

Chapter 21

TAXICABS AND HORSE-DRAWN CARRIAGES

§ 21-1. "Taxicab" Defined; Applicability of Chapter. [Ord. No. 90, §1]

The term "*taxicab*" shall mean and include any motor vehicle engaged in the business of carrying persons for hire on the streets of the city, whether the same is operated from a street-stand or from a garage, where no regular or specific route is traveled but passengers are taken to and from such places as they may designate; whether the charge therefor is made on the basis of distance traveled as indicated by a taximeter or speedometer attached thereto, or by any other method of determining distance, such as by zoning system or otherwise, or the time consumed in traveling, or on any other basis whatever.

This chapter shall not apply to any motor vehicle used as a sight-seeing car; a "*sight-seeing car*" being defined as a motor vehicle having a seating capacity in excess of ten persons and which is used for the purpose of conveying passengers on sight-seeing tours as the term is generally understood, and where the basis for charge is the time or circuit route traveled by such cars in regular trips. Nor shall it apply to "*service cars*" or "*buses*" as those terms are generally understood and are defined.

§ 21-2. Business License — Required; Application. [Ord. No. 90, §2]

- (a) No person shall engage in the business of operating a taxicab upon the streets of the city without first obtaining a license to do so. Such license shall be issued by the city collector after the application therefor has been approved and the requisite fee paid, as hereinafter prescribed, and after all other provisions of this chapter pertaining to the obtaining or issuing of the license have been complied with.
- (b) Application for a license to engage in the business of operating a taxicab shall be filed with the city clerk and referred to the board of aldermen for consideration and determination. The application shall be in writing, certified by the applicant, or, if the applicant is a corporation, firm or partnership, by its duly authorized officer or agent, and shall state the following facts:
 - (1) The full name and address of the applicant; if a partnership, firm or corporation, the names and addresses of all the officers and directors thereof, or partners.
 - (2) The name and address of the owner of the vehicles proposed to be operated.

- (3) A statement of the previous experience the applicant has had, or if the applicant is a partnership, the partners thereof have had; or, if the applicant is a corporation, the officers and directors have had, in the taxicab business.
 - (4) The number of taxicabs the applicant desires to operate within the city.
 - (5) The seating capacity of each vehicle proposed to be used as a taxicab according to the manufacturers' rating, which shall not be less than three in the tonneau thereof.
 - (6) The type of motor car to be used, horsepower, name of make, the length of time such vehicle has been in use, the insurance proposed to be carried, the amount of same and the name of the company issuing the policy.
 - (7) The color scheme of the taxicab proposed to be used.
- (c) The application shall be accompanied by a certificate of inspection from the chief of police, who shall inspect all taxicabs. Such certificate, however, shall not be necessary in case the vehicles proposed to be operated as taxicabs are new and have not been in use theretofore.

§ 21-3. Same — Factors to be Considered Prior to Issuance. [Ord. No. 90, §3]

The board of aldermen shall have power to approve any application and order a license issued or refuse to do so, as it may deem proper. In determining whether such application shall be approved and the license issued, or otherwise, the board shall take into consideration whether the demands of the public require such proposed or additional taxicab service within the city, the financial responsibility of the applicant, the number, kind and type of equipment and the color scheme proposed to be used, the increased traffic congestion and the demand for increased parking space upon the streets of the city which may result, and whether the safe use of the streets by the public, both vehicular and pedestrian, will be preserved by the granting of such license, and such other relevant facts as the board may deem advisable or necessary.

§ 21-4. Same — Issuance. [Ord. No. 90, §4]

If the board of aldermen shall approve the application and authorize the issuance of the license applied for, the city collector shall, after payment by the applicant of the fee prescribed therefor, issue such license and deliver the same to the applicant. If the board shall refuse to approve the application, the city collector shall make a record to that effect thereupon and notify the applicant that his application has been disapproved.

§ 21-5. Same — License Tax Generally; Renewal; Posting. [Ord. No. 90, §5; Ord. No. 616, §1]

Before such license shall be issued the applicant shall pay to the city collector twelve dollars as an annual license tax for each taxicab to be operated for the conveyance of passengers upon, along or over the streets of this city. The license shall expire on January 1 after the date of its issuance; provided, that when any license is issued after July 1 of any year the fee for the remaining portion of the year shall be seven dollars and fifty

cents. All such licenses may thereafter be renewed annually upon January 1 of each year upon payment of the required fee. The license so issued shall be posted in the vehicle for which issued at all times and is not transferable or assignable to any other vehicle.

These license taxes shall be adjusted on an annual basis, effective January 1 of the year in question, to reflect increases, if any, in the November offering next preceding this January 1 of the Cost of Living Index for all urban consumers for the St. Louis area published by the Bureau of Labor Statistics of the United States Department of Labor, as compared to the previous November offering, using the period 1967 = 100 as the base period. All such computation of increases made as provided herein shall be rounded to the nearest fifty-cent figure, and shall not be further adjusted during the course of the year in question until the following January 1 of the next year in question, when such further adjustments, if warranted as provided herein, shall be made.

§ 21-6. Same — Effect of License Tax on Other Taxes. [Ord. No. 90, §10]

The license tax required in this chapter shall be a tax on the business of conveying passengers over and upon the streets in the city by means of taxicabs, and nothing herein shall be so construed as to exempt the owner from paying the city the tax imposed by the city in licensing motor vehicles or automobiles to be operated on its streets, or any registry tax which the city may levy on motor vehicles or automobiles, or the tax which the city levies on motor vehicles or automobiles as personal property, and nothing herein shall be so considered as to exempt the owner or driver of a vehicle from the qualifications which the state may require of persons who operate motor vehicles or automobiles.

§ 21-7. Same — Revocation. [Ord. No. 90, §13]

The mayor and board of aldermen shall have authority at any time to revoke any and all licenses granted under this chapter, after first having granted the owner or operator of the taxicab a hearing on the question of whether or not the license should be revoked. Upon revocation of any license, no portion of the license fee shall be refunded.

§ 21-8. Insurance. [Ord. No. 90, §§6, 7]

Every applicant for a license to operate a taxicab, and the owner of the taxicab, in addition to the requirements mentioned in this chapter, shall maintain and carry for each taxicab licensed to be operated, liability insurance in the sum of not less than one hundred thousand dollars for any one person and the sum of two hundred thousand dollars for any two or more persons who may be injured in any one accident, and not less than five thousand dollars for any property damage, at any time by reason of the carelessness of the driver or operator of such taxicab. Such insurance shall be carried in a firm or corporation which has been duly licensed or permitted to carry on such insurance business in the state and shall be kept and maintained continually in force and effect so long as such applicant and owner of such taxicab shall be licensed to operate the same on the streets of this city.

It shall be unlawful for any person to operate or drive, or cause to be operated or driven, any taxicab along or upon any public street in the city unless the policy of insurance

required by this section for such taxicab shall have been filed with the city clerk and is in full force and effect. If any policy of insurance required by this section covering any or all of the taxicabs authorized to be operated by virtue of a license issued therefor, is cancelled or permitted to lapse, and the holder of such license fails to replace the same immediately with another policy of insurance fully complying with the provisions of this section, such license or licenses issued thereunder shall be immediately suspended.

§ 21-9. Monthly Report of Accidents. [Ord. No. 90, §7]

Every licensee shall on or before the fifth day of each month, file with the chief of police of this city a report showing the number of accidents in which any taxicab owned or operated by him was involved during the preceding month, the nature of the accident, the damage, if any, to persons or property resulting therefrom, and the names and addresses of all persons claiming damage arising from any taxicab accident, and whether such claim is pending, in suit, or paid. The failure to file such report within the time herein provided, or the filing or causing or intentionally permitting the filing of a false report, shall constitute a violation of this chapter and shall also be ground for forfeiting the license of the owner or operator of the taxicab involved.

§ 21-10. Drivers to Have State Chauffeurs' Licenses; Fingerprinting of Driver. [Ord. No. 90, §8]

No person shall drive a taxicab licensed under the provisions of this chapter who is not a duly licensed chauffeur as required by the laws of the state, and who has not submitted and given his finger prints to the police department of the city. Each person before so operating a taxicab, shall be fingerprinted and shall submit to the chief of police of this city for inspection his chauffeur's license, and shall have the chauffeur's license at all times available for the inspection and examination by the chief of police or any police officer upon demand.

§ 21-11. Inspections of Vehicles. [Ord. No. 90, §9]

The department of police of the city shall maintain constant vigilance over all taxicabs and shall inspect all such vehicles to ascertain that they are in a thoroughly safe condition for the transportation of passengers, kept clean, fit and of good appearance. Such inspection shall be made at least annually before the issuance or renewal of any license therefor, and thereafter from time to time, or at the complaint of any person, or as often as may be necessary to ascertain that such taxicabs are kept in a condition of continued fitness for public use; and it may forbid the use of any vehicle by the owner thereof found to be unfit or unsuited for public patronage. It shall also examine the taximeter, speedometer or any other measuring device attached to any taxicab to determine that the same is at all times accurate.

§ 21-12. Increase or Decrease in Number of Taxicabs Operated by Licensee. [Ord. No. 90, §11]

The provisions of this chapter shall apply to any licensee who desires to increase the number of taxicabs to be operated, and no person who has been licensed to operate

taxicabs may discontinue any of them without first filing with the city clerk a certified statement of the number of vehicles he desires to discontinue operating and the reasons therefor. The withdrawal of any vehicle from operation for the purpose of conditioning, overhauling or repairing the same shall not be considered discontinued operation under this section. Upon complete abandonment of taxicab service for a period of thirty days by any owner or operator of taxicabs, the board of aldermen may recall or revoke the license issued to such owner or operator.

§ 21-13. Taxicab Stands; Solicitation of Passengers; Maximum Number of Passengers. [Ord. No. 90, §12]

The board of aldermen shall authorize the chief of police to designate such stands or stopping places for taxicabs from which stands business may be solicited and from which stands a sign may be displayed stating that the taxicabs are for hire and the rate of fare. Such driver of such taxicab may also solicit employment by driving through any public street; provided, that such does not interfere with the free flow of traffic. Six passengers shall constitute the maximum allowable load to be carried in a taxicab at any one time.

§ 21-14. "Horse-Drawn Carriage" Defined. [Ord. No. 2094 §2, 8-18-2009]

The term "*horse-drawn carriage*" shall mean a passenger vehicle on wheels pulled by one (1) or more horses.

§ 21-15. Horse-Drawn Carriage Operation. [Ord. No. 2094 §2, 8-18-2009]

A horse-drawn carriage may be operated on city rights-of-way and in city parks subject to the following conditions:

- (a) An annual business license must be obtained by the individual or entity engaging in such activity.
- (b) A certificate of insurance must be provided, naming the city as an additional insured party.
- (c) The city must approve each instance of the proposed activity. The carriage ride operator must submit proposed dates, times and locations to the police chief for consideration five (5) business days in advance of the proposed date(s).
- (d) The carriage ride operators shall ensure that horse diapers are utilized at all times.
- (e) Carriage ride operators may operate horse-drawn carriages in city parks if such are operated on hard surfaced drive lanes or hard surfaced parking areas.