An Ordinance to Amend the Code of the Village of Laurium by adding a New Chapter, being Chapter 7120.

The Village of Laurium Ordains:

1.1 DEFINITIONS.

As used in this chapter, unless the context indicates otherwise:

(a) "Motor vehicle for hire" means a motor vehicle not equipped with a taximeter, designed to carry seven or less persons for public hire at an hourly rate.

(b) "Taxicab" means a vehicle driven by mechanical power on which a taximeter is affixed.

(c) "Taximeter" means a mechanical instrument or device by which the charge for hire is mechanically calculated and upon which such charge is indicated by means of figures.

1.2 LICENSE REQUIRED; DETERMINATION OF NECESSITY.

No person shall operate for hire or cause to be operated for hire, upon the streets of the Village, any taxicab or motor vehicle for hire without first obtaining a license therefore from the President and Council.

1.3 LICENSE APPLICATION; INSPECTIONS.

(a) An application for a license for a taxicab or motor vehicle for hire shall be made by the owner upon blanks to be furnished by the Village Clerk. Such application shall contain the full name and address of the owner, the class of vehicle for which a license is desired, the length of time the vehicle has been in use, the number of persons to be carried, the vehicle identification number thereof and such additional information as shall be from time to time required.

(b) No taxicab or motor vehicle for hire shall be licensed until it has been duly and carefully inspected and examined by the Police Department of the Village and found to be in a thoroughly safe condition for the transportation of passengers, clean, fit, of good appearance and well painted and varnished. The Police Department is authorized to establish reasonable rules and regulations for the periodic inspection of taxicabs and motor vehicles for hire and their appearance, construction and conditions of fitness.

1.4 LICENSE ISSUANCE; CARDS OR PLATES.

If, upon inspection, a taxicab or motor vehicle for hire is found to be in proper condition in accordance with this chapter and the rules and regulations established under this chapter, upon payment of the license fee provided under this chapter and when so licensed, there shall be delivered to the owner, in addition to the license, a card or plate of such size and form as may be prescribed by the Police Department. Such card or plate shall contain the official license number

of the vehicle, together with the date of inspection of the same. Such card shall be signed by the officer of the Police Department having charge of the enforcement of the inspection required to be made under this chapter, and shall contain blank spaces upon which entry may be made of the date of every inspection of such vehicle. Such card shall contain the name of the person owning such taxicab or motor vehicle for hire and the State license number issued therefore.

1.5 LICENSE EXPIRATION; FEE; DISPLAY.

All licenses issued by the President and Council pursuant to this chapter shall expire on the first Tuesday of May succeeding the issuance thereof unless sooner revoked. Upon the payment of thirty dollars ($30.00) for each taxicab or motor vehicle for hire, and upon filing liability insurance, as required herein, a license and license plate or tag for each motor vehicle license shall be issued. Such license plate or tag shall be displayed in a conspicuous place upon the taxicab or motor vehicle for hire.

1.6 INSURANCE.

(a) Before the issuance of a license to operate a taxicab or motor vehicle for hire, the licensee shall file a certificate signed by a duly authorized officer of a company authorized to write insurance in the State, to the effect that a policy of insurance has been issued to the licensee and is in full force and effect and that the premium has been paid as required thereon, together with a true copy of the policy contract or certificate of insurance. In cases where the insurance premium is payable monthly, proper certificates or evidence of payment of the premiums shall be delivered to the Village Clerk not later than the first day of each month.

(b) Such policy of insurance shall insure the licensee against loss resulting from liability imposed by law for property damage, bodily injury or death suffered by any person arising out of the ownership, maintenance, operation or use of a taxicab or motor vehicle for hire with minimum liability coverage, exclusive of interest and costs, of not less than three hundred thousand dollars ($300,000) because of bodily injury to or death of one person in any one accident, and subject to a limit of one person, to a limit of not less than five hundred thousand dollars ($500,000) because of bodily injury to or death of two or more persons in any one accident, and to a limit of not less than three hundred thousand dollars ($300,000) because of injury to or destruction of property of others in any accident.

(c) Such policy of insurance shall contain a provision for a continuing liability there under to the full amount thereof, notwithstanding any recovery thereon, and a provision that until the policy is revoked, the insurance company will not be relieved from liability on account of nonpayment of premium, failure to renew a license at the end of the year or any act or omission of the named insured.

(d) Any insurance company whose policy has been so filed pursuant to this section may file a notice with the Chief of Police of its intention to terminate and cancel such policy and shall give notice thereof to the named licensee. Ten days after such filing such licensee or owner shall cease to operate or cause to be operated within the Village any taxicab or motor vehicle for hire, and the license issued shall cease and terminate. However, the liability of the insurance company thereon for any act or omission of the licensee or owner occurring prior to the effective date of cancellation shall not be thereby discharged or impaired.

B. Be of sound physique and good eyesight, and not subject to any medical or any other infirmity of body or mind which might render him or her unfit for the safe operation of a public vehicle;

C. Be able to read and write the English language;

D. Be clean in dress and person and not addicted to the use of intoxicating liquor or controlled substances;

E. Provide a current copy of his or her Michigan driver's license record free of any convictions for drug or alcohol offenses for the previous five years prior to this license application, and of any convictions for driving while license suspended due to a bad driving record for the previous two years prior to said license application;

F. Have a driving record free of more than three moving violations during the two years prior to said application;

G. Be free of any misdemeanor convictions for assaultive behavior, criminal sexual conduct or theft within the past ten years prior to said application and free of any felony conviction for the past 10 years.

H. Fill out, upon a blank form to be provided by the Police Department, a statement giving his or her full name; residence; place of residence for five years previous to moving to his or her present address; age; height; color of eyes and hair; place of birth; length of time he or she has resided at his or her present address; whether or not a citizen of the United States. Such statement shall be signed and sworn to by the applicant and filed with the Police Department as a permanent record.

(3) The investigation of all applications for licenses under this chapter shall be conducted by the Police Department as a permanent record. When such an investigation is completed, the application shall be forwarded to the Chief of Police, who shall endorse his or her recommendation thereon and forward the same to the Village Clerk. However, a temporary

license may be issued pending such investigation, but such temporary license shall not be effective for longer than twenty days.

(a) Photographs Required. Each applicant for a driver's license must file with his or her application three recent photographs of himself or herself, of a size which may be easily attached to the license. One such photograph shall be attached to the license when issued, one shall appear on the card and the other shall be filed, together with the application, with the Police Department. The photograph shall be so attached to the license that it cannot be removed and another photograph substituted without detection.

(b) Issuance; Term; Fee; Display.

(1) Upon satisfactory fulfillment of the requirements of this chapter, there shall be issued to the applicant a taxi driver's license, which license shall be in such form as to contain the photograph and signature of the licensee. Any licensee who defaces, removes or obliterates any official entry made upon his or her license or book shall, in addition to any other punishment imposed therefore, have his or her license revoked at the discretion of the President and Council. Public drivers' licenses shall be issued as of the first Tuesday in May of each year and shall be valid until the first Tuesday of May next succeeding.

(2) The President and Council are authorized to grant a taxi driver's license to any qualified applicant therefore, upon payment into the Village treasury by such applicant of a fee of thirty dollars ($30.00).

(3) Every licensed public taxi shall have his or her license, together with his or her photograph, conspicuously displayed on the inside of the taxicab, with a light shining on it at night so that it may be easily seen both in the day and night time by occupants of the vehicle.

1.9 LICENSE RENEWALS.

Licenses issued under this chapter may be renewed in like manner as provided for the original issuance thereof and upon payment of a like license fee.

1.10 RECORDS.

The Village Clerk shall keep a complete and public record of the issuance of licenses pursuant to this chapter and all renewals, suspensions and revocations thereof, which record shall be kept on file with the original applications for such licenses. If a licensee is a member of any cooperative association, he or she shall give the name of the association and shall notify the Village Clerk of any change in his or her membership or affiliation within forty-eight hours of such change.

1.11 LICENSE SUSPENSION OR REVOCATION.

(a) Any taxicab license granted under this chapter may be suspended by the Chief of Police or revoked by the President and Council if the taxicab is, with the knowledge and consent of the owner thereof, engaged in immoral or illegal business in violation of any of the provisions of this Ordinance or any State or Federal law.

(b) Any person who is aggrieved by reason of the conduct or action of any taxicab operator, owner or driver may present his or her 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 President and Council after such investigation.

1.12 RATES OF FARE

(1) The Village Council may, periodically establish, by Resolution the rates to be charged and collected, and no charge shall be made except as established by the President and Council. There shall be posted in a conspicuous place on the inside of the taxicab a card on which shall be printed, in plain, legible type, the rates of fare provided for in this subsection, the meter rate of the taxicab and reference to the ordinance codified in this section by number.

(2) No charge shall be made for time lost for inefficiency of the taxicab or its operator or time consumed by a premature response to a call. No charge shall be made for extra passengers.

1.13 TRIP SHEETS.

Every taxicab driver shall maintain a trip sheet record containing the date, taxicab number, name of the driver, time of the start and completion of the work period and the taximeter and speedometer readings at the start and completion of the work period. The record shall also list, in chronological order, the address or street intersection at which a fare was picked up and discharged. The location at which the fare was picked up shall be recorded before beginning the trip or as soon as traffic conditions permit. Taxicab owners shall be responsible for filing and maintaining trip sheet records for a period of ninety days. Trip sheet records must be presented upon demand of a police officer and may be retained by the officer as evidence in court.

1.14 FARE DISPUTES.

All disputes as to the lawful rate of fare shall, upon request of the driver or passenger of a taxicab or vehicle for hire, be determined by the police officer in charge of the police station or by an officer designated by him or her. Failure to comply with such determination shall subject the offending party to a charge of disorderly conduct. This section shall be mandatory and such police officer shall render such service.

1.15 TAXICAB STANDS.

Authority to Establish. The Chief of Police shall designate to the President and Council certain locations as public taxicab stands and stands for motor vehicles for hire. Such stands shall not be established until the recommendation of the Chief of Police has been confirmed by the President and Council. The President and Council may establish such stands upon the recommendation of the Chief of Police or without the recommendation of the Chief, but no stands shall be established except with the approval of Council and the President.

1.16 DISPOSITION OF PROPERTY LEFT IN VEHICLES.

Every driver of a taxicab or vehicle for hire, immediately after the termination of any hiring or employment, must carefully search such taxicab or vehicle for hire 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 Department and deposited with the officer in charge thereof within twenty-four hours after the finding thereof. Such officer shall make a complete report on the police records of the receipt of such property.

1.17 CONDUCT OF DRIVERS.

(a) Every person driving or operating a taxicab shall be courteous and gentlemanly; refrain from smoking while actually carrying passengers in his or her taxicab; refrain from swearing, loud talking or boisterous conduct; drive his or her motor vehicle carefully and in full compliance with all traffic laws, this chapter and regulations of the Police Department; promptly answer all court notices, traffic violations, notices or police notices; and deal honestly with the public and with his or her employer.

(b) Upon a violation of any of the provisions of subsection (a) hereof, the Chief of Police may forthwith suspend the license of any offending driver and, upon investigation, may recommend to the President and Council that the license be revoked.

1.18 ADVANCE PAYMENT OF FARE; MULTIPLE PASSENGERS.

(a) Every driver of a taxicab may demand payment of the legal fare in advance and may refuse employment until so prepaid, but no driver of a taxicab shall otherwise refuse or neglect to convey any orderly person upon request anywhere in the Village unless previously engaged or unable to do so.

(b) No driver of a licensed taxicab shall carry any person other than the person first employing a taxicab without the consent of the passenger.

1.19 RIDING IN FRONT SEAT.

No person shall be permitted to ride on the front seat with the driver of a taxicab, and any driver who permits this to be done may be deprived of his or her license.

1.20 INSPECTION OF VEHICLES.

The Police Department shall maintain a constant vigilance over all taxicabs and motor vehicles for hire to see that they are kept in a condition of continued fitness for public use and, to this end, the Department shall inspect or cause to be inspected all taxicabs or motor vehicles for hire from time to time, on the complaint of any person or as often as may be necessary. Reports, in writing, of all inspections, shall be promptly made to the Department.

This Ordinance to amend Chapter 7120 of the Village of Laurium Code was adopted by the Village of Laurium Council on the 19th day of December, 2006.

This Ordinance to amend Chapter 7120 shall be effective under publication and expiration of the time prescribed by law.

Patricia M. Golus, Clerk
Village of Laurium

Donald Bausano, President
Village of Laurium

I hereby certify that the foregoing is a true and complete copy of the Ordinance to amend Chapter 7120 adopted by the village council of the Village of Laurium, County of Houghton, State of Michigan, at a regular meeting held on December 19, 2006. This meeting was conducted and public notice of this meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan 1976.

Patricia M. Golus, Clerk
Village of Laurium