ORDINANCE NO. *2408*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, AMENDING MUNICIPAL CODE SECTION 5.48 IN ITS ENTIRETY ENTITLED "TAXICAB REGULATIONS"

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1:

Code Amendment

Municipal Code Section 5.48 of Title 5, "Business Regulations and Licenses", is hereby amended in its entirety to read as follows:

"Chapter 5.48. Taxicab Regulations

Section 5.48.010 Definitions

For the purpose of this Ordinance, the words and phrases herein defined shall be construed in accordance with the following definitions:

A.   "City" means the City of Garden Grove.

B.   "City authorization" means City authorization to operate a taxicab business in the City.

C.   "Driver" means a person who drives or controls the movements of a taxicab.

D.   "Driver's Permit" means a valid permit issued by OCTAP authorizing a person to drive or control the movements of a taxicab.

E. "OCTAP" means the Orange County Taxi Administration Program administered by the Orange County Transportation Authority.

F. "Operate a taxicab" means to drive a taxicab and either solicit or pick up passengers for hire in the City.

G. "Owner" means the registered owner or lessor of a taxicab.

H. "Person" includes natural person, firm, association, organization, partnership, business, trust, corporation or public entity.

I. "Taxicab" means a vehicle operated within the jurisdiction of the City, capable of carrying not more than eight persons, excluding the driver, and used to carry passengers for hire. The term shall exclude a vehicle operating as a Charter Party Carrier licensed as such by any state agency, including the Public Utilities Commission, or any other vehicle having a Certificate of Public Convenience and Necessity issued by any state agency, including the Public Utilities Commission.

J. "Taxicab Business Permit" means a valid permit issued by OCTAP authorizing a person to operate a taxicab business.

K. "Taxicab Vehicle Permit" means a valid permit issued by OCTAP authorizing a particular vehicle to be operated as a taxicab.

Section 5.48.020 City Authorization Required

A. A person shall only operate a taxicab if the owner of that taxicab is authorized by the City to operate a taxicab business in the City.

B. An owner shall only allow a taxicab owned by the owner to be operated if the owner is authorized by the City to operate a taxicab business in the City.

C. The procedures for City authorization to operate a taxicab business in the City shall be established by separate Resolution or Ordinance of the City Council.

Section 5.48.030 Driver's Permit Required

A person shall only operate a taxicab if that person possesses a Driver's Permit and if City authorization has been obtained. An owner shall only allow a driver to operate a taxicab owned by the owner if that driver possesses a Driver's Permit and if City authorization has been obtained.

Section 5.48.040 Taxicab Vehicle Permit Required

A person shall only operate a taxicab if that vehicle displays a Taxicab Vehicle Permit and if City authorization has been obtained. An owner shall only allow a taxicab owned by the owner to be operated in the City if that vehicle displays a Taxicab Vehicle Permit and if City authorization has been obtained.

Section 5.48.050 Taxicab Business Permit Required

A person shall only operate a taxicab business in the City if that person possesses a Taxicab Business Permit and if City authorization has been obtained.

Section 5.48.060 Application for Permits

Application for a Driver's Permit, Taxicab Vehicle Permit or Taxicab Business Permit shall be made to OCTAP, upon a form provided by OCTAP and shall be accompanied by an application fee sufficient to cover the administrative costs of processing said application as established by the Orange County Transportation Authority.

Section 5.48.070 Testing for Controlled Substances and Alcohol

A driver shall test negative for controlled substances and alcohol as required by applicable state statutes.

Section 5.48.080 Insurance Required

A driver operating a taxicab in the City shall carry with him/her at all times proof of insurance covering that vehicle, with such policy limits and coverage as established by OCTAP and adopted by separate resolution of the City Council. Said proof of insurance must clearly identify the vehicle covered.

Section 5.48.090 Nontransferability

No permit issued under this Ordinance shall be assigned to, or used by, any person or vehicle other than the person or vehicle named in such permit.

Section 5.48.100 Equipment

A taxicab operated under the authority of this Chapter shall be equipped according to the standards established by OCTAP and adopted by separate resolution of the City Council.

Section 5.48.110 Mechanical Condition

A taxicab operated under the authority of this Chapter shall be maintained according to the standards established by OCTAP and adopted by separate resolution of the City Council.

Section 5.48.120 <u>Operational Requirements</u>

A.   A driver shall only carry a passenger to his/her destination by the most direct and accessible route.

B.   A taxicab shall have all permits issued by OCTAP conspicuously displayed according to the standards established by OCTAP and adopted by separate resolution of the City Council.

C.   A taxicab shall have the following information continuously posted in a prominent location in the taxicab passenger's compartment according to the standards established by OCTAP and adopted by separate resolution of the City Council:

   (1)   A schedule of rates and charges for the hire of said taxicab;

   (2)   The driver's name and address;

   (3)   The owner's name, address and telephone number;

   (4)   The taxicab identification number;

   (5)   The Driver's Permit issued pursuant to this Chapter;

   (6)   The Taxicab Vehicle Permit issued pursuant to this Chapter; and

   (7)   Any other information required by the City.

D.   A driver shall give a receipt for the amount charged upon the request of the person paying the fare.

E.   A taxicab shall only be operated if the passenger compartment is kept in a clean and sanitary condition.

F.   A driver shall not leave his taxicab to solicit passengers.

G.   The name or trade name of the owner and the number by which the taxicab is designated shall be printed, stamped or stenciled conspicuously on the outside of each taxicab according to the standards established by OCTAP and adopted by separate resolution of the City Council.

Section 5.48.130 <u>Rates and Charges</u>

No driver shall charge rates and charges other than those established by OCTAP and adopted by separate resolution of the City Council.

Section 5.48.140 Separate from Business Licensing

The requirements of this Chapter are separate and independent from the business licensing and any other provisions under the City Code."

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the 25th day of November, 1997.

ATTEST:

_____
MAYOR

_____
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, RUTH SMITH, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on November 25, 1997 with vote as follows:

AYES: COUNCILMEMBERS: (5) CHUNG, DINSEN, LEYES, MADDOX,
                                                    BROADWATER
NOES: COUNCILMEMBERS: (0)
ABSENT: COUNCILMEMBERS: (0)

and was passed on December 9, 1997 by the following vote:

AYES: COUNCILMEMBERS: (5) CHUNG, DINSEN, LEYES, MADDOX,
                                                          BROADWATER
NOES: COUNCILMEMBERS: (0) NONE
ABSENT: COUNCILMEMBERS: (0) NONE

_____
CITY CLERK