

AN ORDINANCE MAKING PROVISIONS FOR THE OPERATION OF TAXICABS IN THE CITY OF DRAIN AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF DRAIN DO ORDAIN AS FOLLOWS:

Section 1. "PERSON", DEFINED: The term "person" wherever used in this ordinance shall be held and construed to mean and include natural persons of either sex, firms, co-partnerships, associations and corporations, whether acting by themselves, by servant, agent or employee. The singular number shall include the plural, and the masculine pronoun shall include the feminine and the neuter.

Section 2. "TAXICAB", DEFINED: The term "Taxicab" wherever used in this ordinance shall be held and construed to mean and include every motor vehicle having a seating capacity of five passengers or less, as per manufacturer's rating, except cars for rent without drivers, used for the transportation of passengers for hire, and not operated exclusively over a fixed and defined route.

Section 3. "MOTOR VEHICLE", DEFINED: The term "motor vehicle" wherever used in this ordinance shall be held and construed to mean and include every self-propelled vehicle by or upon which any person or persons may be transported or carried upon any public highway, street or alley, excepting vehicles used exclusively upon stationary rails or tracks.

Section 4. OPERATORS TO SECURE LICENSE. It shall be unlawful for any person to engage in the business of operating any of the vehicles defined in Section 2 of this ordinance without first securing a license therefor, under the provisions of this ordinance.

Section 5. CANCELLATION OF LICENSE. Any license issued under this ordinance may be cancelled by the Council for any violation of the terms hereof, or for any violation of the traffic ordinances of the city, or state laws governing traffic, or for the violation of any laws governing and regulating the sale, manufacture, possession and transportation of any intoxicating liquors and this provision shall apply equally to the drivers of taxicabs or to the companies operating taxicabs.

Section 6. CERTIFICATE FROM POLICE COMMITTEE: No such license shall be issued except upon a Certificate of the Police Committee of the City of Drain, and such license shall be in accordance with such certificate and with the terms of this ordinance.

Section 7. CONTENTS OF CERTIFICATE. All taxicab certificates issued by the said Committee shall set forth the name of the person to whom the license is to be issued, the number of vehicles proposed to be operated, the maker and the maker's number of each vehicle, the seating capacity of each, and the number of the state license of each vehicle to be operated by such licensee.

Section 8. APPLICATION FOR AND GRANTING OF LICENSE: Every person desiring to obtain a license for the operation of a taxicab under this ordinance shall file written application therefor with the City Recorder of the City of Drain, setting forth the name of the person to whom license is to be issued, the number of vehicles proposed to be operated, the name of the maker and the maker's number of each, the seating capacity of each and the number of the state license of each such vehicle, and should the state license number of such vehicle be changed during the life of such license, such change and number shall be immediately reported to the Police Committee. When a certificate is issued by the Police Committee, the City Recorder, shall upon receipt of the license fee or fees herein provided for each taxicab to be operated under such license, issue a license to such applicant in accordance with the provisions of this ordinance and the certificate of said Police Committee.

Section 9. FEES. There shall be paid to the City Recorder by each taxi service operating in the City of Drain, an annual license fee of \$20.00 for each year or part of year that such service operates within the City of Drain, and a further annual license fee of \$10.00 for each additional taxicab operated, such license fees to cover the cost of the regulation and inspection of such service, and are to be paid in advance.

Section 10. TRANSFER AND FEE: The City Recorder shall, upon recommendation of the Police Committee, transfer a license issued under the provisions of this article from one car to another car, and said Committee shall, upon being satisfied that the change of ownership of a car is bonafide, authorize the transfer of the license covering such car to such new owner, by filing with the City Recorder a written notice of his approval of such transfer. A fee of _____ is to be collected for all transfers as herein authorized.

Section 11. APPEAL: Any person aggrieved by any action of the Police Committee may appeal to the Council by serving upon said Police Committee a written notice of appeal and filing a duplicate thereof with the City Recorder within five days after such action, and thereupon the Recorder shall place such appeal upon the calendar of the Council, to be heard in the regular course of business of the Council.

Section 12. CHAUFFEUR'S PERMIT: It shall be unlawful for any person to operate a taxicab in the City of Drain without first obtaining a chauffeur's license from the State of Oregon.

Section 13. PENALTIES FOR INCOMPETENCY, RECKLESSNESS, ETC. Any driver or chauffeur of any taxicab who has been found guilty in the Municipal Court of any incompetency in driving, or of any violation of the traffic ordinance or the terms of this ordinance, may be debarred from driving any taxicab in the City of Drain for a period not to exceed one year thereafter, and if the owner of any such vehicle operated in the City of Drain shall knowingly permit such debarred driver, during said period of one year, to operate any such vehicle, the license of that owner may be revoked by the Council.

Section 14. AGE LIMIT AND QUALIFICATIONS FOR CHAUFFEUR. It shall be unlawful for any licensee under this article to permit any person under the age of 21 years, or any person who has

been convicted of a felony, or any person who has received a dishonorable discharge from the United States to operate any taxicab owned or controlled by him in the City of Drain

Section 15. TAXICAB RATES - RATES DISPLAYED: The following schedule of rates shall be charged and collected for the transportation of passengers within the city by all persons, firms or corporations owning and operating licensed taxicabs and no different rates shall at any time be charged or collected for taxicab service, either directly or indirectly, through the use of coupons, rebates, commutation tickets or in any other manner:

For the first $2/3$ of a mile, or fraction thereof, not more and not less than 35¢ for one person, plus 10¢ each additional person.

For each additional $1/3$ of a mile, or fraction thereof, not more and not less than 30¢ for one person, plus 5¢ each additional person.

For each additional passenger

No flat or zone rate shall be charged within the corporate limits.

For each three minutes of waiting time, or fraction or more thereof, a charge shall be made of not less than
Waiting time shall include the time when the taxicab is not in motion, beginning with the time of arrival at the place to which the taxicab has been called, or the time consumed while the taxicab is standing at the direction of the passenger. No charge shall be made for the time lost on account of inefficiency of the taxicab, or its operation, or time consumed by premature response to a call.

The foregoing schedule of rates shall be conspicuously posted or placed in each taxicab and in such a manner that said rates may be easily read from both the inside and the outside of each taxicab. The rates shall be headed with the word "RATES" in letters not less than one-half of an inch in length, and the rest thereof shall be in letters not less than twelve-point type, printed or painted on cards not less than 4" x 6" in size. No charge shall be made for travelling empty, whether going or returning.

Section 16. TAXICABS TO HAVE "TAXIMETERS". It shall be unlawful for any person to drive, operate or engage in the business of operating a taxicab, unless each of said taxicabs be equipped with a taximeter which has been duly inspected and approved by the Dealer of Weights and Measures. Provided, however, that during the emergency, taxicabs may be permitted to operate without taximeters, until such time as taximeters can be procured.

Section 17. FARE COMPUTED BY TAXIMETER. It shall be unlawful for any person to drive or operate, or engage in the business of operating, a taxicab or taxicabs, unless a taximeter is at all times used on each of such taxicabs in determining the fare or rate to be charged and collected; and it shall be unlawful for any person operating or driving, or engaged in the business of operating, a taxicab or taxicabs, to charge, demand, collect or receive any fare, rate or charge which is not directly based, measured and computed upon the record on the reading face of the taximeter used on such taxicab or taxicabs. It shall be unlawful for any person to use or employ any other or different

method of computing or measuring such distance or time charges than the methods hereinabove specifically provided. Provided, however, that during the emergency the fare is to be computed by speedometer at the rate and method hereinbefore provided, and until such time as taximeters can be procured, the fares to be computed by speedometers, and that a slip be delivered to the passenger of the speedometer reading upon entering the cab, and a receipt upon leaving the cab, which receipt shall show the speedometer reading upon entering and leaving, together with the charge.

Section 18. TAXIMETERS TO BE INSPECTED. It shall be the duty of the owner, lessee in possession or control of any taxicab to at all times keep such taximeter accurate and have same approved by the Sealer of Weights and Measures before having it placed in service. When any such taximeter has been approved by the Sealer of Weights and Measures, his seal or certificate shall be plainly posted on said taximeter for the information of the public. Said Sealer of Weights and Measures shall inspect all taximeters at least once a year and have the right to inspect them at any and all times.

Section 19. TAXIMETER INSTALLATION AND CHARGES REGULATED. Every taximeter shall be installed at the right side of the driver, and at such height that the flag thereof may be readily seen by observers on the street, and the reading face of such taximeter shall at all times be well lighted and readily discernible to the passengers riding the taxicab. It shall be unlawful to change the size of the wheels or tires of any taxicab or the gears operating the said taximeter, or to change the taximeter from one taxicab to another, unless such taximeter is re-inspected and approved by the Sealer of Weights and Measures before using.

Section 20. TAXIMETER FLAG TO BE DISPLAYED. It shall be unlawful for any driver of a taxicab while carrying passengers or under employment to display the flag attached to the taximeter at such a position as to denote such taxicab is not employed or to throw the flag of any such taximeter at a non-recording position at the termination of each and every service.

Section 21. VEHICLES TO BE KEPT CLEAN AND PROPERLY EQUIPPED. All vehicles operating under authority of this ordinance shall be inspected from time to time by the Chief of Police for the purpose of determining whether the same are clean, properly equipped, of good appearance and in a safe condition for the transportation of passengers; and said Chief of Police shall, at the time of such inspection, determine for the guidance of the public the classification and capacity of the vehicle inspected; and it shall be unlawful for any person to drive or operate, or engage in the business of operating any taxicab, unless and until the same has been inspected and approved by the Chief of Police.

Section 22. AUTHORIZED FARES TO BE CHARGED - PENALTY FOR VIOLATION: Any driver of a taxicab who shall charge any passenger at a rate of fare other than provided for in Section 15 hereof shall, upon conviction thereof, be punished, in addition to the other penalties provided, by having his operator's license suspended for a period of not less than six months or more than one year.

Section 23. DIRECT ROUTE TO BE TRAVELED - FARES NOT CHARGED WHEN VEHICLE DISABLED. Any driver of a taxicab employed to carry

passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination.

In the event that any vehicle described in this ordinance shall, while conveying for hire or reward any passenger or baggage, become disabled, or shall break down, the time of stoppage shall be deducted from the charge.

Section 24. RECEIPTS OF FARE TO BE GIVEN. Whenever demanded by the passenger, the driver in charge of a taxicab shall deliver to the person paying for the hiring of said taxicab, at the time of such payment, a receipt therefore in legible printing or writing, containing the name of the owner and his address, the name of the driver, the taximeter number and any and all items for which a charge is made, the total amount paid and the date of payment.

Section 25. REFUSAL TO PAY FARE. It shall be unlawful for any person to refuse to pay the regular fare for a taxicab, after having hired the same.

Section 26. CRUISING. It shall be unlawful for any person to cruise, drive, or operate a taxicab repeatedly or persistently to and fro upon any public street.

Section 27. LIGHT BAGGAGE CONVEYED. Every person being served with a taxicab as herein provided shall be entitled to have conveyed without charge such valises or small baggage as can be conveniently carried within the vehicle. He shall be entitled to have a small trunk carried thereon at a charge not to exceed twenty cents (20¢). Each driver shall load and unload such baggage without additional charge. Any person cancelling a call for a taxicab after the cab has been dispatched in answer thereto shall pay a calling charge of not less than twenty-five cents (25¢).

Section 28. REPORT OF LOST ARTICLES. The driver of any taxicab shall promptly notify the nearest police station within twenty-four hours, of all property of value left in his vehicle by any passenger.

Section 29. LOAD LIMIT. No driver of any taxicab shall carry more than two persons in excess of the ordinary seating capacity for which said taxicab or vehicle was designed and built. No more than two persons shall be permitted in the seat with the driver or chauffeur, and no person or passenger shall be allowed to be or remain on the doors, steps or running board of any taxicab while the same is in motion.

Section 30. DRIVER'S CONDUCT. No driver of any taxicab shall drive or operate the same while intoxicated, or operate the same in a careless or reckless manner, or use any profane or obscene language, or smoke without the consent of the passenger.

Section 31. OBSTRUCTION OF TAXICABS, ETC. No person shall place any vehicle in such relation to any taxicab as to cut off or unreasonably obstruct entrance to or exit from such vehicle, or otherwise unreasonably interfere with the management of such vehicle.

Section 32. SOLICITING FARE. Any driver licensed under this article while seated within his vehicle, may solicit patronage of passersby in a tone of voice not louder than an ordinary conversational tone, but such driver shall not use any mechanical or noise-making device of any kind to solicit patronage, nor shall he take hold of or obstruct the way of any person for the purpose of solicitation.

Section 33. Any person violating any of the provisions of this ordinance shall, upon conviction thereof in the Recorder's Court, be punished by a fine not exceeding \$200.00 or by imprisonment in the City Jail for one day for each \$2.00 of such fine unpaid.

Section 34. SAVING CLAUSE. If any section, sub-section, subdivision, sentence, clause or phrase of this ordinance is not for any reason held to be unconstitutional or void, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 35. Whereas, it is necessary for the immediate preservation of the peace, health and safety of the City of Drain that this ordinance become effective immediately, therefore an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passage by the Common Council and approval by the Mayor, and it is so ordered.

Passed by the Common Council this 1st day of April, 1947. Approved by the Mayor this 1st day of April, 1947.

City Recorder.