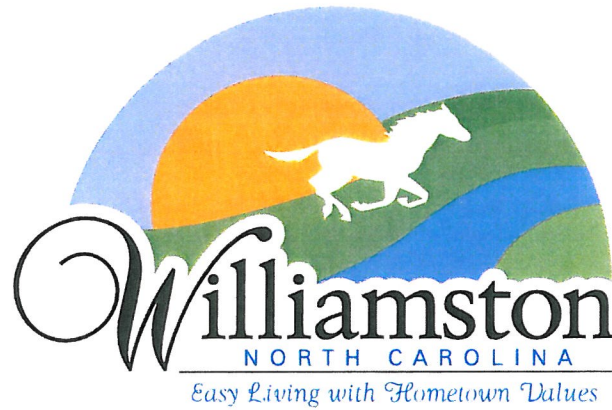


TOWN OF WILLIAMSTON



Town Code of Ordinances: Chapter 111: **TAXICAB ORDINANCE**

ADOPTED AT THE
JULY 13, 2015 MEETING
OF THE TOWN OF WILLIAMSTON BOARD OF
COMMISSIONERS

Town of Williamston

Office of the Mayor



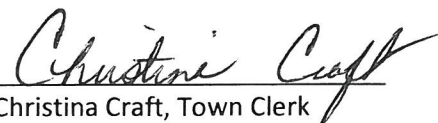
ORDINANCE NO. 2015-78

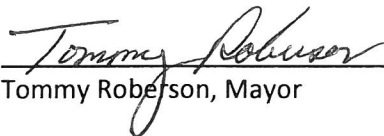
AN ORDINANCE AS TO AUTHORITY OF TOWN TO PROMOTE SAFE, CLEAN TAXIS DRIVEN BY SAFE, COURTEOUS AND QUALIFIED DRIVERS FOR THE BENEFIT OF THE PUBLIC.

Whereas Ordinance 2015-74 Taxicab was mistakenly adopted as Chapter 27;

BE IT ORDAINED by the Board of Commissioners of the Town of Williamston that Ordinance 2015-74 is hereby repealed and in its place and stead Chapter 111: Taxicab shall be enacted.

ADOPTED THIS 13th DAY OF July, 2015 AT WILLIAMSTON, NORTH CAROLINA.


Christina Craft, Town Clerk


Tommy Roberson, Mayor

Taxicabs
CHAPTER 111: TAXICABS

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Statutory reference:

As to authority to license and regulate all vehicles operated for hire in town, see G.S. § 160A-304

As to proof of financial responsibility of taxicab driver, see G.S. § 20-280

For state law as to authority of town to license, regulate and control drivers and operators of taxicabs, see G.S. § 20-37

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GENERAL PROVISIONS

§ 111.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context indicates or requires a different meaning.

CERTIFICATE. A certificate of public convenience and necessity, issued by the Town Board of Commissioners, authorizing the holder thereof to conduct a taxicab business in the town.

CRUISING. The driving of a taxicab on the streets, alleys or public places of the town in search of, or soliciting prospective passengers for hire.

DRIVER'S LICENSE. The permission granted by the Chief of Police to a person to drive a taxicab upon the streets of the town.

HOLDER. A person to whom a certificate of public convenience and necessity has been issued.

MANIFEST. A daily record prepared by a taxicab driver or dispatcher of all trips made by each driver of the holder showing time and place of origin, destination, number of passengers and the amount of fare for each trip.

RATE CARD. A card issued by the Chief of Police for display in each taxicab which contains the rates of fare then in force.

TAXICAB. A motor vehicle regularly engaged in the business of carrying passengers for hire, having a seating capacity of not more than six passengers as prescribed by G.S. § 62-260(2) and not operated on a fixed route.

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WAITING TIME. The time when a taxicab is not in motion from the time of acceptance of a passenger or passengers to the time of discharge, but does not include any time that the taxicab is not in motion if due to any cause other than the request, act or fault of the passenger or passengers.
(1992 Code, § 27-1)

§ 111.02 FARE; RATE; RATE CARD.

(A) No owner or driver of a taxicab shall charge a sum for the use of a taxicab within the corporate limits of the town or within a five mile radius in excess of the rates approved by the Town Board of Commissioners, a copy of which will be furnished by the Police Department to each holder upon request.

(B) The rate card is to be conspicuously displayed inside the taxicab in such a place as to be in full view of the passengers occupying the rear seat.
(1992 Code, § 27-2)

§ 111.03 RECEIPT.

The driver of any taxicab shall, upon demand by any passenger, render to the passenger a receipt for the amount charged, on which shall be the name of the owner, license number, amount of charges and the date of the transaction.
(1992 Code, § 27-3)

§ 111.04 REFUSAL OF PASSENGER TO PAY.

It shall be 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 shall be 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 the service.
(1992 Code, § 27-4) Penalty, see § 111.99

§ 111.05 SOLICITATION, ACCEPTANCE AND DISCHARGE OF PASSENGERS.

(A) 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 person for the purpose of soliciting passengers.

(B) No driver shall receive or discharge passengers except on the right-hand sidewalk or the extreme right-hand side of the roadway, and shall at no time receive or discharge passengers on the traveled portion or traffic lane of any street or roadway.
(1992 Code, § 27-5) Penalty, see § 111.99

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§ 111.06 CRUISING.

No driver shall cruise in search of passengers except in the areas and at the time as shall be designated by the Town Board of Commissioners. The areas and times shall only be designated when the Board of Commissioners determines that taxicab cruising would not congest traffic or be dangerous to pedestrians and other vehicles.

(1992 Code, § 27-6) Penalty, see § 111.99

§ 111.07 ADDITIONAL PASSENGERS.

No driver shall permit any other person to occupy or ride in the taxicab, unless the person or persons first occupying and employing the taxicab shall consent to the acceptance of an additional passenger or passengers.

(1992 Code, § 27-7) Penalty, see § 111.99

§ 111.08 RESTRICTION ON NUMBER OF PASSENGERS.

No driver shall permit more persons to be carried in a taxicab than as stated in the license for the vehicle issued by the Police Department. A child in arms shall not be counted as a passenger.

(1992 Code, § 27-8) Penalty, see § 111.99

§ 111.09 REFUSAL TO CARRY ORDERLY PASSENGER PROHIBITED.

(A) No driver shall refuse or neglect to convey any orderly person or persons upon request, unless previously engaged, unable or forbidden by the provisions of this chapter to do so.

(B) The holder of a certificate of public convenience shall be responsible for maintaining a manifest for each vehicle. The manifest shall be made available for inspection at reasonable times by the Chief of Police or Town Administrator.

(1992 Code, § 27-9) (Ord. passed 8-4-1997) Penalty, see § 111.99

§ 111.10 COMPLIANCE WITH STATE AND LOCAL RULES AND REGULATIONS.

Vehicles used as taxicabs must be properly licensed. Prior to the use and operation of any vehicle under the provisions of this chapter, the vehicle shall be thoroughly examined by the Police Department and found to comply with all rules and regulations that are now or later prescribed by the state or the town. These rules and regulations shall be promulgated to provide safe transportation and the safety devices as the state and the town may require.

(1992 Code, § 27-26)

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§ 111.11 INSPECTION; MAINTENANCE.

(A) Every vehicle operating under this chapter shall be periodically inspected by the Police Department biannually before April 15 and October 16 to insure the continued maintenance of safe operating conditions and sanitary conditions. (Ord. passed 4-6-2015)

(B) Vehicles must be kept in a clean and sanitary condition.
(1992 Code, § 27-27)

§ 111.12 DESIGNATION OF VEHICLES AS TAXICAB.

Each taxicab shall bear on the outside of each side of the vehicle a sign of the proportions so as to be legible from a distance of 50 feet. The sign is to contain the company name, the word taxi, the name of the holder and the telephone number of the company.
(1992 Code, § 27-28)

§ 111.13 LIMITATION ON NUMBER OF TAXIS.

The number of taxi franchises shall be as from time to time determined by the Board of Commissioners.
(Ord. passed 7-6-1992)

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

§ 111.25 REQUIRED.

No person shall operate, or permit to be operated, a taxicab owned or controlled by him or her as a vehicle for hire upon the streets of the town without having first obtained a certificate of public convenience and necessity from the Board of Commissioners.
(1992 Code, § 27-10) Penalty, see § 111.99

§ 111.26 APPLICATION; CONTENTS.

An application for a certificate shall be filed with the Chief of Police upon forms provided by the town, and the applicant shall have verified, under oath, the following information:

- (A) The name and address of the applicant;
- (B) The names and addresses of five individuals for the purpose of character references;
- (C) The financial status of the applicant;

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- (D) The experience of the applicant in transporting passengers;
 - (E) The number of vehicles to be operated by the applicant;
 - (F) A full and accurate statement as to the criminal record of the applicant;
 - (G) The proposed color scheme or insignia to be used on the vehicle or vehicle;
 - (H) The fingerprint of the applicant; and
 - (I) The further information as the Board of Commissioners may require.
- (1992 Code, § 27-11) (Ord. passed 4-6-2015) (Ord. passed 7-13-2015)

§ 111.27 PUBLIC HEARING.

Upon filing of an application, the Town Administrator shall fix a time and place for a public hearing thereon. Notice of the hearing shall be given to the applicant and to all persons to whom certificates have been theretofore issued. Due notice shall be given to the general public by posting a notice of the hearing in the Town Hall. Any interested person may file with the Town Administrator a memorandum in support of or opposition to the issuance of a certificate.

(1992 Code, § 27-12)

§ 111.28 ISSUANCE; QUALIFICATION GENERALLY.

(A) If the Town Board of Commissioners finds that further taxicab service is required by the public convenience and necessity and that the applicant is properly qualified to operate a taxicab business, certificate may be issued.

(B) The certificate shall be in effect from the time of issuance until midnight on the following January 31 at which time it will be subject to renewal for one year periods from February 1 to January 31 of each succeeding year.

(1992 Code, § 27-13) (Ord. passed 8-4-1997)

§ 111.29 CONTINGENT ON PROOF OF FINANCIAL RESPONSIBILITY.

No certificate shall be issued or continued until and unless the person or holder has complied or continues to comply with the provisions of G.S. § 20-280 relating to financial responsibility as now written or hereafter amended.

(1992 Code, § 27-14)

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§ 111.30 PAYMENT OF LICENSE FEES.

No certificate shall be issued or continued in effect unless the holder thereof has paid an annual license fee in an amount as from time to time set by the Town Board for the right to engage in the business of taxicab services. That annual license fee in an amount as from time to time set by the Town Board shall cover the use of one vehicle and an additional \$15 shall be paid for each additional vehicle operated under the issued certificate. The fees shall be due and paid yearly in advance on or before February 1 of the yearly period of the certificate.
(1992 Code, § 27-15) (Ord. passed 8-4-1997)

§ 111.31 TRANSFER.

No certificate of public convenience and necessity may be sold, assigned, mortgaged or otherwise transferred without the consent of the Town Board of Commissioners.
(1992 Code, § 27-16)

§ 111.32 SUSPENSION AND REVOCATION.

A certificate issued under the provisions of this subchapter may be revoked or suspended by the Town Board of Commissioners if the holder thereof has:

- (A) Violated any of the provisions of this subchapter, including the failure to pay any fee required by this chapter;
 - (B) Discontinued operations for a period of more than 30 days without the permission of the Board of Commissioners;
 - (C) Has violated any of the ordinances of the town or the laws of the state or the United States, the violations of which reflect unfavorably on the fitness of the holder to offer public transportation; and
 - (D) No revocation or suspension shall occur until reasonable notice and an opportunity for hearing has been given to the holder.
- (1992 Code, § 27-17) (Ord. passed 8-4-1997)

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DRIVER'S LICENSES

§ 111.50 REQUIRED.

No person shall operate a taxicab for hire upon the streets of the town, person who owns or controls a taxicab shall permit it to be so driven and no taxicab licensed by the town shall be driven at any time for hire, unless the driver of the taxicab shall have first obtained and shall have then in force a taxicab driver's license issued under the provisions of this subchapter.

(1992 Code, § 27-18) Penalty, see § 111.99

§ 111.51 APPLICATION; CONTENTS.

An application for a driver's license shall be filed with the Chief of Police on forms provided by the town which shall contain the following information:

- (A) The names and addresses of five individuals of the town for the purpose of character references; (Ord. passed 4-6-2015)
- (B) The experience of the applicant in the transportation of passengers;
- (C) The educational background of the applicant;
- (D) A concise history of the applicant's employment;
- (E) All information regarding state driver's license and chauffeur's license; and
- (F) A reliable statement as the applicant's physical and mental condition. (This may be required to be substantiated by reputable physician's examination, in the discretion of the Chief of Police.)
(1992 Code, § 27-19)
- (G) Fingerprint of driver. (Ord. passed 7-13-15)

§ 111.52 FEE.

A fee of in an amount as from time to time set by the Town Board for processing the application for a taxicab driver's license shall be paid by the driver at the time of application.
(1992 Code, § 27-20) (Ord. passed 8-4-1997)

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§ 111.53 INVESTIGATION OF APPLICANT.

The Chief of Police shall be responsible for conducting an investigation of the applicant's background including all information furnished by the applicant, and a copy of the investigation report shall be attached to the application.

(1992 Code, § 27-21) (Ord. Passed 4-6-2015)

§ 111.54 ISSUANCE.

Upon approval of an application for a taxicab driver's license by the Chief of Police, the Town Clerk shall issue a license to the applicant of which will bear the name, address, age, date of birth, photograph, and signature of the applicant. If the Chief of Police denies the applicant a license, the Chief of Police shall provide a written explanation for denial to Town Administrator detailing the reasons for such denial. Denial may be appealed to the town Administrator within ten days of the notice of denial.

(1992 Code, § 27-22) (Ord. passed 4-6-2015) (Ord. passed 7-13-2015)

§ 111.55 TERM.

The license shall be in effect from time of issuance until midnight on the following January 31, at which time it will be subject to renewal of one year periods from February 1 through January 31 of each succeeding year. An annual license fee in an amount as from time to time set by the Town Board shall be due in advance on or before February 1 of the yearly licensing period.

(1992 Code, § 27-23) (Ord. passed 8-4-1997) (Ord. passed 4-6-2015)

§ 111.56 DISPLAY.

Every driver licensed under this subchapter shall post his or her driver's license in such a place as to be in full view of all passengers while the driver is operating the taxicab.

(1992 Code, § 27-24)

§ 111.57 SUSPENSION AND REVOCATION.

(A) Upon reasonable notice given and an opportunity for a hearing, the Chief of Police may suspend, for up to 60 days, any driver's license issued under this chapter for failure to comply with the provisions of this chapter, the ordinances of the Town of Williamston and the laws of the State of North Carolina relating to the fitness of the licensee to provide public transportation and to the regulation of public transportation. The suspension may be appealed to the Town Administrator within ten days of the notice of suspension.

(B) Upon reasonable notice given and an opportunity for a hearing, the Town Administrator may revoke any driver's license issued under this chapter for failure to comply with the provisions of this

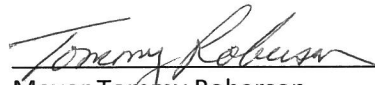
chapter, the ordinances of the Town of Williamston and the laws of North Carolina relating to the fitness of the licensee to provide public transportation and to the regulation of public transportation. (1992 Code, § 27-25) (Ord. passed 8-4-1997) (Ord. passed 4-6-2015)

§ 111.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

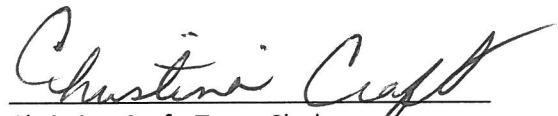
(B) The fine for violation for provisions of § 111.13 may exceed \$50, up to a maximum of \$500, as allowed by G.S. § 14-4.
(Ord. passed 7-6-1992)

Adopted this the 13th day of July, 2015 by the Board of Commissioners of the Town of Williamston.



Mayor Tommy Roberson

Attest:



Christina Craft, Town Clerk