

AN ORDINANCE REQUIRING PERMITS FOR OPERATION OF TAXICAB SERVICES, ADOPTING REGULATIONS, SETTING PERMIT FEES, ADOPTING RATES FOR TAXICAB SERVICE, AND PROVIDING PENALTIES FOR VIOLATIONS.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1. The City Council finds that it is in the public interest and necessary for the public welfare and safety that provision be made for taxicab operations and service within the City of Sherwood, and that the provisions set forth in Section 2 of this ordinance are reasonably required to accomplish these purposes.

Section 2. The following provisions are hereby adopted and may be referred to as the Taxicab Code of the City of Sherwood:

TAXICABS

Sections:

- 1 Definitions
- 2 Permit - Required
- 3 Permit - Cancellation - Notice (a) Hearing Required
(b) Hearing Not Required
- 4 Permit - Application - Insurance - Fees
- 5 Permit - Application - Vehicle Inspection
- 6 Permit - Contents
- 7 Rate Schedule - Designated
- 8 Rate Schedule - Effective Date
- 9 Refusal to Pay Rates Unlawful
- 10 Driver Identification Card
- 11 Rate Schedule - Posting Requirements
- 12 Permit - Transfer
- 13 Penalties

Section 1 Definitions. (a) "Person" wherever used in this ordinance means and includes natural persons of either sex, firms, copartnerships, associations and corporations whether acting by themselves or by servant, agent or employee, and the singular includes the plural, and the masculine pronoun includes the feminine.

(b) "Taxicab", wherever used in this ordinance means and includes every motor vehicle having a seating capacity of five passengers or less as per manufacturer's ratings used for the transportation of passengers for hire and not operating exclusively over a fixed and definite route.

(c) "Motor vehicle", when used in this ordinance means and includes 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 2 Permit--Required. It is unlawful for any person to engage in a taxicab business within the city without first securing a permit for the conduct of a taxicab business under the provisions of this chapter. The fee for conducting a taxicab business shall be one hundred fifty dollars per year (prorated on a quarterly basis) and shall include the business license fee, and shall be paid on or before July 1 of each year. This ordinance shall not apply to persons providing taxicab service

not based within the corporate limits of the City of Sherwood who deliver passengers from without the city to destinations within the city, but shall apply to all persons providing taxicab service based within the city or who pick up passengers within the city.

Section 3. Permit - Cancellation - (a) Notice- Hearing required. Any permit and the accompanying business license issued for the conduct of a taxicab business under the terms of this ordinance may be cancelled by the city council after notice to the permittee and affording permittee a hearing before the city council if requested in writing, for any of the following causes:

- (1) Wilful violation of the terms and conditions of this chapter;
- (2) Knowingly authorizing or permitting any person to operate a taxicab in the city in violation of regulatory or statutory requirements pertinent to the registration or licensing of vehicles or operators;
- (3) Knowingly employing a person who has been convicted of a felony or of any crime concerning which the use of a firearm is an element, excepting only game law violations, or knowingly employing any person whose driving privileges are suspended by the State of Oregon for any reason.

Permit - Cancellation - (b) Notice and Hearing not required. Notwithstanding subsection (a) of this section, the permit shall automatically terminate and permittee shall immediately cease operations upon the day prior to the effective date of any cancellation, lapse, or termination of the insurance coverages required by this ordinance, and the permit shall not be reinstated until proof of that insurance coverage has been furnished.

Section 4. Permit - Application - Insurance - Fees. Any person desiring to obtain a permit to operate taxicabs within the city shall file with the recorder an application setting forth the following information:

- (1) The name and address of the applicant;
- (2) The citizenship of the applicant;
- (3) The make, serial number, motor number, latest Oregon license number, and the PUC number, if any, on each taxicab operated by the applicant;
- (4) The amount and name of the company in which public liability and property damage insurance is carried, together with proof that the current premiums are fully paid. Liability insurance limits for each taxicab and driver and for the permittee shall be not less than one hundred thousand dollars for injuries to one person, three hundred thousand dollars for all injuries in one accident, and twenty-five thousand dollars for property damage. The policy shall have an endorsement thereon that same will not be cancelled without 15 days prior written notice to the City of Sherwood.

Section 5. Permit - Application - Vehicle Inspection. (a) If the city administrator shall disapprove the application for any reason within the purview of this chapter, the city administrator shall place the application on the agenda for consideration by the city council. (b) The city, shall require that any vehicle used as a taxicab shall be certified to be safe at time of license renewal.

Section 6. Permit - Contents. Each permit issued to operate a taxicab business in the city shall have printed or typed thereon the number of the business permit, the period for which the permit fee is paid, the name of the permittee, and the following data with respect to each taxicab to be operated under authority of such permit: .

Make
Serial number
State license number
Legal owner of vehicle
Registered owner of vehicle.

Section 7. Rate schedule - Designated. The following schedule of rates may be charged and collected for the transportation of passengers in taxicabs for trips within the city and within three miles from the city limits, and it is unlawful for any change in excess thereof to be made.

All fares shall be determined by a taximeter, to be inspected by the chief of police annually, except those allowed by subsection (6) of this section.

(1) An initial flag drop charge of \$ 1.00 .

(2) Subsequent to the initial flag drop charge provided for in subsection (1) the maximum rate shall be ten cents for each one-tenth mile or fraction thereof and/or waiting time for each one minute or more;

(3) For each extra passenger over 12 years of age \$.50 additional charge;

(4) Waiting time at the maximum rate of \$12 per hour shall include the time when the taxicab is not moving, beginning with the time of arrival at the place to which the taxicab has been called, or the time consumed while the taxicab is standing or waiting at the direction of the passenger, or forced to stand because of prevailing traffic conditions. No charge shall be made on account of time lost on account of inefficiency of the taxicab or its operation, or time consumed by premature response to a call.

(5) No charge shall be made for traveling without passenger unless the taxicab has been engaged for messenger service, in which event the rates applicable to a single passenger shall be the maximum charge therefor. Delivery service rate shall be a maximum of \$ 4.00 for the first mile and \$ 1.20 per mile up to 15 miles, and \$ 1.00 thereafter.

(6) A maximum service charge of \$1.00 shall be made for calls refused after being ordered.

(7) Passengers showing a senior citizen ID card shall be extended a 15% discount from the rates established above.

Section 8. Rate schedule - effective date. The rates set forth in Section 7 for taxicab service to be rendered by any business permittee pursuant to the terms of this ordinance are effective immediately and remain in effect until modified or changed by amendment to this ordinance, and no other or different rates shall at any time be charged or collected for taxicab service hereunder, either directly or indirectly.

Section 9. Refusal to pay rates unlawful. It is unlawful for any person to fail or refuse to pay the rates herein fixed and provided for after having hired taxicab service. A telephone order for taxi service at a given address shall constitute the hiring of a taxicab. A person or persons refusing to ride after hiring a taxi must pay a service charge in accordance with Section 7.

Section 10. Driver identification card. All persons employed by the holder of a business permit hereunder to operate taxicabs under the terms and provisions hereof shall meet all requirements of the Oregon Motor Vehicle Code for taxicab operators and shall at all times conduct themselves in a respectful and courteous manner. An identification card, to be approved by the chief of police, including the name and photograph of all operators, shall be posted in each vehicle so as to be readily visible to any passenger.

Section 11. Rate Schedule - Posting requirements. Each vehicle shall have posted in a conspicuous place a card listing the rates and charges as established by this chapter where such rates may be easily read and understood by passengers.

Section 12. Permit - Transfer. Any permit issued hereunder shall be non-assignable, except that if the proposed assignee shall make similar application to the city recorder and shall meet all terms and conditions hereof, upon approval of the proposed assignment by the city council a transfer of all rights and privileges may be authorized.

Section 13. Penalties. Violation of this chapter is a "violation" and not a "crime" and is punishable by a fine not to exceed \$150.

Section 3. Passage of this ordinance is immediately necessary for the public health and safety, an emergency is hereby declared to exist, and this ordinance shall become effective upon its passage by the city council and approval by the mayor.

PASSED:

By the Council by unanimous vote of all Council members present, after being read by caption three times, this 30 day of March, 1983.

Polly Blankenbaker
City Recorder

APPROVED:

Mary L. Jordan
Mayor

This 22 day of April, 1983