

Chapter 4-5

TAXICABS

Sections:

4-5-1	Definitions
4-5-2	License
4-5-3	License Fee
4-5-4	Application For License
4-5-5	Personal Qualifications
4-5-6	Equipment Regulations
4-5-7	Insurance Requirements
4-5-8	Additional Regulations
4-5-9	Municipal Infraction
4-5-10	Special Provisions Relating to the Operation of a Rickshaw
Section 4-5-1	Definitions

(A) "TAXICAB" means any motor vehicle or conveyance kept for hire.

(B) "PERSON" means every natural person, firm, co-partnership, association or corporation.

(C) "OWNER" means a person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Chapter.

(D) "DRIVER" means every person who drives or is in actual physical control of a vehicle.

(E) "RICKSHAW", ALSO KNOWN AS PEDICAB, is defined as a bicycle or other opened or closed vehicle with three or more wheels operated by one individual for the purpose of or capable of transporting passengers for hire in seats or a platform made a part of the rickshaw. This definition shall not include a bicycle built for two where the operators are seated one behind the other nor shall it include the operation of a bicycle with trainer or beginner wheels affixed thereto nor shall it include a wheelchair or other vehicle with a purpose of operation by or for the transportation of a disable person nor shall it include a tricycle built for a child or an adult with a seat for only one operator and no passenger nor shall it include a bicycle with a trailer attached suitable for carrying small children unless the bicycle operator is being paid. A rickshaw is included within the definition of taxicab.

(Ord. 14-O-2008-2009, Amended, 06/01/2009)

Section 4-5-2 License

It shall be unlawful for any person to operate a taxicab within the limits of the City, unless such person shall first obtain a license therefor. All taxicab owners shall obtain such a license and they shall in all other respects fully comply with the requirements of this Chapter.

Section 4-5-3 License Fee

The annual license fee for each owner engaged in operating taxicabs shall be in the amount set by Council Resolution.

(Ord. 12-O-2004-2005, Amended, 12/06/2004)

Section 4-5-4 Application For License

Applications for a taxicab license shall be filed with the Clerk, and shall be issued by the Council. Applications shall be in writing, signed by the applicant, and shall contain the following:

- (A) The name and address of the applicant.
- (B) The location and legal description of the principal place of business or base of operations of the taxicab stand.
- (C) The description and number of taxicabs to be operated.
- (D) Such further and additional information as may be requested by the Council.

Section 4-5-5 Personal Qualifications

An applicant for such a license shall be at least eighteen (18) years of age, of sound physique, good eyesight, not subject to epilepsy or any other infirmity of body or mind which would affect his or her ability to properly operate a taxicab. He or she must be able to read and write the English language and must show that he or she is familiar with the traffic laws of the City. Applicant must be of good moral character and not addicted to the use of intoxicating liquor or controlled substances. The foregoing qualifications apply equally as well to all hired drivers of applicant as to the said applicant personally. In addition to the foregoing, all drivers of taxicabs must be licensed chauffeurs under the laws of the State.

Section 4-5-6 Equipment Regulations

An applicant for such a license shall operate only taxicabs that are in good repair and safe operating condition. The applicant shall be the owner of the taxicab or taxicabs. All taxicabs operated under this Chapter shall be inspected at least once every ninety (90) days as to lights, brakes, horn, steering, tires, and operating condition and a certificate of a reputable auto mechanic shall be filed with the Clerk showing that the said taxicabs are in safe operating condition.

Section 4-5-7 Insurance Requirements

Any person operating a taxicab, shall at all times carry liability insurance for the benefit and protection of any person whether passenger or other person for personal injury or property damage, by reason of the negligent operation of the said taxicab or taxicabs. Said negligent operation of the said taxicab to include the negligence of employees. The said liability insurance is to be in a minimum indemnifying amount of one million dollars (\$1,000,000) per occurrence and the original of the insurance policy is to be deposited

with the Clerk, during the period of operation under the license, as herein provided for, and the said policy is to be approved by the said Clerk.
(Ord. 14-O-2008-2009, Amended, 06/01/2009)

Section 4-5-8 Additional Regulations

- (A) All taxicabs operated under this Chapter are to be kept clean and sanitary.
- (B) No taxicab driver shall be permitted to use foul, abusive or offensive language, or use intoxicants or drugs while on duty, or engage in any illegal activity.
- (C) All taxicab drivers shall be duly licensed motor vehicle operators under the laws of the State of Iowa and shall be required to obey the provisions of this Code and the provisions of Chapter 321 and 321J of the Iowa Code at all times.
- (D) All taxicabs operated under the provisions of this Chapter will be required to file their rates in the office of the City Clerk.
(Ord. 14-O-2008-2009, Amended, 06/01/2009)

Section 4-5-9 Municipal Infraction

A violation of any of the provisions of this Chapter shall constitute a Municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

Section 4-5-10 Special Provisions Relating to the Operation of a Rickshaw

The following special requirements shall apply to the operation for hire of a rickshaw within the City of Storm Lake, Iowa:

- (A) The provisions of 4-5-6 as related to rickshaws are modified to delete the requirement that the bicycle be equipped with a horn and substituting "a reputable bicycle repair shop" in place of the phrase "reputable auto mechanic".
- (B) All rickshaws shall be operated with a slow-moving vehicle sign mounted on the rear of the rickshaw which shall be clearly visible to traffic approaching from the rear of the rickshaw.
- (C) Rickshaws shall not be operated on the sidewalk or Lake Trail within the City of Storm Lake. Rickshaws may operate on the streets of Storm Lake but on any street which has 4 lanes, rickshaws may only be operated in the outside lanes other than when turning left.
- (D) Rickshaws shall not be operated during rain or snow events. If precipitation occurs after a trip has begun, the operator of the rickshaw shall return as quickly as possible to the location where the passengers can be discharged.
- (E) All rickshaws shall be equipped with tail lights or LED flashing lights so that they are clearly visible as well as a head light or forward LED flasher. All such lights must be utilized between the hours of dusk and dawn and must be visible from the front and from the rear for a minimum of 200 feet.

(F) All of the requirements relating to rickshaws shall be equally applicable to a horse-drawn carriage for hire other than the requirement that the carriages be certified by a reputable auto mechanic/bicycle repair shop. The operators of any horse-drawn carriage must provide the City with a manure management plan which ensures that no horse manure will be left on the streets or in other public places.

(Ord. 14-O-2008-2009, Add, 06/01/2009)