

ORDINANCE BILL NO. 2 FOR 2013

ORDINANCE NO. 1233

AN ORDINANCE PERTAINING TO TAXICABS AND MOTOR VEHICLES FOR HIRE AND AMENDING SWEET HOME MUNICIPAL CODE CHAPTER 5.28.

The City of Sweet Home does ordain as follows:

SECTION 1. Sweet Home Municipal Code Section 5.28.010 License-Required is amended to read as follows:

It is unlawful for any person, firm or corporation to operate a taxicab service or carry passengers for hire in a motor vehicle without first applying for and obtaining a license therefor from the city. No person, firm or corporation shall use the word cab, taxi or taxicab in the business name without first obtaining a license herein. With prior City Council approval based on written conditions, the city can waive the requirement for a license for special events within the city.

SECTION 2. Sweet Home Municipal Code Section 5.28.020 Fees is amended by adding Subsection D. to read as follows:

D. The fees set out in Subsection A. of this Section may be changed by City Council resolution.

SECTION 3. Sweet Home Municipal Code Section 5.28.045 is hereby created to read as follows:

5.28.045 Reasons For Denying, Not Renewing or Revoking A License.

- A. The City Council shall not grant or renew a license if any of the following conditions are present:
 1. The applicant is insolvent, either in the sense that the person's liabilities exceed the person's assets or that the person cannot meet obligations as they mature, or is in such financial condition that the person cannot continue in business with safety to the person's customer.
 2. The applicant or driver has engaged in dishonest, fraudulent or illegal practices or conduct in any business or profession within the last 15 years.
 3. The applicant has presented an application that contains a misrepresentation, false statement or fraudulent statement.
 4. The applicant violates any provision of this chapter.
 5. The applicant or driver has been convicted within the last fifteen years of any felony. The applicant or driver has been convicted within the last five years of any

misdemeanor involving moral turpitude or other characteristics that would relate directly to the safety (either economic or physical) of the public by the person conducting or participating in the business.

6. The applicant or driver is the subject of a Stalking Order based on danger, force or threat issued by a Court of competent jurisdiction or is a subject of a Restraining Order involving physical abuse or threat of physical abuse issued by a Court of competent jurisdiction.
7. The driver does not have a valid Oregon Motor Vehicle Driver's License.
8. The applicant does not have motor vehicle insurance on the motor vehicle to be used in the business in the amount of at least \$1,000,000.00 combined single limits on bodily injury and property damage.
9. The applicant does not have a motor vehicle to be used in the business that is in a safe operating condition or does not conduct the business in a safe manner.

B. The City Council shall revoke any license upon presentation to them of information that would allow them to deny or not renew a license.

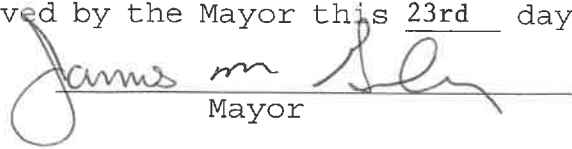
SECTION 4. Sweet Home Municipal Code Section 5.28.047 is created to read as follows:

5.28.047 Exceptions. The Linn County Shuttle Bus, Dial-A-Bus, Ambulances, Medical Transports contracted through the State of Oregon, tour buses that require the driver to have a Commercial Driver License and vehicles for hire that the owner of which has a written agreement with the customer prior to the pickup that operate within the city are not under the regulation of this Chapter.

SECTION 5. Sweet Home Municipal Code Section 5.28.050 Violation - Penalty is amended to read as follows:

Violation of this chapter constitutes a violation and may be prosecuted under the provisions of Sweet Home Chapter 9.36 and any amendments thereto. Each day's violation is a separate offense.

PASSED by the Council and approved by the Mayor this 23rd day of April, 2013.



Mayor

ATTEST:



City Manager / Ex Officio City Recorder