to be accurate.~~

~~After sundown, the face of every taximeter in operation shall be illuminated by a suitable light so arranged as to throw a continuous, steady light thereon. No person shall use, or permit to be used, or driven for hire, a public motor vehicle equipped with a taximeter, the case of which is unsealed.~~

SECTION 2. Article III. and Sections 34-85 through 34-98 of the Grand Island

City Code is hereby deleted:

Article III. Taxicab Drivers' Permits

§34-85. Taxicab Driver's Permit; Required

~~No person shall drive a taxicab in the City unless he or she shall have applied for and obtained a permit to do so from the city clerk.~~

§34-86. Requisite to Employment as Driver

~~No person operating a taxi company in the City shall employ or allow any person to drive a taxi unless such person shall first have been granted a permit to operate a taxi as provided by this article.~~

§34-87. Application

~~Each person desiring a taxicab driver's permit shall file an application therefor with the city clerk on a form provided by the clerk, setting forth the name and address of the applicant, and the name and address of the owner of the taxicab which he or she will drive.~~

§34-88. Medical Examination; Certificate

~~An applicant for a taxicab driver's permit shall undergo a medical examination, at applicant's expense, by a physician licensed in the State of Nebraska, and shall obtain a certificate from such examining physician showing the physical fitness of the applicant to become a licensed taxicab driver.~~

§34-89. Examination by Chief of Police

~~An applicant for a taxicab driver's permit shall take an examination to be given by the chief of police to determine whether or not the applicant is familiar with the provisions of this Code which are related to traffic, other traffic laws, and any other applicable regulations of the City, and whether or not such applicant is acquainted with the location of all streets and public places in the City. Such examination shall be in such form and shall be as comprehensive as the chief of police may deem necessary.~~

§34-90. Minimum Age

~~An applicant for a taxicab driver's permit shall be not less than eighteen years of age.~~

§34-91. Issuance

~~Upon an applicant for a taxicab driver's permit complying with the requirements of this article, and upon the filing of the health certificate, and a certificate showing that he or she has passed the examination given by the chief of police, and upon payment of the fees in accordance with the City of Grand Island Fee Schedule, the city clerk is authorized to issue such taxicab driver's permit.~~

ORDINANCE NO. 8962 (Cont.)

~~§34-92. Assignability~~

~~———— A taxicab driver's permit issued pursuant to this article is not assignable and shall authorize the holder thereof to drive only for the owner designated in the application. In the event such driver changes employers, the city clerk is authorized to issue a new permit to such driver, without examination, upon payment of the permit fee in accordance with the City of Grand Island Fee Schedule.~~

~~§34-93. Expiration Date~~

~~All permits issued pursuant to this article shall expire on December 31 following the date of issuance.~~

~~§34-94. Reserved~~

~~§34-95. When and Where Fees Payable~~

~~———— All renewal fees for permits pursuant to this article shall be due and payable at the office of the city treasurer on January 1 of each year.~~

~~§34-96. Permit Badge~~

~~———— The city treasurer shall issue to each person granted a permit to drive a taxi pursuant to this article, a badge, which badge shall be worn only by the person to whom such permit was issued and such badge shall be worn on the front of such driver's cap. The taxi driver's badge shall bear the name of the city, the number of the permit issued, and the word "taxi." The city treasurer shall collect the cost of such badge from the person to whom the permit is issued, and the cost thereof may be redeemed by the treasurer when the permittee shall no longer desire to drive a taxi, and shall surrender such badge in a good, usable condition.~~

~~§34-97. Permit Revocation; Chief of Police~~

~~———— The chief of police is hereby charged with the duty of approving all permits granted pursuant to this division, and if any person shall, in the discretion of the chief of police, be found to be a reckless driver and unfit to operate a taxi, such permit to operate the same may be revoked by the chief of police.~~

~~§34-98. Revocation; Driving While Intoxicated~~

~~———— If any person holding a permit pursuant to this article shall be found guilty of driving a taxi while intoxicated, the chief of police may revoke the permit granted to such violator.~~

SECTION 3. Sections 34-75 through 34-81 and 34-85 through 34-98 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

ORDINANCE NO. 8962 (Cont.)

Enacted: February 22, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk