

Amended by 2780
3038

ORDINANCE NO. 2374

AN ORDINANCE PROVIDING FOR THE LICENSING OF TAXICABS AND REGULATING THEIR OPERATION IN THE CITY OF ALBANY, OREGON, AND REPEALING ORDINANCE NO. 1734 AND THAT PORTION OF ORDINANCE NO. 1504 REFERRING TO TAXICABS.

THE PEOPLE OF THE CITY OF ALBANY, OREGON, DO ENACT AS FOLLOWS:

Section 1. Definitions: Unless otherwise expressly stated,

whenever used in this Ordinance, the following words shall have the meaning given to them by this section:

- a. "Taxicab" shall mean every motor vehicle having 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.
- b. "Street" shall mean any street, alley, avenue, court, bridge, lane or public place in the City of Albany, Oregon.
- c. "Operator" shall mean any person owning, having control of the use or engaged in the business of operating one or more taxicabs within the City.
- d. "Taxicab Driver" shall mean any person who drives a taxicab, whether such person owns the taxicab or is employed by the operator of a taxicab.
- e. "Taxicab Stand" shall mean any place along the street which is exclusively reserved by the City for the use of taxicabs.
- f. "Person" shall mean and include one or more persons of either sex, natural persons, corporations, partnerships and associations.
- g. "Council" shall mean the Council of the City of Albany, Oregon.

Section 2. OPERATOR'S LICENSE: Every operator must obtain a license under the following requirements:

- a. Be a citizen of the United States.
- b. If a natural person, be upward of the age of 21 years.
- c. If a corporation, limited partnership or association, be authorized to conduct business under the laws of Oregon.
- d. Make application, in writing, to the Council of the City of Albany, stating substantially as follows:
 - (1) Name and post office address of the applicant.
(If a partnership or joint venture, the application must so state and contain the names and addresses of all parties thereto.
 - (2) The class and carrying capacity of each vehicle to be operated under the operators license.
 - (3) The make, year, model, serial number and state license number of each vehicle.
 - (4) The business name under which the operator will do business.
 - (5) Evidence of insurance as hereinafter required.
 - (6) References as to character and reputation as a law abiding citizen and of financial responsibility.

c. The Council may revoke an operator's license for violation of this ordinance or any other ordinance or violations of state laws regulating traffic or intoxicating liquors by the operator or by repeated violations of this or any other ordinance or state laws regulating traffic or intoxicating liquors by his taxicab drivers.

Section 3. TAXICAB DRIVERS:

a. Every taxicab driver shall obtain a permit from the Chief of Police:

- (1) Containing the present likeness of the taxicab driver in the form of a photograph.
- (2) The permit number.
- (3) The name and address of the driver.
- (4) The taxicab driver's Oregon State Chauffeur license number.
- (5) The signature of taxicab driver.

b. The permit shall be displayed prominently in the taxicab at all times by the taxicab driver when operating the taxicab. It shall be unlawful to drive a taxicab with other than the taxicab driver's permit displayed.

c. The Chief of Police shall keep a duplicate permit file containing the information set forth in sub-section (a) and, in addition, each taxicab driver shall have on file in Police Dept., his or her finger-prints.

d. Every taxicab driver shall be licensed as a chauffeur under the laws of Oregon.

e. A taxicab driver's permit may be suspended by the Recorder of the City upon conviction of the violation of any ordinance of the City of Albany in the Recorder's court for a period of not more than one year.

f. No taxicab driver shall knowingly deceive any passenger who may ride with him, or who may desire to ride with him, as to his destination or distance traveled or to be traveled.

g. The taxicab driver shall promptly notify the nearest police station within twenty-four hours, of all property of value left in his vehicle by any passenger.

h. No taxicab driver 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.

i. The Council may revoke any taxicab driver's permit for cause as in this section set forth and defined.

Section 4. TAXICABS:

a. Every taxicab shall be so designated as such by plain visible letters on the side thereof. This shall not be construed as a limitation.

b. Every taxicab will be provided with windows in the tonneau sufficient in number and size that at all times persons may be readily seen through such windows with sufficient distinctness to identify such person.

c. All taxicabs shall be inspected from time to time by Chief of Police for the purpose of determining whether the same are clean, safe condition, properly equipped and of good appearance.

d. 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 car with the driver, and no person or passenger shall be allowed to be or remain on the doors, steps or running board of any taxicab while same is in motion.

e. If one or two women only are in the taxicab, they shall occupy the rear seat.

Section 5. TAXICAB STANDS:

a. The Council may, from time to time, by resolution designate and thereby excluding the said stands from the metered zones of the City.

b. Any operator may apply to the Council for the establishment of taxicab stands, upon the selection, approval and establishment of the taxicab stands each shall be plainly marked and identified by a uniform sign not over 12" x 18" in size approved by the Chief of Police showing thereon "Taxi Stand" "NoParking" with the name of the operator thereon; the same to be provided and installed at the expense of the operator.

c. Every operator shall pay to the City \$100.00 per year in advance for each taxicab stand within the metered zone, and shall pay \$24.00 in advance for each taxicab stand outside the metered zone. Each parking space shall be considered a separate taxicab stand and the Council shall have authority to limit the number of such spaces to each operator and also the number of such taxicab stands to be established within the City.

d. Each operator, upon making application in writing for a taxicab stand shall present with the application the written consent of the proprietor of the business establishments in front of which taxicab stand is to be located.

e. It shall be unlawful for persons other than the operator to cause or allow any vehicle operated or controlled by him to be upon the street in any parking space designated as taxicab stand.

f. It shall be unlawful for any taxicab driver to solicit business other than from his designated taxicab stand or stands and he shall at no time park or solicit business at any meter or loading zone unless he has been previously hailed or called or is discharging passengers.

Section 6. CHARGES:

a. 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.

b. Any person cancelling a call for a taxicab after the cab has been dispatched in answer thereto shall pay a calling charge of not less than twenty-five (25¢).

c. 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.

d. Receipt, if requested: 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 therefore in legible printing or writing, containing the name of the owner and his address, the name of the driver, the taximeter number if any, and any and all items for which a charge is made, the total amount paid and the date of payment.

Section 7. FEES

a. Each operator making application for his operator's license shall pay a fee of \$10.00 annually in advance to the Recorder of the City of Albany and in addition thereto for each taxicab to be operated under the operators license there shall be an additional charge of \$20.00 annually, payable in advance to the Recorder of the City of Albany. The operators license shall be non-transferrable.

b. An operator shall pay a proportionate amount of the above fees for parts of less than a year and all fees for operator's license and for taxicab operators thereunder shall become due and payable the first day of each calendar year. The permits as to the taxicabs may be transferred from one automobile to another upon the additional payment of \$1.00.

c. A fee for a taxicab driver's permit as provided in Section 3 shall be \$1.00 per year or fraction thereof and shall be renewed the first of each year.

d. Taxicab stand fees shall be as provided in Section 5, c

Section 8. INSURANCE POLICIES:

a. Before a license shall be delivered to any operator he shall deposit with the City Recorder evidence of a policy or policies of an insurance company or companies duly licensed to transact such business in this state, insuring the operator of any taxicab to be licensed against loss from liability imposed by law for damages on account of bodily injuries or death, or for damages to property resulting from the ownership, maintenance or use of any taxicab to be owned or operated under such license, and agreeing to pay to any judgment creditor, to the extent of the amounts specified in such policy, any final judgment rendered against the insured by reason of such liability. The policy or policies shall be approved by the City Attorney as to form and compliance with this ordinance. The limit in any such insurance policy of such liability of the insurer on account of the ownership, maintenance and use of such taxicab shall not be less than \$10,000.00 for bodily injuries to and including death of one person and \$20,000.00 account of any one accident resulting in injuries to and including death of more than one person, and a total of \$5,000 liability for damage to property of others, arising out of any one accident.

Section 9. MISCELLANEOUS:

a. Ordinance #1734 and that portion Ordinance 1504 referring to taxicabs are hereby specifically repealed.

b. The effective date of this ordinance shall be the 1st day of April, 1952, and all operators and taxicab drivers shall thence forth comply with the regulations herein set-forth.

c. 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 effect the validity of the remaining portion of this ordinance.

d. Any person violating any of the provisions of this ordinance shall, upon conviction thereof in the Recorder's Court may be punished by a fine of not exceeding \$50.00 or imprisonment in the city jail for one day for each \$2.00 of such fine unpaid. Each day of non-compliance shall be considered a separate violation.

e. The City Council may regulate rates or establish the same by resolution.

Passed by Council 3-12-1952

Approved by Mayor Om Ban
3-14-1952

ATTEST:

E. F. [Signature]
Recorder