

PART II LICENSES AND REGULATIONS

Chapter 28 TAXICABS

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28.01 Purpose.

The purpose and intent of this Chapter are to provide certain minimum standards, provisions and requirements for the clean, safe operation of taxicab services operating in the Village of Lake Delton and to protect the general public and to establish remedies and penalties for violations.

28.02 Definitions.

- A. Certificate of Vehicle Inspection. A motor vehicle inspection report issued by an authorized Wisconsin motor vehicle dealer verifying that the vehicle has passed a safety inspection, or proof of licensing of the vehicle as a taxicab by the City of Wisconsin Dells.
- B. Coordinator. The Clerk-Treasurer-Coordinator of the Village of Lake Delton.
- C. Driver. A person who holds a valid permit authorized by this Chapter to drive a taxicab.
- D. License Identification Decal. All taxicabs operated under this Chapter shall bear a license identification decal designed and furnished by the Village Coordinator.
- E. Method of Determining Fare. The fare shall be determined by either by a flat rate or by time and/or mileage. All taxicabs charging fares based upon time and/or mileage shall be equipped with a taximeter.
- F. Operate. Means to drive a taxicab.
- G. Person. A natural person, firm, partnership, corporation, association, company or any other group of individuals acting together for a common purpose; and together with associated pronouns, shall include the male or female gender, singular or plural, as the context in which they are used requires.
- H. Taxicab. Any cab, taxicab, auto-bus or any other motor vehicle transporting passengers for hire to or from a location within the Village.
- I. Taxicab Operator Permit. The permit issued pursuant to the provisions of this Chapter for operation of a taxicab within the Village.

- J. Taxicab Service. Any person, firm, or corporation holding himself or itself out to the public as willing to undertake for hire, to transport persons by motor vehicle upon the public highways from or to a location within the Village.
- K. Taxicab Service License. The license issued pursuant to the provisions of this Chapter for operation of a Taxicab Service in the Village.
- L. Taxicab Vehicle Permit. The permit issued for a motor vehicle operating as a taxicab.
- M. Taximeter. A mechanical or electrical device which records and indicates a charge or fare calculated according to distance traveled, waiting time, traffic delay, initial charge, and other charges authorized by this section or by rule, or any combination of any of the foregoing, and which records other data. A taximeter shall conform to the standards for such devices as established by the U.S. Department of Commerce, National Institute of Standards and Technology.
- N. Village. The Village of Lake Delton.

28.03 Licenses Required for Taxicab Service and Vehicles.

- A. No person shall own or operate a Taxicab Service in the Village without a Taxicab Service License.
- B. No person, firm or corporation shall operate any cab, taxicab, auto-bus or any other motor vehicle carrying passengers for hire within the Village without a Taxicab Vehicle Permit.
- C. No person may operate a taxicab in the Village without a Taxicab Operator Permit.
- D. The following passenger transportation services are exempt from the provisions of this Chapter:
1. Common carriers duly authorized to operate by the State of Wisconsin Public Service Commission and/or the Interstate Commerce Commission.
 2. Shuttle or other transportation services offered exclusively to guests and customers by hotels, motels, resorts, restaurants, taverns or other businesses.
 3. Limousine services which are offered on a pre-arranged basis.
 4. Taxicabs not originating fares within the Village.
 5. Shuttle or other transportation services offered by government or tribal entities.
- E. All taxicab services permits, vehicle permits and operator permits issued prior to the effective date of this Ordinance shall remain valid for sixty (60) days following the effective date of this Chapter. The holders of said permits are eligible to apply for conversion of the existing permits to the license or permits required by the Chapter, without charge.

28.04 Application Procedure, Fee.

- A. Applications for a Permit or License required by this Chapter shall be made in writing to the office of the Coordinator on forms furnished by the Coordinator and signed by the applicant or agent.
- B. The following information and documentation shall be provided by the applicant for a Taxicab Operator Permit:
1. Applicant's name, address and date of birth.
 2. Applicant's prior experience operating a taxicab.
 3. A copy of a valid current Class D Driver's License issued by the state of Wisconsin.
 4. The Applicant's Taxicab Service.
 5. Consent to release Driver's License information.

6. Payment of the nonrefundable application fee.
- C. The following information and documentation shall be provided by the applicant for a Taxicab Vehicle Permit:
1. Vehicle owner/lessee name, address and date of birth.
 2. Make, model and year of manufacture.
 3. Vehicle identification number.
 4. License plate number and type.
 5. Vehicle passenger capacity.
 6. A copy of the Certificate of Title for the vehicle.
 7. Certificate of vehicle inspection.
 8. A copy of the insurance binder issued by an insurance company licensed to operate in the state of Wisconsin showing coverage for all operators and vehicles.
 9. Payment of the nonrefundable application fee.
- D. The following information and documentation shall be provided by the applicant for a Taxicab Service License:
1. Applicant's name, address and date of birth. In the case where the applicant is a legal entity, the name, address and date of birth of each of the owners.
 2. Ownership entity name, address and contact information.
 3. The make, model and year of each taxicab vehicle in the Taxicab Service.
 4. The name and address of each taxicab operator in the Taxicab Service.
 5. A copy of a valid Class D Driver's License issued by the state of Wisconsin to each taxicab operator working for the Taxicab Service.
 6. A copy of the insurance binder issued by an insurance company licensed to operate in the state of Wisconsin showing coverage for all operators and vehicles in the Taxicab Service.
 7. Identify the method for determining fares (flat fee/time and mileage)
 8. A copy of any Permit or License to operate a taxicab issued by the City of Wisconsin Dells.
 9. A history of previous ownership or operation of taxicabs or a Taxicab Service.
 10. Payment of the nonrefundable application fee.
- E. Applications submitted pursuant to Section 28.04 (B) shall be forwarded to the Chief of Police for review and recommendation to the Village Board.

28.05 Issuance of Permits and Licenses.

- A. The Village Clerk-Treasurer-Coordinator shall issue all permits and licenses under this chapter, upon recommendation of the Police Chief or his designee, where applicable. The foregoing notwithstanding, all initial Taxicab service licenses must be approved by the Village Board.
- B. In reviewing applications for a Taxicab Service License, the Village Clerk-Treasurer-Coordinator, Chief of Police or his designee shall consider the following:
1. The financial capability and responsibility of the applicant.
 2. The applicant's prior experience in operating public passenger services.
 3. The level and quality of service provided by the applicant in the past in areas in which it has operated.
 4. The experience and competence of the applicant or applicant's operators.

5. The applicant's prior record of compliance with applicable regulatory laws, ordinances and rules. This includes records of complaints and enforcement actions against drivers and vehicle owners.
6. The applicant's prior record of service complaints.
7. The age and condition of the vehicles proposed to be licensed by the applicant.
8. The applicant's safety record, including records of accident, experience and record of employee safety training.
9. When circumstances warrant, the Village Clerk-Treasurer-Coordinator may refer the approval of an application for a Taxicab Service License to the Village Board prior to issuing or denial of an application.

C. In reviewing an application for a Taxicab Vehicle Permit the Chief of Police or his designee shall determine that the vehicle complies with Section 28.07 B and file a report of the findings with the Village Clerk-Treasurer-Coordinator

D. In reviewing an application for a Taxicab Operator Permit the Village Clerk-Treasurer-Coordinator shall determine that the applicant complies with the following criteria:

1. Is at least 21 years of age.
2. Holds a valid Wisconsin Class D Driver's License.
3. Has not been convicted of any felony, misdemeanor or other offense, the circumstances of which are substantially related to the operation of a taxicab.
4. The Chief of Police or his designee has filed a report with the Village Clerk-Treasurer-Coordinator stating that he/she has examined the applicant and found him/her qualified to operate a taxicab
5. .

E. The Village Clerk-Treasurer-Coordinator shall approve or reject the issuance of a Permit or License and may attach such conditions to the Permit or License as it deems necessary for the public convenience and protection.

F. All Permits and Licenses issued under this Chapter shall expire June 30th of each year.

G. No Permit or License shall be issued unless all fees due and owing have been paid and the licensee or operator is not delinquent in payment of any fees, forfeitures, fines or taxes owed to the Village.

(28.05 Modify and Amended by Ordinance 19-010 Pass: 8/12/2019 Published: 8/29/2019)

28.06 Taxicab Operator Permit.

- A. No person shall operate any vehicle requiring a Permit under this Chapter without having first obtained an Operator Permit.
- B. Each Operator Permit shall include a permit number and identify the Taxi Cab Service employing the operator.
- C. Each Operator Permit shall be displayed within clear view of all passengers.
- D. No Operator Permit shall be issued unless the Chief of Police or his designee has certified that he/she has examined the applicant and found him/her qualified to operate a taxicab.
- E. The Chief of Police, or his designee, may suspend any Operator Permit for violations of this Chapter, traffic laws or other Village ordinances.

28.07 Taxicab Vehicle Permit.

- A. No vehicle shall operate as a taxicab without a Permit issued in accordance with the terms and requirements of this Chapter.
- B. Condition of taxicab vehicles. Each taxicab vehicle shall be kept and maintained in a clean, safe and reliable condition, shall be currently registered with the Wisconsin Department of Motor Vehicles, display a duly issued license plate and conform to the requirements of Chapter 347 Wisconsin Statutes. Before a Vehicle Permit is issued the owner shall file with the Coordinator a Certificate of inspection.
- C. Vehicle Markings. All taxicabs shall be appropriately marked as follows:
 - 1. Interior marking. Each vehicle shall be marked on the interior with the name or trade name of owner, Taxicab Service License number, Vehicle Permit number and current rate of fares.
 - 2. Exterior marking. Each taxicab shall be conspicuously marked on the right and left exterior sides with the name or trade name of owner and Vehicle Permit number.
 - 3. Each taxicab shall have displayed in a prominent place, visible to passengers, the approved schedule of rates, including charges for additional stops, waiting periods, and other potential charges. The schedule of rates shall be identical to the rates quoted in the application for the Taxicab Service License. It shall be unlawful for any owner or operator to charge or permit to be charged any other or different rates of fares than those listed on such schedule.

28.08 Proof of Insurance.

No Taxicab Service License or any Vehicle Permit shall be granted under this Chapter until there has been deposited with the Coordinator, a binder of insurance issued by an insurance company authorized to operate in the state of Wisconsin with minimum coverage limits of three hundred thousand dollars (\$300,000.00) per person personal injury, one million dollars (\$1,000,000.00) aggregate and one hundred thousand dollars (\$100,000.00) property damage. The Coordinator shall notify the agent issuing such policy that in the event of cancellation of such policy, the Village is to be immediately notified thereof. Failure to maintain insurance coverage will result in the suspension of the Permit or License.

28.09 Permit and License Conditions.

All Permits and Licenses issued under this Chapter are subject to compliance with the following rules and conditions:

- A. Permit and License to be exhibited. Every person, firm or corporation issued a Permit or License under this Chapter shall prominently display the Permit or License on the inside of such vehicle. The Village Permit number may be affixed to any other municipal permit or license required to be displayed by the permittee.
- B. Requirement of Driver's License. No person shall operate any taxicab without a duly issued current Class D Driver's License from the Department of Motor Vehicle issued by the state of Wisconsin and a Taxicab Operator Permit from the Village.
- C. No Taxicab Service shall employ a driver or allow any person to drive any vehicle licensed in the name of said person unless said driver or person shall have first obtained a Taxicab Operator Permit from the Village.
- D. A Taxicab Service shall notify the Coordinator of a change of status for any vehicle or operator working under their Taxicab Service License. Taxicab Operator Permits are not

transferrable. Taxicab operators shall only drive a taxicab for the Taxicab Service named in the Taxicab Operator Permit.

E. Every taxicab in which the fare is determined by mileage rate or time shall contain a taximeter in good repair which is inspected and approved by the Village Police Department. No taxicab service licensee shall use or permit to be used a taximeter which is in error more than four percent (4%) in efficiency and more than one percent (1%) in excess interval under test. After sundown, the face of the taximeter shall be illuminated by suitable light so arranged as to be readily discernible to the passengers. Following inspection by the Police Department, the case of the taximeter shall be sealed and have its cover gear intact. It is unlawful to remove any seal affixed by the Village Police Department. It shall be unlawful to manipulate, or cause to be manipulated, any taximeter so as to register a time or distance other than the correct amount of time and distance for the particular trip. No taximeter is required if only a flat or zone rate charge is levied.

F. Any person holding an Operator's Permit issued pursuant to s. 28.06 shall file a written report to the Coordinator within forty-eight (48) hours of any arrests, traffic citations and/or motor vehicle accidents with personal injuries in which the permitted person was the driver. The notice shall identify the operator, vehicle, date and time of the accident. The notice shall be submitted by email, facsimile or other electronic transmission or delivered in person to the Coordinator. The requirements of this subsection apply to any accident, arrest of, or citation issued to the operator regardless of whether the operator was operating a taxicab at the time. Failure to comply with this provision may result in the suspension or revocation of the Permit.

G. Any change in the information contained in the Permit or License application or in the supporting documentation, shall be immediately reported to the Coordinator. Failure to comply with this provision may result in the suspension or revocation of the Permit or License.

28.10 Fees.

The following schedule of fees is hereby adopted:

<u>TITLE</u>	<u>FEE</u>	<u>RENEWAL</u>
Taxicab Service License	\$500.00	\$250.00
Taxicab Vehicle Permit	\$100.00	\$100.00
Taxicab Operator Permit	\$100.00	\$ 50.00
Taxicab Reinspection	\$100.00	

28.11 Enforcement.

This Chapter shall be enforced by the Coordinator and the Village Police Department.

28.12 Conduct.

A. Passengers. It shall be the duty of the driver of any taxicab to accept as a passenger any person who seeks to so use the taxicab, provided such person conducts himself/herself in an orderly manner.

B. Misrepresentation. It shall be unlawful for the owners, drivers, or any persons engaged in the business of carrying passengers for hire to misrepresent the cost of transporting the passenger(s) to their destination, or to charge a fare in excess of the approved fare.

28.13 Penalties.

A. Any person, firm or corporation violating any of the provisions of this Chapter may have the Permit or License suspended or revoked and upon conviction may further be punished by a fine not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). Each day's violation shall constitute a separate offense.

B. Suspension of Permit or License. The Coordinator or the Chief of Police may suspend a Permit or License for violations of this Chapter or in the interest of public safety. The suspension shall continue until the violation is corrected and payment of the forfeiture is made. The Permit or License holder may appeal any suspension to the Village Board.

C. Revocation by Village Board. The Village Board, after a hearing for good cause shown, may suspend or revoke any Permit or License issued under this Chapter. The Village Board shall give the Permit or License holder at least ten (10) days' written notice of the date of such hearing and of the basis for the Board's action. The Permit or License holder shall be afforded the opportunity to present evidence bearing on the action. The holder of a license or permit that is revoked is not eligible for applying for a license or permit issued under this Chapter for a period of one (1) year from the date of revocation.

D. The minimum deposit shall be as set forth below, unless otherwise established by the Village Board. Court costs, penalty assessments or other fees as established by Wisconsin statutes will be added to the penalty. The minimum deposit for violation of this Chapter is established as follows:

SECTION	TITLE	DEPOSIT
28.03 A	Operating without a Taxicab Service License	\$500.00
28.03 B	Operating without a Taxicab Vehicle Permit	\$250.00
28.03 C	Operating without a Taxicab Operator Permit	\$250.00
28.06 C	Failure to Display Operator Permit	\$100.00
28.07 B	Condition of Taxicab	\$100.00
28.07 C (1)	Failure to Display Interior Marking	\$ 50.00
28.07 C (2)	Failure to Display Exterior Marking	\$ 50.00
28.07 C (3)	Failure to Disclose Fare	\$100.00
28.08	Failure to Have Insurance	\$250.00
28.09 A	Failure to Display Permit or License	\$ 50.00
28.09 B	Operating without a Valid Driver's License	\$100.00
28.09 D	Failure to Notify Status Change of Vehicle	\$100.00
28.09 D	Failure to Notify Status Change of Operator	\$100.00
28.09 E	Operating Without Accurate Taximeter	\$250.00
28.09 F	Failure to Notify of Arrests, Citations, Accidents	\$100.00
28.09 G	Failure to Notify of Information Change	\$100.00
28.12 B	Misrepresentation	\$100.00

E. Appeal. If the applicant for Permit or License is recommended for denial by the Village Clerk-Treasurer-Coordinator, the applicant shall have the right to file an appeal with the Coordinator within thirty (30) days, and appear and be represented before the Village Board, to be heard, to present evidence in favor of the granting of the Permit or License, and to rebut the evidence presented in opposition to the granting of the Permit or License.,. Notice of the time and place of such hearing shall be mailed by the Coordinator to the applicant by certified mail at least ten (10) days before the date of such hearing.

(28.13 E. Modify and Amended by Ordinance 19-010 Pass: 8/12/2019 Published: 8/29/2019)

28.14 Severability.

Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

28.15 Effective Date. This Ordinance shall be effective following enactment and publication as required by law.

(28.05 Modify and Amended by Ordinance 19-010 Pass: 8/12/2019 Published: 8/29/2019)

(28.13 E. Modify and Amended by Ordinance 19-010 Pass: 8/12/2019 Published: 8/29/2019)