

ORDINANCE NO. 3-500

AN ORDINANCE REGULATING TAXI CABS

THE CITY OF ISHPEMING ORDAINS:

Section 3-501. The term "taxi cab" shall mean any motor vehicle designed to carry six passengers or less, including the driver, as a public carrier for hire on call or demand as directed by the passenger or passengers, charges for services being based on distance traveled.

Section 3-502. No person shall operate or allow to be operated within the corporate limits of the City of Ishpeming any taxi cab without having first obtained from the City Council a license for such taxi cab.

Section 3-503.

1. An application for a taxi cab license shall be in writing to the City Council and filed with the City Clerk. The application shall contain the full name, address, and age of the applicant; the make of the taxi cab, including its factory and engine number; its State license plate's number and such other information as may be deemed necessary for the proper enforcement of the terms of this ordinance. If the applicant is a partnership, the names and addresses of all of the partners shall be given; and if a corporation, the names and addresses of its officers. Upon the receipt of such application, the City Clerk shall refer the same for an investigation and recommendation to the Police Chief, who shall report to the City Council within a reasonable time. The Chief of Police shall personally examine each vehicle proposed to be licensed as a taxi cab to assure that the vehicle is in good operating condition, that the vehicle complies with the provisions of the State Motor Vehicle Code, and that the vehicle has no safety related defects or conditions.
2. The owner of every taxi cab for which a license is required under the provisions of this ordinance shall, before operating the same upon the public streets of this City, and during the term of the license issued hereunder, comply with all of the following conditions:
 - (a) Take out a liability insurance policy or policies in some responsible insurance company authorized to transact business within the State of Michigan insuring such owner against liability for personal injury or injuries to a passenger or passengers in such taxi cab, or to a member or members of the general public, resulting from an accident or accidents, in which such taxi cab may become involved, through the recklessness or negligence of its owner or operator as well as against any damage to property, resulting from such accident or accidents. Such insurance policy shall be a commercial automobile liability insurance policy, meeting all of the requirements of the Michigan No-fault Law and the Michigan Essential Insurance Act, et. seq., with minimum residual limits of bodily injury and property damage liability of \$100,000/ \$300,000/\$50,000 or a combined single limit of BI/PD of \$500,000 shall be required.
 - (b) Such insurance shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, and all such policies of insurance shall not be revocable by either party to the contract except after fifteen (15) days written notice to the City Council furnished by the insurance, casualty or surety company issuing such policy.

- (c) Deposit with the City Clerk the insurance policy or certificate of insurance from the insurance company certifying that the policy has been issued, specifying the terms of coverage of the policy, and containing a description of the taxi cab or taxi cabs and the name of the insured. The policy of insurance or the certificate of insurance shall affirmatively state that the policy will not be cancelled except upon fifteen (15) days advanced written notice thereof mailed by the insurer to the Ishpeming City Clerk.

Section 3-504. If the City Council is satisfied that the applicant is a suitable person to engage in the taxi cab business and that the taxi cab proposed to be used is a suitable vehicle for such purpose, it shall grant such license for such taxi cab to be operated within the corporate limits of the City of Ishpeming and the City Clerk shall issue the same upon the applicant paying to the City Treasurer the sum of Twenty (\$20.00) Dollars.

Section 3-505. No person shall permit any employee to drive, nor shall any person drive, any taxi cab within the corporate limits of the City of Ishpeming, without having first obtained from the City of Ishpeming a license as a taxi cab driver, as follows:

- 1. An application for a taxi cab driver's license shall be filed with the City Clerk. Such application must disclose the following qualifications of the applicant:
 - (a) Be at least 21 years of age and a citizen of the United States.
 - (b) Be of sound physique, with good eyesight, not subject to epilepsy, vertigo, heart trouble, or any other infirmity of body or mind which renders him or her unfit for safe operation of a taxi cab. A doctor's certification stating that the applicant is fit to operate a taxi cab may be required.
 - (c) Be able to read, write and speak the English language.
 - (d) That the applicant is not addicted to the use of drugs or intoxicating liquor.
 - (e) That the applicant holds a Michigan Chauffeur's license.
 - (f) The application shall contain the applicant's name, age, residence, experience as a taxi cab driver and name of employer. It shall state if applicant has ever been convicted of felony; has ever been licensed as a taxi cab driver and where, and if such license has ever been revoked and for what reason. Upon receipt of such application the City Clerk shall refer the same for investigation and recommendation to the Police Chief, who shall make report to the Clerk within a reasonable time. If the Police Chief is satisfied that the applicant is a suitable person to drive a taxi cab within the limits of the City of Ishpeming, the City Clerk shall issue the license upon the applicant paying to the City Treasurer the sum of twenty-five (\$25.00) dollars.

Section 3-506. Whenever any taxi cab is occupied by a passenger or passengers, the driver shall not permit any other person to occupy or ride in such taxi cab except by specific request originating with the original passenger or passengers.

Section 3-507. All licenses issued hereunder shall expire one (1) year from the date of issue, unless sooner revoked by the City Council for cause shown. The Police Chief may, at any time for cause, suspend any license issued hereunder until the next regular meeting of the City Council. No driver whose license issued hereunder, or whose chauffeur's license has been revoked, shall again be licensed as a taxi cab driver in the City of Ishpeming.

Section 3-508. The City of Ishpeming shall restrict the number of taxi cab licenses to be issued to one taxi cab for each fifteen hundred (1,500) persons, according to the last Federal census.

Section 3-509. Violation of any of the provisions of this ordinance shall constitute a misdemeanor, punishable by a fine of not to exceed \$100.00 or by imprisonment in the Marquette County Jail for a period not to exceed 90 days, or by both such fine and imprisonment.

Section 3-510. This ordinance shall take effect upon legal publication.

Amended: September 21, 1989

Amended: June 8, 1994

Amended: April 9, 2003

Amended: June 3, 2009