

ORDINANCE NO. 2574

AN ORDINANCE AMENDING SECTIONS 5.54.010, 5.54.030 AND 5.54.050 OF THE CHULA VISTA MUNICIPAL CODE AND ADDING A NEW SECTION 5.54.055, RELATING TO TAXICAB REGULATION AND LICENSING

THE CITY COUNCIL OF THE CITY OF CHULA VISTA DOES ORDAIN AS FOLLOWS:

SECTION I: Section 5.54.010 of the Chula Vista Municipal Code is amended to read as follows:

5.54.010 Purpose-Intent.

The purpose of this chapter is to regulate taxicab operators in the city to best serve the public interest and to permit a sufficient degree of flexibility in operation so as to allow an increased number of vehicles to be operated under the direction and supervision of a certified operator during peak demand hours. Any vehicles operating and picking up passengers within the city shall first have paid the license tax and administrative fee provided in the master fee schedule and meet all requirements for the operation as set forth in this chapter.

It is the intent of the city to prohibit the transfer of a certificate by an approved operator. It shall be required that any such operator surrender his certificate to the city if he should cease to do business within the city. (Ord. 2574 §1, 1993; Ord. 2003 §2 (part), 1982).

SECTION II: Section 5.54.030 of the Chula Vista Municipal Code is amended to read as follows:

5.54.030 Definitions.

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

- A. "Certified operator" means a person authorized by the Police Chief to operate a taxicab or taxicabs in the city and who has been issued a certificate for the operation of such vehicles.
- B. "Driver" means 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 direction of the owner.
- C. "Person" means any individual, partnership, association, corporation or other organization owning, operating or proposing to operate any taxicab or taxicabs within the city.
- D. "Street" means any place commonly used for the purpose of public travel.
- E. "Taxicab" means every automobile or motor-propelled vehicle of a distinctive color or colors, and/or of public appearance such as in common usage in this country for taxicabs, (e.g., vehicles such as pickup trucks and dune buggies would not normally be used for taxicab purposes), and /or operated at rates per mile, or for wait-time, or for both, and equipped

with a taximeter, used for the transportation of passengers for hire 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 passenger or passengers, or of such persons hiring the same.

- G. "Taximeter" means and includes any mechanical or electronic instrument, appliance, device or machine by which the charge for hire of a passenger-carrying vehicle is mechanically or electronically calculated for distance traveled and time consumed, and upon such instrument, appliance, device or machine such charge is indicated by figures.
- H. "Flag drop" means the starting of the taximeter at the time that the taxi is hired. Flag drop may also be understood to mean the initial charge assessed at the time the taxicab is hired.

(Ord. 2574 §2, 1993; Ord. 2408 §1 (part), 1990; Ord. 2003 §2 (part), 1982).

SECTION III: Section 5.54.050 of the Chula Vista Municipal Code is amended to read as follows:

5.54.050 Certificate-Application-Investigation required.

Before any application is acted upon, the Police Chief shall cause an investigation to be made of:

- A. The number, kind and type of equipment and the color scheme to be used. All vehicles, if they are more than two years of age, must have on deposit with the city a certification showing that an annual inspection meeting the requirements and standards set forth in Section 5.54.055 has been made by an acceptable government agency or an inspection station licensed under Section 9887.1 of the Business and Professions Code of the state and approved by the Chief of Police or designee. Failure to satisfy said inspection requirements may result in the suspension of the certificate for said vehicle until necessary corrections have been made. Said inspection shall be renewed on an annual basis. All vehicles shall be owned by the Certified Operator. Where Certified Operator is an association, each member of the association shall be the owner of that member's taxicab(s).
- B. Each Certified Operator shall be the owner of said taxicabs and shall maintain said vehicles in a clean and sanitary condition at all times. Where Certified Operator is an association, each member of the association shall be the owner of that member's taxicab(s), and be responsible for maintaining that member's vehicle(s) in a clean and sanitary condition at all times. If any of said taxicabs are leased to drivers by the Certified Operator, the Certified Operator shall immediately provide the Police Chief with a copy of said lease; or names of lessees holding leases in a form previously submitted and on file; provided, however, that such lease arrangement shall not relieve the Certified Operator of any responsibilities and obligations for the safe maintenance and cleanliness of the taxicabs which has been leased.

(Ord. 2574 §3, 1993; Ord. 2408 §1 (part), 1990; Ord. 2003 §2 (part), 1982).

SECTION IV: A new Section 5.54.055 is added to the Chula Vista Municipal Code to read as follows:

5.54.055 Inspection Criteria.

Specific criteria for taxicabs to pass inspection shall be determined and published in policy form by the Chief of Police or designee. Minimum taxicab standards which must be maintained to comply with this section shall include, but not be limited to, the following:

- (1) Tires. Tires shall meet the requirements of the California Vehicle Code; Hubcaps or wheel covers shall be on all wheels for which hubcaps or wheel covers are standard equipment.
- (2) Taximeter. Taximeter shall have been inspected, tested, approved and sealed by an authorized representative of the State of California, and thereafter so maintained in a manner satisfactory to the Chief of Police or designee. Taximeter shall be working with the inspection seal in its original, unbroken state;
- (3) Brakes. Brakes, brake lights or brake system shall be operable and otherwise meet the requirements of the California Vehicle Code; Both the parking and hydraulic or other brake system must be operable.
- (4) Mirrors. Side and rear-view mirrors shall not be missing or defective;
- (5) Interior/Exterior. The interior and exterior of the taxicab shall be maintained in a safe and efficient operating condition, and meet California Vehicle Code requirements and the requirements of this Ordinance at all times when in operation.
- (6) Interior. The interior of each vehicle and the trunk or luggage area shall be maintained in a reasonably clean condition, free of foreign matter, offensive odors and litter. The seats shall be kept reasonably clean and without large wear spots. The door handles and doors shall be intact and clean. The trunk or luggage area shall be kept empty except for spare tire, and personal container for the driver not exceeding one (1) cubic foot in volume and emergency equipment, to allow maximum space for passenger luggage and belongings.
- (7) Body Condition. There shall be no tears or rust holes in the taxicab body and no loose pieces hanging from the taxicab body. Fenders, bumpers and light trim shall be securely fixed to the taxicab. No extensive unrepaired body damage shall be allowed. The taxicab shall be equipped with front and rear bumpers. The exterior of the taxicab shall be maintained in a reasonably clean condition so as not to obscure the approved color scheme and/or taxicab markings.
- (8) Paint. The taxicab shall be painted and marked in accordance with Section 5.54.260 of this Municipal Code.
- (9) Lights. Headlights shall be operable on both high and low beam. Taillights, parking lights, signal lights, and interior lights shall all be operable.
- (10) Wipers. Each taxicab shall be equipped with adequate windshield wipers maintained in good operating condition.
- (11) Steering. Excessive play in the steering mechanism shall not exceed three (3) inches free play in turning the steering wheel from side to side.

- (12) Engine. The engine compartment shall be reasonably clean and free of uncontained combustible materials.
- (13) Mufflers. Mufflers shall be in good operating condition.
- (14) Windows. The windshield shall be without cracks or chips that could interfere with the driver's vision. All other windows shall be intact and able to be opened and closed as intended by the manufacturer. The windows and windshield shall be maintained in a reasonably clean condition so as not to obstruct visibility.
- (15) Door Latches. All door latches shall be operable from both the interior and exterior of the taxicab.
- (16) Suspension. The taxicab's suspension system shall be maintained so that there are no sags because of weak or broken springs or excessive motion when the taxicab is in operation because of weak or defective shock absorbers.
- (17) Seats. All seats shall be securely fastened. Seat belts, when required by the California Vehicle Code, shall be installed. The upholstery shall be free of grease, holes, rips, torn seams and burns.
- (18) Each taxicab shall be equipped with a device which shall plainly indicate to a person outside the taxicab whether the taximeter is in operation or is not in operation.
- (19) Each taxicab shall be assigned a body number by the Certified Operator. The trade name and body number shall be painted or permanently affixed in letters and numerals no less than four (4) inches high on both sides and the rear of the taxicab.
- (20) All taxicabs shall be equipped and operated so that they may be dispatched by two-way radio communication or other communication systems, as may be approved for such use by the Chief of Police, in response to a telephone or other request for service by a prospective passenger.
- (21) All taxicabs shall be equipped with a light on top clearly identifying the taxicabs as taxicabs.
- (22) Any other aspect of the taxicab's condition shall exist which reasonably and rationally pertains to the operating safety of the taxicab or to passenger or pedestrian safety.

Any taxicab which fails to meet the requirements of the California Vehicle Code, this section or other inspection criteria as delineated in policy form by the Chief of Police, shall be immediately ordered out-of-service by the inspecting individual or agency. Said agency shall immediately inform the Chief of Police or designee of any such actions.

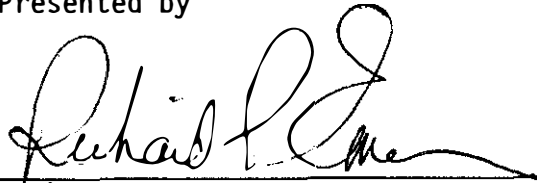
Ordering a taxicab out-of-service does not constitute a suspension or revocation of the permit. Permits for taxicabs which have been ordered out-of-service may be transferred to other taxicabs owned by the same Certified Operator which did not carry a valid permit for the City of Chula Vista.

Resumption of in-service status shall be contingent upon remedy of any deficiencies or violations noted in the failed inspection. For all taxicabs so reinstate to in-service status, the

inspecting individual or agency shall immediately inform the Chief of Police or designee of any such actions.

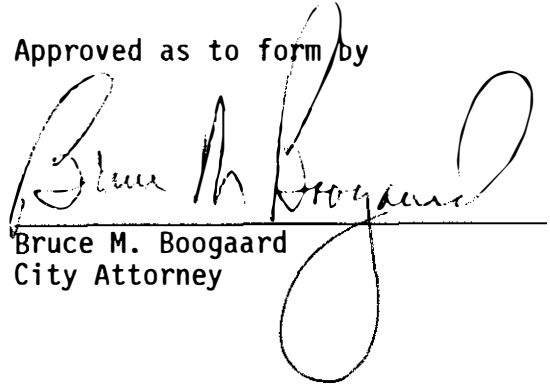
SECTION V: This ordinance shall take effect and be in full force on the thirtieth day from and after its adoption.

Presented by



Rick Emerson
Chief of Police

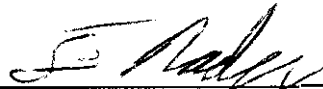
Approved as to form by



Bruce M. Boogaard
City Attorney

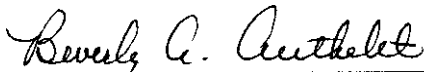
PASSED, APPROVED and ADOPTED by the City Council of the City of Chula Vista, California, this 2nd day of November, 1993, by the following vote:

AYES:	Councilmembers:	Fox, Horton, Moore, Rindone, Nader
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None



Tim Nader, Mayor

ATTEST:

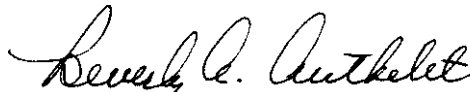


Beverly A. Authelet, City Clerk

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

I, Beverly A. Authelet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2574 had its first reading on October 26, 1993, and its second reading and adoption at a regular meeting of said City Council held on the 2nd day of November, 1993.

Executed this 2nd day of November, 1993.



Beverly A. Authelet, City Clerk