

ORDINANCE NO. 706

CITY OF CRAIG

AMENDING TITLE 5.20 OF THE CRAIG MUNICIPAL CODE TITLED
"VEHICLES FOR HIRE"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRAIG:

Section 1. Classification. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the code of the City of Craig, Alaska.

Section 2. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall be effective immediately upon adoption.

Section 4. Action. This ordinance amends Chapter 5.20 of the Craig Municipal Code, entitled "Vehicles for Hire", by deleting words with ~~strike through~~ and adding words that are underlined:

Sections:

5.20.010 Definitions.

5.20.020 Certificate of public convenience and necessity required.

5.20.030 Application for certificate.

5.20.040 Issuance of certificate.

5.20.050 Indemnity bond or liability insurance required.

5.20.055 Certificate Term-Renewal

5.20.060 License fees.

5.20.065 Vehicle for Hire Certificate-Transfer

5.20.070 Suspension and revocation of certificates.

5.20.080 Vehicle-for-hire driver's license.

5.20.090 ~~Display of license.~~ Reserved

5.20.100 Equipment and maintenance.

5.20.110 Parking.

5.20.120 Fares.

5.20.130 Receipts.

5.20.140 Refusal of passenger to pay legal fare.

5.20.150 Solicitation, acceptance, and discharge of passengers.

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- 5.20.200 Renewal of Operator's permit- Issuance of temporary permit
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"5.20.010 Definitions.

The following words and phrases when used in this chapter have the meanings as set out herein:

- a) "Certificate" means a certificate of public convenience and necessity issued by the city council authorizing the holder thereof to conduct a vehicle for hire business in the city;
- b) "Cruising" means the driving of a vehicle for hire on the streets, alleys, or public places of the city in search of or soliciting prospective passengers for hire;
- c) "Driver's license" means valid Alaska Driver's license
- d) "Holder" means a person to whom a certificate of public convenience and necessity has been issued;
- e) "Manifest" means a daily record prepared by a vehicle for hire certificate holder of all trips made by the holder showing time and place of origin, destination, number of passengers, and the amount of fare of each trip;
- f) "Open stand" means a public place alongside the curb of a street or elsewhere in the city, which has been designated by the city administrator as reserved exclusively for the use of vehicles for hire;
- g) "Operator's permit" means the permit issued by the Craig police department to a driver of a vehicle for hire company.
- h) "Person" includes an individual, a corporation, or other legal entity, a partnership, and any unincorporated association;
- i) "Place of Origin" means specific address including city or municipality where the fare originates;
- j) "Round trip" means if a person begins a trip in one city and goes into another city and the trip is not interrupted by more than a 30-minute period then it shall be considered a round trip and the city of origin will have the right to all taxes due. If, however, the trip is broken by more than 30 minutes each city would be entitled to its fair share of the tax due as required and each city would be considered the place of origin.
- k) "Shuttle" means any business transporting passengers over a fixed route.
- l) "Vehicle for hire" means a motor vehicle regularly engaged in the business of carrying passengers for hire and not operated over a fixed route;

5.20.020 Certificate of public convenience and necessity required.

No person shall operate or permit a vehicle for hire owned or shuttle service controlled by said person to be operated as a vehicle for hire upon the streets of the city without having first obtained a certificate of public convenience and necessity from the city council.

5.20.030 Application for certificate.

An application for a certificate shall be filed with the city clerk upon forms provided by the city; and the application shall be verified under oath and shall furnish the following information:

- a) The name and address of the applicant;
- b) Any unpaid judgements or past due accounts payable to the City of Craig.
- c) The experience of the applicant in the transportation of passengers;
- d) Any facts which the applicant believes tend to prove that public convenience and necessity require the granting of a certificate;
- e) The number of vehicles to be operated or controlled by the applicant and the location of proposed depots and terminals, and fixed route if an application for shuttle business;
- f) The hours during which the applicant shall keep the place of business open for the purpose of receiving calls and dispatching vehicles for hire;
- g) The distinctive color scheme, including the color scheme of any lettering or numbers the applicant intends to apply to the exterior of each vehicle;
- (h) The location and address of the off-street parking lots within the corporate limits of the city set aside and available for applicant's vehicles when such vehicles are not in service;
- (i) A statement that the applicant has not been convicted of any of the following felony or misdemeanor offenses within the preceding five years:
 - 1) Prostitution or the promotion of prostitution;
 - 2) Sale, transportation, possession, or use of any controlled substance as defined in AS 11.71.140 through 11.71.190;
 - 3) Any offense which includes as an element the use or threat of force upon a person;
 - 4) Burglary, felony larceny, fraud, or embezzlement;
 - 5) Any sexual offenses; or
 - 6) Two separate felonies of any type;
- (j) A statement that the motorized vehicles to be used in the proposed operation are in a safe and legal operating condition together with a signed report to that effect issued within 60 days by a qualified mechanic approved by the chief of police or designee;
- (k) Proof of compliance with the insurance requirements of this chapter;

- (l) Such proof as the clerk may require establishing that the applicant will be independently engaged in the business for which the certificate is granted;
- (m) Such further information as the city administrator may require.

5.20.040 Issuance of certificate.

- a) If the council finds that further vehicle for hire or shuttle service in the city is required by the public convenience and necessity and that the applicant is fit, willing and able to perform such public transportation and to conform to the provisions of this chapter and the rules promulgated by the city administrator and the council, then the city administrator shall issue a certificate stating the name and address of the applicant, the number of vehicles authorized under the certificate, and the date of issuance; otherwise, the application shall be denied. In addition to conditions set forth in section 5.20.030, the applicant must meet the following additional requirements:
1. All sales, real and personal property taxes, utilities, interest, and penalties have been paid to the city;
 2. All fines, penalties, and collection costs due to the city where the holder's public vehicle was involved have been paid, unless the vehicle was truthfully reported stolen at the time of the violation or offense; and
- b) In making the above findings, the council shall take into consideration the number of vehicles for hire or shuttle services already in operation, whether existing transportation is adequate to meet the public need, the probable effect of increased service on local traffic conditions, and the character, experience, and responsibility of the applicant.

5.20.050 Indemnity bond or liability insurance required.

- a) No certificate of public convenience and necessity shall be issued or continued in operation unless there is in full force and effect an indemnity bond for each vehicle authorized in the amount of \$100,000 dollars for bodily injury to any one person; and subject to said limit for one person in the amount of three hundred thousand dollars for injuries to more than one person which are sustained in the same accident, and fifty thousand dollars for property damage resulting from any one accident. The bond or bonds shall inure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of a holder, holder's servants, or agents. The bond or bonds shall be filed in the office of the city clerk, and shall have as surety thereon a surety company authorized to do business in the state.
- b) The city administrator may, in the city administrator's discretion, allow the holder to file, in lieu of bond or bonds, a liability insurance policy issued by an insurance company authorized to do business in the state. The policy shall conform to the

provisions of this section relating to the bonds. The policy shall contain a provision for notification of cancellation thirty days prior to such cancellation. Notice of cancellation shall be immediately filed with the city clerk.

5.20.055 Certificate-Term-Renewal

Every certificate issued under this chapter shall expire on the last day of January next following its issuance; certificates once issued may be renewed and reissued by the clerk upon application to the clerk. Holders may apply for renewal no later than 30 days before the certificate expiration date. Certificates will not be renewed unless:

- a) All sales, real and personal property taxes, utilities, interest, and penalties have been paid to the city;
- b) All fines, penalties, and collection costs due to the city where the holder's public vehicle was involved have been paid, unless the vehicle was truthfully reported stolen at the time of the violation or offense; and
- c) The holder submits a signed report issued within 60 days from a qualified mechanic, approved by the chief of police or his designee, that each of the motorized vehicles operated under the certificate are in safe and legal operating condition, and proof of compliance with the insurance requirements of this chapter.

5.20.060 License fees.

No certificate shall be issued or continued in operation unless the holder thereof has paid an annual license fee of ~~ten dollars~~ one hundred dollars for the right to engage in the vehicle for hire or shuttle business and twenty dollars each year for each vehicle operated under a certificate of public convenience and necessity. License fees shall not be prorated. The license fees shall be for the calendar year, and shall be in addition to any other license fees or charge established by proper authority and applicable to the holder or the vehicle under the holder's operation and control.

5.20.065 Vehicle for Hire Certificate-Transfer

No vehicle for hire certificate may be sold, assigned, leased, or otherwise transferred without the consent of the council. Any sale, assignment, lease, or transfer of such certificate without the consent of the council is void, and the certificate revoked. Prior to revocation of any certificate under this section, the certificate holder participating in any assignment, lease, or transfer shall be sent notification and shall have an opportunity to be heard by the council.

5.20.070 Suspension and revocation of certificates.

- a) A certificate issued under the provisions of this chapter may be revoked or suspended by the city administrator if the holder thereof has:
 - 1) Violated any of the provisions of this chapter;
 - 2) Discontinued operations for more than fifteen days;

- 3) Violated any ordinances of the city or the laws of the United States or the state, the violations of which reflect unfavorably on the fitness of the holder to offer public transportation; or
 - 4) Failure to pay city sales tax quarterly as required;
 - 5) Failed to maintain the vehicles in safe and legal condition;
 - 6) Failed to exercise reasonable supervision or control over its drivers and vehicles or failed to establish reasonable safeguards when such failure contributed either directly or indirectly to any of the acts described in CMC 5.20.190(b), (c), (d), or (e); or
 - 7) Where there are any fines, penalties, and collection costs due the city under CMC Title 10 where the holder's public vehicle was involved, unless the vehicle was truthfully reported stolen at the time of the violation or offense.
- b) A certificate suspended or revoked under this subsection may be reinstated upon payment of the amounts due to the city.

c. Prior to suspension or revocation, the holder shall be given notice of the proposed action to be taken, and shall have an opportunity to be heard, with right of appeal to the council.

~~5.20.080 Vehicle for hire driver's license.~~

~~No person shall operate a vehicle for hire upon the streets of the city, and no person who owns or controls a vehicle for hire shall permit it to be so driven, and no vehicle for hire licensed by the city shall be so driven at any time for hire, unless the driver of the vehicle for hire shall have first obtained an Alaska Driver's License, and has been accepted as a driver by the taxi owner's insurance company.~~

~~5.20.090 Display of license.~~

~~Every driver licensed under this chapter shall post his or her driver's license in such a place as to be in full view of all passengers while such driver is operating a vehicle for hire, or shall carry the same on his or her person and shall show the same to all persons upon demand.~~

5.20.100 Equipment and maintenance.

- a) The owner of a vehicle for hire or shuttle service shall be fully and solely responsible for ensuring that said vehicle shall be routinely and regularly repaired, maintained and inspected as may be required by federal or state law or regulation governing such vehicle, and shall further ensure that evidence of such compliance is properly displayed in or on such vehicle as may be so required by law or regulation, or, if not so required, shall ensure that such evidence of compliance is available to be shown to all persons upon demand.

- b) Prior to the use and operation of any vehicle under the provisions of this section, the chief of police of the city, or the chief's designee, shall conduct a physical examination of the vehicle to determine whether the same is properly equipped, and appropriately painted, lettered, and otherwise clean, presentable, and suitable for public patronage and occupancy, according to the provisions of this chapter. A fee for each additional police department inspection is \$25.00 for any vehicle which fails an initial inspection.
- c) Every vehicle operating under this section shall be inspected, as set forth in paragraph (a) of this section, at least once each calendar year. Any vehicle which shall not pass inspection will immediately be suspended from service until such defect has been corrected.
- d) Any vehicle operating under this section which is involved in a reportable accident as provided by state law, shall be inspected as provided in paragraph (a) of this section before continuing in or returning to service.

5.20.110 Parking.

- a) The city administrator is authorized and empowered by the council of the city to establish open vehicle for hire stand locations within the city.
- b) Open stands shall be used by the different companies, provided that no two vehicles for hire from the same company shall be in the same stand at any one time. The driver shall pull onto the open stand from the rear and shall advance forward as the vehicles for hire ahead pull off. Drivers shall stay within five feet of their vehicles for hire; they shall not solicit passengers, or engage in loud or boisterous talk while at an open stand. Nothing in this section shall be construed as preventing a passenger from boarding the vehicle for hire of his or her choice that is parked at open stands.

5.20.120 Fares.

- a) Vehicle for hire and shuttle fares and charges shall be determined by measurement of distance and all rates shall be posted within or on the outside of the vehicle for hire in a manner that is readily legible to the public.
- b) Charter services shall be by an hourly rate, which rate shall be posted within or on the outside of the vehicle for hire in a manner that is readily legible to the public, or by prior written agreement.
- c) Lawful rates. It is unlawful to charge, demand, request, collect or receive, or attempt to charge, collect, or receive any rate or compensation for the use of a vehicle for hire other than the rate, charge or compensation specified in this section.

5.20.130 Receipts.

The driver of any vehicle for hire or shuttle service shall upon demand by the passenger render to such a passenger a receipt for the amount charged, either by a mechanically printed receipt or by a specially prepared receipt on which shall be the name of the owner, license number or vehicle for hire number, amount of meter reading or charges, and date of transaction.

5.20.140 Refusal of passenger to pay legal fare.

It is unlawful for any person to refuse to pay the legal fare of any of the vehicles mentioned in this chapter after having hired the same; and it is unlawful for any person to hire any vehicle herein defined with intent to defraud the person from whom it is hired of the value of such service.

5.20.150 Solicitation, acceptance, and discharge of passengers.

- a) No driver shall solicit passengers for a vehicle for hire except or while standing immediately adjacent to the curb side thereof. The driver of any vehicle for hire shall remain in the driver's compartment or immediately adjacent to his or her vehicle at all times when such vehicle is upon the public street, except that, when necessary, a driver may be absent from his vehicle for hire for not more than thirty consecutive minutes, except in an emergency; and provided further that nothing herein contained shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle.
- b) Prohibited Solicitation. No driver shall solicit patronage in a loud or annoying tone of voice or by sign, or in any manner annoy any person, or obstruct the movement of any persons, or follow any person for the purpose of soliciting patronage.
- c) Receipt and Discharge of Passengers on Sidewalk Only. Drivers of vehicles for hire or shuttle service, except in emergency, shall not receive or discharge passengers in the roadway, but shall pull up to the right-hand sidewalk as nearly as possible or, in the absence of a sidewalk, to the extreme right-hand side of the road, and there receive or discharge passengers, except upon one-way streets, where passengers may be discharged at either the right-hand or left-hand sidewalk, or side of the roadway in the absence of a sidewalk; provided that this section shall not prohibit a vehicle for hire or shuttle service from making a brief stop on the roadway side of a vehicle stopped or parked not to exceed three minutes, if such stop is necessary in the expeditious loading or unloading of passengers of such vehicle, and further provided that except in residential areas, no person shall make said stop in such a manner or under such conditions as to leave available less than ten feet of the roadway, streets or highway for the free movement of vehicular traffic in either direction provided that when the vehicle for hire is making the brief stop, the driver thereof shall remain in the driver seat of the vehicle for hire immediately behind the steering wheel except to

assist a passenger in or out of the vehicle for hire or shuttle, if necessary; and provided further that this section shall not be construed to permit a vehicle or vehicle for hire or shuttle to stop, stand or park on the roadway side of a vehicle stopped or parked at the edge or curb of a highway, road, or street, when said vehicle or vehicle for hire is precluded from doing so under state law.

- d) Cruising. No driver of a vehicle for hire shall cruise in search of passengers.
- e) Restriction on Number of Passengers. No driver shall permit more persons to be carried in a vehicle for hire as passengers or shuttle service, than the rated seating capacity of such vehicle.
- f) Refusal to Carry Orderly Passengers Prohibited. No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this chapter to do so, unless there is good reason therefore.

5.20.160 Prohibition of other vehicles.

Private or other vehicles for hire shall not at any time occupy the space upon the streets that has been established as open stands.

5.20.170~~5~~ 65-Vehicle for hire service.

All persons engaged in the vehicle for hire or shuttle business in the city operating under the provisions of this chapter shall render an over-all service to the public desiring to use vehicles for hire. Holders of certificates of public convenience and necessity shall maintain a place of business which may be mobile and shall keep the same open for the purpose of receiving calls and dispatching vehicles for hire during not less than those hours which are specified in the approved certificate of public convenience and necessity. They shall answer all calls received by them for services inside the corporate limits as soon as they can do so, and if the services cannot be rendered within a reasonable time, they shall then notify the prospective passengers how long it will be before the said call can be answered and give the reason therefore. Any holder who shall refuse to accept a call anywhere in the corporate limits at any time when such holder has available vehicles for hire or shuttles, or who shall fail or refuse to give overall service, except as provided in subsection (f) of Section 5.20.150, shall be deemed a violator of this chapter, and the certificate granted to such holder shall be revoked at the discretion of the city administrator.

5.20.170 Operator's permit required.

No person shall operate a vehicle for hire or shuttle service upon the streets of the city, and no person who owns or controls a vehicle for hire or shuttle service shall permit it to be so driven, and no vehicle for hire or shuttle service licensed by the city shall be so

driven at any time for hire, unless the driver of the vehicle for hire or shuttle service shall have first obtained an Alaska Driver's License, city operator's permit, and has been accepted as a driver by the certificate holder's insurance company, and operates a vehicle authorized by a Certificate.

5.20.175 Operator's Permit-Application.

An application for an operator's permit or a renewal thereof shall be made in writing under oath and filed with the chief of police or his designee upon a form provided by the city, and each applicant shall furnish the following information:

- 1) Name and Address
- 2) Place or places of residence in the past two years
- 3) Age, height, color of eyes and hair;
- 4) A letter from the vehicle for hire company or shuttle service or certificate holder which proposes to hire or lease to the applicant requesting and recommending that the license be granted;
- 5) The experience of the applicant in the transportation of passengers;
- 6) The names and addresses of two reliable people who have known the applicant for a period of one year and who will vouch for the sobriety, honesty, and general good character of the applicant;
- 7) Whether the applicant has been convicted of a felony or a misdemeanor within the last five years;
- 8) Whether the applicant has ever held a driver's license or a chauffeur's permit, and if so, when and where and if such permit has been revoked within the last five years and for what cause;
- 9) Any other facts or information as the chief of police or his designee may require;
- 10) Any other facts deemed important by the applicant that he may wish to submit;
- 11) Whether the applicant has been convicted of reckless driving, leaving the scene of an accident, or operating a motor vehicle while under the influence of intoxicants, drugs, or narcotics within the last five years;
- 12) Whether the applicant has any physical disability which impairs the applicants driving ability.

At the time the application is filed, the applicant shall pay to the police department the sum of \$20.00.

5.20.180 Current state driver's license required.

Before any operator's permit is issued by the chief of police or his designee, the applicant shall be required to show that he has a current motor vehicle operator's license issued by the state.

5.20.185 Operator's Permit-Police investigation of applicant.

The police department shall conduct an investigation of each applicant for an operator's permit, and a report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application for the consideration of the chief of police or his designee.

5.20.190 Operator's permit- Consideration of application.

The chief of police or his designee shall review the application, the reports and other pertinent materials concerning the applicant and shall approve the application if, based upon the information in his possession:

- a) The application and any previous applications are true, accurate, and complete.
- b) The applicant has not had a conviction entered by a court of competent jurisdiction within 12 months of:
 1. A moving traffic violation or the last of a series of moving traffic violations which resulted in any suspension or revocation of the applicant's driver's license;
 2. Reckless or negligent driving;
 3. Driving while license suspended or revoked; or
 4. Driving while under the influence of intoxicating liquor, depressant, hallucinogenic stimulant or narcotic drugs or any controlled substances.
- c) The applicant has not had a felony, misdemeanor or similar conviction entered by a court of competent jurisdiction within five years of:
 1. Assignment, prostitution, solicitation for the purposes of prostitution, offering to secure another for the purpose of prostitution, maintaining a vehicle for the purpose of prostitution, or accepting money from a prostitute.
 2. Sale, transportation, possession or use of any controlled substance;
 3. Any felony or misdemeanor which includes as an element the use or threat of force upon a person;
 4. Burglary, larceny, fraud, theft, or embezzlement. The chief of police or his designee may approve a permit application to an applicant who has been convicted of a violation of subsection (c)(1)(2), (3), or (4) of this section if in his opinion the violation is remote in time and/or substantially minor and unrelated to the operation of a public vehicle.
- d) The applicant has not had a felony, misdemeanor or similar conviction entered by a court of competent jurisdiction for any offense which pertains to sexual abuse or sexual exploitation of a minor; provided, however, that the chief of police or his designee may approve a permit application to an applicant if the conviction is more than five years old and the applicant is unconditionally discharged from probation.
- e) The applicant has not committed any act which in the determination of the chief of police or his designee substantially relates to lack of fitness to operate a public vehicle.

- f) The applicant does not have a record of repeated incidents of alcohol or substance abuse. A permit may be granted despite such a record if the applicant proves to the satisfaction of the chief of police or his designee that any alcohol or substance abuse has been effectively treated. The chief of police or his designee may issue to any such applicant a probationary permit conditioned upon continued treatment and/or abstinence from the consumption of alcohol or controlled substance. Such license shall provide for suspension and/or revocation of the probationary permit if any condition is violated.
- g) The applicant has no physical disability which impairs the applicants driving ability. If charges are pending against an applicant for any of the traffic or criminal violations described in this section, the chief of police or his designee may, after offering the applicant an opportunity to present evidence and be heard, withhold approval of a permit pending the outcome of the prosecution of such charges. If any application is not approved by the chief of police or his designee, the applicant may, within 20 days of the date the decision of the chief of police is mailed to the applicants address as shown on the application, request a personal appearance before the council to offer evidence why his/her application should be reconsidered. Failure to timely request said appearance shall be a waiver of any right to contest or appeal the procedure, findings or actions concerning the application.

5.20.195 Operator's Permit-Issuance-Duration-Display-Annual Fee

- a) Upon approval of an application for a operator's permit, the chief of police or his designee shall issue to the applicant a permit which shall bear the name, address, age, signature, and photograph of the applicant.
- b) Operator's permits, unless revoked or suspended prior thereto, upon issuance shall be valid for one year from the date of issuance, and may be renewed annually for a one-year term; provided, however, a operator's permit valid for a five-year period may be issued to drivers who have held a City of Craig vehicle for hire license, shuttle service or operator's permit for a period of not less than five consecutive years upon payment of the license fee for five years in advance. The requirements of this section regarding submission of a operator's permit application and any other information required by this section need only be provided once every five years by the holder of a five-year license or permit; provided, however, the chief of police or his designee may require a driver holding an operator's permit or driver's license to submit such further and additional information, or to take a physical examination whenever he believes such is necessary for protection of the public.
- c) Every driver issued a permit under this chapter shall post that operator's permit in such a place that shall be in the full view of passengers while the driver is operating

the vehicle and shall carry the same on his or her person and shall show the same to all persons upon demand.

5.20.200 Renewal of operator's permit-Issuance of temporary permit.

In respect to renewals only, the police department may issue a temporary operator's permit, pending the completion of the steps indicated in CMC 5.20.175 through 5.20.190, if doing so does not appear contrary to the protection of the public.

5.20.205 Operator's Permit-Suspension and revocation.

a) The chief of police or his designee is given the authority to suspend or revoke any operator's permit issued under this chapter or prior ordinance, for any of the following reasons

1. Proof that the permittee has failed to satisfy any of the requirements of CMC 5.20.190
2. Proof that a material statement on the operator's application is false or misleading;
3. Willful failure to conspicuously display such permit in the vehicle while the vehicle is in operation
4. The permittee has committed any of the violations listed under 5.20.190(b), (c), (d), or (e), regardless of whether the permittee has been convicted by a court of competent jurisdiction;
5. Proof that the permittee has violated any section of this chapter.

b) Except when necessary for the immediate protection of the public and then only for such time as is reasonably necessary for such protection, no permit shall be suspended or revoked under this section without notice to the licensee and an opportunity for the permittee to present evidence in his/her behalf at a hearing before the chief of police. Any permittee suspended or revoked under this section may, within 20 days of the date of the decision of the chief of the police is mailed to the permittee's address as shown in the records of the police department, request a public appearance before the council to offer evidence why his/her application should not be suspended or revoked. Failure to timely request said appearance shall be a waiver of any right to appeal or contest the procedure, findings or suspension or revocation.

5.20.180~~210~~ Manifests.

a) Every permit holder shall maintain a daily manifest upon which is recorded all trips made each day, showing time and place of origin, destination of each trip, and amount of fare. The forms for each manifest shall be of a character approved by the city administrator.

b) Every holder of a certificate of public convenience and necessity shall retain and preserve all manifests in a safe place for at least the calendar year next preceding the current calendar year, and said manifests shall be available to the police department or

the city clerk for inspection and copying. will be submitted to the city clerk with the quarterly sales tax remittance.

5.20.190215 Advertising.

Subject to the rules and regulations of the city administrator, it is lawful for any person owning or operating a vehicle for hire or shuttle service to permit advertising matter to be affixed to or installed in or on such vehicles for hire.

5.20.200220 Police to enforce chapter.

- a) The police department of the city is hereby given the authority and is instructed to watch and observe the conduct of holders and drivers operating under this chapter. Upon discovering a violation of the provisions of this chapter, the police department shall report the same to the chief of police or his designee, who will order or take appropriate action.
- b) Any revocation, suspension, or denial of any certificate or permit by the chief of police or the city administrator shall be subject to appeal to the city council.
- c) The police may stop the vehicle at any time to inspect the manifest or to ensure compliance with any section of this ordinance.

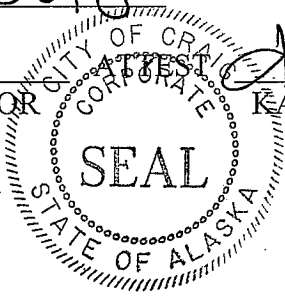
5.20.210225 Violation- Penalties.

Any violation of this chapter shall be punished by the fine established in CMC 1.16.040 if the offense is listed in that fine schedule or by a fine of up to \$300.00 if the offense is not listed in the CMC 1.16.040 fine schedule.

APPROVED Jan 18, 2018

Tim O'Connor

MAYOR TIMOTHY O'CONNOR



Kassi Mackie

KASSI MACKIE, CITY CLERK