From: Liz Nichols
Code Enforcement Officer

Fax

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CHAPTER 5. VEHICLES FOR HIRE

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DIVISION 1. GENERAL PROVISIONS

Sec. 11-5001. Definitions.

In the interpretation of this article, the following words and phrases, unless otherwise provided or unless the context shows another sense to be intended, shall be held to have the meanings hereinafter stated:

(1) The words cab or taxicab, hereinafter referred to only as "cab," are hereby defined to be motor vehicles operated for hire, the destination of which is under the direction of the passenger transported therein.
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The word *highways* means any of the public streets, alleys, lanes, boulevards, avenues, drives, circles or roads of the city.

(3) The term *waiting time* shall mean and include the time when the cab is not in motion, beginning with the arrival of such cab at the point to which it has been called or the time consumed while standing at the direction of the passenger.

(4) The word *owner* shall mean and include any person, firm or corporation having control of the operation or maintenance and collection of the revenue derived from cabs.

(5) The words *driver* and *operator* shall mean and include any and every person in charge of or driving or operating a cab, as herein defined, whether as owner, agent, employee or otherwise.

(6) The word *permit* shall mean the license or authority granted by the council to engage in the taxicab business within the city.

(Code 1959, § 21-1)

Sec. 11-5002. Compliance with chapter.

It shall be unlawful for any cabs to be operated on the highways of the city unless and until the owner and operator shall have complied with the provisions of this article.

(Code 1959, § 21-2)

Sec. 11-5003. Permit; required.

No person shall operate any vehicles upon the highways of the city covered by this article until a permit therefor has been granted and issued.

(Code 1959, § 21-3)

Sec. 11-5004. Reserved.

Editor's note—Ord. No. 821-82, § 1, adopted Nov. 15, 1982, repealed § 11-5004, relative to liability insurance, inasmuch as liability insurance requirements for taxicabs are now prescribed by state law. Section 11-5004 derived from Code 1959, § 21-4.

Sec. 11-5005. Application—Generally.

(a) No permit to operate any cab within the city shall be granted except upon written application to the city council, which application shall be filed with the license inspector and shall contain the full name and address of the person proposing to operate a cab or conduct a taxicab business within the city, the location from which the business is to be operated, and whether the operator of the taxicab business for which the permit is sought is a corporation, a partnership or an individual, and if a corporation, the name and address of all officers thereof and the amount of its capital stock. Each application shall contain a full and complete statement of the business to be engaged in, the type of equipment to be used, the number and a particular description of all vehicles to be operated under such permit if granted, including the name and passenger capacity of each vehicle to be used.

(b) If the owner of the business to be conducted under the permit is a partnership, such application must disclose the full name and address, street and post-office address, of each of the partners interested in such partnership, and the extent of such interest. Such application shall show any other information required by the council or chief of police, and among other things shall affirmatively allege that any business conducted under the permit granted upon such application shall be in full and complete compliance with all national, state, county, municipal and local laws, ordinances, rules and regulations with reference to wages, hours and conditions of employment and the protection by liability insurance of all persons whom the law requires the operators of such a business to protect.

(Code 1959, § 21-5)

Sec. 11-5006. Same—Investigation of application; public hearing.

The application referred to in section 11-5005 shall be referred to council, which shall investigate the application and fix a time and place for a public hearing on such application if it seems in the public interest. The council shall cause notice of such application to be served one day before any hearing upon the holders of all permits.
to operate a similar business in the city, after which service of such notice council shall have a public hearing, at which time testimony may be heard for or against the granting of such permit.

Sec. 11-5007. Same—Issuance.

After the hearing provided by section 11-5006 the council may either adopt or reject such report. If the report favors the granting of the permit and is adopted, the license inspector shall issue to such applicant a permit.

Sec. 11-5008. Grant to minors prohibited.

The permit to operate a taxicab business shall not be granted pursuant to this article to any person under eighteen (18) years of age.

Sec. 11-5009. Form.

The permit provided for in section 11-5003 shall be in substantially the following language:

"Permit

__________________________ is hereby licensed, subject to the rules and regulations of the city to conduct the business of transporting passengers for hire under direction of the passenger in compliance with all laws, rules and regulations of the City of East Point for 12 months, subject to the right of the City Council of East Point to revoke this permit at any time without notice. Not transferable. This ___ day of ____________, 19__.

License Inspector"

(Code 1959, § 21-9)

Sec. 11-5010. Assignment, etc.

No permits granted under the provisions of this article may be sold, assigned, transferred, leased or otherwise disposed of except upon approval of the council.

(Code 1959, § 21-10)

Sec. 11-5011. Revocation.

Upon conviction in the recorder’s court of the holder of a permit to operate a taxicab business in the city of a violation of any provision of this article, such permit may be revoked in addition to any other penalty that may be imposed.

(Code 1959, § 21-11)

Sec. 11-5012. Temporary, prohibited.

It shall be unlawful for any temporary permit to be issued for the operation of taxicabs in the city.

(Code 1959, § 21-12)

Sec. 11-5013. Annual license tax.

Every person engaged in the business of conducting a taxicab business in the city shall pay to the city an annual license tax in advance for the privilege of using the streets for this business.

(Code 1959, § 21-13)

Sec. 11-5014. Procedure for issuance of license.

No license for automobiles or hack or cab carrying passengers for hire shall be issued unless the city council approves a certificate that the automobile or vehicle and team which the applicant proposes to use are such as will be creditable and safe, and the driver is of proper age.

Sec. 11-5015. Unsafe cabs.

The chief of police may suspend from operation any cab found to be unsafe, and any vehicle so suspended shall not be permitted to operate again until repaired and put in proper condition for use, and then only after its condition has been approved by the chief of police.

Sec. 11-5016. Identification of vehicles.

The correct name or trade name and telephone number of the owner of each cab, his permit or license number, and a cab number to distinguish such cab from other cabs operated in the city shall be painted or otherwise firmly and substantially affixed on each side of such cab, such numbers to be prescribed by the police committee of the council. All such words, letters and figures shall
be of sufficient size and height to be readily distinguished at a distance of 50 yards in the
daytime.
(Code 1959, § 21-15)

Sec. 11-5017. Rates of fare, etc.

The council reserves the right to regulate the
rates and fares from time to time to be charged by
cabs, and owners of cabs in the city, and to further
regulate the taxicab business.
(Code 1959, § 21-16)

Sec. 11-5018. Operation from an established
place of business; parking
spaces.

Cabs shall be operated only from an estab-
lished place of business, and before using the
streets as parking places, operators of such cabs
must secure a permit from the council to park at
a particular place, which permit shall not be
granted except by and with the consent of adja-
cent property owners, and no space shall be
allotted more than two (2) vehicles in one (1)
partial locality; provided, nothing herein shall
prohibit the concentration of a larger number of
cabs at places where the public is assembled in
large groups, such as baseball and football games,
city auditorium, churches and like gatherings.
Space reserved for cab stands shall be designated
or marked by clearly drawn yellow lines by the
police department of the city.
(Code 1959, § 21-17)

Sec. 11-5019. How passengers to be received
and discharged.

It shall be unlawful for any taxicab to stop for
the purpose of discharging or receiving pas-
engers except at a point as near the right-hand curb
as possible.
(Code 1959, § 21-18)

Sec. 11-5020. Drivers to carry photograph
and identification card.

No person shall be allowed to drive a taxicab
who shall not at all times carry on his person his
photograph and a card of identification signed by
the chief of police.
(Code 1959, § 21-19)

Sec. 11-5021. Stopping to discharge, receive
passengers at motels, hotels.

It shall be unlawful for any taxicab to stop for
the purpose of discharging or receiving passen-
gers at any motel or hotel within the City of East
Point, except at the main entrance to such hotel
or motel.
(Code 1959, § 21-19.1)

Cross reference—Stopping, standing and parking

Sec. 11-5022. Vehicle condition and equip-
ment, inspection and inspection
sticker.

(a) Drivers and business licensees are respon-
sible for maintaining each vehicle for hire in a
clean and mechanically safe condition. The inte-
rior and exterior shall meet the requirements set
out under inspection requirements outlined in
this section.

(b) Drivers are not to drive and business lic-
ensees are not to allow drivers to operate a vehicle
without the required markings, top light and
inspection sticker required in this section.

(c) All cabs to be used by a licensee in the city
shall be inspected annually and approved by the
police department fleet manager. Once a vehicle
meets the requirements of the inspection, a sticker
will be affixed to the left side of the windshield.
The requirements that each vehicle must meet
are as follows:

(1) Exterior inspection shall ensure that head-
lights, taillights, brake lights, top lights,
directional lights, license plate lights, wind-
shield wipers, all vehicle glass, window
cranks or electric windows, door locks,
trunk lid, trunk, hood, door handles, ex-
haust system, bumpers, fenders, body, tires
and other vehicle parts are in good con-
dition and functioning properly. There shall
be no tears or rust holes in the vehicle
body and no loose pieces hanging from the
vehicle body. There shall be no unrepair-
red body damage or any body condition which
would create a safety problem or interfere
with the operation of the vehicle.
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(2) Interior inspection shall include the rearview mirror, steering wheel, foot brakes, parking brakes, air conditioning and heating systems to ensure each item is in good operating condition. The upholstery, floor mats, headlining, door panels and the trunk compartment shall be inspected to insure there are no tears, that they are clean and have no offensive odors and that the trunk has sufficient space for passenger luggage.

(3) The vehicle shall have a spare tire and jack.

(4) All taxicabs shall be equipped with two-way radios, top lights, and taximeters.

(5) Taximeters must be positioned so that they are visible from the passenger compartment. Taximeter accuracy shall be verified as part of vehicle inspections and a certificate attached to each machine indicating the last date of inspection and certifying the machine as to accuracy.

(6) Vehicles shall be subject to random inspections at any time. Vehicles found to be substandard shall be removed from service immediately and shall be subject to immediate vehicle inspection sticker removal by the police department.

(d) The inspection sticker is proof that the business met the licensing and insurance requirements at the time of license issuance and that the vehicle passed the last vehicle inspection. Each vehicle operator must have in the vehicle proof of current insurance coverage. Any company or vehicle letting insurance coverage lapse shall have the inspection sticker or stickers removed by the police department and the business license suspended or revoked by the city licensing department. Business operations shall not be resumed until proof of insurance is provided to the city licensing department, the license reinstated and the vehicle or vehicles reinspected and new inspection stickers issued by the police department.

(e) No business licensed for operating vehicles for hire shall use any vehicle that has not been inspected and had the city inspection sticker affixed:

(f) Inspection stickers are not transferrable from vehicle to vehicle and are nonrefundable if the vehicle is wrecked or taken out of service for any reason. The police department must be notified within ten (10) days of any vehicle being taken out of service; stickers from vehicles taken out of service must be turned in to the police department. Stickers for replacement vehicles or additional vehicles are issued under the same procedures as original inspection stickers.

(Ord. No. 1149-97, § 1, 10-6-97)

Sec. 11-5023. Appearance and hygiene of drivers; responsibility of licensees for driver dress and conduct.

Drivers must practice good personal hygiene and wear proper dress while operating a vehicle for hire. Proper dress shall mean the wearing of shoes, ankle length pants or mid length shorts, a skirt or dress and a shirt or blouse with sleeves; if hats are worn, they must be of the baseball style or chauffeur's cap. Clothing must be clean and not visibly soiled. Licensees are responsible for driver dress and conduct.

(Ord. No. 1149-97, § 1, 10-6-97)

Secs. 11-5024—11-5030. Reserved.

DIVISION 2. DRIVERS PERMITS

Sec. 11-5031. Required.

It shall be unlawful for any person to drive, operate or be in actual physical control of a taxicab within the city until he has obtained a driver's permit as required by this division.

(Code 1959, § 21-20)

Sec. 11-5032. Application—Contents, etc.

"(a) Before any person may drive any cab within the city, he shall make written application under oath to the chief of police for a driver's permit upon blanks furnished by the chief of police, which application shall give the full correct name, age, height, weight, race, home, street and post office address of such applicant and state whether he is of sound mind, has any physical handicaps, has good eyesight, uses intoxicating liquors, drugs or narcotics and whether he has ever been convicted of violating any federal, state or city law, and if so, the number of times and the kinds of
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offenses for which he has been convicted and the times when, and the places where such convictions occurred.

(b) Such application shall also show for whom the applicant desires a permit to drive.

(c) Such application shall furnish any other information the chief of police may reasonably require.

(Code 1959, § 21-21)

Sec. 11-5033. Same—Investigation and report.

The police department of the city is charged with the duty of investigating all applications for permits to drive taxicabs and to report to the council when called upon to do so, the results of such investigation.

Sec. 11-5034. Grounds for disqualification.

In no case shall a driver's permit, as required by section 11-5031, be granted to any driver who drinks, takes or uses intoxicating liquors, drugs or narcotics nor to any person whose eyesight or other physical deformity makes it unsafe for him to operate a motor vehicle on the highways. A person under the age of eighteen (18) years shall not be granted a permit to drive a taxicab nor shall a driver's permit be granted to any person who for any reason is unsafe to drive a motor vehicle on the highways of the city.

(Code 1959, § 21-24)

Sec. 11-5035. Revocation.

Upon conviction in the recorder's court of the holder of a driver's permit in the city of a violation of any provisions of this article, such permit may be revoked in addition to any other penalty that may be imposed by the court.

(Code 1959, § 21-24)

Sec. 11-5036. Temporary drivers' permits—Use for forty-five days authorized.

It shall be unlawful for the driver of a taxicab to drive more than forty-five (45) days on a temporary driver's permit.

Sec. 11-5037. Same—Authority of the chief of police to issue; persons eligible.

The chief of police may issue a temporary driver's permit for any person to drive a taxicab within the city if the applicant has a state driver's license that has never been revoked, suspended, cancelled or modified and which does not show the holder thereof to have been convicted of operating an automobile while under the influence of any intoxicant or drugs or reckless driving within the last four (4) years; or any felony conviction within the last ten (10) years.

(Code 1959, § 21-26)

Sec. 11-5038. Same—Prerequisites to issuance.

No temporary driver's permit to operate a taxicab in the city shall be issued except upon written recommendation of any person permitted to operate a taxicab business within the city, nor except upon approval of the chief of police.

(Code 1959, § 21-27)

Sec. 11-5039. Same—Recommendation of prospective employer required.

No temporary driver's permit shall be issued under the provisions of this division except upon the recommendation of the person holding a permit to operate a taxicab business within the city by whom the applicant for temporary permit is employed. Such recommendation shall be of effect unless it states in writing that such holder of such permit to operate a taxicab business in the city has employed the applicant for the temporary driver's permit, contingent upon the issuance of a temporary driver's permit.

(Code 1959, § 21-28)

Sec. 11-5040. Same—Approval of applications by the chief of police.

The chief of police of the city shall approve every written application for a temporary driver's permit, on written recommendation of the person for whom the applicant for the temporary driver's permit desires to drive, if the records of the police department of the city do not disclose that such applicant has a police record, if such driver has an
unrevoked, unsuspended driver's license issued by the state, which state license does not show the holder thereof to have been convicted of operating an automobile under the influence of any intoxicant or drug or reckless driving within the last four (4) years; or any felony conviction within the last ten (10) years. (Code 1959, § 21-29)

Sec. 11-5041. Same—Form and contents.

Every temporary driver's permit issued pursuant to the provisions of this division shall have written or printed thereon the name of the person to whom issued, the name of the taxicab company for whom such person is to drive, the age, the height, race and address of such driver; the date of issuance of such license and "Temporary License Expiration 45 Days From Date Hereof," which quoted words shall be in black-faced type, and such permits shall be signed by the chief of police or by some person by him duly authorized. (Code 1959, § 21-30)

Sec. 11-5042. Same—Term.

No temporary driver's permit issued pursuant to this division shall be of any force or effect at the expiration of forty-five (45) days from the date upon which it is issued. (Code 1959, § 21-31)

Sec. 11-5043. Fees.

Fees of issuing taxi permits shall be forty dollars ($40.00) per applicant, payable at the time of application. Renewal fees shall be thirty dollars ($30.00) per applicant. Licenses shall be charged an inspection fee of fifty dollars ($50.00) per vehicle inspection. All fees required by this chapter are non-refundable and are not prorated. (Code 1959, § 21-32; Ord. No. 1090-94, § 1, 12-5-94; Ord. No. 1149-97, § 1, 10-6-97)

Secs. 11-5044—11-5050. Reserved.

ARTICLE B. LIMOUSINE SERVICES

Sec. 11-5051. Definitions.

The following words and phrases, when used in this article, have the meanings set out herein:

1) Limousine means any motor vehicle that meets the manufacturer's specifications for a luxury limousine with a designed seating capacity for no more than ten (10) passengers and with a minimum of five (5) seats located behind the operator of the vehicle, and which does not have a door at the rear of the vehicle designed to allow passenger entry or exit; further, no vehicle shall be permitted to be operated both as a taxicab and a limousine.

2) Limousine carrier means any person operating a service regularly rendered to the public by furnishing transportation as a motor common carrier for hire, not over fixed routes, by means of limousines or extended limousines, on the basis of telephone contract or written contract. (Ord. No. 1090-94, § 2, 12-5-94)

Sec. 11-5052. Limousine carrier license.

Any person engaged in the business of limousine carrier domiciled within the city shall obtain annually a business license as provided under Part 5 of the Code of Ordinances of the City of East Point. (Ord. No. 1090-94, § 2, 12-5-94)

Sec. 11-5053. Place of operation.

The city shall not license any limousine carrier unless such carrier shall be operated from a commercial office independent of any private residence. (Ord. No. 1090-94, § 2, 12-5-94)

Secs. 11-5054—11-5064. Reserved.