

Ordinance No. 2014-1002

AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF ORDINANCES OF THE CITY OF CORALVILLE (2011), AS PREVIOUSLY AMENDED, REGARDING TAXI REGULATIONS.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF CORALVILLE, JOHNSON COUNTY, IOWA, AS FOLLOWS:

Section 1. Amendment. Chapter 127 of the Code of Ordinances is deleted in its entirety and is replaced with the language on Exhibit “A” attached hereto and by this reference made a part of this ordinance.

Section 2. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Adjudication. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

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Passed and approved this 25th day of February, 2014.

John A. Lundell, Mayor

ATTEST:

Thorsten J. Johnson, City Clerk

EXHIBIT "A"

CHAPTER 127

TAXICABS

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SECTION 127.01 DEFINITIONS

1. "Airport shuttle" means a vehicle furnished with a driver that carries passengers for hire exclusively on a route that either starts or ends at the Eastern Iowa Airport or the Quad Cities International Airport.
2. "Applicant" means an individual or company desiring to operate as a taxicab within the corporate limits of the City or Coralville.
3. "Certified Calibrator" means an individual who possesses a certificate showing completion of a taximeter calibration course. Said certificate must state the individual qualifications to program, calibrate, repair and maintain a taximeter. Said certificate must also include the name of the meter manufacturer(s), and models for which the individual is qualified to calibrate. Said certificate must be filed with the City Clerk or designee for all vehicles starting with the 2014 licensing year.
4. "Charter transportation" means a vehicle furnished with a driver that carries passengers for hire either on a fixed route or pursuant to a written contract with reservations at least 24 hours in advance of service. The vehicle shall operate without a meter installed and charge for services on an hourly basis or longer periods of time.
5. "Decal" means a license issued by the City Clerk for each vehicle operated as a taxicab business.
6. "Destination rate" means a flat fee charged by a taxicab business to carry a fare from one specified geographic location to another specified geographic location that is applicable at all time on all days.
7. "Driver" means a person who is authorized by the City to drive a taxicab.
8. "Horsedrawn vehicle" means any vehicle operated or pulled by a horse, furnished with a driver and carrying passengers for hire within the City, and operates without a taxi meter.
9. "License" means written permission by the City to operate a taxicab business.

10. "Manifest log" means a daily record by a taxicab driver of all trips made by said driver showing time and place of origin, destination, number of passengers, and the amount of fare of each trip.
11. "Pedicab" means a vehicle propelled exclusively by human power through a belt, chain or gears, having two or more wheels, furnished with a driver and carrying passengers for hire. It shall be equipped with properly functioning front and rear lights for nighttime operation, right and left rearview mirrors and right and left turn signals, and operate without a taxi meter.
12. "Rate card" means a card containing the maximum fare rates, hours of operation, and complaint procedures then in force.
13. "Street" means any street, alley, court, lane, bridge or public space within the City.
14. "Taxicab" means all vehicles (furnished with driver) that carry passengers for hire within the City, including (but not limited to) taxicabs and airport shuttles. Charter transportation as defined by this section and vehicles owned and operated by any governmental entity that provides public transportation are not taxicabs.
15. "Taxicab business" means a person or entity that provides taxicab services within the corporate limits of the City.
16. "Taxicab services" means all activities conducted in furtherance of a taxicab business.
17. "Taximeter" means an instrument or device attached to measure mechanically, electrically or electronically the distance driven and the waiting time upon which fare is based and converts them to monetary charges.

SECTION 127.02 LICENSE REQUIRED. Each person or entity that provides taxicab services within the City of Coralville shall obtain a license.

1. Application. Each applicant for a taxicab business license shall file an application with the city clerk on forms provided by the City, which shall be verified and shall furnish the following information:
 - A. The name and address of each person with an ownership interest in the company desiring to provide taxicab services within the city.
 - B. The experience of the applicant in the transportation of passengers.
 - C. The record of convictions of misdemeanors and/or felonies, including all traffic violations, and certified state of Iowa criminal history and certified state of Iowa driver's record for each person identified in paragraph A above. At least one owner shall reside in the State of Iowa.
 - D. The signature of all persons with an ownership interest in the business.
 - E. Other pertinent information as the City requires.
2. Minimum Qualifications. Each taxicab business shall meet the following minimum requirements:

- A. Except for pedicabs, horse drawn vehicles, and airport shuttles provide a taxi service to the public twenty-four (24) hours a day, seven (7) days a week, and have a business office located in Iowa City or Coralville city limits. No dispatching shall be done from a vehicle. All dispatching shall be done from the office except between the hours of midnight and 6:00 am. The telephone number listed on the application must be answered twenty-four (24) hours a day, seven (7) days a week.
 - B. Except for pedicabs, horse drawn vehicles, and airport shuttles, provide a minimum of four qualified licensed taxicab drivers.
 - C. Except for pedicabs, horse drawn vehicles, and airport shuttles, provide a minimum of four qualified licensed taxicab vehicles of which a minimum of one vehicle shall be in operation at all times. All taxicabs must comply with the vehicles requirements of this chapter.
 - D. Provide a certificate of liability insurance in accordance with this chapter.
 - E. Meet all applicable zoning ordinance regulations and other city regulations. No taxicab business may dispatch out of a residential district.
 - F. Except for pedicabs and horse drawn vehicles, maintain manifest logs and provide manifest logs to the City upon request.
 - G. Each taxicab must prominently display the passenger feedback form provided by the city, and return any completed cards to the City Clerk.
3. Issuance of License. If the City Clerk finds that an applicant has fully complied with the requirements of this chapter and the Police Chief has determined there is no information which would indicate that the issuance of license would be detrimental to the safety, health or welfare of residents of the City, the City Clerk shall issue a license.

SECTION 127.03 DECALS

1. Application for Decals. Each applicant shall also file an application for a decal for each vehicle with the City Clerk on forms provided by the City.
2. Attachment of Decal. No taxicab shall be operated on any street within the City unless a decal has been issued by the City Clerk. The decal shall be attached on the front windshield on the passenger side.
3. Issuance or Denial of Decal; Nontransferability.
 - A. If the City Clerk finds the applicant has fully complied with the terms of this chapter and the taxicab vehicle has passed inspection and has a current certificate of inspection from a certified mechanic or other jurisdiction, the City Clerk shall issue a decal for the taxicab.
 - B. The decal is nontransferable as between vehicles and taxicab businesses.
 - C. The refusal to issue a decal may be based on an adverse driving record, conviction of other crimes or when the applicant's prior experience demonstrates a disregard for the safety of others and/or lack of responsibility.
 - D. No decal shall be issued until at least 24 hours have passed since the filing with the City Clerk of a complete application for a decal.

- E. The applicant shall return the decal and remove the bubble light and lettering immediately when the vehicle is no longer operating as a taxicab. Failure to comply with this provision is grounds to revoke the taxicab business license.

SECTION 127.04 LIABILITY INSURANCE REQUIREMENTS.

1. As a condition to receiving a taxicab business license or a vehicle decal, the applicant shall file with the City Clerk evidence of liability insurance coverage via a certificate of insurance which shall be executed by a company authorized to do business in this state and acceptable to the City. Each certificate shall list all vehicles licensed to the company. It is the responsibility of the company to file with the City Clerk one certificate per company listing all vehicles.
2. The taxicab business shall insure each driver.
3. Each certificate shall provide for ten calendar days' prior written notice to the City Clerk of any nonrenewal, suspension, cancellation or termination of the policy of insurance.
4. The minimum limits of such policy shall be determined by resolution of the City Council.
5. The cancellation or other termination of any insurance policy or certificate shall automatically revoke and terminate the licenses issued for the taxicab business and the vehicles covered by such insurance policy, unless another policy, complying with this chapter, shall be provided and in effect at the time of such cancellation or termination. The City Clerk shall immediately issue written notification of the revocation of all licenses for the taxicab business and the vehicles covered by such insurance which is cancelled or terminated. All decals must be returned to the City Clerk. Subsequent issuance of business licenses and decals will be in accordance with the terms of this Chapter and at the applicant's expense.
6. The cancellation or termination of any insurance coverage for any single vehicle shall require the decal to be returned to the City Clerk and a reinspection of that vehicle will be required prior to the issuance of another decal and use of the vehicle as a taxicab. The City Clerk shall immediately issue written notification of the vehicle cancellation to the taxicab business.

SECTION 127.05 VEHICLE INSPECTION REQUIRED. Each applicant for issuance or renewal of a taxicab decal shall submit with the written application a current certificate of inspection from a certified mechanic or a certificate of inspection from another jurisdiction. Each vehicle is subject to annual inspection. All inspections shall consist of the following:

1. Exterior. Headlights, taillights, brake lights, directional signal lights, reverse light operation, hazard light operation, marker lights (including parking and side marker), license plate lights, windshield washers, windshield vent lights, windshield wipers including rear wiper if so equipped, all other vehicle glass, glass window raisers, doors and door locks, trunk lid, trunk hood and interior door handles, exhaust system, splash shields, bumpers, fenders, mirrors including

rear view and outside mirrors and attached lighted dome light, body and tires shall be inspected to ascertain, each is functioning properly. Each taxicab shall be maintained in a reasonably clean condition. There shall be no tears or rust holes in the vehicle body. There shall be no unrepaired body damage which would create a safety problem or interfere with the operation of the vehicle

2. Interior. The rearview mirror, steering wheel, foot brakes, parking brakes, seatbelts, horn operation, passenger interior light and air conditioning and heating systems shall be inspected to ascertain that each is functioning properly. The upholstery, floor mats, head lining, door panels and the trunk compartment shall be inspected to determine if they are clean, free of tears and that the trunk has sufficient space for passenger's luggage. Each vehicle must be equipped with a taximeter that is in good operating order, and has been calibrated and sealed by a certified calibrator. Dated documentation must be on a form provided by the City or other jurisdiction and filed with the City Clerk when the inspection is completed. Calibration date must be within thirty (30) days prior to the annual inspection. Signage must be conspicuously displayed on the inside of the vehicle that states: "If the meter is not working, this vehicle cannot operate as a taxi. Receipt of fare upon request." Taximeters are not required in airport shuttles.
3. The Police Chief or designee may require reinspection of a vehicle on belief that a vehicle is not mechanically fit. In the event any vehicle is determined to not be mechanically fit, the decal shall be confiscated and returned to the City Clerk. After reinspection and determination the vehicle meets the standards of mechanical fitness, a new decal will be issued and charged as established by Council resolution.
4. The Police Chief or designee may require reinspection of a vehicle on belief that a vehicle is in such unsafe condition as to endanger any person. In the event any vehicle is determined to be in such unsafe condition as to endanger any person, the decal shall be confiscated and returned to the City Clerk. Once notified the licensee must have the vehicle reinspected within two (2) business days and pass the inspection and a new decal will be provided at no charge. If the licensee fails to have the vehicle reinspected or the vehicle fails reinspection within two (2) business days the licensee must apply for a new decal and will be charged the fee established by Council resolution.

SECTION 127.06 STATE CHAUFFER'S LICENSE REQUIRED. No person shall operate a motorized taxicab on the streets of the City, no person who owns or controls a motorized taxicab shall permit it to be so driven, and no motorized taxicab licensed by the city shall be so driven for hire unless the driver of such motorized vehicle shall have first obtained and shall have then in force a chauffer's license issued under the provisions of the *Code of Iowa*, as amended.

SECTION 127.07 DRIVER REQUIREMENTS

1. Authorization Required. No person shall operate a taxicab without authorization of the City Clerk. No taxicab business shall allow a person to drive a taxicab unless the driver has authorization of the City Clerk.

2. Application. Each person desiring to drive a taxicab shall file an application with the City Clerk. Such application shall be verified under oath and shall furnish the following information:
 - A. The name, address and phone number of the person.
 - B. The experience of the person in the transportation of passengers.
 - C. The person's record of convictions of misdemeanors and/or felonies, including moving and nonmoving traffic violations, and certified State of Iowa criminal history and certified State of Iowa driver's record.
 - D. Motorized taxicab drivers shall possess a currently valid Iowa Chauffeur's license.
 - E. Such further information the City may require.
3. Issuance or Denial of Authorization.
 - A. If the City Clerk finds the applicant has fully complied with the requirements of this chapter and the Police Chief or Chief's designee has determined that there is no information which would indicate that authorization to drive a taxicab would be detrimental to the safety, health or welfare of residents of the City, the City Clerk shall authorize the individual to drive a taxicab. Names of authorized drivers will be made available in the office of the City Clerk during regular business hours.
 - B. The refusal to authorize a person to be a driver must be based on an adverse driving record and/or conviction of other crimes or, in the case of a horsedrawn vehicle operator, failure to demonstrate ability to control the animal and vehicle in traffic.
4. Identification Card. Each driver while operating a taxicab in the City shall prominently display an identification card provided by the taxicab business showing the full name of the driver and the taxicab business. The card must be prominently displayed and visible to all passenger seats, and be at least eight and one-half inches (8 ½") in width and five and one-half inches (5 ½") in height.

SECTION 127.08 RATES; HOURS; COMPLAINTS

1. Each taxicab shall have prominently displayed a fare rate, hours of operation, and complaint procedure card visible to all passenger seats, and each driver shall provide a copy of said card to a passenger, when requested. A copy of the rate card shall be filed with the City Clerk. The rate charged must be in accordance with the rate card on file with the City Clerk.
2. The rate card shall contain the following language: *Comments regarding taxicab services in Coralville may be directed to the City Clerk Monday-Friday 8:00 a.m. to 5:00 p.m. at Coralville City Hall, 1512 7th Street, Coralville, Iowa 52241 (319)-248-1700 or through the "Let Us Know" link on the left hand column of www.coralville.org the City of Coralville website.*
3. Rates must be based upon time, distance or a combination thereof. A rate based upon distance includes destination rates. A rate based upon time must utilize a taximeter. All other rates, charges or fees, except extra rider stipulations and

clean up rates are prohibited. Only one rate may be certified by the calibrator at one time, and said rate must match the rate card filed in the City Clerk's office.

4. Whenever the owner of a taxicab business desires to change the rate charged, the owner shall file the rate card with the City Clerk setting forth the new rates. The business must have all taximeters re-calibrated by a certified calibrator on a form provided by the City Clerk and returned to the City Clerk no later than ten (10) business days after filing the new rates with the City Clerk. The taximeters shall be re-calibrated no sooner than the filing of the rate card change and no later than ten (10) business days after said filing date. Failure to have all taximeters in all vehicles re-calibrated as required may result in revocation of the taxicab business license.
5. The City may require verification of a certified calibration for taximeters without prior notice to ensure compliance with this chapter. It shall be unlawful for an owner or driver of a taxicab to charge a greater sum for the use of the taxicab than in accordance with the rate card on file in the Office of the City Clerk.

SECTION 127.09 VEHICLE REQUIREMENTS

1. Lettering required. Each taxicab shall have the name of the owner of the operating company thereof on each side of the vehicle in letters at least two inches in height. Pedicabs and horsedrawn vehicles may use lettering less than two inches (2"). Removable signs are not allowed. If a phone number is provided the numbering shall be the same number that appears on the taxicab business application and rate card.
2. Lighted dome. Every motorized taxicab shall have a lighted dome light attached to the exterior roof of the vehicle with lettering that identifies the vehicle as a taxicab from the front and back of the vehicle. The lighted dome shall be a minimum size of twelve inches by one inch by three inches (12" x 1" x 3") If the City determines that such a placement is not possible, an alternative location may be approved. If a phone number is provided the numbering shall be the same number that appears on the taxicab business application and rate card.
3. No smoking. Passengers and drivers are not allowed to smoke in taxicab vehicles. Decals or signs must be conspicuously displayed on the inside of vehicles that read "NO SMOKING ALLOWED IN THIS VEHICLE."

SECTION 127.10 TERMS OF LICENSES AND DECALS

1. Taxicab business licenses shall be valid for one year. They shall commence on June 1 or the date of issuance, and shall expire on the last day of May. A license that will expire February 28, 2014 shall be extended to May 31, 2014.
2. Driver authorization shall be valid for a period of one year from date of issuance.
3. Decals shall be valid for one year. They shall commence on June 1 or the date of issuance and shall expire the last day of May. A decal that will expire on February 28, 2014 shall be extended to May 31, 2014.

4. Renewals shall follow the same procedure as set for initial issuance.
5. Fees for licenses and decals shall be set by Resolution of the City Council.

SECTION 127.11 HORSEDRAWN VEHICLES

1. Routes. A horsedrawn vehicle applicant must adhere to the routes specified in the application for license. A new or temporary route must be filed with the City Clerk before an applicant may use such a route.
2. Animal Waste.
 - A. All horses pulling horsedrawn vehicles shall be equipped with adequate devices to prevent manure and other excrement from falling onto the streets of the City.
 - B. Any excrement which falls on the City streets shall be removed immediately at the applicant's expense.
 - C. All animal waste for disposal shall be transported to sites or facilities legally empowered to accept it for treatment or disposal.
3. Animal Treatment and Health.
 - A. Animal Treatment. Applicants shall:
 - (1) Assure adequate rest periods, feeding schedules, health and related animal performance and well-being for each animal under the applicant's ownership care or control. This responsibility shall include carriage load limits, hours of operation, and daily hours of animal usage.
 - (2) Ensure the feeding of an animal drawing a horsedrawn vehicle shall be from a feedbag or bucket and not allow grazing.
 - (3) Not leave an animal unattended while in service.
 - B. Health Certificate.
 - (1) For each animal that will be pulling a horsedrawn vehicle, the applicant shall provide to the City Clerk a certificate of soundness, issued by a veterinarian licensed by this State, finding each animal to be free from infectious disease, in good health and fit for hack and carriage service under this chapter.
 - (2) After initial inspection, each animal shall be reinspected no later than every six months, and a certificate of soundness shall be issued by a veterinarian and filed with the City Clerk.
4. Equipment Requirements.
 - A. Every horsedrawn vehicle shall conform to such requirements as imposed by State law with respect to equipment.
 - B. Each vehicle shall be equipped with rubber tires.

SECTION 127.12 AIRPORT SHUTTLES. Airport shuttles are exempted from the lighted dome requirement found in Section 127.09(2) of this chapter.

SECTION 127.13 REVOCATION OF LICENSES. If the City determines that the license holder or its employees have committed a violation of this chapter, the City shall make written demand for the licensee to comply with the provisions of this chapter. The notice shall state the violation committed and that continued violation may be grounds for revocation of taxicab business license. Within ten (10) business days after receiving notification, the licensee shall remedy the violation. In the event the violation is not remedied within ten (10) business days, the Clerk may request the license be revoked. In the event the City Clerk requests the license be revoked, the City Clerk shall set notice of hearing, to be held within 30 days of the request in front of the City Council to determine whether a violation(s) has occurred and whether this violation warrants revocation of license. In addition to the specific remedies set forth above, any breach of this chapter shall constitute a municipal infraction as set forth in Chapter 4 of this Code of Ordinances.

SECTION 127.14 SERVICE REQUIRED. As a condition of the granting of a taxicab license, a taxicab business or driver of a taxicab shall certify that it will not refuse to provide service to responsible persons seeking to employ the services of a taxicab to be picked up or dropped off at a location within the City. Refusal to comply with this section shall be valid grounds for revocation of the taxicab business license.

SECTION 127.15 VIOLATIONS. Any violation of this chapter shall be considered a simple misdemeanor or municipal infraction as provided for in Chapter 4 of this Code of Ordinances.