

**AGENDA SEASIDE CITY COUNCIL MEETING  
MARCH 11, 2013 7:00 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. COMMENTS – PUBLIC
6. DECLARATION OF POTENTIAL CONFLICT OF INTEREST
7. CONSENT AGENDA
  - a) PAYMENT OF THE BILLS – \$672,410.57
  - b) APPROVAL OF MINUTES – FEBRUARY 25, 2013 REGULAR MINUTES
8. UNFINISHED BUSINESS:
  - a) VACANCY – CONVENTION CENTER COMMISSION
9. NEW BUSINESS:
  - a) SEASIDE POLICE DEPARTMENT ANNUAL REPORT – Bob Gross
  - b) SEASIDE CIVIC AND CONVENTION CENTER & VISITORS BUREAU ANNUAL REPORT – Russ Vandenberg
  - c) ORDINANCE 2013-01 – AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 117 OF THE SEASIDE CODE OF ORDINANCES REGARDING TAXICABS/SHUTTLES – THIRD AND FINAL READING
    - OPEN PUBLIC COMMENTS
    - CLOSE PUBLIC COMMENTS
    - COUNCIL COMMENTS
    - MOTION FOR THIRD READING BY TITLE ONLY – ALL IN FAVOR AND OPPOSED
    - MOTION TO ADOPT – ROLL CALL VOTE
  - d) CITY COUNCIL MEETING MARCH 25, 2013
10. COMMENTS FROM STUDENT REPRESENTATIVE
11. COMMENTS FROM THE COUNCIL
12. COMMENTS FROM THE CITY STAFF & PUBLIC
13. ADJOURNMENT

Complete copies of the Current Council meeting Agenda Packets can be viewed at: *Seaside Public Library and Seaside City Hall. The Agendas and Minutes can be viewed on our website at [www.cityofseaside.us](http://www.cityofseaside.us).*

All meetings other than executive sessions are open to the public. When appropriate, any public member desiring to address the Council may be recognized by the presiding officer. Remarks are limited to the question under discussion except during public comment. This meeting is handicapped accessible. Please let us know at 503-738-5511 if you will need any special accommodation to participate in this meeting.

CALL TO ORDER The Regular meeting of the Seaside City Council was called to order at 7:00 PM by Mayor Don Larson.  
  
Present: Mayor Don Larson, Council President Don Johnson, Councilors Tita Montero, Jay Barber, Randy Frank, and Dana Phillips.  
  
Absent: Councilors Stubby Lyons.

Also Present: Mark Winstanley, City Manager; Bob Gross, Seaside Police Chief; Joey Daniels, Seaside Fire Chief; Esther Moberg, Seaside Library Director; Russ Vandenberg, Convention Center & Visitors Bureau General Manager; and Sayde Moser, Seaside Signal.

AGENDA Motion to approve the February 25, 2013 agenda; carried unanimously. (Johnson/Phillips)

PROCLAMATION Mayor Larson read the Proclamation for Earthquake Awareness and Tsunami Preparedness Month. Mayor Larson stated there would be a Tsunami Preparedness Talk March 11, 2013, 7:00 pm -8:30 pm at the Broadway Middle School Library. Mayor Larson further stated he attended a Senior Officials workshop on hazard preparedness and it came down to one thing and that was, we as individuals need to be prepared.

COMMENTS – PUBLIC None

CONFLICT Mayor Don Larson asked whether any Councilor wished to declare a conflict of interest.  
  
No one declared a conflict of interest.

CONSENT AGENDA Motion to approve payment of the bills in the amount of \$123,703.57; and February 11, 2013, regular minutes; carried unanimously. (Barber/Montero)

VACANCY – CONVENTION CENTER Mayor Larson stated there was one vacancy on the Convention Center Commission with two applications received from Greg Boat, and Sasha Flint. Mayor Larson asked Council what they wished to do.

Motion to nominate Greg Boat and Sasha Flint to the Convention Center Commission; carried unanimously. (Johnson/Barber)

Mayor Larson stated the applicants had been nominated. Mayor Larson asked if Council wished to keep the vacancy open and interview.

Councilor Johnson stated the vacancy should be kept open and schedule interviews in a couple of weeks.

Mayor Larson asked Council when they wished to close the vacancy.

Councilor Phillips stated the beginning of the month.

Mayor Larson stated Council could keep the vacancy open until March 25, 2013, and conduct interviews prior to the City Council meeting April 8, 2013.

Council consensus to keep the vacancy open for the Convention Center Commission until March 25, 2013, and conduct interviews prior to the City Council meeting April 8, 2013.

APPROVAL – CITY COUNCIL GOALS 2013-2014

Mayor Larson stated the City Council had their Goal Setting Session on January 19, 2013, and the City Council and City Manager started the goal setting session with the department heads presenting their goals and then the City Council spent the rest of the day working on what the goals and what Council wanted to see achieved within the next two years. Mayor Larson stated the three Council goals for the next two years were Council members to read the sign ordinance and have a work session with the Planning Commission, design and implement a visioning process, and decide whether to move forward on the Convention Center Expansion. The three Council goals for the next four years were to conduct a needs analysis on the Chisholm Center, consider annexation and future Urban Renewal District of lands south of the city limits, and create a storm water master plan.

Councilor Phillips stated the goals in the packet were incorrect and Council received the amended copy prior to the City Council meeting.

Motion to approve the City Council Goals 2013-2014, as amended; carried unanimously. (Johnson/Phillips)

Bob Gross, Seaside Police Chief, stated this was a revised City Ordinance regarding Taxicabs and Shuttles. The current ordinance had not been reviewed since 1992 and had Council setting the rates, and parts of the ordinance were vague with no specific reviews of the company or the drivers. Chief Gross further stated the amended ordinance clearly identified taxicabs and shuttles, gave companies and drivers specific guidelines to become licensed companies or drivers, outlined a review process before licensing which was presented to Council this evening which in essence must be filled out by the police department whether applying as a company or driver and must be signed by either the Chief or a representative before a business license can be attained through the City. The ordinance established clear expectations for taxicab or shuttle companies and drivers. The biggest issue was the increase to the insurance from \$100,000.00 to \$500,000.00 which kept up with the current liability issues. The drivers would obtain a taxicab/shuttle drivers license that the police department would issue and Chief Gross presented Council with an example of the license which would be required to be on the drivers at all times. In addition their would also be a vehicle decal affixed to the rear of the vehicles which would indicate the standards of the ordinance had been met and were legally licensed to operate in the City of Seaside. That would allow the Seaside Police Officers to stop any taxicabs or shuttles without the decal to see what the situation was. Chief Gross further stated the ordinance was given to each of the current licensed companies in the City of Seaside and there was a meeting conducted where input was provided and there were a couple of changes made. The ordinance was also reviewed by the City Attorney, Dan Van Thiel who had minor corrections with the language. Chief Gross further stated the revised ordinance was an ordinance that created the frame work that would protect the taxicab/shuttle companies and the driver's needs as well as the needs of the City.

Mayor Larson asked for public comments.

Lawrence Houstein, 2481 N. Highway 101, Seaside, stated he was the owner of Arrow Cab and Seaside Cab. Mr. Houstein further stated on page 3, paragraph E, "A taxicab/shuttle driver's permit may be suspended by the City Manager upon proof of conviction of any crime, ordinance violation or any state law regulating traffic or the use of a motor vehicle, whether or not the violations involved the operation of a taxicab". There should be a change from may be suspended to shall be suspended and the ordinance violations and language seemed very broad and that was the only concerns he had.

Chief Gross stated "may be suspended" was used which gave leeway to the violation of the ordinance if for instance it was concerning someone who owned a taxicab company. Chief Gross further stated on page 5 there were specific information that dealt with revocation and suspensions. The driver or Cab Company does have a right to file an appeal of any violations with seven days.

Councilor Phillips thanked Chief Gross for the very comprehensive ordinance.

Councilor Montero stated the ordinance was very good and she was in agreement with all of it. There were some areas where the t's need to be crossed and i's dotted. Councilor Montero stated the ordinance was concerning taxicabs and shuttles and appeared that way in most places in the ordinance. The word taxicab/shuttle should be referenced in all sections of the ordinance but some areas only had taxicab. On page 1 where it stated Taxicab/Shuttle it gave an overall definition but individually gave definitions for every mode of conveyance except a taxi and the reason that should be there was because there was taxicab/shuttle and it defined a shuttle as being on a fit schedule and that made sense but a taxicab was not on a fixed schedule. The definition of a taxicab should be added to the description. There were several places on page 3 and a couple of places on page 4 that shuttle needed to be added to the word taxicab. Councilor Montero stated on page 5, paragraph K, Shared Ride, the last sentence stated "Under no circumstances shall a driver pick up a second passenger when transporting a minor", and the word alone should be added because if transporting a minor with their mother or father then a taxi should be able to pick up somebody else but when alone then nobody else should be picked up.

Chief Gross stated the ordinance stated that no passenger shall be required to share a taxicab with another passenger.

Councilor Montero stated that was true for a taxicab but typically with a shuttle then sharing was expected.

Chief Gross stated what he neglected to do was take shuttle completely out of the ordinance because this was something that came from the drivers. That definition section should come out completely because taxicabs and shuttles were treated the same.

Councilor Montero stated the wording might be added in the ordinance that a taxicab and shuttle should be the same.

Chief Gross stated if taxicab/shuttle was listed instead of just shuttle then it would be the same.

Councilor Montero stated she liked the fact that there was a form that needed to be filled out and approved. Councilor Montero asked if each driver needed to fill out a separate form.

Chief Gross stated there were two parts to the form which was the first half as the company and the second half for the driver.

Councilor Frank stated the ordinance was a little over due and would bring a degree of professionalism to the people working in that field and a sense of security for the public since the police department was involved in the process.

Motion to place Ordinance 2013-01 on its first reading as amended by title only; carried unanimously. (Johnson/Barber)

Motion to place Ordinance 2013-01 on its second reading as amended by title only; carried unanimously. (Barber/Johnson)

**COMMENTS - STUDENT REPRESENTATIVE**

Absent.

**COMMENTS - COUNCIL**

Councilor Johnson stated he would be having surgery on his knee Tuesday, February 26, 2013.

**COMMENTS - CITY STAFF AND PUBLIC**

Esther Moberg, Library Director, stated she attended a meeting last week with several librarians in the area to discuss libraries. On Thursday, February 28, 2013, there would be a great presentation by Sue Glen who would be talking about Seaside 1920-1950 at the Seaside Library.

Joey Daniels, Seaside Fire Chief, stated there were five people sent to winter training and a couple of new recruits in the recruit academy. Tonight was the CERT training class and there were 32 people in the class between Cannon Beach and Seaside.

Russ Vandenberg, Convention Center & Visitors Bureau General Manager, stated Jazz Festival was well attended this last weekend and all seemed to have a great time. The event for Portland wrestling had been cancelled and would not be coming to the Convention Center.

Laurie Oxley, Seaside Downtown Development Association (SDDA), stated there would be Seaside helping Seaside New Jersey T-shirts on sale at SDDA and were \$15.00.

Mayor Larson stated this weekend one of the finest organizations came to Seaside and that was the Jazz Festival event. There were many good compliments received about the event, convention center and the city. Those people were coming from all over the place and the event would not happen without the volunteers.

Mark Winstanley, City Manager, thanked the Seaside Police Chief and the Taxicab owners for rewriting and reviewing sections of the code of ordinance which was not an easy process. Mr. Winstanley stated he appreciated all the work that had been done and the professional approach that the chief and owners took.

Councilor Barber stated regarding the Jazz Festival, Sunday morning there was a gospel open to the public and Mary Blake and Allan Evans made an appeal for the food bank and passed the hat and received approximately \$2,400.00.

**ADJOURNMENT**

The regular meeting adjourned at 7:32 PM.

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Kim Jordan, Secretary

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DON LARSON, MAYOR

## SEASIDE CIVIC AND CONVENTION CENTER COMMISSION

The purpose of the Seaside Convention Center Commission is to be an advisory body to make recommendations to the City Council on matters concerning the Civic and Convention Center. The Commission shall make recommendations concerning policy matters related to the Civic Convention Center. The Civic and Convention Center Commission shall advise the Convention Center Manager, City Manager and City Council on all items relating to the operation of the Civic and Convention Center including but not limited to: Contracts; Building Improvements; Employment of Civic and Convention Center Manager; Rentals; and Budget.

The commission consists of seven members who are not employees of the city and shall be residents, or owners or employees of businesses within the city limits of Seaside.

Each year, at the first Commission meeting in November, the members shall appoint one of their members as Chairperson and one as Vice-Chairperson. The center manager shall serve as Secretary to the Civic and Convention Center Commission.

The Commission shall hold a regular meeting at least once each month of the calendar year. The meetings shall be open to the public. Any person appointed to serve on this committee who misses three or more regularly scheduled meetings during a 12 month period shall be notified by letter that the position must be vacated. The individual may appeal the decision to the City Council. (A 12 month period is defined as beginning in January of each calendar year.)

The members shall serve without salary or compensation of any nature.

## COMMITTEE/COMMISSION APPOINTMENT

1.    **Date Council Notified:**                    January 14, 2013
- Name:**   Randy Frank
- Commission/Committee:**                Convention Center Commission
- Resignation Date:**                     January 9, 2013
- Term Expiration Date:**                October 25, 2014
- Wants to be considered again:**        N/A

2.    **Applicants:**  
      Sasha Flint  
      Tim Tolan  
      Greg Boat -- declined nomination

3.    **Nominations:**

4.    **Appointment:**



Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.

CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

PLEASE RETURN TO CITY HALL BY: February 20, 2013

NAME Flint Sasha PHONE 360, 953-1267

ADDRESS <sup>Last</sup> 1008 SW 1<sup>st</sup> St <sup>First</sup> Warrenton, OR 97146

MAIL ADDRESS (DIFFERENT THEN ABOVE) same as above

LENGTH OF TIME IN SEASIDE n/a - employee of Seaside Business-Worldmark by Wyndham

ARE YOU A REGISTERED VOTER IN SEASIDE: Yes  No

OCCUPATION Marketing Admin Supervisor - Wyndham Resort

PAST OCCUPATIONS Marketing Resort Host, Marketing Admin, Escrow Assistant, Receptionist

List committee/commissions on which you would like to serve: Seaside Convention Center Commission Board

List committee/commissions you are currently appointed to: n/a

List fields in which you have interest or ability: Marketing and Community Involvement

List employment and volunteer activities, which may relate to service on committee/commissions: n/a

List skills and special knowledge that you may have acquired from these activities: My husband Jay Flint recommended I apply, Jay is a part of many commissions/boards and I believe he would help me greatly with this kind of involvement.

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes ( ) No  If yes, what offense?

When? N/A Please explain: N/A

Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. (No City Council Members, Please)

NAME	RELATIONSHIP	ADDRESS	PHONE
Jay Flint	Husband	same as myself	503.298.9243
Wendi Robinson	co-worker	n/a	503.739.1399
Richard Olinert	friend	n/a	503.791.4435

I authorize, any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE 2/25/2013 SIGNATURE Alexandra "Sasha" Flint

Please Note: It is Council policy that applicants must be a city or urban growth boundary resident, business owner or employee of a business for at least one year, depending on committee/commission residency requirements.

### CITY OF SEASIDE

Interest Form for Committee/Commission/Board Vacancies

March 6, 2013

PLEASE RETURN TO CITY HALL BY: ~~February 20, 2013~~

NAME TOLAN TIM PHONE 503-738-3802  
Last First  
ADDRESS 23525 BEEHAWK CR LN SEA 97138  
MAIL ADDRESS (DIFFERENT THEN ABOVE) PO BOX 911 SEASIDE 97138  
LENGTH OF TIME IN SEASIDE 19 YRS  
ARE YOU A REGISTERED VOTER IN SEASIDE: Yes  No   
OCCUPATION PROPERTY MANAGER  
PAST OCCUPATIONS FUND RAISING CONSULTANT

List committee/commissions on which you would like to serve: CONVENTION CENTER COMM.

List committee/commissions you are currently appointed to:

List fields in which you have interest or ability:

List employment and volunteer activities, which may relate to service on committee/commissions:

List skills and special knowledge that you may have acquired from these activities:  
2 YRS PLANNING COMMISSION  
10 YRS CITY COUNCIL/IMPROVEMENT COMM.

Have you ever been convicted, pled guilty or pled "no contest" to any crime, offense, or major traffic violation? Yes ( ) No () If yes, what offense?

When? Please explain:


Please list 3 references including an employer or supervisor, and people that have known you for at least 2 years. (No City Council Members, Please)

NAME	RELATIONSHIP	ADDRESS	PHONE
<u>ROBERT PINSON</u>	<u>FRIEND/KNOWS</u>	<u>SEASIDE</u>	<u>503-701-0606</u>
<u>PENNY BRAYLES</u>	<u>ELLOW MEMBER OF HOSP CO BO</u>		<u>503-738-2536</u>
<u>JULIE JESSIE</u>			<u>738-5073</u>

I authorize, any person or entity contacted by the City of Seaside to furnish information relating to my appointment to the Commission/Committee/Board indicated above and I release any such person or entity from any and all liability for furnishing such information. I also release the City of Seaside from any and all liability for conducting such an investigation.

DATE 2/27/13 SIGNATURE Tim Tolan





# CITY of SEASIDE

OREGON'S  
F A M O U S  
A L L - Y E A R  
R E S O R T

989 BROADWAY  
SEASIDE, OREGON 97138  
(503) 738-5511

## CONVENTION CENTER COMMISSION

Term of Office: 4 years

Number of Members: 7

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>TERM EXPIRES</u>
JEFF KILDAY	P O BOX 1031	738-3018	10/25/2013
CHUCK MINER	2335 S. EDGEWOOD	440-9240	10/25/2013
TERRY BICHSEL**	414 N. PROM	738-3334	10/25/2013
MARC POSALSKI	P O BOX 980	503-440-4797	10/25/2014
VACANCY			10/25/2014
ROGER SCHULTZ	2481 VENICE BLVD.	738-5641	10/25/2016
SETH MORRISEY	PO BOX 333	440-2138	10/25/2016

\*CHAIR

\*\*VICE CHAIR

# ORDINANCE NO. 2013-01

## AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 117 OF THE SEASIDE CODE OF ORDINANCES REGARDING TAXICABS/SHUTTLES

WHEREAS, the City of Seaside licenses taxicabs/shuttles and their operator; and

WHEREAS, the City of Seaside has not reviewed or updated its ordinance covering the licensing of taxicabs/shuttles and their operators since 1992; and

WHEREAS, the Seaside Police Department has worked with current licensed taxicab/shuttle companies in Seaside to review and update the current ordinance;

NOW, THEREFORE, THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

**SECTION 1.** Chapter 117 of the Seaside Code of Ordinances is amended to read:

### TAXICABS/SHUTTLES

#### § 117.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DRIVER.** Any person who drives a taxicab/shuttle, whether such person owns the taxicab/shuttle or is employed by the operator of a taxicab/shuttle.

**OPERATOR.** Any person owning or engaging in the business of operating one or more taxicabs/shuttles.

**PERSON.** Includes all natural persons of either sex, corporations, partnerships, and associations.

**TAXI/SHUTTLE COMPANY.** Any person engaged in the business of transporting persons, commonly known as a taxi/shuttle service, but excluding any public transit program owned, operated, or owned and operated by the State of Oregon or any political subdivision thereof.

**TAXICAB/SHUTTLE.** Any motor vehicle that is operated for hire by a taxicab or shuttle company, other than a limousine, charter, tour bus, accessible vehicle, medical transport vehicle, or ambulance. For purposes of this section, the following definitions shall apply:

1. "Limousine" means any luxury class motor vehicle that is operated for hire on a reserved, hourly basis;
2. "Charter" means any motor vehicle originating from the Seaside area, marked with the company's business name, operated for hire to transport a group of seven or more persons with the fare based on a fixed group rate rather than an individual rate;
3. "Tour bus" means a motor vehicle accepting individual passengers for a fare for sightseeing or guided tours, making occasional stops at certain points of interest and returning the passengers to the point of origin;
4. "Accessible vehicle" means any motor vehicle constructed and equipped for the non-emergency transportation of persons in wheelchairs, persons using other mobility aids, or with other mobility impairments;
5. "Medical transport vehicle" means any motor vehicle constructed and equipped for non-emergency transportation of persons in connection with their illness, injury or disability only while such vehicle is being operated for the purpose of transporting persons to or from such medical treatment or appointment with a health care provider;
6. "Ambulance" means any motor vehicle constructed and equipped for the emergency transportation of persons because of or in connection with their illness, injury, or disability.

§ 117.02 TAXI/SHUTTLE COMPANY BUSINESS LICENSE REQUIRED

Every operator must obtain a license under the following requirements;

(A) A business license shall not be issued to the Applicant who does not meet the following requirements:

(1) The applicant shall not have been convicted of a felony within ten (10) years prior to the date of application;

(B) Application.

(1) An application for a business license shall be filed with the City on a form provided by the City, which shall contain the following information, in addition to any information required under the City's business license ordinance;

- a) The name and address of the Applicant (If Partnership or joint venture, the application must so state and contain the names and addresses of all parties thereto);
- b) The business name under which the operator will do business;
- c) The carrying capacity of each vehicle to be operated under the operator's license;
- d) The year, model, serial number, and state license number of each vehicle;
- e) Evidence of insurance as hereinafter required;
- f) The color scheme and/or insignia to be used to designate any vehicle of the Applicant, which shall not resemble or in any way infringe upon an existing taxi/shuttle company's color scheme and/or insignia. Taxi/Shuttle companies in operation on the effective date of this ordinance are exempt from this provision providing the color scheme and/or insignia is not changed.
- g) A record of all vehicular and pedestrian accidents involving property damage and/or personal injury involving the Applicant within ten (10) years of the date of application;
- h) A computerized criminal history check, to be conducted by the Police Department, reflecting all crimes of which the Applicant has been convicted;

§ 117.03 DRIVER'S PERMIT REQUIRED;

No person shall drive a taxicab or shuttle for hire unless the person has obtained a taxicab/shuttle driver's business license and has met the following requirements.

(A) Application. The original and all renewal applications for a taxicab/shuttle driver's business license shall be filed with the City on forms provided by the City. The application shall contain the following information, in addition to any information required under the City's business license ordinance:

- (1) The applicant's name, residence address, business address, age, sex, height, weight, and color of eyes and hair;
- (2) Proof the Applicant possesses a valid Oregon driver's license;
- (3) Proof of the Applicant's citizenship or registered alien status;
- (4) Proof the Applicant has attained a minimum age of twenty-three (23) years;

- (5) A letter or other documentation demonstrating the Applicant is or will be employed or otherwise engaged by a taxi/shuttle company licensed to do business in the City;
  - (6) A computerized record conducted by the police department reflecting all crimes of which the Applicant has been convicted;
  - (7) A record of all traffic offenses committed by the Applicant for the three (3) years preceding the application. Three (3) moving citations in the previous two years, one (1) traffic crime conviction in the previous three (3) years, or one (1) driving under the influence of intoxicants may be cause for refusal by the City to grant a taxicab/**shuttle** driver's business license.
  - (8) Each business license application shall be accompanied with a Seaside Police Review/Approval Form and payment of the business license fee.
- (B) Following a computerized background check and approval of the application, the City shall issue the business license. The application receipt shall serve as a temporary license for a period not to exceed fifteen (15) days from the date of the receipt.
- (C) Every taxicab/shuttle driver shall obtain from the Chief of Police a permit containing the following:
- (1) A current photograph of the taxicab/**shuttle** driver.
  - (2) Full Name.
  - (3) The taxicab/**shuttle** driver's Oregon driver's license number.
  - (4) Expiration Date.
- A valid permit from another city within county shall meet the requirements of this section. However, a copy of such permit must be given to the Police Department.
- (D) The taxicab/shuttle permit shall be on the person of the driver while operating the taxicab/shuttle and must be provided upon request.
- (E) A taxicab/shuttle driver's permit may be suspended by the City Manager upon proof of conviction of any crime, ordinance violation or any state law regulating traffic or the use of a motor vehicle, whether or not the violations involved the operation of a taxicab/**shuttle**.
- (F) No taxicab/shuttle driver shall knowingly deceive any passenger who may desire to ride with him concerning the route, destination, or distance traveled or to be traveled.
- (G) The taxicab/shuttle driver shall notify the nearest police station within 24 hours of all property of value left in the vehicle by any passenger.
- (H) No taxicab/shuttle driver shall use profane or obscene language while transporting passengers.

§ 117.04 PAYMENT OF LICENSE FEE REQUIRED.

No certificate may be issued or continue in operation until the applicant has paid to the city a non-refundable one time application fee and an annual license fee. Such annual license fee is due and payable on January 1 of each year and the amounts of such fees shall be set by resolution of city council.

§117.05 INSURANCE REQUIREMENTS.

The operation of all taxicabs/**shuttles** shall be covered by public liability insurance insuring the taxicab/**shuttle**, operator, and driver with a minimum limits of liability coverage in an amount not less than \$500,000.

The operator of the taxicab/shuttle shall maintain on file with the city a certificate evidencing insurance coverage in compliance with this section while the license provided for this chapter is in effect.

#### § 117.06 IDENTIFICATION OF TAXICAB/SHUTTLE.

Each taxicab/shuttle shall be clearly marked on both sides with the company name, the word "taxi," or "**shuttle**," and the phone number to call for service. Signage must be legible for a distance of 25 feet. Each company shall post, on either the inside or outside of each taxicab/**shuttle**, a summary of the rate structure and applicable complaint procedures.

#### § 117.07 OPERATIONS

- (A) Rates. Rates shall be set by each taxi/shuttle company, and shall be uniform within each classification of the rate structure. A statement of rate structure shall be submitted to the city at the time of application for the business license. A change of rate structure shall be reported in writing by the taxi/shuttle company to the city within seven days following implementation of the revised rate structure.
- (B) Receipts. Written receipts shall be supplied to customers upon request. Receipts shall show, at a minimum, the date of, and amount for services, Taxi/shuttle Company's name, and driver's name.
- (C) Hours of Operation. Taxi/shuttle companies shall maintain and have available taxicab/**shuttle** service during each hour of the day and each day of the year.
- (D) Complaints. Taxi/shuttle companies shall maintain a central complaint file. Complaints shall remain on file for three years.
- (E) Dispatch Records. Dispatch records shall be an accurate record of each call taken or ride dispatched by the taxi/shuttle company dispatcher. Dispatch records shall include the time of call; time the call was dispatched; location of the pick-up; time of pick-up; destination, including stops; and time the call was completed. Dispatch records shall be kept in a central location for ease of access, and shall be maintained for a minimum of one year.
- (F) Insurance. Each taxi/shuttle company shall provide the city proof of commercial insurance for each vehicle and driver transporting persons or goods for the taxi/**shuttle** company, and shall direct the insurance carrier for that policy to notify the city in the event of cancellation of the insurance policy.
- (G) Alcohol. Alcohol or drug use by on-duty taxi/shuttle drivers or taxi/shuttle company personnel is prohibited; no taxi/shuttle driver or taxi/**shuttle** company personnel shall consume alcohol or prescription drugs containing warnings about operating vehicles or machinery and operate a taxi/shuttle within eight hours prior to going on duty.
- (H) Disorderly Persons. Drivers are not required to pick up disorderly persons. For the purposes of this subsection, a disorderly person includes, but is not limited to, an unsanitary person, a person engaging in disorderly conduct, or any person who has been disorderly towards the taxi/**shuttle** company or taxi/**shuttle** driver within the past three years.
- (I) Right to Be Paid. Each driver has the right to be paid for services rendered, which may be requested in advance. Should a customer refuse to pay, the driver may refuse the ride.



- (J) Maintenance. Each taxi/shuttle company shall establish a vehicle maintenance program for the purpose of meeting safety standards and documentation of all applicable compliance standards.
- (K) Shared Ride. No passenger shall be required to share a taxicab/**shuttle** with another passenger. A driver may pick up a second passenger only if the original passenger has given permission. Under no circumstance shall a driver pick up a second passenger when transporting a minor **unless minor is accompanied by parent/guardian**.
- (L) Scanners. When used, scanners shall be used in compliance with all applicable Federal Communications Commission regulations, including the prohibition of use of a scanner for personal gain.
- (M) Compliance. Each taxi/shuttle company shall be operated in compliance with all applicable city, county, state, and federal laws, administrative rules, and regulations not covered in this chapter.
- (N) Each taxicab/shuttle vehicle shall bear a device or devices provided by the city on the outside of the vehicle at such places and of the type and design approved by the police chief indicating that the vehicle is licensed to operate in the city.

§ 117.08 VIOLATIONS.

(A) Revocation and Suspension.

- (1) Violation of any provision of this chapter may be grounds for revocation or suspension of the taxi/shuttle company or taxi/shuttle operator's business license, or, in proper case, revocation, or suspension of both.

(2) Procedure.

- a. When the chief of police has grounds for revocation or suspension of a business license, the chief shall provide a notice and order of revocation or suspension, as the case may be, to the Taxicab/Shuttle Company or driver. The notice and order shall state the grounds for revocation or suspension and the effective date. The notice and order shall also contain a provision informing the taxicab/shuttle company or driver that the notice and order may be appealed by filing written notice of intent to appeal with the city manager not more than seven days after the date of service of the notice and order.
- b. The notice and order shall be served on the taxicab/shuttle company or driver by personal delivery, or first class mail and certified mail, return receipt requested, delivered to the last known address of the taxicab/shuttle company or driver, as reflected in the records of the police department. If service is made by mail, service shall be deemed complete when deposited in the mail, and shall not be deemed ineffective by a taxicab/shuttle company's or driver's refusal to receive the certified letter.
- c. A hearing shall be held before the city manager as soon as is practicable. The city manager may affirm, reverse, or modify the notice and order. A decision of City Manager on the appeal shall be the final action of the city and shall be binding on all parties. Action of the city on the appeal may be effective immediately or as soon thereafter as deemed appropriated by the City Manager.

§ 117.99 PENALTY.

Any violation of provision of this chapter shall upon conviction, be punishable by a fine not to exceed \$750. For a continuing violation, the fine may be imposed for each day the violation has occurred.

**ADOPTED** by the City Council of the City of Seaside on this \_\_\_\_ day of \_\_\_\_\_, 2013, by the following roll call vote:

YEAS:  
NAYS:  
ABSTAIN:  
ABSENT:

**SUBMITTED** to and **APPROVED** by the Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
DON LARSON, MAYOR

ATTEST:

\_\_\_\_\_  
Mark J. Winstanley, City Manager