

ORDINANCE NO. 91-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AMENDING THE RIDGECREST MUNICIPAL CODE AS IT RELATES TO TAXI FRANCHISES.

THE CITY COUNCIL OF THE CITY OF RIDGECREST ordains as follows:

Section 1. Purpose

This ordinance amends the Municipal Code to further regulate taxi franchises.

Section 2. Amendment: Definitions

Section 3-5.402 of the Ridgcrest Municipal Code is hereby amended and reenacted to read as follows:

"3-5.402 Definitions

The following words and phrases are defined for the purposes of this division unless otherwise apparent from context:

- (a) "Taxi franchise" means a franchise granted under this division to operate taxi service upon the streets of the City.
- (b) "Taxi service" refers to the transportation of passengers for compensation within a motor vehicle over the streets of the City and not over a fixed or defined route, provided, the use of a motor vehicle for which a driver is not provided or a motor vehicle owned, operated or subsidized by a governmental agency or political subdivision does not constitute taxi service."

Section 3. Amendment: Rates

Section 3-5.405 of the Ridgcrest Municipal Code is hereby amended and reenacted to read as follows:

"3-5.405 Taxi Rates

- (a) No rate, fee or charge shall be levied or collected for taxi service except in compliance with this section.
- (b) The franchisee shall submit proposed rates for taxi

service to the City Clerk. The City Clerk shall cause a notice to be published of the proposed rates. The rates are effective ten (10) days after publication.

- (c) The approved rates shall be posted within each taxicab at a location visible to passengers.
- (d) The franchisee shall not charge more than the approved rates, but may charge less."

Section 4. Amendment: Vehicles

Section 3-5.406 is hereby added to the Ridgecrest Municipal Code to read as follows:

"3-5.406 Taxicabs

- (a) Each vehicle used for taxi service by the franchisee shall be maintained at all times in a mechanically-safe and clean condition. Each vehicle shall include: an exterior display signifying that it is a franchised taxicab and an instrument or device by which the charge for use of the vehicle is calculated and registered and upon which such charge is indicated by means of figures visible to the passengers. Each vehicle shall be insured against liability for personal injury in a minimum amount from time-to-time determined by the City Attorney. The franchisee shall cause the City to be named as an added insured on such policy.
- (b) Prior to commencement of service, the franchisee shall obtain a certificate from the Chief of Police that each vehicle to be used for taxi service has complied with this section. A certificate shall also be obtained each time the franchisee proposes to substitute or add a new vehicle to provide taxi service.
- (c) The Chief shall prepare forms to be used by the franchisee to apply for the certificate. The application form shall provide such information as the Chief of Police deems necessary to determine that the vehicle satisfies the requirements of this division.
- (d) If, after review of the application and inspection of the vehicle, the Chief finds that the application and vehicle comply with the requirements of this division, the Chief shall forward a recommendation to the Council for action.

- (e) Each vehicle shall be inspected at least annually, after any accident, and may be inspected more frequently as necessary to assure compliance with this division."

Section 5. Amendment: Drivers

Section 3-5.407 is hereby added to the Ridgecrest Municipal Code to read as follows:

"3-5.407 Taxicab Drivers

- (a) The franchisee shall not engage any person to operate or drive a vehicle to be used for taxi service unless the driver is duly licensed and qualified to carry passengers. A driver who has been convicted of a crime involving moral turpitude, including but not limited to, using, possessing, selling or transporting any controlled substance or dangerous drug, or who has been convicted of driving under the influence of alcohol or drugs within three (3) years of the application, or who has been convicted of reckless driving within two (2) years of the application, shall be presumed not qualified to operate a taxi within the City.
- (b) Prior to commencement of service, each driver engaged by the franchisee to drive a vehicle to be used for taxi service shall obtain a certificate from the Chief of Police that the driver has complied with this section. The certificate shall also be obtained each time the franchisee proposes to substitute or add a new driver to provide taxi service.
- (c) The Chief shall prepare forms to be used to apply for a driver's certificate. The application form shall provide such information as the Chief deems necessary to determine that the driver satisfies the requirements of this division.
- (d) If, after review of the application and the applicant's driver's record, the Chief determines that application and the driver comply with the requirements of this division, the Chief shall issue a certificate to the driver.
- (e) Each driver's certificate shall be reviewed at least annually, after any accident, and more frequently as necessary to assure compliance with this division."

Section 6. Amendment: Operations

Section 3-5.408 is hereby added to the Ridgecrest Municipal Code to read as follows:

"3-5.408 Operations

- (a) Every vehicle used for taxi service shall display the following in a place visible from the passenger's compartment: a notice showing the name of the franchisee; the certificate issued by the Chief of Police under this division for the vehicle and for the driver; and the rate schedule approved by the Council.
- (b) The driver shall take the most direct route possible that will carry the passenger safely and expeditiously to their destination unless specifically directed otherwise by the passengers.
- (c) When a vehicle is engaged, the passengers have the exclusive right to full and free use of the passenger compartment and no additional passengers shall be solicited or carried therein, without the consent of the existing passengers.
- (d) Any passenger who refuses to pay the fare upon arrival at the passenger's destination, shall be guilty of an infraction."

Section 7. Amendment: Taxi Stands

Section 3-5.409 is hereby added to the Ridgecrest Municipal Code to read as follows:

"3-5.409 Taxi Stands

The franchisee shall secure an encroachment permit from the Director of Public Works before establishing any fixed points of departure within the City. As used herein, a fixed point of departure for taxi service is also known as a taxi stand. The Director may issue an encroachment permit as to any state highway within the City provided that this ordinance is first approved in writing by the California Department of Transportation."

Ordinance No. 91-03
Page 5

Section 8. Other

Except as provided herein, the Ridgcrest Municipal Code is hereby reaffirmed and readopted.

APPROVED AND ADOPTED THIS 6th day of February, 1991, by the following vote:

Ayes: Mayor Condos, Council Members Auld, Corlett, Lilly and Mower.

Noes: None.

Abstain: None.

Absent: None.

Florence S. Condos
Florence S. Condos, Mayor

ATTEST:

Joyce M. Taft
Joyce M. Taft, City Clerk