

ORDINANCE 79-51

To Repeal and Re-Enact Chapter 4.24 of the Bloomington
Municipal Code, Entitled "Taxicabs"

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Chapter 4.24 of the Bloomington Municipal Code, entitled "Taxicabs", shall be repealed and re-enacted to read as follows:

Chapter 4.24
TAXICABS

Sections:

- 4.24.010 Definition.
- 4.24.020 Operation generally.
- 4.24.030 Business license - Required.
- 4.24.040 Business license - Notice of intent and waiting period.
- 4.24.050 Business license - Application.
- 4.24.060 Business license - Insurance required.
- 4.24.070 Business license - Facilities required.
- 4.24.080 Business license - Safety inspection required.
- 4.24.090 Business license - Issuance.
- 4.24.100 Business license - Information.
- 4.24.110 Business license - Term and fee.
- 4.24.120 Taxicabs - License plate.
- 4.24.130 Taxicabs - Fare card.
- 4.24.140 Taxicabs - Driver card.
- 4.24.150 Taxicabs - Signs.
- 4.24.160 Drivers of taxicabs.
- 4.24.170 Adequate service.
- 4.24.180 Complaints.
- 4.24.190 Suspension and revocation of license.
- 4.24.200 Penalty.

4.24.010 Definition. "Taxicab" shall mean any motor vehicle designed and constructed to accommodate and transport passengers, not more than six (6) in number, not including the driver, and which does not operate over any definite and designated routes within the city, and the destination of which is designated by the passenger or passengers at the time of such transportation.

4.24.020 Operation generally. It shall be unlawful to drive or operate a taxicab in the city except in accordance with the provisions of this chapter.

4.24.030 Business license - Required. It shall be unlawful to drive or operate a taxicab in the city without first having secured a license to do so as provided by this chapter.

4.24.040 Business license - Notice of intent and waiting period.
(a) Any person who intends to operate a new taxicab company in the city shall first file a notice of intent with the city controller and shall specify the number of vehicles to be operated as taxicabs. The controller shall within seven (7) days of the filing of the notice of intent by the applicant notify all existing licensed companies of the filing of the notice.

(b) No license to operate a new taxicab company shall be issued by the controller prior to ninety (90) days from the date of the filing of the notice of intent by the applicant unless the owners or operators of all existing taxicab companies in the city waive in writing the requirement of the waiting period.

(c) Licenses for new taxicab companies shall lapse if the licensee fails to have taxicabs in service within sixty (60) days from the date of issuance of the license.

4.24.050 Business license - Application. Any person who intends to operate a new taxicab company, renew an existing taxicab license or expand existing service in the city shall file an application form with the city controller. Such application shall be in writing, signed and duly sworn by the applicant, and shall contain the following information:

- (a) The name and address of the person, partnership, firm or corporation requesting the license and, if the applicant is a firm or partnership, the name and address of each of the officers;
- (b) A list of the make, model, factory number and state license number of each motor vehicle to be used as a taxicab;
- (c) A statement that the applicant owns the vehicles described in subsection (b) above and that the applicant will operate these vehicles in providing taxicab service; and
- (d) A statement that the applicant is financially able to render taxicab service, has adequate resources and financial backing, and has insurance sufficient to meet the current requirements of the Indiana Bureau of Motor Vehicles.

4.26.060 Business license - Insurance required. No license shall be issued to operate a taxicab unless the applicant files with the city controller a written statement from the applicant's insurer stating that the applicant has a policy of public liability and property damage insurance in a sum sufficient to meet the current requirements of the Indiana Bureau of Motor Vehicles.

4.24.070 Business license - Facilities required. No license shall be issued to operate a taxicab unless the applicant has an office in the city from which to control the operation of the taxicab company. Such office shall be equipped with a parking lot sufficient to accommodate all licensed taxicabs.

4.24.080 Business license - Safety inspection required. (a) No license shall be issued to operate a taxicab unless the chief of police or his designee has made a safety inspection of each vehicle designated in the application. The chief of police shall send a report of the inspection and his recommendation to the controller as soon as the inspection is completed.

(b) It shall be unlawful to operate a taxicab which has not been inspected by the chief of police or his designee and found to be safe to operate.

4.24.090 Business license - Issuance. (a) The controller shall within fourteen (14) days of receipt of the completed application and safety inspection report issue the business license to the applicant provided there is compliance with all other provisions of this chapter.

(b) If the controller fails to issue the license within fourteen (14) days of completion of the application, the applicant may appeal the denial to the board of public works. The board shall at its next regularly scheduled meeting determine whether the applicant has complied with all provisions of this chapter and shall authorize the controller to issue the license if there is such compliance.

4.24.100 Business license - Information. (a) The following information shall be included on the business license and shall be kept current:

- (1) the name and address of the licensee;
- (2) the name and address of the taxicab company;

- (3) a list of the make, model, factory number, state license number and city license plate number of each motor vehicle to be used as a taxicab;
- (4) a statement that the licensee has sufficient insurance to meet state requirements;
- (5) a schedule of fares and rates; and
- (6) the date of issuance of the license with the signature of the controller.

(b) If a change is made in the information contained in the license, the old license shall be delivered to the controller, cancelled and destroyed and a new license issued in its place.

(c) The business license shall be prominently displayed in the licensee's office.

4.24.110 Business license - Term and fee. The license shall be valid for a period of one year from the date of issuance. The fee for a taxicab license shall be one hundred dollars (\$100.00) for the first taxicab and ten dollars (\$10.00) for each additional taxicab. The fee shall be paid to the city controller in the form of either cash or certified check.

4.24.120 Taxicabs - License plate. (a) At the time the business license is issued by the controller, a separate metal license plate for each vehicle listed on the license shall be issued. The license plate shall contain the number assigned by the controller when the license is issued and shall be permanently affixed to the interior of the vehicle and prominently displayed.

(b) It shall be unlawful to display a taxicab license plate on any vehicle other than the vehicle for which the plate was issued.

4.24.130 Taxicabs - Fare card. Every licensed taxicab shall be equipped with a card showing the fares and rates to be charged for the transportation of passengers and baggage. The fare card shall be prominently displayed over the windshield to the right of the driver.

(b) It shall be unlawful to collect fares and charges other than those specified on the business license and fare card.

4.24.140 Taxicabs - Driver card. Every licensed taxicab shall be equipped with a card showing the name and photograph of the driver operating the taxicab. The driver card shall be prominently displayed over the windshield to the left of the driver.

4.24.150 Taxicabs - Signs. Any motor vehicle licensed as a taxicab shall be designated by the name of the company as it appears on the business license and the name shall be printed in legible letters at least four (4) inches in height on each side of the taxicab. Licensed taxicabs shall not be painted in any manner that tends to deceive the public.

4.24.160 Drivers of taxicabs. It shall be the duty of the owner or operator of a licensed taxicab company to ascertain that each driver has a current chauffeur's license and that each driver has been advised of the traffic ordinances of the city.

4.24.170 Adequate service. (a) All licensed taxicab companies shall provide service to the public on a city-wide basis twenty-four (24) hours a day each day of the year. Service may be temporarily discontinued provided that adequate notice is given the press at least forty-eight (48) hours in advance.

(b) Taxicabs may be removed from service temporarily, but if any vehicle is removed from service for more than sixty (60) days the licensee shall surrender the plate for the vehicle to the controller.

4.24.180 Complaints. All complaints against licensed taxicab companies shall be referred to the city legal department which shall investigate and make a determination on the appropriate remedy to protect the public interest. In the event the legal department determines that a violation of this chapter has occurred, it may either refer the complaint to the board of public works for suspension or revocation of the license under section 4.24.190 of this chapter or bring an action under section 4.24.200 of this chapter.

4.24.190 Suspension and revocation of license. Any license properly issued under the terms and conditions of this chapter may be revoked or suspended by the board of public works upon the failure of the owner or operator to operate any taxicab in compliance with the terms of this chapter. The owner or operator shall be given five (5) days written notice by the controller of such violation, and upon public hearing and adequate proof of noncompliance the license may be suspended or revoked.

4.24.200 Penalty. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall be subject to a fine of not more than one thousand (\$1,000) dollars or to suspension or revocation of the taxicab license. Each day that a violation of this chapter continues shall constitute a separate violation.

SECTION II. Severability. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this chapter are declared to be severable.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor and with publication and promulgation required by law.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 1979.

Tomilea Allison, President
Bloomington Common Council

ATTEST:

Karel Dolnick, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 1979.

Karel Dolnick, City Clerk

SIGNED and APPROVED by me upon this _____ day of _____, 1979,
at the hour of _____ o'clock, .m.

Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

This ordinance reorganizes some of the existing provisions on taxicabs and adds several new provisions. Major changes include the removal of the Common Council from the licensing process and giving the power to license to the controller after certain basic requirements are met, with appeals going to the Board of Public Works. A new avenue for complaints has been created by referring them to the Legal Department which would then decide whether suspension or revocation of the license by the Board of Works or imposition of a fine would be appropriate. The sponsor of the ordinance is Councilmember Pat Kinzer.

FAILED

I HEREBY MOVE THAT ORDINANCE _____ APPROPRIATION _____

ORDINANCE # 79-51, ENTITLED To Amend And Re-Enact
Chapter 4-24 of the Blount County Municipal
Code, Entitled "Towings"

BE INTRODUCED AND READ FOR FOR FIRST READING BY TITLE

ONLY AT THE COUNCIL MEETING HELD ON 7-5-79

David W. Colwell

(Signature)

FAILED