

Introduced by Commissioner George W. Kelly

AN ORDINANCE MAKING PROVISIONS FOR THE OPERATION OF TAXI CABS IN THE CITY OF WARRENTON AND DECLARING AN EMERGENCY.

The City of Warrenton does ordain as follows:

Section 1. "PERSON", DEFINED: The term "person" wherever used in this ordinance shall be held and construed to mean and include natural persons of either sex, firms, co-partnerships, associations and corporations, whether acting by themselves, by servant, agent or employee. The singular number shall include the plural, and the masculine pronoun shall include the feminine and the neuter.

Section 2. "TAXICAB," DEFINED: The term "Taxicab" wherever used in this ordinance shall be held and construed to mean and include every motor vehicle having a seating capacity of five passengers or less, as per manufacturer's rating, except cars for rent without drivers, used for the transportation of passengers for hire, and not operated exclusively over a fixed and defined route. Such taxicabs shall be equipped with a "taxi-meter," which shall be an instrument or device by which the charge for hire of a passenger-carrying vehicle is mechanically measured or calculated, either for the distance traveled by such a vehicle, or for waiting time, or for both, and upon which such charges shall be indicated by means of figures.

Section 3. "MOTOR VEHICLE," DEFINED: The term "motor vehicle" wherever used in this ordinance shall be held and construed to mean and include every self-propelled vehicle by or upon which any person or persons may be transported or carried upon any public highway, street or alley, excepting vehicles used exclusively upon stationary rails or tracks.

Section 4. OPERATORS TO SECURE LICENSE. It shall be unlawful for any person to engage in the business of operating any of the vehicles defined in Section 2 of this ordinance without first securing a license therefor, under the provisions of this ordinance.

Section 5. CANCELLATION OF LICENSE. Any license issued under this ordinance may be cancelled by the Commission for any violation of the terms hereof, or for any violation of the traffic ordinances of the city, or state laws governing traffic, or for the violation of any laws governing and regulating the sale, manufacture, possession and transportation of any intoxicating liquors and this provision shall apply equally to the drivers of taxicabs or to the companies operating taxicabs.

Section 6. APPROVAL OF COMMISSION. No such license shall be issued except upon the approval of the Commission of the City of Warrenton and such license shall be in accordance with such approval and with the terms of this ordinance.

Section 7. APPLICATION FOR AND GRANTING OF LICENSE: Every person desiring to obtain a license for the operation of a taxicab under this ordinance shall file written application therefor with the Auditor and Police Judge of the City of Warrenton, setting forth the name of the person to whom license is to be issued, the number of vehicles proposed to be operated, the name of the maker and the maker's number of each, the seating capacity of each and the number of the state license of each such vehicle, and should the state license number of such vehicle be changed during the life of such license, such change and number shall be immediately reported to the Auditor and Police Judge. When approval is obtained from the City Commission, the Auditor and Police Judge, shall upon receipt

of the license fee or fess herein provided for each taxicab to be operated under such license, issue a license to such applicant in accordance with the provisions of this ordinance and the approval of the City Commission.

Section 8. FEES. There shall be paid to the City Auditor and Police Judge by each taxi service operating in the City of Warrenton, an annual license fee of \$20.00 for each year or part of year that such service operates within the City of Warrenton, and a further annual license fee of \$10.00 for each taxicab operated, such license fees to cover the cost of the regulation and inspection of such service, and are to be paid in advance.

Section 9. TRANSFER AND FEE: The Auditor and Police Judge shall, upon recommendation of the City Commission, transfer a license issued under the provisions of this article from one car to another car, and said Commission shall, upon being satisfied that the change of ownership of a car is bonafide, authorize the transfer of the license covering such car to such new owner, by filing with the Auditor and Police Judge a written notice of their approval of such transfer. A fee of One Dollar (\$1.00) is to be collected for all transfer as herein authorized.

Section 10. LIMITATION OF NUMBER OF TAXICABS TO BE LICENSED. The number of taxicabs to be licensed for operation within the corporate limits of the City of Warrenton, Oregon shall be limited to one taxicab for every 1,000 people in the City of Warrenton or fraction of 1,000 people.

Section 11. CHAUFFEUR'S PERMIT: It shall be unlawful for any person to operate a taxicab in the City of Warrenton without first obtaining a chauffeur's license from the State of Oregon.

Section 12. PENALTIES FOR INCOMPETENCY, RECKLESSNESS, ETC. Any driver or chauffeur of any taxicab who has been found guilty in the Municipal Court of any incompetency in driving, or of any violation of the traffic ordinance or the terms of this ordinance, may be debarred from driving any taxicab in the City of Warrenton, for a period not to exceed one year thereafter, and if the owner of any such vehicle operated in the City of Warrenton shall knowingly permit such debarred driver, during said period of one year, to operate any such vehicle, the license of that owner may be revoked by the Commission.

Section 13. AGE LIMIT FOR CHAUFFEUR: It shall be unlawful for any licensee under this article to permit any person under the age of twenty-one years to operate any taxicab owned or controlled by him in the City of Warrenton.

Section 14. TAXICAB RATES--RATES DISPLAYED: The following schedule of rates shall be charged and collected for the transportation of passengers within the city by all persons, firms or corporations owning and operating licensed taxicabs and no different rates shall at any time be charged or collected for taxicab service, either directly or indirectly, through the use of coupons, rebates, commutation tickets or in any other manner:

TAXI RATES
of the
GRAY CAB COMPANY
Warrenton and Vicinity

RATE	MILEAGE
35¢	Up to 1/2 mile
50¢	1/2 to 1
75¢	1 to 1-1/2
1.00	1 1/2 to 2 1/4
1.50	2 1/4 to 3 1/4
2.00	3 1/4 to 4 1/2

10¢ extra for each additional passenger

.75	Prouty Lumber Company
1.25	Warrenton to Hammond
1.50	Warrenton to Fort Stevens
1.50	Warrenton to Jockey Club
1.25	Warrenton to Air Base
3.50	Warrenton to Astoria
5.00	Warrenton to Seaside

\$4.00 per hour-----Waiting time

Signed: C. C. Gray-Owner

Seal

Signed: Jay H. Coffey, Notary
Notary Public for Oregon
My commission expires Aug. 27, 1947

The foregoing schedule of rates shall be conspicuously posted or placed in each taxicab and in such a manner that such rates may be easily read from both the inside and outside of each taxicab. No charge shall be made for traveling empty, whether going or returning.

Section 15. TAXICABS TO HAVE "TAXIMETERS". It shall be unlawful for any person to drive, operate or engage in the business of operating a taxicab, unless each of said taxicabs be equipped with a taximeter which has been duly inspected and approved by the Sealer of Weights and Measures. Provided, however, that during the emergency, taxicabs may be permitted to operate without taximeters, until such time as taximeters can be procured.

Section 16. FARE COMPUTED BY TAXIMETER. It shall be unlawful for any person to drive or operate, or engage in the business of operating, a taxicab or taxicabs, unless a taximeter is at all times used on each of such taxicabs in determining the fee or rate to be charged and collected; and it shall be unlawful for any person operating or driving or engaged in the business of operating a taxicab or taxicabs, to charge, demand, collect or receive any fare, rate or charge which is not directly based, measured and computed upon the record on the reading face of the taximeter used on such taxicab or taxicabs. It shall be unlawful for any person to use or employ any other or different method of computing or measuring such distance or time charges than the methods hereinabove specifically provided. Provided however, that during the emergency the fare is to be computed by speedometer at the rate and method hereinbefore provided, and until such time as taximeters can be procured, the fares to be computed by speedometers, and that a slip be delivered to the passenger of the speedometer reading upon entering the cab, and a receipt upon leaving the cab, which receipt shall show the speedometer reading upon entering and leaving, together with the charge.

Section 17. TAXIMETERS TO BE INSPECTED. It shall be the duty of the owner, leasee in possession or control of any taxicab to at all times keep such taximeter accurate and have same approved by the Sealer of Weights and Measures before having placed in service. When any such taximeter has been approved by the Sealer of Weights and Measures, his seal or certificate shall be plainly posted on said taximeter for the information of the public. Said Sealer of Weights and Measures shall inspect all taximeters at least once a year and have the right to inspect them at any and all times.

Section 18. TAXIMETER INSTALLATION AND CHARGES REGULATED. Every taximeter shall be installed at the right side of the driver, and at such height that the flag thereof may be readily seen by observers on the street, and the reading face of such taximeter shall at all times be well lighted and readily discernible to the passengers riding the taxicab. It shall be unlawful to change the size of the wheels or tires of any taxicab or the gears operating the said taximeter, or to change the taximeter from one taxicab to another, unless such taximeter is reinspected and approved by the Sealer of Weights and Measures before using.

Section 19. TAXIMETER FLAG TO BE DISPLAYED. It shall be unlawful for any driver of a taxicab while carrying passengers or under employment to display the flag attached to the taximeter at such a position as to denote such taxicab is not employed or to throw the flag of any such taximeter at a non-recording position at the termination of each and every service.

Section 20. VEHICLES TO BE KEPT CLEAN AND PROPERLY EQUIPPED: All vehicles operating under authority of this ordinance shall be inspected from time to time by the Chief of Police for the purpose

of determining whether the same are clean, properly equipped, of good appearance and in a safe condition for the transportation of passengers; and said Chief of Police shall, at the time of such inspection, determine for the guidance of the public, the classification and capacity of the vehicle inspected; and it shall be unlawful for any person to drive or operate, or engage in the business of operating any taxicab, unless and until the same has been inspected and approved by the Chief of Police.

Section 21. AUTHORIZED FARES TO BE CHARGED--PENALTY FOR VIOLATION. Any driver of a taxicab who shall charge any passenger a rate of fare other than provided for in Section 15 hereof, shall upon conviction thereof, be punished, in addition to the other penalties provided, by having his operator's license suspended for a period of not less than six months or more than one year.

Section 22. DIRECT ROUTE TO BE TRAVELED--FARES NOT CHARGED WHEN VEHICLE DISABLED. Any driver of a taxicab employed to carry passengers to a definite point and shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination.

In the event that any vehicle described in this ordinance shall, while conveying for hire or reward any passenger or baggage, become disabled, or shall break down, the time of stoppage shall be deducted from the charge.

Section 23. RECEIPTS OF FARE TO BE GIVEN. Whenever demanded by the passenger, the driver in charge of a taxicab shall deliver to the person paying for the hiring of said taxicab, at the time of such payment, a receipt therefor in legible printing or writing, containing the name of the owner and his address, the name of the driver, the taximeter number and any and all items for which a charge is made, the total amount paid and the date of payment.

Section 24. REFUSAL TO PAY FARE. It shall be unlawful for any person to refuse to pay the regular fare for a taxicab, after having hired the same.

Section 25. CRUISING. It shall be unlawful for any person to cruise, drive, or operate a taxicab repeatedly or persistently to and fro upon any public street.

Section 26. LIGHT BAGGAGE CONVEYED. Every person being served with a taxicab as herein provided shall be entitled to have conveyed without charge such valises or small baggage as can be conveniently carried within the vehicle. He shall be entitled to have a small trunk carried thereon at a charge not to exceed twenty cents (20¢). Each driver shall load and unload such baggage without additional charge. Any person cancelling a call for a taxicab after the cab has been dispatched in answer thereto shall pay a ceiling charge of not less than twenty-five cents (25¢).

Section 27. REPORT OF LOST ARTICLES. The driver of any taxicab shall promptly notify the nearest police station within twenty-four hours of all property of value left in his vehicle by any passenger.

Section 28. LOAD LIMIT. No driver of any taxicab shall carry more than two persons in excess of the ordinary seating capacity for which said taxicab or vehicle was designed and built. No more than two persons shall be permitted in the seat with the driver or chauffeur, and no person or passenger shall be allowed to be or remain on the doors, steps or running board of any taxicab while the same is in motion.

Section 29. DRIVER'S CONDUCT. No driver of any taxicab shall drive or operate the same while intoxicated, or operate the same in a careless or reckless manner, or use any profane or obscene language, or smoke without the consent of the passenger. The licensee nor any of his employees or agents shall be permitted to

drink beer or any intoxicating liquors while on duty or subject to call or while driving said taxicab and any violation of this provision of this ordinance by said licensee or any of his agents or employees shall work an immediate forfeiture and cancellation of this license.

Section 30. The street department is hereby authorized and directed to mark off a parking space on one of the City Streets, at any location determined by the licensee, which will not interfere with fire protection or the ingress or egress from alleys or driveways, which shall be for the exclusive use of the licensee, and it shall be unlawful for any other person to park any vehicle in said marked off area.

Section 31. SOLICITING FARES. Any driver licensed under this article while seated within his vehicle, may solicit patronage of passersby in a tone of voice not louder than an ordinary conversational tone, but such driver shall not use any mechanical or noise-making device of any kind to solicit patronage, nor shall he take hold of or obstruct the way of any person for the purpose of solicitation.

Section 32. Any person violating any of the provisions of this ordinance shall, upon conviction thereof in the Auditor and Police Judges Court, be punished by a fine not exceeding \$200.00 or by imprisonment in the City Jail for one day for each \$2.00 of such fine unpaid.

Section 33. SAVING CLAUSE. If any section, sub-section, subdivision, sentence clause or phrase of this ordinance is for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 34. Inasmuch as the objects of this ordinance will be of great benefit to the people of the City of Warrenton, and there exists and is an urgent necessity that this ordinance should take effect as soon as possible, so that the health, peace and safety of the inhabitants of the City of Warrenton may be preserved, and emergency is hereby declared to exist, and this ordinance therefore shall be in full force and operative immediately after its passage by the unanimous vote of all the members of the City Commission of Warrenton present and not less than three members thereof.

Passed by the Commission this 18th day of February, 1946 by the following vote:

YEAS George Kelly, Larry Lenhard, F. M. Wilson,

Quincy Robinson, Jay Coffey

NAYS None

Submitted to and approved by the Mayor this 18th day of February, 1946.

City of Warrenton
Seal

Signed: F. M. Wilson
Mayor

Attest:

Signed: E. R. Baldwin
Auditor & Police Judge