

AN ORDINANCE REQUIRING PERMITS FOR
TAXICABS AND TAXI DRIVERS

IT IS ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CHARLESTOWN, INDIANA that the following regulations shall apply to persons, businesses and other entities operating taxicabs in the City of Charlestown, Indiana:

Taxicab Regulations

Section

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TAXICAB REGULATIONS

§ 115.01 DEFINITION.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"TAXICAB." Every motor vehicle used within the limits of the City of Charlestown (hereinafter "City") for public hire, carrying passengers for hire, or furnishing for use passenger transportation for hire along or over the public streets or other highways within the City, the destination or route of which is under the direction of a passenger being transported therein. However, this term shall not be taken to mean any ambulance, city passenger bus, or school bus.

§ 115.02 COMPLIANCE WITH REGULATIONS REQUIRED.

No person or persons, firm, or corporation shall drive, run, or operate any taxicab upon or along any street or other highways in the town, except in accordance with regulations, terms, and conditions established by this chapter.

§ 115.03 LICENSE REQUIRED; APPLICATION.

Any person or persons, firm, or corporation desiring to operate a taxicab or taxicab service upon or along the streets or other highways within the City, shall, before undertaking so to do, file a signed application form in writing for a license, duly sworn to be the applicant or applicants with the Board of Public Works of the City of Charlestown, Indiana, which application shall show the following:

(A) The name and address of the person, persons, partnership, firm, or corporation desiring the license; if a partnership or firm, the full name and address of each of the members thereof; if a corporation, the name and address of each of the officers thereof.

(B) That the applicant is financially able to render taxicab services as applied for and has the financial backing, including liabilities, as required by the City.

(C) That the applicant owns and is the sole owner of the taxicabs described in subdivision D below, in his service.

(D) The make, model, factory number, and state license number of each motor vehicle to be driven and operated as a taxicab.

§ 115.04 LICENSE FEE.

(A) Upon the filing of an application, the Board of Public Works shall then pass upon the application, taking into consideration the applicant, his financial standing, and his equipment for rendering taxicab service in the City. If the Board of Public Works finds that it is for the best interests of the City and the citizens thereof that the applicant be issued a license to operate a taxicab service, then the Board of Public Works shall instruct the Clerk-Treasurer to issue a license upon the compliance of the applicant with all other provisions of this chapter.

(B) The Clerk-Treasurer shall issue to the applicant, upon the approval of the Board of Works as above, a license upon the payment of a fee of \$20.00 for each taxicab to be operated, for any calendar year or fraction thereof the cabs are operated. The license shall continue in effect from year to year until revoked by the Board of Works so long as the applicant or licensee shall pay into the hands of the Clerk-Treasurer the license fee herein prescribed on or before January 10 of each year.

§ 115.05 ISSUANCE OF LICENSE.

Upon filing the application, approval thereof by the Board of Public Works, the payment of the required fees as fixed in § 115.04, and provided the other stipulations and conditions hereof have been met, the Clerk-Treasurer shall issue to the applicant a license permitting the operation of the motor vehicle or motor vehicles described in the application for one year, commencing January 1 and ending December 31 of each year, subject to revocation as hereafter provided.

§ 115.06 INSURANCE REQUIRED.

(A) No license shall be issued and no taxicab shall be operated on any street or highway within the City until there is filed with the Clerk-Treasurer of the City a policy of insurance executed by a company authorized to execute such instruments under the laws of the state, running for the year of the license to be issued to the applicant as by this chapter provided.

(B) The insurance policy shall provide for the payment of any final judgment that may be rendered against the insured for damages to property, bodily injuries, or death of any passenger or passengers or any other person or persons resulting from collision or other accident for which the person, persons, firm, or corporation may be found liable while operating the taxicab described in the application, in a sum not less than the state statutory minimums for property damage and for injury or death of any person or persons.

(C) In the event that the state of Indiana does not specify the amount of insurance to be carried by a taxicab service, the City shall require insurance at a minimum of One Million Dollars (\$1,000,000.00).

§ 115.07 OFFICE REQUIRED.

No license shall be granted or issued to any person or persons, firm, or corporation, to operate any taxicab unless that person, persons, firm, or corporation, has a fixed and permanent office, residence, or place of business from which to operate, control, and regulate the operation of such taxicabs.

§ 115.08 TAXICABS TO HAVE IDENTIFYING SIGNS.

It shall be unlawful for any person, firm, or corporation to use any motor vehicle for taxicab services unless that vehicle is designated as a taxicab by two (2) or more colored signs, which signs must be permanently painted of a fast color on the body of the vehicle. The signs must designate the person, persons, firm, or corporation to which the vehicle belongs, and must be readable at one hundred fifty (150) feet or more by a person of normal vision. Limousines shall be exempt from this requirement.

§ 115.09 TAXICAB DRIVERS.

It shall be the obligation of the owner or operator of any taxicab company which has secured a license to operate in the City to ascertain that each driver employed by that operator has obtained a public passenger chauffeur license to operate for hire passenger-transporting conveyances. Each driver shall present his license to the City Police Chief, or his designee, prior to entering any employment as a driver for the inspection of the Police Department and the driver shall be instructed by the Police Chief, or his designee, with respect to traffic ordinances of the City.

§ 115.10 TAXICAB STANDS; FEES.

The Board of Public Works may set aside, near the place of business of the taxicab operator, not to exceed one parking space for each taxicab upon which a license fee of Ten Dollars (\$10.00) has been paid, and hold such spaces open as a cab stand. Such cab stands shall not be subject to parking meter charges but the operator shall pay the sum of Twenty-Five Dollars (\$25.00) per year for each cab stand.

§ 115.11 REVOCATION OF LICENSE; HEARING.

(A) The Board of Public Works of the City may suspend or revoke the license issued to and for any taxicab or taxicabs for the violation of this chapter, whether or not any criminal prosecution of the licensee is pending, upon proof and hearing thereof.

(B) Any license issued to any owner or owners, operator or operators under the terms and conditions of this chapter may be revoked or indefinitely suspended by the Board of Public Works, upon failure of the owner, owners, operator, or operators to operate a taxicab or taxicabs in compliance with the terms of this chapter and the laws of the state. However, the owner or owners, operator or operators of each taxicab shall be given five (5) days written notice of the violation, and upon hearing and proof thereof the license for the taxicab or taxicabs may be suspended for a definite period or revoked.

§ 115.12 INSPECTIONS.

Any vehicle used a taxicab shall submit, upon request, to a safety inspection by a member of the Charlestown Police Department

or the department's designee and further shall submit, upon request, to inspection and verification of all meters or rate devices by the Department of Weights and Measures or such department's designee.

§ 115.13 RATES.

The rates charged by a taxicab service shall not exceed the following:

- A. \$3.00 for the first mile; \$1.50 for each additional mile; and
- B. 30 cents for each minute of waiting.

No taxicab service may charge a rate less than 80% of the maximum charges outlined above.

No additional charge may be made for the following: luggage, grocery bags, laundry, wheelchairs, seeing eye dogs, or multiple passengers.

TAXICAB DRIVERS

§ 115.25 LICENSE REQUIRED.

It shall be unlawful for any person to operate a taxicab as a driver hereof within the City without first having secured a license so to do from the City. It shall be unlawful for any person to operate a taxicab as a driver thereof without having on his person a taxicab driver's license issued by the City.

§ 115.26 LICENSE APPLICATION.

Every person desiring to drive a taxicab in the City shall before undertaking so to do, file an application in writing for a taxicab driver's license, duly sworn by the applicant, with the City Clerk-Treasurer, which applications shall show the following:

- (A) The name and present address of the Applicant.
- (B) The address of each place of residence of the applicant during the last two (2) years prior to the date of the application.
- (C) The place of employment, the kind of employment, the name of each of the employers of the applicant for the last five (5) years immediately preceding the date of the application.
- (D) The applicant's experience in automobile operation.
- (E) Whether or not the applicant has ever used or does use intoxicating liquors.
- (F) Whether or not the applicant has ever been charged or convicted in any court for any crime or misdemeanor, and if so, the facts and details concerning each conviction.
- (G) The applicant's state passenger chauffeur's license number.
- (H) The applicant shall also at the time of filing an application for a taxicab driver's license, pay to the Clerk-Treasurer the sum of Fifteen Dollars (\$15.00) for an annual taxicab driver's license. The license shall expire one (1) year after issuance unless it is revoked pursuant to the provisions of this chapter.

§ 115.27 REFUSAL TO ISSUE; REVOCATION.

No taxicab driver's license shall be issued to any unfit applicant whose application shows that he has been convicted three (3) times for the violation of any traffic law of the City or the state within the two (2) years prior to the date of the application. Any taxicab driver's license shall be revoked upon a showing that the license was obtained by a false statement contained in the application for the license.

§ 115.28 CONDITIONAL LICENSE.

Notwithstanding any of the express provisions of this chapter, the Board of Public Works may, in its discretion, issue a conditional license which shall, along with the regular license, be subject to immediate revocation for any period the Board may determine, upon the licensee being convicted of driving while under the influence of intoxicating liquor, driving while under the influence of drugs, reckless driving, leaving the scene of an accident, or any charge involving moral turpitude.

§ 115.29 EMPLOYMENT OF UNLICENSED DRIVERS PROHIBITED.

No person, firm, or corporation licensed to operate taxicab under this chapter shall employ any person as taxicab driver in the City unless the taxicab driver has been duly licensed in accordance with the provisions of this chapter.

§ 115.99 PENALTIES.

Any person who violates this ordinance by causing operation of a taxicab contrary to the provisions herein shall be fined not less than Two Hundred Fifty Dollars (\$250.00) and not more than Two Thousand Five Hundred Dollars (\$2,500.00). In addition, the Board of Public Works may suspend or revoke the license of any business or individual who violates the provisions herein. Each day a violation continues shall be deemed a separate violation.

Each Section Adopted Separately. Each provision of this ordinance is adopted separately. In the event that any part or section of this ordinance is deemed to be illegal or invalid only that part or section shall be repealed. The remaining parts or sections of the ordinance shall remain in effect.

Passed and adopted by the Common Council of City of Charlestown, Clark County, State of Indiana, on the 6TH day of OCTOBER, 1997.

Ward Tackett

Ward Tackett
President, Common Council

ATTEST:

Sharon Barnes

Sharon Barnes, Clerk-Treasurer

Presented by me, as Clerk-Treasurer to the Mayor of said City of Charlestown this 6TH day of OCTOBER, 1997.

Sharon Barnes

Sharon Barnes, Clerk-Treasurer

This Ordinance approved and signed by me this 6TH day of OCTOBER, 1997.

Mayor Robert D. Braswell

Robert D. Braswell, Mayor