



Legislation Text

File #: ORD-95:520, **Version:** 1

AN ORDINANCE TO AMEND CHAPTER 8.24, VEHICLES FOR HIRE, OF THE CODE OF ORDINANCES OF THE CITY OF JONESBORO, ARKANSAS, TO SET STANDARDS FOR TAXI BUSINESSES, AND FOR OTHER PURPOSES

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Jonesboro, that:

SECTION ONE: Chapter 8.24, Vehicles For Hire of the Code of Ordinances of the City of Jonesboro is hereby deleted in its entirety and replaced with the following sections:

- 8.24.01 Permit-Required
- 8.24.02 Application; financial requirements
- 8.24.03 Notice and hearing
- 8.24.04 Transfer of Permits
- 8.24.05 Revocation, Notice and Hearing
- 8.24.06 Safety and cleanliness of vehicles
- 8.24.07 Display of inspection certificate; form of certificate
- 8.24.08 Liability insurance requirements
- 8.24.09 Identification of Vehicle
- 8.24.10 Signs
- 8.24.11 Police Permit Requirements
- 8.24.12 Penalty
- 8.24.13 Existing Taxi Cab Businesses

8.24.01 Permit Required No person shall engage in or carry on the business of motor driven taxicab service in the city without first procuring from the City Council a permit to do so. (Sec. 23-1,1962 Code)

8.24.02 Application: Financial Requirements. Before granting such permit, the applicant shall file with the Clerk an application, verified by oath and setting forth the facts showing his qualifications to render the service or services for which he seeks the permit, together with the facts which he considers justify and require the rendering to the public of such service. No permit shall be granted until and unless the applicant therefor shall possess and have available for immediate use in establishing and maintaining the service or services described in his application not less than a Twenty Five Thousand Dollars (\$25,000.00) surety bond , which bond shall remain in full force and effect throughout the period of time the business is operating within the City of Jonesboro, or a certified letter from a lending institution certifying said funds or on deposit in this amount within the institution and shall remain there throughout the period of time as long as the business is in operation within the City of Jonesboro. These facts shall be set forth in his application designating which method is chosen, who is providing the surety bond or the name of the bank and address which it is located. (Sec.23-2, 1962 Code)

8.24.03 Notice and Hearing. Upon filing of such application, the City Council shall hold a public hearing on the application for a permit required by the provision of this division, shall cause a notice of such public hearing to be published in a local newspaper having general circulation in the city at least two times at least

fifteen (15) days prior to the date of such public hearing and shall cause a written notice of such hearing to be given to all taxicab operators holding permits from the city. After such public hearing, the City Council in its discretion, shall determine whether the public convenience and necessity requires the granting of the application. Any final action of the City Council in respect of any such application shall be subject to judicial review.

8.24.04 Transfer of Permit. No permit issued under the provisions of this division shall be transferrable, by assignment, lease, or other disposition. All persons desiring to operate a taxicab service within the City of Jonesboro must apply for a separate permit to be approved by the City Council. Any and all taxi businesses shall maintain a Jonesboro site location in compliance with the zoning laws and regulations of the City of Jonesboro. Further, all taxi businesses operating on a regular basis within the city limits of Jonesboro shall comply with the terms and conditions of this ordinance or provide proof of compliance with similar laws and provisions of another jurisdiction comparable to the ordinance adopted by the City of Jonesboro. Any person or entity seeking to establish compliance with law of another jurisdiction, shall provide in writing a copy of said provisions and proof of compliance.

8.24.05 Revocation; Notice and Hearing. If any licensee or person fails to operate any taxicab for a period of ten (10) consecutive days, or if any section, provision or requirement contained in this chapter be violated, then, and in either of such events, the license or franchise to operate may be revoked by the City Council upon the giving of ten (10) days notice to revoke by certified mail addressed to the address of the cab company set forth in its original application. Any changes of address must be reported in writing to the city within (5) business days. (Sec. 23-6, 1962)

8.24.06 Safety and Cleanliness of Vehicles-Generally.

(a) It shall be unlawful for any person to drive or operate any taxicab within the city unless the taxicab is in good and safe operating condition and is equipped with proper brakes, lights, tires, horn, muffler, rear vision mirror and windshield wipers, and any other component which is necessary for the public's health, safety, and welfare. All taxicabs must meet the state inspection guidelines as required by the State of Arkansas and must display a State For Hire License Plate on each vehicle. All taxicabs must be kept in a clean and sanitary condition both inside as well as the outside of the vehicle. No taxicabs shall exceed eight years in age. It shall be an exception to the age limit of the vehicles used as Taxicabs within the city limits of Jonesboro if said vehicle constitutes a "limousine". For the purpose of this Ordinance, the limousine is defined as a vehicle mounted upon an enlarged or extended automobile chassis which chassis has been specially modified for operation as a "luxury vehicle" to provide additional seating capacity and amenities for the passengers. Any firm or individual desiring to use said vehicle and claim an exception under the provisions of this Ordinance, must comply with all other terms and conditions under the provisions of this Ordinance and first obtain a written waiver for operation of said vehicle in the City of Jonesboro through application to the City Collector's Office.

(b) No operator shall operate and no driver shall drive a taxicab which is in an unsanitary condition or is mechanically unsafe so as to not comply with the standards of the state motor vehicle inspection for any reason whatsoever. The city administrator, or his designated agent is hereby authorized to order any operator and/or driver to immediately discontinue the use of any vehicle as a taxicab until specific, designated unsanitary conditions have been remedied and \or until such vehicle is in sufficient mechanical condition to be successfully reinspected by any designated station for the state motor vehicle safety inspection. The provisions of the preceding sentence shall be in addition to any other penalty or remedy provided for in this article.

8.24.07 Display of Inspection Certificate; Form of Certificate. It shall be unlawful for any person to operate any

taxicab unless there is displayed upon the taxi in a conspicuous place in the lower left hand corner of the front windshield. A sticker certifying that the taxicab has been duly inspected by the state and that it is in safe operating condition and that all of the required equipment is in good repair.

8.24.08 Liability Insurance Requirements. Before commencing to operate a taxicab, every operator shall deposit with the City Collector a commercial policy of liability insurance, or a certificate of insurance, issued by a qualified insurance company duly licensed to transact such business in the State of Arkansas, such insurance to be in amounts as required by A.C.A. 27.22.104. Such policy shall provide that it may not be canceled without first giving the City Collector a ten (10) day written notice, and shall be valid for a period of no less than six (6) months. The operator's license shall be suspended immediately at the end of the ten (10) day cancellation period, unless a new certificate of coverage is provided to the City Collector. Copies of all subsequent renewals shall be provided as well.

8.24.09 Identification of Vehicles: Each and every operator of a taxicab shall cause the trade or business name of the taxicab operator and a taxicab number, consisting of no more than two numerals to be shown on each side and the rear of each taxicab in contrasting colors and in letters and numerals not less than (3) inches in height. Each and every taxicab shall have a lighted sign on the center of the roof for proper identification.

8.24.10 Signs; Interior A sign must be maintained on the interior portion of the vehicle in print of sufficient size to be visible and legible by the passengers containing the following information:

- (a) Driver's name, photograph and taxicab number;
- (b) Current information regarding the fare and/or cost of said service. This information should include but is not limited to any per trip charge, mileage, cost for additional passengers, luggage and/or additional fees or costs as may be assessed for each trip.
- (c) A rate sheet showing in numerical form the prices should be displayed as well.

8.24.11 Police Permit Requirements.

(A) An application for a permit required by section 8.24.02 shall be submitted in writing to the police department of the city, on forms provided by the police department for that purpose, for a taxicab driver's certificate.

(B) Such application shall contain the applicants name, age and address. The applicant shall submit to fingerprinting by the Jonesboro Police Department. In addition, one print of a photograph of the applicant and proof of a current Arkansas Drivers License issued by the State qualifying said individual to drive the vehicle for her shall be provided. In addition, proof of insurance coverage for said driver for a minimum of six months must be submitted.

(C) The police department of the City of Jonesboro shall issue a permit to such driver, to operate a taxi cab within five days and no more than (10) days from the application, or to provide notification within said time; that such permit will not be issued and the reasons stated therefor. Said notice shall be by regular mail to the address set forth in the application for permit, or any written change of address provided subsequent thereto. Any fee charged by the Arkansas State Police for obtaining criminal history shall become part of the permit fee.

8.24.12 Penalty. For any and each violation there shall be a fine of not less than One Hundred (\$100.00) Dollars and no more than Five Hundred Dollars (\$500.00).

8.24.13 Existing Taxi Cab Business. All existing taxi cab businesses shall comply with all rules and regulations

listed in Chapter 8.24 of the Code of Ordinance for the City of Jonesboro, Arkansas within six months of passage and approval.

SECTION TWO: All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

PASSED: On this the 21st day of August, 1995.