



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1288**

An Ordinance to Repeal Article II of Chapter 114 "TAXICABS" of the Ypsilanti City Code and Replace with "LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK COMPANY."

1. THE CITY OF YPSILANTI HEREBY ORDAINS that Article II of Chapter 114 "TAXICABS," of the Ypsilanti City Code are hereby REPEALED as follows:

~~ARTICLE II.—TAXICABS~~

~~DIVISION 1.—GENERALLY~~

~~Sec. 114-31.—Definitions.~~

~~The following words and phrases shall, for the purpose of this article, have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning.~~

~~Cruising means the movement of a taxicab without passengers over the public streets in search of, or soliciting prospective passengers for hire, except that unoccupied taxicabs proceeding to answer a telephone call for taxicab service from an intending passenger, and taxicabs returning by the most direct route, after having discharged a passenger or passengers, to the garage where such taxicab is housed or to the unoccupied stand nearest to the place of discharge of the passenger or passengers, shall not be considered to be cruising.~~

~~Driver means any person who operates a taxicab.~~

~~Group riding means the situation in which more than one person constitutes a party of passengers who make common use of a taxicab during all or part of a trip.~~

~~Meter control switch means a mechanical or electronic device, switch or mechanism which starts the operation of the taximeter.~~

~~Owner means any person to whom a taxicab is registered by the state department of state.~~

~~Rate card means the card issued by the city manager to a taxicab owner for display within each taxicab for which a license has been issued, describing the schedule of fares charged by such taxicab.~~

~~Taxicab means a licensed public motor vehicle for hire which is designated and constructed to seat not more than ten persons and which is operated as a common carrier on call or demand. The term "taxicab" shall not include vehicles furnishing mass transportation services, vehicles employed solely for transporting school children, chartered buses or vehicles used solely for funerals, weddings, christenings and similar events.~~

~~Taxicab stand means a fixed area in the roadway which is set aside for taxicabs to stand or wait for passengers.~~

~~Taximeter means any mechanical or electrical instrument or device by which the charge for hire for a taxicab is mechanically or electronically calculated, on which such charge is plainly indicated.~~

~~Waiting time means the time when a taxicab is not in motion from the time of acceptance of the passenger or passengers to the time of discharge but shall not include any time that the taxicab is not in motion if such is due to the necessary obedience of traffic signals. Waiting time is to include stopping at traffic lights, train crossings and any other stoppings required by law other than those which require the driver to come to a complete stop and then proceed, such as with stop signs. Waiting time shall not include any time the taxicab is not in motion if such is due to the inefficiency of the taxicab or its driver.~~

~~Sec. 114 32.— Enforcement.~~

~~Any member of the police department shall have the right at any reasonable time, after displaying proper identification, to enter into or upon any taxicab for the purpose of ascertaining whether or not any of the provisions of this article are being violated.~~

~~Sec. 114 33.— Complaints regarding operators, owners or drivers.~~

~~Any person being aggrieved by reason of the conduct or action of any taxicab owner or driver may present his complaint to any police officer. Such complaint shall be promptly investigated by the police department and the license of any person complained of may be suspended by the chief of police or revoked by the city manager after such investigation.~~

~~Sec. 114 34.— Penalties.~~

~~(a) Generally. Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor and upon conviction thereof, punished as provided in section 1 15. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this article.~~

~~(b) Additional penalties. The suspension or revocation of a license shall not prohibit the institution of criminal prosecutions for the violations of the provisions of this article or any other law. Neither shall the institution of criminal prosecutions for any such violations or the acquittal or conviction of any person thereunder prevent the suspension or revocation of a license or licenses by the city manager hereunder.~~

~~Sec. 114 35.— Property left or lost in vehicle.~~

~~If a person who was a passenger in any vehicle for hire discovers he is missing any article that was being transported in a taxicab in which he was riding, such person shall first call the company, partnership or person owning such vehicle and inquire as to whether the goods were found. If the owner has no record of finding the materials, then such person shall call the police and report such items missing. Such person shall then comply with all rules relating to lost or stolen goods as promulgated by the city or the state.~~

~~Sec. 114 36.— Passenger to pay fare; intent to defraud.~~

~~It shall be unlawful for any person to refuse to pay the legal fare after hiring the taxicab. It shall be unlawful for any person to hire any taxicab with intent to defraud the operator or driver of the value of such service.~~

~~Sec. 114-37.— Payment of fares in advance.~~

~~Every driver shall have the right to demand payment of the legal fare in advance, and may refuse employment until so prepaid, but no driver shall otherwise refuse or neglect to convey any orderly person or persons upon request anywhere in the city unless previously engaged or unable to do so.~~

~~Sec. 114-38.— Loitering.~~

~~It shall be unlawful for any person other than the driver or owner of a taxicab or motor vehicle for hire to stand upon the public streets, to loiter at, within or near such vehicle.~~

~~Sec. 114-39.— Use of taxi stands.~~

~~It shall be unlawful for taxicabs not licensed to operate in the city to occupy or park at areas designated as "taxi stands."~~

~~DIVISION 2.— LICENSES~~

~~Subdivision I.— In General~~

~~Subdivision II.— Owner's License~~

~~Sec. 114-61.— Required.~~

~~No person shall operate or permit to be operated any taxicab within the city for the purpose of obtaining fare paying passengers within the city, without first having obtained a license therefor from the office of the city manager or his designee.~~

~~Sec. 114-62.— Issuance to registered owner of vehicle.~~

~~The only person to whom a license can be issued is the person registered as the owner of the vehicle by the state secretary of state.~~

~~Sec. 114-63.— Application procedures.~~

~~(a) Any person applying to the city manager's office for a license for the operation of one or more taxicabs shall file with the city manager's office a sworn application thereof, in triplicate, on forms provided by the city manager's office containing as follows:~~

- ~~(1) The name and business address of the applicant. In the event the applicant is a copartner or a corporation, certified copies of the certificate of co-partnership, or articles of incorporation, must accompany the application;~~
- ~~(2) The number of vehicles actually owned and the number of vehicles actually operated as taxicabs by such applicant on the date of such application, if any;~~
- ~~(3) The number of vehicles for which a license is desired;~~
- ~~(4) The make, type, year of manufacture, serial number, engine number and passenger seating capacity of each taxicab for which application for a license is made. A copy of a valid vehicle registration issued by the state secretary of state shall be attached for each vehicle;~~

- ~~(5) Evidence satisfactory to the city manager's office that the applicant, if granted a license required for the operation of a taxicab or taxicabs, will be equipped to, or affiliated with persons equipped to maintain and furnish 24-hour call and dispatching service for seven days per week, 52 weeks per year;~~
- ~~(6) A copy of the automobile insurance policy covering each vehicle for which a license is requested, providing personal liability coverage and property protection insurance to comply with the provisions of the state no-fault insurance act. All policies shall be accompanied by a commitment from the insurer that such policies will not be cancelled without at least 30 days prior written notice to the city;~~
- ~~(7) A financial statement of the applicant covering the applicant's last fiscal year immediately preceding the filing of the application, prepared by a certified public accountant;~~
- ~~(8) The names and addresses of three local business references who have known the applicant for one or more years;~~
- ~~(9) Whether there are any unpaid or unbonded judgments of record against the applicant, and if so, the title of all actions and the amount of all judgments unpaid or unbonded, and the court in which the judgments were rendered;~~
- ~~(10) The color scheme insignia which will be used to designate all vehicles of applicant;~~
- ~~(11) Any other information as the city manager in his discretion, may desire.~~

~~(b) The city manager's office shall at all times keep on file a complete list of all such applicants filed which shall be a matter of public record.~~

~~Sec. 114-64. Public hearing.~~

~~Upon the filing of a complete application, the city manager shall fix a time and place for public hearing upon such application, no later than 30 days following the receipt of all required materials. Notice of such hearing shall be given to the applicant and to all persons who currently hold valid licenses. Reasonable notice shall also be given to the general public by inserting a notice of such hearing at least ten days in advance of such hearing in the official city newspaper. Any interested person may file with the city manager's office a memorandum of support or opposition to the issuance of the license.~~

~~Sec. 114-65. Grant or denial of license.~~

~~Upon filing of the application for a taxicab license the city manager shall transmit the application to the chief of police who shall cause an investigation to be made of the character, fitness and qualifications of the applicant and the safety and fitness of the vehicle proposed to be licensed. Upon the completion of the investigation, the chief of police shall transmit the application together with his written recommendations and the reasons therefor to the city manager's office. Once the public hearing has been had and the police investigation is completed, then if, in the opinion of the city manager, the applicant is suitable and the vehicle proposed to be licensed is suitable, then the city manager may grant such license or licenses. The decision of the city manager denying the license is subject to review by city council upon a written request filed by the applicant within 30 days of receipt of the notice of denial.~~

~~Sec. 114-66. Issuance of licenses.~~

~~Licenses granted by the city manager shall be issued by the city clerk upon payment of the fees hereinafter required, provided that the applicant has deposited with the city clerk proof of insurance as required in this article.~~

~~Sec. 114-67.— License expiration.~~

~~All licenses issued under the provisions of this article, unless sooner revoked as herein provided, shall expire at midnight following April 30 in each calendar year.~~

~~Sec. 114-68.— Fee.~~

~~The applicant shall pay to the treasurer annually, the sum as set by resolution of the city council as a license fee.~~

~~Sec. 114-69.— Assignment or transfer.~~

~~Licenses issued shall not be assignable or transferable, except, however, in the case of the death of any person owning a vehicle licensed hereunder, the city manager may, upon receipt of satisfactory evidence of such death, at the request of the deceased's personal representative, approve the transfer and validate by appropriate endorsement thereon, such license in the hands of the person in whose name title to such vehicle shall become vested through the deceased's personal representative. Where the licensee is a corporation, transfer of the controlling interest in the corporation shall be deemed to transfer the license issued hereunder and such transfer shall not be permitted.~~

~~Sec. 114-70.— Issuance of memorandum certificate.~~

~~A memorandum certificate shall be issued by the city manager for each taxicab for which a license has been granted. Such memorandum certificate shall be displayed in a conspicuous place in the taxicab for which it is issued, at all times of operation, as evidence of the issuance of such license.~~

~~Sec. 114-71.— Transfer of certificate vehicle to vehicle.~~

~~In the event the owner of a taxicab shall cease to own the taxicab, or in the event such vehicle shall become unsuitable for operation, an affidavit to such effect must be filed within 30 days with the city manager who shall transfer the certificate to any other taxicab belonging to such owner provided such taxicab is of the same class approved by the city manager. The license shall be transferred to a new vehicle immediately upon the affidavit being received by the city manager and the fee being paid as required herein. For every transfer of a license pursuant to this section, the city clerk shall collect from the applicant a fee as set by resolution of the city council.~~

~~Sec. 114-72.— Renewal of license.~~

~~Upon application to the city manager and prior to the termination of each license year, a new license may be issued for the ensuing year provided:~~

- ~~(1) The owner thereof has complied with all the provisions of this article.~~
- ~~(2) The vehicle or vehicles for which the license is to be renewed have been found, after investigation and inspection by the police department to be in strict compliance with this article.~~

~~Sec. 114-73.— Revocation of licenses.~~

~~(a) Conditions. Any licenses issued under this article may be suspended or revoked by the city manager whenever:~~

- ~~(1) Nonuse. Any person holding one or more licenses for taxicabs shall for a period of 60 consecutive days, fail to make a reasonable and consistent effort to operate any such taxicabs, except on account of any emergency over which the licensee has no control.~~
- ~~(2) Employment of unlicensed drivers. Any owner of any taxicab permits the taxicab to be driven for hire by anyone who is not a licensed driver, as provided for in subdivision IV of this division.~~
- ~~(3) Unsafe and unsanitary conditions. A taxicab is found not to be in a safe and sanitary operating condition.~~
- ~~(4) Unlawful use. Upon information that any unlawful use has occurred with the knowledge of the person owning the taxicab, or the knowledge of the operator of such taxicab, the city manager shall revoke the certificate for the taxicab involved or the driver's license of the driver involved, or both.~~
- ~~(5) Misrepresentation in obtaining license. It shall appear upon investigation and hearing by the city manager that a license issued hereunder has been obtained by misrepresentation.~~
- ~~(6) Improper or incorrect taximeter. Following a conviction for knowingly operating a taxicab with an improper or incorrect taximeter, it shall be mandatory for the city manager to revoke the license of the taxicab concerned. Providing, however, this provision shall not be considered as requiring the discharge of a passenger other than at his destination where a mechanical failure rendering the taximeter improper or incorrect shall occur during a trip for hire.~~
- ~~(7) Violations of article. The owner fails to operate the taxicab or taxicabs in accordance with the provisions of this article.~~

~~(b) Notice of hearing. No license shall be revoked unless and until due notice of hearing shall have been given to the holder of such license and such hearing is duly had thereon, and an opportunity to appear and be heard in his own defense has been afforded him.~~

~~(c) Change of ownership or title. Change of ownership of, or title to, any taxicab or taxicabs shall automatically revoke any license previously granted for the operation of such taxicab or taxicabs.~~

~~(d) Surrender of license. Any license which has been suspended or revoked by the city manager shall, together with the license bond plate issued for such taxicab, forthwith be surrendered to the city manager together with the corresponding memorandum certificate and rate cards, and the operation of any taxicab covered by such license shall cease.~~

~~Sec. 114 74.— Change in ownership.~~

~~(a) In the event of any change of membership of any owner partnership, or change in officers or directors of any owner corporation, the company's license shall be deemed terminated unless within 30 days of such change or event new applications shall have been submitted on behalf of such new members or owners and approved as required herein for an original applicant. In case of death, see section 114 69.~~

~~(b) Any attempted sale or transfer of any company, proprietorship or corporation's license shall operate to revoke the license unless prior to such sale or transfer, the new purchaser or transferee shall have first applied for and been approved for an owner's license as required herein for an original applicant.~~

~~Sec. 114-75. — Penalty.~~

~~Any person operating or permitting to be operated for hire a taxicab without the registered owner having first obtained a license therefor as required in sections 114-61 through 114-71, or for which the license has been suspended or revoked, shall be guilty of a violation of this article and in the event of conviction such person shall, in addition to the penalties provided in section 114-34, not be granted a license for a period of three months for the first conviction and one year for a subsequent conviction.~~

~~Subdivision III. — Bondplate License~~

~~Sec. 114-86. — Required.~~

~~No person shall operate or permit to be operated any taxicab within the city without first having obtained a bondplate license for such taxicab and affixing to the taxicab so licensed a small metal plate, the largest dimension of which shall not be in excess of four inches by 12 inches, which shall bear the city license number of the vehicle licensed and shall show the expiration date of the license bondplate. The plate shall be bolted to the lower left corner of the trunk (deck) lid.~~

~~Sec. 114-87. — Inspection of vehicle.~~

~~Before a license bondplate is issued to any owner, a taxicab for which such bondplate is requested, its equipment and taximeter, shall be thoroughly examined and inspected by the police department to ascertain whether such taxicab, equipment and taximeter complies with this article and such rules and regulations as may be prescribed by the city manager.~~

~~Sec. 114-88. — Time of inspection; reinspection.~~

~~(a) All taxicabs having current bondplate licenses shall be presented for inspection at the city police department annually, between April 1—10. Any taxicab which does not pass the inspection may be presented once for re-inspection within 15 days of its first inspection day. In the event the taxicab fails the second inspection, a third inspection shall be scheduled by the police department for a date three months thereafter, at the convenience of the police department. Taxicabs which are placed into service following the April 1—10 inspection date shall be inspected by the police department upon appointment.~~

~~(b) Any taxicab which does not comply with the established procedure or which does not pass inspection shall be immediately withdrawn from service, and shall not be returned to service until such time as such vehicle has passed inspection.~~

~~(c) The fee for each re-inspection shall be the sum as set by resolution of the city council as a re-inspection fee.~~

~~Sec. 114-89. — Inspection criteria.~~

~~Inspection of vehicles shall include presentation and inspection of the following:~~

- ~~(1) A copy of the vehicle registration and insurance certificate must be in the vehicle to which it applies.~~

- (2) ~~A copy of the current taximeter certification.~~
- (3) ~~Equipment inspection required under this article shall include, but not be limited to:~~
- a. ~~The vehicle inspection number and license number must correspond with the information presented above.~~
 - b. ~~All lights must be operable, including the headlights, taillights, turn signals, high/low beams, back up lights, inside dome light, dashboard lights, license plate lights and outside roof light.~~
 - c. ~~Tires must be at a proper pressure and have the proper tread.~~
 - d. ~~Footbrake and emergency brake working properly and safely.~~
 - e. ~~Steering working properly and safely.~~
 - f. ~~Rubber pads on all foot pedals.~~
 - g. ~~Defroster working properly.~~
 - h. ~~Heater working properly.~~
 - i. ~~Glass on vehicles may not have any breaks or cracks which may possibly impair visibility.~~
 - j. ~~Each vehicle must have a complete exhaust system and must be below a noise level of 95 decibels in a stationary test.~~
 - k. ~~There must be seat belts accessible for capacity allowed passengers.~~
 - l. ~~All doors operable and can be opened in a normal manner.~~
 - m. ~~The vehicle must be overall clean and sanitary and have no litter and no body damage which interferes with the safe operation of the vehicle.~~
 - n. ~~The colors and insignia must correspond with the information submitted to the city manager in applying for the owners license.~~
 - o. ~~There must be an outside driver's side rearview mirror and inside rearview mirror.~~
 - p. ~~The taximeter must be sealed with no signs that it has been tampered with.~~
 - q. ~~The taxi insignia light located on the outside roof of each vehicle must be directly wired to the taximeter, regardless of whether the taximeter is mechanically or electronically controlled, and the roof light must be lit whenever the meter is in operation.~~
- (4) ~~Any other information or documents or equipment which in the reasonable discretion of the police department is required for the safe operation of the vehicle and passengers or to comply with any provisions of this article must be provided.~~

~~Sec. 114 90.— Expiration.~~

~~All bondplate licenses issued under the provisions of this article, unless sooner revoked as herein provided, shall expire at midnight following April 30 in each calendar year.~~

~~Sec. 114 91.— Fee.~~

~~For the issuance of each bond plate license the applicant shall pay to the city clerk the sum as set by resolution of the city council together with a receipt from the police department verifying that the taxicab has passed inspection.~~

~~Sec. 114 92.— Duplicate licenses.~~

~~Upon paying the sum as set by resolution of the city council and furnishing proof by affidavit of the loss or destruction of a taxicab bondplate issued under the provisions of this article, the licensee shall be entitled to the immediate issuance of duplicates thereof. Such duplicates shall contain appropriate notations thereon that they are duplicates.~~

~~Sec. 114-93.— Transfer vehicle to vehicle.~~

~~(a) In the event the owner of a taxicab shall cease to own the taxicab, or takes the vehicle out of service, or in the event such vehicle shall fail to comply with the requirements of this article, an affidavit to that effect must be filed within 30 days with the city manager, who shall transfer the bondplate to any other taxicab belonging to such owner provided the owner has a current license under the provisions of this article, and the vehicle meets the inspection requirements listed in this article.~~

~~(b) The fee for such transfer of bondplate shall be as set by resolution of the city council if the transfer affidavit is filed prior to January 1, and or if the transfer affidavit is filed between January 2 and April 30.~~

~~Subdivision IV.— Driver's License~~

~~Sec. 114-106.— Required.~~

~~No person shall drive a taxicab within the city without first having obtained a taxicab driver's license from the city clerk, nor shall the owner of any taxicab permit the taxicab to be operated by anyone other than a licensed taxicab driver.~~

~~Sec. 114-107.— Qualifications of drivers.~~

~~Each application for driver's license must meet the following requirements:~~

- ~~(1) Be at least 18 years of age.~~
- ~~(2) Be of sound physique, with good eyesight and not subject to epilepsy, vertigo, heart trouble, or any other infirmity of body or mind which might render him unfit for the safe operation of a taxicab and shall not be addicted to the use of drugs or intoxicating liquors, as evidenced by a doctor's statement issued within three months of application date.~~
- ~~(3) Be able to read, write and speak the English language.~~
- ~~(4) Be clean in dress and person.~~
- ~~(5) Hold a chauffeur's license issued by the state.~~
- ~~(6) Shall furnish written verification of present employment by a taxicab company currently licensed to operate within the City of Ypsilanti.~~

~~Sec. 114-108.— Form of application.~~

~~Each applicant for a taxicab driver's license shall make application on forms to be provided by the chief of police, providing the following information:~~

- ~~(1) Full name.~~
- ~~(2) Current address and all places of residence for five years prior to the date of application.~~
- ~~(3) Date of birth, height, color of hair.~~
- ~~(4) Place of birth.~~
- ~~(5) Places of previous employment for five years.~~
- ~~(6) Whether he has previously been licensed as a taxicab operator. If yes, specify the following:~~
 - ~~a.— Dates.~~
 - ~~b.— Where.~~
 - ~~c.— Whether that license was ever suspended or revoked and for what cause.~~

- ~~(7) Production of valid state chauffeur's license and an indication of whether any state motor vehicle operator's permit or chauffeur's license has ever been suspended or revoked and the reason for such suspension or revocation.~~
- ~~(8) Such application statement shall be signed and sworn to by the applicant.~~
- ~~(9) The form shall have a notation that any false statement made by the applicant in applying for an operator's license shall invalidate the application issued by such applicant and will result in immediate revocation of any license issued subject to such application.~~

~~Sec. 114-109. Refusal of driver's license.~~

~~The chief of police may refuse to approve the application for an operator's license for any person:~~

- ~~(1) Whose state automobile operator's license or taxicab driver's license has been revoked, or has been suspended within two years prior to the date of application.~~
- ~~(2) Who has been convicted of a felony involving a motor vehicle within the last five years.~~
- ~~(3) Who has previously been convicted of driving an automobile resulting in death of any person.~~
- ~~(4) Who has been convicted of driving a motor vehicle while intoxicated.~~
- ~~(5) Who has accumulated from the state secretary of state's office nine or more points for hazardous moving violations.~~
- ~~(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 a taxicab.~~

~~Sec. 114-110. Examination of driver.~~

~~(a) Should the chief of police find the applicant has satisfactorily complied with all the conditions of this article, he shall notify the city manager, or the manager's designee. Each applicant for a taxicab driver's license may then be examined in writing by a person designated by the city manager as to his knowledge of the provisions of this article, the traffic laws and regulations of the city and state, and the geography of the city.~~

~~(b) Additionally, each applicant may, if required by the police department or city manager, demonstrate his skill and ability to safely handle the vehicle while driving it through a crowded section of the city accompanied by an inspector from the police department.~~

~~(c) If the result of any of these examinations shall be unsatisfactory, the license shall be refused.~~

~~Sec. 114-111. Issuance.~~

~~(a) Upon the successful completion of the application process, the city manager shall authorize the city clerk to grant a taxicab driver's license to the applicant.~~

~~(b) The city manager shall notify the applicant of such approval and that he must supply the city clerk with two recent photographs of himself of a size which may be easily attached to the license, one of which shall be attached to the license when issued and one attached to the master personnel file kept by the city clerk.~~

~~(c) On the driver's license granted to the applicant there shall appear the driver's name, license number and photograph. Such card must at all times be displayed on the taximeter of the taxicab which the operator is driving.~~

~~Sec. 114-112.— Term of license.~~

~~Each driver's license shall expire on April 30 following the issuance thereof.~~

~~Sec. 114-113.— Fees.~~

~~The cost for a new driver's license and a duplicate license shall be as set by resolution of the city council.~~

~~Sec. 114-114.— Revocation and suspension.~~

~~(a) A driver's license may be suspended by the chief of police or revoked by the city manager if such driver shall use a taxicab for any immoral or illegal purpose, or if such driver is convicted of violation of the provisions of this article, or any state or federal law, or his license has been revoked or suspended by the state secretary of state. No suspension or revocation of a driver's license may be ordered until after a hearing is held by the chief of police, or the city manager, as the case may be, and such driver given an opportunity to appear and be heard in his defense. A suspension by the chief of police may be appealed to the city manager.~~

~~(b) Any taxicab operator or licensed taxicab driver who has received written notice from the city clerk that his license has been revoked or suspended and who refuses to surrender the license, shall be deemed guilty of a violation of this article.~~

~~DIVISION 3.— OPERATION~~

~~Sec. 114-131.— Taximeters.~~

~~(a) Required. No person shall operate a taxicab unless such vehicle shall be equipped with a taximeter approved by the city manager, his agent and geared to the drive shaft and the transmission or in the rear of the transmission, and shall be wired directly to the taxi insignia light located on the outside roof of the vehicle. Such taximeter shall be kept in good working order at all times.~~

~~(b) Meter control switch. Every taximeter shall have thereon a meter control switch which shall be used when the vehicle is employed. It shall be the duty of the driver to switch such taximeter into a nonrecording position at the termination of each trip. It shall be the duty of each driver and owner to periodically examine the outside roof light of the vehicle when the taximeter is in the employed position to verify that the outside light is operating.~~

~~(c) Visibility. The taximeter is to be plainly visible. Every taximeter shall be so attached to the taxicab and the amount of fare to be charged shall be plainly visible at all times from the inside of the vehicle to all occupants of the vehicle. Whenever necessary for visibility the dial of the taximeter shall be illuminated.~~

~~(d) Inspection and sealing. The taximeter is to be inspected and sealed. No person owning and operating any taxicab shall offer or let the taxicab for hire unless the taximeter affixed thereto has been inspected and tested by the licensed taximeter repair facility designated by the city manager, or his designee, and found to calculate and register the fare correctly in accordance with the rates established by the city manager and the city council, and posted in the taxicab.~~

~~(e) Testing. The taximeter is to be tested every 12 months. It shall be the duty of the city manager or his designee to designate a licensed taximeter repair facility to inspect, test and seal~~

~~all taximeters used on taxicabs. Before a bondplate license described in section 114 86 is issued to any owner, the taximeter shall be thoroughly inspected, tested and sealed by such facility as provided in subsection (h) of this section, and a copy of the certification sent to the city manager's office or his designee. The city reserves the right to inspect taximeters for accuracy at any time.~~

~~(f) Inspection of complaint. There shall be an immediate inspection in the case of a complaint. In the event a complaint is made to the city manager, the chief of police or designee that any taximeter registered incorrectly or not in accordance with the rate card posted in the taxicab or not in accordance with the rate on file in the office of the city manager, it shall be the duty of the city manager or his designee to inspect the taximeter immediately.~~

~~(g) Inspection upon change of rates. There shall be an immediate inspection in the case of a change in rates. Whenever there is a change in the schedule of rates in which taximeters are altered, taximeters on the taxicab shall be adjusted to the new rates, and the taximeter inspected, tested and sealed by such licensed taximeter facility as provided in subsection (h) of this section, before the new rate becomes effective.~~

~~(h) Inspection facility. Taximeters shall be inspected. Every inspection shall include examination and inspection of the taximeter affixed to the taxicab, and the usual standards of measure possessed shall be used therein by the inspecting facility and it shall be the duty of such inspecting facility to seal all taximeters found correct and accurate within the tolerance of two percent in accordance with taximeter rates established in accordance with the law.~~

~~(i) Inaccurate taximeters. Inaccurate taximeters shall be reported to the city manager's office. If in the course of these inspections, such facility shall discover a taxicab with its taximeter not accurate, correct or not calculating and registering in accordance with the rates filed with the city manager and located in the taxicab, he shall not seal such taximeter.~~

~~(j) Inspection required for use of vehicles. Vehicle shall not be used until the taximeter is inspected. It shall be unlawful for the owner to operate or permit to be operated, any such taxicab until its meter has again been inspected and tested and found accurate and correct and registering in accordance with the rates filed with the city manager and posted in the taxicab and a seal thereto placed on the taximeter.~~

~~(k) Record of inspection. The city manager or his designee shall keep a record of the identification number of every taximeter and the date of inspection thereof on the books of his office.~~

~~(l) Breaking seal prohibited. Any owner, agent, employee, driver or operator maliciously breaking the seal placed by the licensed taximeter facility on the taximeter, or knowingly changing the calculation rate of the taximeter or any person operating a taxicab for hire in which the seal attached to the taximeter by the licensed taximeter facility is broken, shall be deemed guilty of a violation of this article.~~

~~(m) Tampering with rate charge. Any owner, agent, employee, driver or operator who knowingly alters the schedule of rates and/or mileage which is being calculated by the taximeter during the~~

trip, resulting in a higher fee being charged than permitted by the rate schedule for the number of miles or fractions thereof shall be deemed guilty of a violation of this article.

~~(n) License card holder. A license card holder shall be attached to the portion of the meter facing the rear seat of the taxicab.~~

~~(o) Penalties.~~

~~(1) Any owner, agent, employee, driver or operator who knowingly drives or operates a taxicab for hire to which is attached a taximeter which registers improperly, incorrectly, or not in accordance with the rate on file with the city manager and posted in the taxicab, or who knowingly tampers with the data being calculated by the taximeter pursuant to subsection (m) of this section, shall be guilty of a violation of this article. Provided, however, the provisions hereof shall not apply where the taxicab is completing a trip for hire during which a mechanical failure occurred, causing the taximeter to register improperly or incorrectly. Following such conviction it shall be mandatory for the city manager to revoke the license of the offender and/or the certificate of the vehicle concerned.~~

~~(2) Any driver who operates a taxicab for hire in the city with passengers in such taxicab without having activated the meter control switch of the taximeter to the "hired" position, and without having the overhead taxicab light illuminated, shall, upon detection, have his driver's license suspended by the city manager for a period of three days for the first offense; ten days for the second offense, and revocation for the third offense.~~

~~Sec. 114-132. Conduct and duties.~~

~~(a) Appearance. Drivers of taxicabs shall be clean in dress and in person at all times while operating a taxicab.~~

~~(b) Number of passengers. Limited to seating capacity. It shall be unlawful for the owner or driver of a taxicab or motor vehicle for hire to permit such vehicle to be occupied by more persons than the number specified as the seating capacity of such vehicle; provided that children under the age of two years who are held by another passenger shall not be counted in determining the number of occupants.~~

~~(c) Unauthorized passengers prohibited. Whenever any taxicab is occupied by fare-paying passengers, or by members of a party of a fare-paying passenger, the driver of such taxicab shall permit no other person to occupy or ride in such taxicab, except a student driver, to be schooled for a period of one week upon approval in writing on a form provided by the taxicab company signed by the chief of police. A student driver must have a pending application for a driver's license.~~

~~(d) Persons riding with driver. No person other than the paying passengers shall be permitted to occupy the seat with the driver of a taxicab. However, nothing in this section shall be so construed to prohibit a student driver from riding on the front seat with the driver of the taxicab.~~

~~(e) Deception of passengers. No driver shall deceive or attempt to deceive any passenger who may ride in his taxicab, or who may desire to ride in such taxicab as to his destination or the rate of fare to be charged or shall convey any passenger, or cause him to be conveyed, to a place other~~

than one directed by him, and in no event shall any operator take a longer route to the destination than necessary unless so requested by the passenger or passengers.

~~(f) Smoking prohibited. No driver of a taxicab shall have in his possession a lighted cigarette, cigar or pipe while any passenger is being carried therein.~~

~~(g) Property lost or left in vehicles. Every driver of a taxicab, immediately after the termination of any hiring or employment, shall carefully search such taxicab for any property lost or left therein, and any such property, unless sooner claimed or delivered to the owner, must be taken to the police station and deposited with the officer in charge of the station to whom a report shall be made with brief particulars and description of the property. The provisions of this section shall not apply in case a profit corporation or a nonprofit corporation composed of members engaged in the taxicab business shall have a regularly established lost and found department, in which case such property must be kept subject to the call of the owner for at least 30 days, at the end of which time it shall be turned over to the police department to be disposed of in accordance with the law.~~

~~(h) Most direct route. Any taxicab driver employed to transport passengers to a definite point shall take the shortest and most direct route possible that will carry that passenger to his destination safely and expediently.~~

~~(i) Trip sheet. Each driver shall maintain a daily trip sheet upon forms which shall be furnished to the driver by the owner and shall be of a character approved by the city manager. The driver shall record all trips made each day, showing the date, time, place of origin and destination of each trip and the amount of fare and the mileage from the odometer; and all such trip sheets shall be returned to the owner by the driver at the conclusion of his tour of duty. The owner shall be required to retain and preserve all driver's trip sheets in a safe place for at least one full calendar year, which sheets shall be subject to inspection at reasonable times by the city manager, or his duly authorized representatives. Failure to record such information or any false location or misrepresentation of the information required shall be a violation of this article.~~

~~(j) Hours of work. No taxi driver shall drive, or be permitted to drive, or to be on duty for more than 12 hours in any one day or more than 72 hours in any one week.~~

~~(k) Display of licenses. All drivers shall display their taxicab drivers license in the card holder attached to the taximeter. Failure to display such license shall be a violation of this article.~~

~~Sec. 114-133.—Solicitation, acceptance and discharge of passengers.~~

~~(a) Solicitation of passengers by driver. No driver shall solicit passengers for a taxicab except when sitting in the driver's compartment of such taxicab or while standing immediately adjacent to the curb thereof. The driver of any taxicab shall remain in the driver's compartment or immediately adjacent to his vehicle at all times when such vehicle is upon the public street, except that, when necessary, a driver may be absent from his taxicab for not more than ten consecutive minutes, and provided further that nothing herein contained shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle.~~

~~(b) Prohibited solicitation. No driver shall solicit patronage in a loud or annoying tone of voice or by sign or in any manner annoy any person or obstruct the movement of any persons, or follow any person for the purpose of soliciting patronage.~~

~~(c) Receipt and discharge of passengers on sidewalk only. Drivers of taxicabs must not receive or discharge passengers in the roadway but shall pull up to the right hand sidewalk as nearly as possible or in the absence of a sidewalk, to the extreme righthand side of the road and there receive or discharge passengers except upon one way streets where passengers may be discharged at either the right or left hand sidewalk, or side of the roadway in the absence of a sidewalk.~~

~~(d) Cruising. No taxicab while awaiting employment by passengers shall stand on any public street or place other than that upon a public taxicab stand, designated or established in accordance with this article, nor shall any driver of such taxicab seek employment by repeatedly and persistently driving his taxicab to and fro in a short space before or by otherwise interfering with the proper and orderly access to or egress from of public gathering or in any other manner obstructing or impeding traffic, but any taxicab may solicit employment by driving through any public street or place without stops other than those due to obstruction of traffic and at such speed as not to interfere with or impede traffic and may pass or repass before any theater, hall, hotel, public resort, railway station or other place of public gathering; provided, that after passing such public place he shall not turn and repass until he shall have gone a reasonable distance.~~

~~(e) Solicitation of other common carrier passengers prohibited. No owner, driver or any other person shall solicit patronage or persons assembled at the termini of any other common carrier, when such persons have assembled for the purpose of using the service of such common carrier. Nothing herein contained shall be construed to prohibit or interfere with response to any call for a taxicab made by a signal from a pedestrian.~~

~~(f) Acceptance of additional passengers prohibited. Whenever any taxicab is occupied by a passenger or passengers, the driver shall not permit any other person to occupy or ride in such taxicab, except by specific consent of the original passenger or passengers.~~

~~(g) Operation along route prohibited. No owner or driver of a taxicab shall cause or permit such taxicab or taxicabs to be operated along routes in a manner similar to that of mass transportation vehicle operating along definite routes or between specific termini. Any owner or driver who operates, causes to be operated, or permits to be operated, any taxicab or taxicabs persistently and repeatedly to and fro, round, or in the vicinity of any theater, railroad station, hotel or any other place of public gathering, or repeatedly along a street when there is, nearby, a suitably located taxicab stand or stands shall be construed to be operating such taxicab or taxicabs along routes and such operation is hereby prohibited.~~

~~(h) Refusal to carry orderly passengers prohibited. No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this article to do so.~~

~~Sec. 114-134. Unlicensed driver.~~

It shall be unlawful to permit, and it shall be unlawful for any unlicensed driver or any driver whose license has been suspended or revoked to operate any taxicab in the city while such suspension or revocation exists.

~~Sec. 114-135.— Refusal to carry fare.~~

~~Any owner, taxicab company or driver who willfully declines to carry any person because of race, creed, color or sex and is found guilty of such action shall be guilty of a misdemeanor and punishable as provided in section 1-15. Any party found guilty of a violation of this provision shall be liable for all court costs and attorney fees incurred by the city in prosecuting such violation. Any person suing for violation of this section shall be entitled to two separate causes of action; one against the driver, and another against the company owner. Any person who is successful shall be entitled to a maximum recovery as listed above.~~

~~Sec. 114-136.— Rates of fare.~~

~~No owner or driver of a taxicab shall charge a greater sum for the use of a taxicab than is in accordance with the following rates:~~

~~(1) Individuals:~~

~~a.— Mileage rates: \$1.75 for flag drop and \$0.25 per one seventh mile or fraction thereof (\$1.75 per mile).~~

~~b.— Waiting time. \$0.15 for each 36 seconds of waiting time or fraction thereof.~~

~~(2) Groups. When two or more parties or passengers are transported under group riding from a common point or origin, driver shall first deliver by the most direct route the party whose destination is closest to the point where the trip began. The driver shall then deliver the party whose destination is closest to the point where the first party was discharged, etc. The following rates shall apply on such cases:~~

~~a.— The charge for the first passenger or party to be discharged shall be the meter reading at the point of discharge. The driver then must clear the reading on the meter and reset it for a new trip. The second party to be discharged shall then pay the meter reading at the point where it was discharged. The driver must again clear the reading on the meter and reset it for a new trip for the third party. The same procedure must be followed each time a party is discharged.~~

~~b.— Nothing in this section is to be construed as to permit resetting the meter when individual persons who are part of the same party are discharged or picked up at different destinations.~~

~~(3) Hourly rate. If a taxi is hired by the hour, the rate shall be \$15.00 per hour. A minimum charge shall be \$7.50. All time charged above the first hour shall be charged at one-quarter hour increments.~~

~~(4) Rate card. Each taxicab shall have posted in it in a conspicuous place a card on which shall be printed in legible type the rates of fare provided for herein. Such rate cards shall contain the name of the vehicle owner, the license number on the bondplate, the date of issuance and the date of expiration.~~

~~(5) Fare receipt. The driver of a taxicab or motor vehicle for hire shall, if requested, deliver to the person paying for the hire of a taxicab or motor vehicle at the time of payment, a receipt therefor. Upon this receipt shall be legibly printed or written the name of the~~

owner, a method of identifying the vehicle or its driver, all items for which the charges are made, the total amount paid and the date of payment.

- ~~(6) Changes in amount of fare. The city council may modify the rates herein established. No rate exceeding the schedule established by the city council may be charged. However, if a taxicab board shall be created, it shall set the rates of fare which may be appealed to the city council.~~
- ~~(7) Disputes over fare. All disputes as to the lawful rate of fare shall upon the request of the driver or passenger of a taxicab be determined by the police officer in charge of the city police station at the time of the dispute. The decision of this police officer shall be final and both parties shall comply with this determination.~~

~~Sec. 114-137. Taxicab stands.~~

~~(a) Location. The city manager may, from time to time, designate certain locations on public streets in the city as public taxicab stands and shall specify the number of taxicabs that shall be permitted to stand at any such place. The traffic and transportation department shall cause to be attached to a post or stanchion a metal sign which shall state the number of taxicabs which may be permitted to stand within five feet of any crosswalk or within five feet of any building entrance. The last named limitation shall be determined by measuring five feet on either side of a point at the curb opposite the door of entrance to the building. The city manager may establish additional stands for night use only. Nothing in this article shall be construed as prohibiting the parking or standing of taxicabs where parking is permitted other than authorized taxicab stands when such taxicab is not being used in the soliciting of business. No taxicab shall be permitted to park any nearer than a radius of a block from any taxicab stand except on such stand.~~

~~(b) Standing on private property. Parking or standing on private property for the purpose of soliciting taxicab business within one block of a stand is prohibited excepting that this prohibition shall not apply to the use of land under the control of the New York Central Railroad Company or Great Lakes Greyhound Bus Line.~~

~~(c) Use of stand. Only taxicabs licensed to operate in the city may occupy or park in taxicab stand areas. Only taxicabs in such numbers as are set forth on the metal sign hereinbefore referred to, may remain at such stand while waiting for employment and they must be parked in single file. The taxicab standing at the head of such parked line shall not be permitted to refuse to carry any orderly person who offers to hire such taxicab and agrees to pay the proper rate of fare; provided, however, that the foregoing provisions shall not be construed to prevent any person from selecting any taxicab he may desire on the stand, whether it be at the head of the line or not. As the taxicab leaves the parked line with passengers, those in the rear shall move up and any taxicab seeking space on such stand shall not approach the stand except from the rear thereof and shall move up as closely as possible to the last car on such parked line.~~

~~(d) Call boxes. No call box or telephone, the use of which involves the standing or parking of a taxicab on the public streets, shall be used, except by permission of the city manager.~~

~~Sec. 114-138. Records and reports.~~

~~(a) Records of owner's name, address, etc. Every owner shall maintain on file with the city manager his name, business address, garage address, and all business telephone numbers listed in~~

~~his name and shall within 48 hours after any change in his business address, garage address or telephone numbers, report such change or changes to the city manager.~~

~~(b) Records. Every driver shall maintain daily records upon which are recorded such information as shall be required by the city manager. The forms for such records shall be furnished to the driver by the owner and shall be of a character approved by the city manager. Every owner shall retain and preserve all drivers' records in a safe place for at least the calendar year next preceding the current calendar year, and such records shall be available to the city manager or his duly appointed agent.~~

~~(c) Character of records. Every owner shall keep accurate records of receipts from operations, operating, and other expenses, capital expenditures, and such operating information as may be required by the city manager. Every owner shall maintain the records containing such information and other data required by this article at a place readily accessible for examination by a member of the police department, or by a representative of the city manager, appointed for that purpose.~~

~~(d) Reports of operations. Every owner shall submit reports of receipts, expenses and statistics of operation to the city manager in accordance with a uniform system prescribed by the city manager, at the close of his business' fiscal year.~~

~~(e) Reports of accidents. All accidents arising from or the operation of taxicabs which result in death or injury to any person, or in damage to any parked vehicle, or to property which has been damaged in excess of \$200.00, shall be reported forthwith to the city police on a form to be furnished by the police. In the event a taxicab licensed to operate under the laws of the city is involved in an accident outside the city's corporate limits the company shall be required to obtain a copy of the accident report and forward it to the city manager within 72 hours of such accident. Failure to comply with this provision shall be deemed a breach of this article and the company shall be subject to the penalties for breach as outlined in section 114-34.~~

~~(f) Financial statements. Any owner may be requested to file with the city manager's office a financial statement for the then current fiscal year prepared by a certified public accountant if, in the city manager's judgment, there is a valid and substantial need for such documents to determine that the owner is able to serve people in the city as licensed therefor.~~

~~Sec. 114-139.— Advertising on vehicles.~~

~~Subject to the rules and regulations of the city manager, it shall be lawful for any person owning or operating a taxicab or motor vehicle for hire to permit advertising matter to be affixed to or installed on each taxicab.~~

~~Sec. 114-140.— Cleanliness of vehicle.~~

~~Every vehicle licensed under provisions of this article shall be cleaned and kept clean both as to interior and exterior thereof while it is being offered for service. The failure on the part of any owner or driver to keep the interior and exterior or either of them in a clean and presentable condition at all times while in service, or while waiting for service, shall be deemed a violation of this article and shall be the basis for suspending or revoking any licenses issued hereunder.~~

~~Sec. 114-141.— Repair of damage.~~

~~In the event that any licensed vehicle is damaged in any way, if it can be driven and properly controlled, it may be permitted to be driven in service for not more than one week after such damage or injury. If at the end of one week the licensed vehicle is not properly repaired, it must be taken from the street and kept out of service until such vehicle is completely repaired, and passes inspection pursuant to subdivision III of division 2 of this article.~~

and REPLACED with the following:

ARTICLE II. LIMOUSINE, TAXICAB, AND TRANSPORTATION NETWORK COMPANY

Sec. 114-31 Definitions. Words used in this Article shall have the meanings set forth in MCL 257.2101.

Sec. 114-32. Compliance with Other Laws. All persons subject to regulation pursuant to MCL 257.2101 et seq. shall comply with all applicable Federal and State laws.

Sec. 114-32.1 Passenger to pay fare; intent to defraud.

It shall be unlawful for any person to refuse to pay the legal fare after hiring the taxicab, limousine, or transportation network company driver. It shall be unlawful for any person to hire any taxicab, limousine, or transportation network driver. with intent to defraud the operator or driver.

Sec. 114-33. A limousine, taxicab or transportation network company driver shall not violate MCL 257.2111, MCL 257.2123(8), MCL 257.2141, or MCL 257.2145 which are hereby incorporated by reference as if fully set out herein. Per the authority granted to the City by MCL 257.2115(1), a violation of any of these sections shall constitute a civil infraction, as provided for in this code.

Sec. 114-34 – 114-50. - Reserved

2. Severability. If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions

not have been included in this Ordinance.

3. Repeal. All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

4. Savings Clause. The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

5. Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

6. Publication and Effective Date. The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published according to Section 11.13 of the City Charter. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 6th DAY OF June, 2017.

Frances McMullan, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1288 was published according to Section 11.13 of the City Charter on the 27th day of April, 2017.

Frances McMullan, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the 6th day of June, 2017.

Frances McMullan, City Clerk

Notice Published: April 27, 2017

First Reading: May 18, 2017

Second Reading: June 6, 2017

Published: June 12, 2017

Effective Date: July 6, 2017