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ORDINANCE NO. 1741

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
TITLE 5 OF THE CHULA VISTA MUNICIPAL CODE BY ADDING
THERETO A NEW CHAPTER 5.15 RELATING TO THE LICENSING
AND REGULATION OF AUTOMOBILES FOR HIRE

The City Council of the City of Chula Vista does ordain
as follows:

SECTION I: That Title 5 of the Chula Vista Municipal Code
be, and the same is hereby amended by adding thereto a new Chapter
5.15, to read as follows:

CHAPTER 5.15 AUTOMOBILES FOR HIRE.

Sec. 5.15.010 License - Fee Required.

Every person conducting, managing or operating a business
in which an automobile for hire is used shall pay a license
fee of twenty-five dollars per quarter for each such auto-
mobile for hire.

Sec. 5.15.020 Definitions.

For the purposes of this chapter, unless otherwise ex-
pressly stated, the following words and phrases shall have
the meanings respectively ascribed to them by this section:

- A. "Driver" means and includes every person in charge
of, or operating any passenger-carrying, or motor-
propelled vehicle, either as agent, employee, or
otherwise, of owner, as owner, or under the direc-
tion of the owner;
- B. "Owner" means and includes every person, firm or
corporation having use or control of any passenger-
carrying automobile or motor-propelled vehicle,
whether as owner, lessee or otherwise;
- C. "Person" means and includes any individual, partner-
ship, association, corporation or other organization
owning, operating or proposing to operate any auto-
mobile for hire within the city;
- D. "Street" means and includes any place commonly used
for the purpose of public travel;
- E. "Automobile for Hire" means and includes every auto-
mobile or motor-propelled vehicle used for the
transportation of those sick, invalided or handi-
capped persons who do not require emergency care or
special life supporting equipment over the public
streets of the city, and not over a defined route,
and irrespective of whether the operations extend
beyond the boundary lines of the city, and such
vehicle is routed under the direction of such passen-
ger or passengers, or of such persons hiring the
same.

Sec. 5.15.030 Insurance Required.

It is unlawful to operate any vehicle as defined in Section 5.15.020 unless there shall be filed with the City Clerk a policy of insurance executed and delivered by a company authorized to carry on an insurance business in the state, the financial responsibility of which company shall theretofore have been approved by the City Attorney, by the terms of which such insurance company assumes responsibility for injuries to persons or property caused by the operation of such vehicle in the following amounts:

- A. \$50,000 property damage;
- B. \$100,000 for death or injuries to any one person in any one accident;
- C. \$500,000 for death or injuries to two or more persons in any one accident;

provided, however, no policy of insurance issued by any mutual assessment or reciprocal company as defined by the Insurance Code of the state shall be accepted by the city.

Sec. 5.15.040 Application for License.

All persons applying to the city for the operation of one or more automobiles for hire shall file with the Chief of Police a sworn application therefor on forms provided by the Chief of Police stating as follows:

- A. The name and address of the owner or person applying.
- B. The number of vehicles actually owned and the number of vehicles actually operated by such on the date of application, if any.
- C. The number of vehicles for which a license is desired.
- D. The intended make, type, year of manufacture and passenger seating capacity of each automobile for hire for which application is made.
- E. Such other information as the Chief of Police may in his discretion require.

Sec. 5.15.050 Rates of Fare.

- A. Posting of Fares Schedule. Every owner of any automobile for hire operating in the City of Chula Vista shall file or cause to be filed with the City Clerk of said city a true and correct statement of the rates to be charged for the transportation of passengers in any and all automobiles for hire operated by said owner.
- B. Identification Cards. There shall be displayed in the passenger compartment of each automobile for hire in full view of the passengers a card not less than four inches by six inches in size, which shall have plainly printed thereon the name of the owner, or the fictitious name under which said owner operates, the business address and telephone number of said owner, and a correct schedule of the rates to be charged for conveyance in said vehicle.

Sec. 5.15.060 Information Cards - Display Required - Where.

Each automobile for hire licensed to operate in this city shall have located in a convenient place in the driver's compartment and in view of the passenger therein two containers of type and design approved by the Chief of Police. Such containers shall contain cards provided by the Chief of Police bearing the following information:

- A. One such container shall have a card therein bearing:
 - 1. The permit number issued for each individual automobile for hire licensed to operate in the city;
 - 2. The name of the company to whom it is issued;
 - 3. The date of issuance;
 - 4. The state license plate number and engine number of the automobile for hire displaying same.
- B. One such container shall have a card therein bearing:
 - 1. The name and residence address of such driver;
 - 2. The name of the company employing such driver;
 - 3. A small photograph of such driver.

Sec. 5.15.070 Maintenance.

The Chief of Police of the City of Chula Vista shall have the right, at any time after displaying proper identification, to enter into or upon any certificated automobile for hire for the purpose of ascertaining whether or not any of the provisions of this Chapter are being violated. Any automobile for hire which is found, after such inspection, to be unsafe or in any way unsuitable for automobile for hire service may be immediately ordered out of service, and before again being placed in service shall be placed in a safe condition. For the purposes of this section, no automobile shall be considered safe, adequate or mechanically sound which is older than ten (10) years counting the year of chassis manufacture as the first year.

Sec. 5.15.080 Operating Regulations.

- A. Every driver shall upon demand give a correct receipt upon payment of the correct fare.
- B. It shall be unlawful for any person to refuse to pay the lawful fare of any automobile for hire after employing or hiring the same, and any person who shall hire such vehicle with intent to defraud the person from whom it is hired shall be guilty of a misdemeanor.
- C. The driver of any automobile for hire shall promptly obey all lawful orders or instructions of any police officer or fireman.
- D. It shall be unlawful for any automobile for hire to remain standing on any public street in the City of Chula Vista, except when enabling passengers to load or unload.

- E. It shall be unlawful for any person, either as owner, driver or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall or hotel.

Sec. 5.15.090 Drivers - Licenses.

- A. It shall be unlawful for any person to drive or operate any automobile for hire without such person first obtaining a permit in writing to do so from the Chief of Police of the City of Chula Vista. ✓
- B. It shall be unlawful for any person to employ as a driver or operator of any automobile for hire without such person first obtaining a permit in writing to do so from the Chief of Police of the City of Chula Vista.
- C. Said permit shall be filed with the Finance Department as part of the application for license accompanied by a fee of fifteen dollars (\$15).
- D. No permit shall be issued to any of the following persons:
 - (1) Any person under the age of 18 years.
 - (2) Any person who has been convicted of a felony or who has been convicted of either driving a vehicle upon the highway while under the influence of an intoxicating liquor or under the influence of narcotics or reckless driving, unless two years have elapsed since his discharge from a penal institution or after having been placed upon probation during which period of time his record is good.
- E. The Chief of Police may revoke or refuse to renew an operator's license if the driver or applicant has since the granting of his permit:
 - (1) Been convicted of a felony;
 - (2) Shall have had his State Driver's license revoked or suspended;
 - (3) Been convicted of driving while under the influence of intoxicating liquors;
 - (4) Been convicted of driving while under the influence of narcotics;
 - (5) During any continuous six (6) month period he shall have had three (3) or more convictions of any of the offenses set forth in Sections 23102, 23103, 23104, 23105, 22350, 22351 and/or 22352 of the Vehicle Code of the State of California, and amendments thereto, or any combination of either or any of said offenses;
 - (6) When, for any reason, including, or other than, the above, in the opinion of the Chief of Police, the applicant is unfit to drive an automobile for hire.


F. Any person whose operator's permit shall have been denied, revoked or renewal refused by the Chief of Police may within ten (10) days after receipt of notice thereof appeal to the Council for a hearing thereon which said hearing shall be granted; and the decision of the Council in this regard shall be final. If no appeal is taken within ten (10) days, the action of the Chief of Police shall be final.

Sec. 5.15.100 Exceptions to Provisions.

The provisions of this chapter shall not apply to any vehicle operated by any person or transportation company under the jurisdiction of the Public Utilities Commission of the State of California.

SECTION II: This ordinance shall take effect and be in full force on the thirty-first day from and after its passage and adoption.

Presented and Approved as to form by


George D. Lindberg, City Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

CHULA VISTA, CALIFORNIA, this 3rd day of May

1977, by the following vote, to-wit:

AYES: Councilmen Cox, Hyde, Egdahl

NAYES: Councilmen None

ABSTAIN: Councilmen None

ABSENT: Councilmen Hobel

Vacancy: Council Seat #3

Will T. Hyde
Mayor of the City of Chula Vista

ATTEST Jennie M. Fulasz
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California,
DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of
_____, and that the same has not been amended or repealed.

DATED _____

(seal)

City Clerk