

# Town of Waynesville

## Taxi & Limousine Ordinance

### 1. Definitions.

The following words terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context is clearly indicates a different meaning.

*Certificate* means a certificate of public convenience and necessity issued by the Chief of Police or his designee, authorizing the holder thereof to conduct a taxicab or limousine business within the city.

*Holder* means a person to whom the certificate of public convenience and necessity has been issued to.

*Drivers license* means a license issued by the State of North Carolina granting a person the privilege to drive upon the roadways in the state. Pursuant to NCGS 20-7.

*Taxi permit* means a permit issued by the Chief of Police or his designee to an individual allowing them to operate a taxi or limousine within the city limits of Waynesville.

*Manifest* means a daily record prepared by a taxicab or limousine driver of all trips made by the driver, showing the time and place of origin, destination, and number of passengers.

*Rate card* means a card with the rates and fares that are clearly printed and presentable upon request of any person considering transportation by the taxi cab.

*Taxicab* means a motor vehicle regularly engaged in the business of carrying passengers for hire, having a seating capacity of less than six persons and not operated on a fixed route.

### 2. Inspection of vehicles; vehicle license; maintenance.

- (a) Initial inspection; issuance of license. Prior to the use and operation of any vehicle under the provision of the article, it shall be thoroughly examined and inspected by the police department and found to comply with the state safety and equipment requirements. When the police department finds that the vehicle has met the standards as established by the chief of police, the Chief

or his designee will approve the taxicab for use by the service. It will be the responsibility of the owner of each taxicab to ensure that it is serviced and mechanically sound.

- (b) Periodic inspections. Every vehicle operating under this article may be periodically inspected by the police department at such intervals as established by the chief of police to ensure the continuing maintenance of safe operating condition, but at least once a year.
- (c) Condition of vehicles. Every vehicle operating under this article shall be kept in a clean and sanitary condition.

### **3. Identification on vehicles.**

Each taxicab shall bear on the roof thereof an electrically lighted sign or device bearing the name of the owner or Taxicab Company. In addition to the lighted sign each cab must display the same information on each side of the vehicle.

### **4. Rates of fare; rate card.**

Each taxicab must clearly display a rate card in the taxicab for each customer or potential customer to view. A rate list will also be displayed at each taxi lot. Each individual company will determine the rates and the company will not vary from their posted rates. If the rates are established per mile then the operator of the taxi must keep the odometer clean and clear for the customer to inspect.

### **5. Receipts.**

The driver of any taxicab shall, upon the request of any passenger, render to such passenger a receipt upon which shall be the name of the owner, the amount of the charges and the date of the transaction.

### **6. Drivers.**

- (a) No persons shall drive a vehicle for hire as a taxicab or commercial limousine without a taxi permit issued by the chief of police or his designee. No person who owns or has authority and control over a vehicle shall permit any other person to drive the vehicle for hire as a taxicab or commercial limousine unless that person has such a permit. There will be a \$5.00 fee for the permit.

- (b) Application for a permit under this section shall be made to the chief of police or his designee, who may deny the application for a good cause, but who shall otherwise issue a permit upon giving of the oath required in subsection (C). The application for a permit shall include a fingerprint card containing the fingerprints of the applicant made by and under the supervision of the Waynesville Police Department.
- (c) Every applicant shall show under oath that he/she has not within the last three years of the date of application:
  - (1) Been convicted of a violation of any federal or state law relating to possession for sale or sale of any intoxicating alcoholic beverage or controlled substance.
  - (2) Been addicted to or a habitual user of intoxicating alcoholic beverages or controlled substances.
  - (3) Been in violation of any federal law relating to prostitution; nor
  - (4) Been a habitual violator of traffic laws or ordinances.

Any permit issued upon a false oath by an applicant will be immediately revoked upon receipt of evidence of a falsity thereof.

- (d) Any permit issued under this section may be revoked at any time by the chief of police or his designee upon a showing that, because of occurrences after the issuance of the permit, the permittee could not at that time truthfully give the oath required in this section.
- (e) It shall be unlawfully for any driver or owner of a taxicab to engage in selling of alcoholic beverages, controlled substance, or solicit business for any other unlawful purpose.

## **7. Manifest.**

- (a) Every driver shall maintain a daily manifest upon which are recorded trips that are made each day showing time and place of origin and destination of each trip, and all such completed manifests shall be returned to the owner by the driver at the conclusion of his tour of duty. Each entry on the manifest must be made immediately upon completion of each trip.
- (b) Every holder of certificate of public convenience and necessity shall retain and preserve all manifests in a safe place for at least two years and made available to the police department for examination at any time.

## **8. Certificate of public conveyance and necessity.**

- (a) No person shall operate or permit a taxicab or commercial limousine owned or controlled by him to be operated as a vehicle for hire upon the streets of the city without having first obtained a certificate of public convenience and necessity from the chief of police. There is a fee of \$15.00 for this certificate. The information that needs to be provided to the chief is as follows:
  - (1) The name and address of the applicant.
  - (2) Any and all unpaid judgments and the nature or acts giving rise to such judgment.
  - (3) The number of vehicles to be operated or controlled by the applicant and the location of proposed taxi lots or terminals.
  - (4) Allowing for a background check of the owner of any taxicab or taxi service. No owner may have been convicted of a felony within the past five years.
  - (5) Any other information deemed necessary by the chief of police or his designee.
  - (6) The owner of each vehicle used as a taxicab shall purchase the appropriate privilege license from the Town of Waynesville for each vehicle at a rate of \$15.00 per year. The cost of this license is subject to change without prior notification.

## **9. Suspension or revocation.**

- (a) A certificate issued under the provisions of this article may be revoked or suspended by the chief of police or his designee if the holder therefore has:
  - (1) Violated any of the provisions of this article.
  - (2) Discontinued operation for more than 90 days.
  - (3) Has violated any ordinances or laws reflecting unfavorably on the fitness of the holder to offer public transportation.
- (b) Prior to suspension or revocation, the holder shall be given notice of the proposed action to be taken and shall have an opportunity to be heard.
- (c) No certificate of public convenience and necessity may be sold, assigned, mortgaged or otherwise transferred without the consent of the chief of police.