

AN ORDINANCE AMENDING SECTIONS 26-1 THROUGH 26-76 OF THE URBANA CODE OF ORDINANCES ENTITLED "VEHICLES FOR HIRE"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That Article I, Section 26-1 through Article III, Section 26-76 of Chapter 26 of the Urbana Code of Ordinances are hereby repealed and the following enacted in its place:

"VEHICLES FOR HIRE

ARTICLE I. IN GENERAL

**Secs. 26-1 - 26-15. Reserved.**

ARTICLE II. TAXICABS

DIVISION 1. GENERALLY

**Sec. 26-16. Definitions.**

When used in this article unless the context otherwise requires:

*Approved* shall mean reasonable acceptable to the comptroller of the City of Urbana or his designee.

*Driver* shall mean the chauffeur of a taxicab.

*Limousine* shall mean a vehicle other than a bus used in the city to carry passengers for consideration based solely on an hourly or fixed rate other than mileage.

*Operating* shall mean owning or conducting a taxicab business.

*Operator* and *licensee* shall mean owner of a taxicab or one engaged in the taxicab business.

*Taxicab* shall mean and include any vehicle used in the city to carry passengers for hire but not operating on a fixed route, the charge for the use of which is primarily based on mileage or distance.

**Sec. 26-17. Application of article to limousines operating to a fixed destination outside of the city.**

Vehicles used as limousines to transport persons from points within the city to fixed destinations outside of the city shall not be operated within the city unless such vehicles have been licensed under the provisions of division 2 of this article and the drivers of such vehicles shall be licensed under the provisions of division 3 of this article. All of the provisions of this article applicable to taxicabs and to drivers of taxicabs shall apply to limousines and to the drivers of limousines excepting the provisions of section 26-18 and sections 26-77 - 26-85. Limousines need not be equipped with meters.

**Sec. 26-18. Names and numbers on vehicles; imitation of colors, emblems and uniforms.**

(a) Each taxicab, while operated, shall have on each side the name of the licensee operating it or the trade name painted in approved and visible lettering at least two (2) inches in height.

(b) Each cab shall be designated by a different number and such number also shall appear on each side of such taxicab. The name of the licensee and such number shall also be painted on the rear of each taxicab in approved and visible letters.

(c) No licensee, driver or other employee of a licensee shall imitate the taxicab colors, emblems, cap bands, caps or uniforms previously adopted and in use by any other licensee or represent himself or herself as an employee of any other licensee.

**Sec. 26-19. Insurance required.**

No person shall operate a taxicab unless such taxicab is covered by a bond or public liability policy as required by state law. Evidence that the applicant has filed with the secretary of state such bond or insurance policy in the minimum amount provided by the laws of the state, shall be filed with the clerk prior to the issuance of any license.

**Sec. 26-20. Equipment and inspection.**

(a) No license to engage in the business of operating a taxicab shall be issued unless:

- (1) The taxicab is equipped with proper brakes, speedometer, lights, tires, horn, muffler, rear vision mirror, windshield wipers and an approved

meter in good condition to record the amount of fare to be charged for each trip;

- (2) The taxicab has been thoroughly and carefully inspected and found to be in clean, sanitary, safe and good mechanical condition for the transportation of passengers; and
- (3) A written certificate of the inspection, certifying that the cab is in a clean, sanitary, safe and good mechanical condition for the transportation of passengers, as required by this section, is filed in the office of the clerk.

(b) The inspection/certificate of inspection shall be conducted/issued by the City of Champaign's municipal garage or other independent mechanic hired by the city to perform the required inspection at the expense of the applicant.

(c) The clerk may require the inspection of every taxicab in operation as often as the clerk may deem necessary to determine whether such taxicab meets the requirements of this section. The clerk may require all such inspections required by this section be conducted by such duly qualified persons as the clerk may direct.

**Secs. 26-21 - 26-26. Reserved.**

## DIVISION 2. BUSINESS LICENSE

**Sec. 26-27. Required.**

It shall be unlawful to engage in the business of operating a taxicab in the city without first having secured a license therefor.

**Sec. 26-28. Application.**

(a) A verified application for a license under this division shall be made in writing by the owner of the taxicab upon blanks furnished by the city, and shall state thereon:

- (1) The full name of the applicant;
- (2) His or her residence address;

- (3) The intended place of business;
- (4) The number of cabs to be operated, the make and type of each motor vehicle to be used, the factory number thereon, the state license number thereof, the seating capacity thereof according to its trade rating; and
- (5) Whether or not the applicant has ever been convicted of a crime.

(b) If the applicant is a firm or corporation, the names and addresses of the president and secretary shall be given.

**Sec. 26-29. Character of applicant.**

(a) No license to engage in the business of operating a taxicab shall be issued to or held by any person:

- (1) Who has been convicted of a felony within four (4) years of the date of application or who has been released from prison or jail for a felony conviction within four (4) years of the date of application;
- (2) Whose license to operate a taxicab in the City has been revoked during the preceding six (6) months.

(b) No license to operate a taxicab business shall be issued to or held by any firm or corporation if any officer thereof would be ineligible for a license under the foregoing conditions.

**Sec. 26-30. Issuance; transferability.**

(a) The comptroller is hereby authorized to issue a license to any qualified applicant for the operation of a taxicab, which license shall contain a distinguishing number, name of the person owning such taxicab, residence address, business address, the number of taxicabs to be operated and an assigned number for each taxicab, the make and type of each motor vehicle to be used, the factory number thereof, and the state license number thereof. The serial number assigned hereunder shall in each case be the same as that assigned to the taxicab for the previous year.



(b) The taxicab license shall be nonassignable and nontransferable other than as provided for in this article.

**Sec. 26-31. Plate.**

Upon the issuance of a license under this division, the City shall deliver to the licensee a plate bearing a separate number identical with the assigned number of such taxicab and a sticker for the year for which such license is issued, for each and every taxicab for which a license is procured. The applicant shall affix such plate in an approved place upon the rear of each taxicab. It shall be unlawful for any taxicab, although licensed in accordance with the provisions of this division, to be used upon the streets, avenues or alleys of the city unless such plate is attached thereto. The plate and sticker can be a joint issue for Urbana and Champaign.

**Sec. 26-32. Fee.**

The annual license fee under this division shall be as fixed from time to time by the city council for each taxicab operated in the city. The amount of the fee shall not be reduced or prorated.

**Sec. 26-33. Expiration.**

Each license issued under this division shall expire on the 30th day of June of the fiscal year for which they are issued.

**Sec. 26-34. Duplicate.**

Whenever an operator has lost or destroyed the license or license plate issued as herein provided, the operator shall make a verified application in writing to the city stating that the same has been lost or destroyed, and the city shall issue a duplicate copy or substitute thereof upon payment of the sum of five dollars (\$5.00) to the city for each item so duplicated or substituted.

**Sec. 26-35. Revocation.**

(a) The mayor may revoke or suspend any operator's license for:

- (1) Violations of any ordinance provisions regulating a licensee of a taxicab;
- (2) Knowingly suffering a driver of a licensee to drive a taxicab with a driver's license that is suspended or revoked under the State Vehicle Code; or

- (3) Having as a driver a person who is not licensed as a taxicab driver pursuant to this article.

(b) It shall be the duty of any person whose operator's license shall have been revoked as herein provided, to return immediately every such license and licensee's plate to the city.

(c) If the City of Champaign, Illinois revokes the operator's license issued by the City of Champaign, the license issued by the City of Urbana, Illinois shall be automatically revoked, effective at the same time as the revocation of such license by the City of Champaign is effective.

**Sec. 26-36. Transfer of vehicle registration.**

A fee of one dollar (\$1.00) shall be payable to the city whenever a licensee requests a transfer of registration from one vehicle to another vehicle. No such transfer shall be allowed unless the vehicle to which the registration is to be transferred is fully qualified under this article.

**Sec. 26-37 - 26-42. Reserved.**

DIVISION 3. DRIVER'S LICENSE

**Sec. 26-43. Required.**

Drivers of taxicabs shall be required to obtain a license as provided in this division.

**Sec. 26-44. Application.**

A verified application for a taxicab driver's license shall be made in writing upon blanks to be furnished by the city, and shall state thereon the applicant's full name, age, residence address, the name and address of the employer and whether or not the applicant has ever been convicted of any crime. Every applicant shall provide a recent photo of himself or herself with the application.

**Sec. 26-45. Character and Qualifications of Driver.**

(a) No taxicab driver's license shall be issued to any person:

- (1) Who is not competent to drive a motor vehicle;

- (2) Who is not familiar with the traffic laws and ordinances;
- (3) Who has been convicted of a felony within four (4) years of the date of application or who has been released from prison or jail for a felony conviction within four (4) years of the date of application;
- (4) Whose license to drive a taxicab in the City has been revoked during the preceding six (6) months; or
- (5) Who is under the age of eighteen (18) years.

**Sec. 26-46. State license required.**

No person shall drive a taxicab, or be hired or permitted to do so, unless duly licensed as a driver by the State of Illinois and in possession of a license therefor as herein provided.

**Sec. 26-47. Issuance.**

The comptroller or designee is hereby authorized to issue a taxicab driver's license under his or her hand to any qualified applicant for driving a taxicab. The license shall contain the driver's name, residence address, the number of the license, and a current photograph of the applicant.

**Sec. 26-48. Display.**

The driver who has custody or possession of a taxicab shall have the required taxi driver's license displayed at all times while on duty so as to be visible to a passenger in the taxicab. A holder to display the license shall be provided in the passenger area of the vehicle. The taxi driver's license shall be in his or her personal possession at all times while on duty.

**Sec. 26-49. Fee.**

The annual license fee for a taxicab driver's license shall be as prescribed in Section 14-7 of this Code. The driver's license fee shall not be prorated for a fractional part of the year. There shall be no separate fee for the issuance of a provisional license. There shall be no rebate of fees paid if the annual license is not issued.



**Sec. 26-50. Expiration.**

Each license, other than a provisional license, issued under this division shall expire on the thirtieth day of June of the fiscal year for which they are issued.

**Sec. 26-51. Duplicate.**

Whenever a driver has lost or destroyed the taxicab driver's license, etc., issued as herein provided the driver shall make a verified application in writing to the issuing authority stating that the same has been lost or destroyed. The issuing authority shall issue a duplicate copy or substitute thereof upon payment of the sum of five dollars (\$5.00) to the issuing authority for each item so duplicated or substituted.

**Sec. 26-52. Revocation.**

(a) The Mayor may revoke any taxicab driver's license, including a provisional license, for repeated violations of traffic laws or ordinances, or when a driver's license issued pursuant to the Illinois Vehicle Code is suspended or revoked. A provisional license shall be revoked as provided in Section 26-54.

(b) It shall be the duty of any person whose driver's license shall have been revoked as herein provided, to return immediately every such license, driver's badge, etc., to the City.

(c) It shall also be the duty of the holder of the business license by whom such person was last employed to surrender such person's driver's license to the City or certify in writing that such person is no longer employed by that licensee.

**Sec. 26-53. Unlawful for the owner to permit unlicensed driver to operate taxicab.**

(a) It shall be unlawful for the owner of any taxicab to permit same to be used for the carrying of passengers for hire or for a consideration while being driven by a person who does not have a valid taxicab driver's license as required by this division.

(b) This offense specified in this section shall be a strict liability offense.

**Sec. 26-54. Provisional License.**

(a) The issuing authority may issue a provisional taxicab driver's license to a person who has applied for a taxicab driver's license if the issuing authority finds the applicant is qualified



for a taxicab driver's license, but at the time of issuance, the issuing authority has not received information from the State of Illinois regarding the existence or non-existence of a criminal history of the applicant.

(b) Such provisional license shall be valid for 60 days from the date of issuance, but shall expire sooner upon the issuance of the annual taxicab driver's license that the applicant applied for.

(c) The provisional license shall be revoked immediately upon receipt of information that would disqualify the applicant under Section 26-54. The applicant shall be notified of such in writing.

**Secs. 26-55 - 26-76. Reserved."**

Section 2. All ordinances, resolutions, motions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 3. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 17th day of July, 1995.

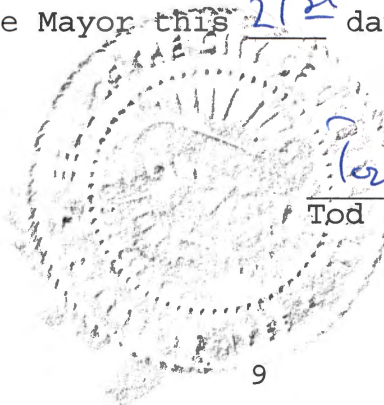
AYES: Hayes, Patt, Pollock, Ryan, Singer, Taylor, Whelan

NAYS: None

PRESENT:

  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 21<sup>st</sup> day of July, 1995.



  
Tod Satterthwaite, Mayor



CERTIFICATE OF PUBLICATION  
IN PAMPHLET FORM



I, PHYLLIS D. CLARK, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 17th day of July, 1995, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9596-7, entitled "AN ORDINANCE AMENDING SECTIONS 26-1 THROUGH 26-76 OF THE URBANA CODE OF ORDINANCES ENTITLED 'VEHICLES FOR HIRE'"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9596-7 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 21st day of July, 1995, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 21st, day of July, 1995.



(SEAL)

Phyllis D. Clark  
Phyllis D. Clark, City Clerk  
by Deborah J. Roberts, Deputy Clerk