

(Summary Published in the Morning Sun on October 25<sup>th</sup>, 2019)

ORDINANCE NO. G-1301

AN ORDINANCE amending Sections 42-244, 42-245, 42-246, 42-271, 42-272, 42-273, 42-274, 42-291, 42-292 and 42-295 of the Pittsburg City Code regulating the inspection, maintenance, numbering, marking, licensure and insurance requirements for taxicabs and taxicab drivers within the city limits of the City of Pittsburg, Kansas, and providing for fees and penalties for violations thereof.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PITTSBURG,  
KANSAS:

Section 1. Section 42-244 of the Pittsburg City Code is hereby amended to read as follows:

Sec. 42-244. **Inspection; maintenance.**

When an application for a taxicab license is filed with the Finance Department, the license application fee of \$25.00 shall be paid and then the Finance Department shall refer the application to the Police Department, and it shall be the duty of the police officer designated as license inspector by the Chief of Police to examine such vehicle as to its cleanliness, physical and mechanical condition, lights and other equipment and to recommend to the Governing Body approval or rejection of such taxicab. In addition to the inspection required for the issuance of a license, it shall be the duty of the inspector for the Police Department to make an examination of each taxicab annually upon renewal of the license or if a complaint has been filed to the City of Pittsburg about the condition of a taxicab. The inspecting officer is hereby empowered to suspend the license of such taxicab until the owner or operator of such taxicab shall have repaired the taxicab or restored such taxicab to such physical and mechanical condition as shall meet the approval of the license inspector. It shall be the duty of the license inspector upon the suspension of any such taxicab to report such suspension to the Finance Department. No owner, operator or

driver of any taxicab so suspended by the license inspector shall allow or permit such taxicab to be used until the same has been reinspected and approved by the license inspector.

Section 2. Section 42-245 of the Pittsburgh City Code is hereby amended to read as follows:

Sec. 42-245. **Numbering.**

Every person operating one or more vehicles as a taxicab in the City under one business license shall assign to each vehicle a number, commencing with Arabic number "1" and thereafter numbered consecutively. Such numbers shall be plainly displayed upon the vehicles as required in Section 42-246.

Section 3. Section 42-246 of the Pittsburgh City Code is hereby amended to read as follows:

Sec. 42-246. **Marking.**

Every taxicab governed by the ordinances of the City shall have plainly displayed upon the exterior of a side door on each side of the vehicle the name of the owner or operator holding the business license under such operator, each of which shall be printed in letters and figures not less than two inches in height; and shall also have displayed thereon the number assigned to the cab by the operator which shall be inscribed in numbers of not less than four inches in height.

Each taxicab shall have conspicuously displayed upon the windshield of such vehicle in the upper righthand corner the licensed vehicle number and shall be kept there at all times.

Section 4. Section 42-271 of the Pittsburgh City Code is hereby amended to read as follows:

Sec. 42-271. **Required.**

No person whether acting as owner, principal, agent, employee, lessee or licensee shall operate or permit to be operated on the streets of the City any taxicab without first having procured a business license therefor as provided in this division.

Section 5. Section 42-272 of the Pittsburgh City Code is hereby amended to read as follows:

**Sec. 42-272. Application.**

- (a) Any person whether acting as owner, principal, agent, employee, lessee or licensee, in order to secure an application for a business license as provided for the operation of a taxicab, for the carriage of persons for hire within the City, shall file an application with the Finance Department for such business license, which application shall be made by the owner of such taxicab on a form provided by the Finance Department.
- (b) Upon the filing of an application with the Finance Department for a taxicab business license by any person, the applicant shall fill out an application as provided in this Section, shall pay the appropriate business license fee and shall deposit with the City Clerk the insurance policy required in Section 42-273.

Section 6. Section 42-273 of the Pittsburgh City Code is hereby amended to read as follows:

**Sec. 42-273. Insurance required.**

- (a) Before any business license for a taxicab shall be issued, the owner shall file with the City Clerk an insurance binder confirming the issuance of an insurance policy by an insurance company rated AV III or higher by the AM Best Rating Service. Such insurance shall cover each and every taxicab owned, operated, or leased by the applicant, providing liability coverage of not less than \$250,000.00 for the injury or death of any one person, and \$500,000.00 for the injury or death of any number of persons in any one accident, and also providing coverage of not less than \$100,000.00 for property damages in any one accident. The insurance coverage must be effective whether the taxicab at the time of the accident is driven or operated by the owner, his agent, employee, lessee or licensee. The policy shall meet the requirements and conditions of the laws of the state, including personal injury protection benefits, and shall carry a uniform endorsement for actual notice to the City of any change made therein after its issuance. The binder policy and endorsements shall be approved by the City Attorney. Such insurance policy shall further provide that it cannot be cancelled until ten days' written notice of such cancellation has been filed with the City Clerk.
- (b) Should the policy be issued by an insurance company not legally authorized to do business in the state, then there shall be attached to such policy a written endorsement appointing and designating some person within the state as a resident agent of such company upon whom legal service of summons may be had.
- (c) The cancellation or termination of insurance in force as provided in this Section shall automatically terminate any license issued for the taxicab covered by such insurance policy.

Section 7. Section 42-274 of the Pittsburgh City Code is hereby amended to read as follows:

**Sec. 42-274. Issuance.**

Within five (5) days after the approval of such application for a business license for a taxicab and the approval of the City Attorney of the insurance policy provided, the City Clerk shall

issue a business license for such taxicab business. The business license shall have endorsed thereon the City number of such license and the year for which it is issued. Such business license shall be conspicuously displayed at the address of the business.

Section 8. Section 42-291 of the Pittsburgh City Code is hereby amended to read as follows:

**Sec. 42-291. Required.**

It shall be unlawful for any person to act as a driver of a taxicab without having first secured a license as a taxicab driver to be issued by the Finance Department.

Section 9. Section 42-292 of the Pittsburgh City Code is hereby amended to read as follows:

**Sec. 42-292. Application; contents; licensing fee.**

Such license shall be applied for in writing on such forms as the Finance Department may prescribe, and such application shall include:

- (1) Whether the applicant has a valid state driver's license and whether the driver's license has ever been revoked or suspended, and, if so, the reason of such revocation or suspensions;
- (2) Whether the applicant has a valid driver's license issued by a state other than the State of Kansas and whether the driver's license has ever been revoked or suspended and, if so, the reason of such revocation or suspension;
- (3) Whether the applicant has been arrested and/or convicted of any crimes and an explanation thereof; and
- (4) The name of the person by whom the applicant is employed.

All applications for a taxicab driver's license shall be accompanied by the payment of a \$40.00 licensing fee per driver which shall not be subject to refund.

Section 10. Section 42-295 of the Pittsburgh City Code is hereby amended to read as follows:

**Sec. 42-295. Identification card and driver's license.**

- (a) *Issuance.* At the time the driver's license is issued, the driver's license identification card shall also be issued. Such card shall be of a form prescribed by the Finance Department and shall contain the picture of the driver affixed in such a manner that another picture cannot be substituted therefor without detection. The driver's license number, card number, and the expiration date of such license shall also be shown thereon.

- (b) *Display.* The taxicab driver's identification card shall be conspicuously displayed in such a manner that the entire card is visible from the rear seat of the automobile which the driver is operating by hanging the tag from the rear-view mirror, and the only identification card displayed shall be the one belonging to the driver who is on duty at that time. Such card shall be enclosed in a pouch so that the card shall be clearly discernible to and can be read by the passenger in the rear seat. No driver shall operate a taxicab unless he shall have his identification card in good condition, and it shall be unlawful to have a torn or illegible card.
- (c) *Loss.* If an identification card is lost, the owner may file with the Finance Department a sworn statement of the facts concerning such loss, and, if satisfied that the facts justify the issuance of a replacement card, the Finance Department shall on the payment of a \$10.00 fee, issue a duplicate taxicab driver' license and/or taxicab identification card. Such duplicate item shall be plainly marked "duplicate," and the number of the original card shall be furnished to the Police Department, as well as the number of the duplicate card.

Section 11. This Ordinance shall take effect upon its passage and publication in the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY ON THIS 22 DAY OF  
OCTOBER, 2019.

  
Mayor - Patrick O'Bryan

ATTEST:

  
Tammy Nagel - City Clerk

