

ORDINANCE NO. _____
AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF _____, CALIFORNIA, (CITY)
REGULATING THE OPERATION OF TAXICABS
AND TAXICAB BUSINESSES IN THE CITY OF
_____ AS A MEMBER OF THE MONTEREY
PENINSULA REGIONAL TAXI AUTHORITY.

WHEREAS, Government Code § 53075.5 requires each city to adopt an ordinance or resolution in regard to taxicab transportation service within the city, including the regulation of employment of taxicab drivers, establishment or registration of rates for taxicab transportation service, and a drug and alcohol testing program; and

WHEREAS, Monterey County cities have formed a voluntary association, the MONTEREY COUNTY REGIONAL TAXI AUTHORITY (RTA), to coordinate taxicab service permitting and other administrative functions with the Monterey-Salinas Transit (MST) in order to increase public safety, to reduce administrative costs for the public and the private section, and to expand the provision of private transportation service in Monterey County; and

WHEREAS, RTA has established regulations designed to comply with Government Code § 53075.5 and to protect the health, safety, and welfare of persons utilizing taxicab services in member agencies.

The City Council of the City of _____ does ordain as follows:

Section 1. Definitions

For the purpose of this Ordinance, the words and phrases herein defined shall be construed in accordance with the following definitions.

- A. "City" means the City of _____.
- B. "RTA" means the MONTEREY COUNTY REGIONAL TAXI AUTHORITY administered by Monterey-Salinas Transit.
- B. "Person" includes natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.
- C. "Taxicab" means a vehicle operated within the jurisdiction of the City, capable of carrying not more than eight persons, excluding the driver, and used to carry passengers for hire. The term shall exclude a vehicle operating as a Charter Party Carrier licensed as such by any state agency, including the Public Utilities Commission, or any other vehicle having a Certificate of Public Convenience and Necessity issued by any state agency, including the Public Utilities Commission.

Section 2. RTA Regulations Adopted

- A. The RTA Regulations dated _____ are hereby adopted and incorporated as though fully set forth herein. A copy of the Regulations dated _____ are attached herewith as Exhibit 1.
- B. It shall be unlawful for a person to operate a Taxicab or Taxicab business within the City in violation of the RTA Regulations adopted herein, and a violation of the RTA Regulations shall constitute a violation of this Ordinance.

Section 3. Separate from Business Licensing

The requirements of this Ordinance are separate and independent from the business licensing and any other provisions under the City Code.

Section 4. RTA Steering Committee Designation

The City Manager or his/her designee shall represent the City on the RTA Steering Committee. The City Manager or designee is authorized to approve amendments to the RTA Regulations.

Section 5. Penalty

Any person who willfully violates this article shall be guilty of a misdemeanor, punishable by a fine not exceeding one thousand dollars (\$1,000.00), or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment.

PASSED AND ADOPTED by the City Council of the City of _____ at an adjourned regular meeting held on the ____ day of _____, 2008.

Mayor

Attest:

City Clerk

STATE OF CALIFORNIA)

COUNTY OF Monterey) §§

CITY OF _____)

I, _____, City Clerk of the City of _____, hereby certify that the foregoing Ordinance No. ____ was duly adopted at a regular meeting of the City Council of the City of _____, held on the ____ day of _____, 2008, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

City Clerk