

Sponsor: ELLISON/NEWKIRK

ORDINANCE NO. 43-23 (Amended)

AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED ORDINANCE CHAPTER 721 REGARDING TAXICABS AND DECLARING AN EMERGENCY.

WHEREAS, the legislative authority of the City of Jackson has published certain general and permanent ordinances in a volume of Codified Ordinances including Chapter 721 regarding taxicabs; and

WHEREAS, the legislative authority of the City of Jackson has determined it necessary to revise Chapter 721 of the City's Codified Ordinances regarding taxicabs; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO THAT CHAPTER 721 OF THE CODIFIED ORDINANCES OF THE CITY OF JACKSON BE AMENDED AS SET FORTH IN EXHIBIT "A", ATTACHED HERETO, WITH THOSE UNDERLINED AND STRUCK THROUGH PORTIONS SHOWING THE AMENDMENTS AND DELETIONS TO THE ORIGINAL LANGUAGE AND THAT IT BE PLACED WITHIN THE JACKSON CITY CODE, IN REGULAR TEXT.

This Ordinance is hereby declared to be an emergency Ordinance necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, Ohio.. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor as provided in Ohio Revised Code Section /31.30.

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 11th day of Sept., 2023.



President Pro-Tem of Council

TEST:



Clerk of the Legislative Authority

Approved this 11th day of Sept. 2023.

[Handwritten Signature]
Mayor

CHAPTER 721

Taxicabs

- 721.01 Definitions.
- 721.02 License required; fee; term; renewal.
- 721.03 Compliance required.
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- 721.08 Vehicles required.
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- 721.11 Regulations and prohibitions.
- 721.12 Driver's requirements.
- 721.13 Lost articles.
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- 721.15 Temporary operation of additional cab.
- 721.16 Condition of taxicabs.
- 721.17 Number of passengers.
- 721.99 Penalty.

CROSS REFERENCES

- Power to regulate - see Ohio R.C. 715.22, 715.66
- Power to establish stands and fix rates - see Ohio R.C. 715.25
- Operation and equipment - see TRAF. CODE
- Use of stands - see TRAF. 351.10
- General licensing provisions - see BUS. REG. 701.01 et seq.

721.01 DEFINITIONS.

Unless otherwise expressly stated, as used in this chapter:

(a) "Taxicab" means a vehicle operated for hire, and shall be held to be distinguished from a motor bus especially by the fact that taxicabs do not operate on fixed routes or on a definite schedule, and when occupied by one or more passengers shall not indiscriminately accept such persons as offer themselves for transportation except at the insistence of or with the consent of such passenger or passengers then occupying such vehicle.

(b) "Taxicab company" includes every corporation, company, association, joint stock association, person, firm or co-partnership, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any taxicab.

(c) "Street" includes any public street, alley or public way within the corporate limits of the City.

(Ord. 111-87. Passed 12-28-87.)

721.02 LICENSE REQUIRED; FEE; TERM; RENEWAL.

(a) No person, firm, corporation or any owner, agent, employee or driver shall operate or permit to be operated a taxicab unless the proper license has been issued to the owner of the vehicle and is in force.

(b) The annual license fee shall be twenty-five dollars (\$25.00) per cab and shall be in addition to any fee required by the law of Ohio. Each license fee shall be paid to the City, and each license shall expire on December 31 of the calendar year in which it is issued.

(c) All owners of taxicabs hereby licensed or hereafter granted licenses according to law shall at the completion of the year for which they are licensed be entitled to have their licenses renewed for each succeeding year upon an application for renewal; provided the public convenience and necessity still requires the same and the owner or operator of the vehicle has complied with all ordinances of the City.

(d) Applications for licenses for taxicabs shall be made in writing to the Mayor or his designee, and presented by the Mayor to Council for consideration. The application shall set forth the name and address of the owner and a copy of each vehicle registration of the vehicle, the make, seating capacity, age of the vehicle, together with a schedule of rates to be charged for the use of the same. If Council finds that the public convenience and necessity justify the operation of the vehicle they shall forthwith authorize the Mayor to issue a license upon compliance by the applicant for all other requirements.

(Ord. 111-87. Passed 12-28-87.)

721.03 COMPLIANCE REQUIRED.

No taxicab company, their lessees, trustees, receivers or trustees appointed by any Court whatsoever, shall operate any taxicab for the transportation of persons for hire on any street within the corporate limits of the City, except in accordance with the provisions of this chapter.

(Ord. 111-87. Passed 12-28-87.)

~~721.04 LIABILITY INSURANCE.~~

~~No person shall operate a public hack, taxicab or other vehicle kept for hire, except motor buses operated on regular schedules and over regularly scheduled routes, or permit the same to be operated, nor shall any permit be granted, unless and until the applicant for that right deposits with the Director of Public Service and/or the Director of Public Safety evidence of insurance in an amount of not less than one hundred thousand dollars (\$100,000), for property damage, bodily injury, and public liability combined, for each taxicab in service.~~

~~In the event the City is notified by the insurance agency that the insurance has been cancelled, then the Mayor or his authorized designee may cancel the license of the taxicab company.~~ (Ord. 93-05. Passed 7-27-05.)

721.05 LICENSE ISSUANCE; ~~TRANSFER.~~

(a) Upon payment of the fee and compliance of all other requirements imposed, the ~~Service~~ Director of Public Service and Safety shall issue a license to the owner which shall indicate the ~~vehicle and~~ year for which it is issued.

~~(b) In the event the owner of a licensed taxicab ceases to own the same, the Director is authorized to transfer the license to any other vehicle belonging to such owner provided the replacement vehicle meets the requirements of this chapter.~~

~~(c) Upon the sale of a licensed cab from one owner to another, the license shall be transferable only upon a finding of convenience and necessity by Council in the same manner as an original application. If the same is granted, the license may be transferred without additional fee for the remainder of the term for which the license was issued.~~

(Ord. 111-87. Passed 12-28-87.)

721.06 RATE SCHEDULES.

~~(a) Rate schedules may be changed by the owner provided the substituted schedules are filed with and approved by Council.~~

~~(b) Rate schedules shall be printed and be placed in a conspicuous place in each taxicab.~~

~~(c) No driver or any other person in control of a taxicab shall charge any fare or fee for the use of the taxicab within the City except in accordance with the approved schedule of rates. (Ord. 111-87. Passed 12-28-87.)~~

721.07 SAFETY CHECKS.

~~Prior to any taxicab being put into operation within the City there shall be a safety check conducted by a reputable automobile service garage which shall be designated by the City.~~

~~Each taxicab in operation or put into operation within the City shall undergo bi-yearly safety checks by a reputable automobile service garage which shall be designated by the City. There shall be a period of at least 180 days between such safety checks.~~

~~Item to be included in safety checks shall be established by the Safety/Service Director.~~

~~The entire cost of all safety checks shall be paid by the owner of the taxicab.~~

~~(Ord. 9-95. Passed 1-23-95.)~~

721.08 VEHICLES REQUIRED.

~~Any taxicab that is more than twenty years old shall not be permitted to operate within the City and such taxicab shall be removed from service.~~

~~(Ord. 9-95. Passed 1-23-95.)~~

721.09 METER.

~~A standard taxicab meter shall be installed in all taxicabs operating within the City. Zone rates may be established for trips outside the City limits. All rates shall be posted within the cab.~~

~~(Ord. 111-87. Passed 12-28-87.)~~

721.10 LETTERING.

~~Each taxicab operating within the City shall be marked in such a manner as to clearly indicate to the public the name of the company and that the taxicab is for hire.~~

(Ord. 111-87. Passed 12-28-87.)

~~721.11 REGULATIONS AND PROHIBITIONS.~~

~~No person shall:~~

~~(a) Drive any taxicab while under the influence of intoxicating liquor, or drink any intoxicating liquor whatsoever while transporting passengers.~~

~~(b) Charge in excess of the rates fixed.~~

~~(c) Fail or neglect or refuse to turn in to the Chief of Police within twenty-four hours all lost articles found in the taxicab.~~

~~(d) Drive or operate a taxicab upon any street in the City unless the owner thereof is operating under and pursuant to a permit as hereinbefore provided and the operator has a permit as described below.~~

~~(e) Fail to notify the Chief of Police within fifteen hours after an accident, giving the time and location of the accident, the name of any person injured, condition of the injured, character of injuries so far as known and in case of property damage, the estimated amount of such damage.~~

~~(f) Any taxi driver issued a permit hereunder may have such permit suspended by the Chief of Police or Municipal Judge at any time for any reason necessary by the Chief of Police or Municipal Judge for the health, welfare and safety of the public and the residents of the City. A second conviction of any taxi driver for violation of any traffic law shall constitute grounds for suspension or revocation of his permit. A third conviction for violation of any traffic law shall automatically constitute revocation of such driver's permit and no new application for a new permit by such applicant can be filed for a period of six months thereafter.~~

(Ord. 111-87. Passed 12-28-87.)

~~721.12 DRIVER'S REQUIREMENTS.~~

~~Before any person can drive a taxicab on the streets of the City, such person shall apply for a taxi driver's permit from the Chief of Police. No permit shall be issued to any person who has been convicted of any felony, or who has had his or her driver's license suspended within the prior three years or who has been convicted within the prior three years of the following traffic offenses:~~

~~(a) Driving while under the influence of alcohol and/or drugs.~~

~~(b) Driving under suspension.~~

~~(c) Reckless operation.~~

~~Such permit shall carry the taxi driver's name, description, date of issuance, date of expiration, driver's signature, the rules set forth in Section 721.11 and the signature of the Chief of Police. Such permit shall be displayed in a conspicuous place in the taxicab so as to be plainly visible and readable from the front or back seat by day or night. There shall be a five dollar (\$5.00) fee for each application. Such permits shall be issued at the discretion of the Chief of Police. Such permits shall be for a period of one year and may be renewed upon payment of a three dollars (\$3.00) fee and approval by the Chief of Police.~~

(Ord. 111-87. Passed 12-28-87.)

~~721.13 LOST ARTICLES.~~

~~Drivers of taxicabs shall promptly deliver to the Police Department all property of value left in their vehicles by passengers.~~

(Ord. 111-87. Passed 12-28-87.)

721.14 DISPOSITION OF FEES COLLECTED.

All fees for licenses and penalties provided for violation of provisions of this chapter shall be deposited with the City Treasurer in accordance with provisions of law and placed to the credit of the General Fund of the City.

(Ord. 111-87. Passed 12-28-87.)

~~721.15 TEMPORARY OPERATION OF ADDITIONAL CAB.~~

~~Each taxicab company operating within the City shall be permitted to temporarily operate one additional automobile which has been properly inspected and insured according to this chapter, during the period of time any regularly operated taxicab is out of operation.~~

(Ord. 111-87. Passed 12-28-87.)

~~721.16 CONDITION OF TAXICABS.~~

~~(a) Every taxicab shall be kept in a safe and sanitary operating condition. For the purpose of determining the condition of any licensed taxicab, the owner shall furnish to either the Director of Public Service and Safety or Council upon request, the written findings of a mutually acceptable garage mechanic.~~

~~(b) Whenever a taxicab is found not to be in a safe and sanitary operating condition, or whenever any of the requirements imposed by this chapter are not complied with, Council may suspend or revoke the license.~~

~~(c) Any taxicab put into service in the City shall be equipped with all safety equipment required by law.~~

(Ord. 111-87. Passed 12-28-87.)

~~721.17 NUMBER OF PASSENGERS.~~

~~No taxicab shall carry more passengers than the number designated as its seating capacity on the application for which the license was issued.~~

(Ord. 111 87. Passed 12-28-87.)

721.99 PENALTY.

(a) Whoever violates any provision of this chapter, shall be fined not more than one hundred dollars (\$100.00).

(b) Whenever the driver or owner of a taxicab is convicted of a violation of this chapter, in addition to any other penalty, the license issued ~~for the taxicab involved~~ may be revoked or suspended by the Mayor.

(Ord. 111-87. Passed 12-28-87.)

