

COUNCIL TRANSMITTAL

TO: Rocky J. Fluhart
Chief Administrative Officer

DATE: November 19, 2004

FROM: Sam Guevara,
Chief of Staff, Mayor's Office

SUBJECT: Amendment to Taxi Cab Ordinance, Regarding Annual Review of Rates

STAFF CONTACT:

Sam Guevara
Mayor's Office
535-7732

Larry Spendlove
City Attorney's Office
535-7788

DOCUMENT TYPE: Ordinance Revision

RECOMMENDATION: Approve the ordinance amendment.

BUDGET IMPACT: No budget impact is expected.

BACKGROUND/DISCUSSION: Several changes to the ordinance governing taxi cabs have been discussed over the past year. This proposed amendment addresses only the annual review of maximum rates, and was included in previous proposals, but was not passed. The current ordinance mandates that each person holding a certificate of public convenience and necessity is to file a petition regarding the adequacy of the rates by March 1 of each year. The proposed amendment does not make this a requirement every year, and eliminates the deadline. Instead it will allow persons holding the certificates to file a petition as needed to increase or decrease the rates, rather than leaving it as an annual requirement even if no change is requested.

PUBLIC PROCESS: Public input regarding ground transportation has been very forthcoming. Although many of the changes initially proposed were controversial, no comments or concerns were expressed regarding this particular change.

Meetings were held in December 2003 and February 2004 with transportation providers (taxi drivers, taxi company representatives, shuttle company drivers and owners, and limousine company drivers and owners), hotel managers, and city staff to discuss a number of changes to the ground transportation ordinances. In addition, when the City Council reviewed and discussed the proposed changes, public hearings were held, and many comments and concerns were noted.

SALT LAKE CITY ORDINANCE
No. _____ of 2004
(Amending Annual Review of Taxicab Maximum Rates)

AN ORDINANCE AMENDING SECTION 5.72.457, *SALT LAKE CITY CODE*,
PERTAINING TO ANNUAL REVIEW OF MAXIMUM RATES.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 5.72.457, *Salt Lake City Code*, pertaining to annual review of maximum rates be, and the same hereby is, amended to read as follows:

5.72.457 Annual Review Of Maximum Rates:

A. Each person holding a certificate of public convenience and necessity to operate taxicabs within the City may file with the City business license supervisor a petition regarding the adequacy of the existing maximum rates as set forth in Section 5.72.455 of this Article, or its successor section. Said petition shall state whether, in the opinion of the certificate holder, the existing maximum rates are at an appropriate level, or whether such rates should be increased or decreased. If the petition indicates that the said rates should be increased or decreased, the person submitting such petition shall supplement the petition with documentation in support of such increase or decrease, such as evidence of increase or decrease of operating costs, insurance costs, costs of living, and other relevant information. Each person filing said statement shall at the time of filing, pay a filing fee to the City business license supervisor of one hundred dollars (\$100.00) to cover the City's costs of processing the statement and of conducting the subsequent hearing thereon.

B. As soon as is practicable after filing said petition the City business license supervisor shall schedule a public hearing before a hearing officer appointed by the Mayor to

consider the question of whether or not the existing taxicab rates should be increased, decreased or should remain unchanged. Notice of said hearing shall be posted in the office of the City Recorder and shall be published in a newspaper of general circulation in the City.

C. The City hearing officer appointed by the Mayor shall have power and authority to preside at and conduct such hearing on the petitions so filed, and power to examine witnesses and receive evidence, compel the attendance of witnesses, and compel the production of documents.

D. The decision of the hearing officer, following the conclusion of said hearing, shall act as a recommendation to the City Council. In the event said decision recommends an increase or decrease in taxicab rates, the City business license supervisor shall, as soon as practicable, present to the City Council the recommendation of the hearing officer for the Council's consideration. The City Council may accept, modify, or reject the hearing officer's recommendations.

SECTION 2. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2004.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2004.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date Nov. 19, 2004
By Melanie Reif