

ORDINANCE No. 85

An Ordinance Licensing and Regulating the Use and Operation of  
Taxicabs within the Village of Calumet

The Village of Calumet Ordains:

Part I.

Section 1. DEFINITIONS. The following words and phrases, when used in this ordinance, shall, for the purpose of this ordinance, have the meanings respectively ascribed to them in this Section, except where the context clearly indicates a different meaning.

(a) TAXICAB: The term taxicab shall mean and include a motor vehicle designed to carry six passengers or less, excluding the driver, operating on the public streets, alleys and quasi-public places of the Village, and accepting passengers for transportation for hire on call or demand, between such points as may be directed by the passenger or passengers.

(b) LICENSE: A taxicab License issued by the Village Council of the Village of Calumet, Michigan, licensing the operation of a taxicab.

(c) COUNCIL: The Common Council of the Village of Calumet, Michigan,

(d) PERSON: The word "person" when used in this ordinance shall mean and include any individual, co-partnership, association, or corporation, and their lessees.

(e) FOR HIRE: The term "for hire" when used in this ordinance, shall mean for remuneration or reward, of any kind, paid or promised, either directly or indirectly.

(f) DRIVER: Any person who drives a taxicab.

(g) OWNER: Any person to whom a taxicab License has been issued.

(h) STAND: A place reserved upon the public streets for the sole use of taxicabs.

(i) CRUISING: The movement of unoccupied taxicabs over the public streets in search of, or soliciting, prospective passengers; except that an unoccupied taxicab proceeding to answer a telephone call for taxicab service from an intending passenger, and a taxicab returning by the most direct route, after having discharged a passenger or passengers, to the garage where said taxicab is housed, or to a taxicab stand, shall not be considered cruising.

(j) APPLICANT: Any person, co-partnership, association or corporation applying for a License hereunder, or any person applying for a Driver's Permit; as the case may be.

Part II.

Section 1. License. No person shall operate, or cause to be operated any taxicab in the Village of Calumet without having first obtained a License to operate such taxicab.

Section 2. APPLICATION FOR LICENSE. Any person desiring a License to operate a taxicab on the streets of the Village of Calumet shall file with the Village Clerk a sworn application therefor, which application shall contain the following:

(a) The name, age, residence and present occupation of the person applying for such License. If the applicant is a partnership, the names, addresses and occupations of all partners shall be given, and if the applicant is a corporation, the names, addresses and occupations of all the officers and directors thereof shall be given.

(b) The make, body-style, year, serial and engine number, state license plate number, seating capacity, and weight of the taxicab for which such License is being applied for.

(c) Whether there are any unpaid or unbonded judgments of record against the applicant and, if so, the title of all actions and the amount of all judgments unpaid or unbonded, and the Court in which the same were rendered.

(d) The experience of the applicant, both in the Village of Calumet and elsewhere, in the operation of taxicabs or other common carriers.

(e) Whether or not the applicant for such license, or if a partnership or corporation, any of the partners, officers or directors thereof, has ever been charged with, convicted of or plead guilty to any felony, crime, or misdemeanor, and if so, the date, nature of the offense, and the court in which such charge was made, conviction was obtained or plea of guilty was entered.

(f) The place or places within the Village where the person applying for such license proposed to establish his office, and from which he proposes to operate such taxicab.

(g) The number of taxicabs for which the applicant holds licenses at the date of the application.

~~(h) Whether the applicant is the owner of the taxicab for which license is being applied for, and if not, the name of the owner thereof.~~

(h) Such other information as the Council may, in its discretion, require.

Section 3. GRANTING OF LICENSES. The Village clerk shall transmit each application for a License to the Council, who shall cause an investigation to be made of the character, fitness and qualifications of the person applying for such license, and the fitness of the proposed taxicab for use as such.

If the Council shall determine that the person applying for such license is a suitable person, and the taxicab proposed to be licensed is a suitable vehicle for such purpose, it may grant a License therefor, to be used upon the filing of the policy of insurance hereinafter required.

PROVIDED that the Council may refuse to grant a License to any applicant when, in its judgment, there are licensed a sufficient number of taxicabs to adequately serve the needs of the public of the Village of Calumet.

PROVIDED FURTHER that no License shall be granted unless the taxicab proposed to be licensed shall be equipped with four doors.

Section 4. ISSUANCE OF LICENSES. Licenses granted by the Council shall be issued by the Village Clerk upon payment of the fees hereinafter required. PROVIDED that no license shall be issued until the applicant has deposited with the Clerk a policy of liability insurance hereinafter required, and until the said policy has been found by the said Clerk to comply with the terms of this ordinance.

Section 5. EXPIRATION OF LICENSES. All licenses issued hereunder shall expire on MAY 31ST, following the issuance thereof.

Section 6. LICENSE FEE. The owner of each taxicab for which a license is granted shall pay to the City the sum of Five Dollars before a license therefor shall be issued.

Section 7. LICENSES NON-TRANSFERABLE. Licenses issued hereunder shall be non-transferable. Any transfer or attempted transfer thereof to any other person shall automatically revoke the license.

Section 8. TRANSFER OF LICENSE TO ANOTHER VEHICLE. The owner of any taxicab for which a license has been granted may have the license transferred to another vehicle by filing with the Village Clerk a request therefor, giving the make, year, body, style, serial and engine number, State license plate number, seating capacity and weight of the vehicle to which he proposes to have such license transferred. PROVIDED that no transfer of a license shall be made unless the original taxicab upon which such license was issued shall be actually retired from taxicab service.

Section 9. CHANGE OF OWNERSHIP. Change of ownership of or title to any taxicab or taxicabs shall automatically revoke any license or licenses previously granted for the operation of such taxicab or taxicabs, and the purchaser thereof shall not operate such taxicab until he has applied for and been granted a license under the terms of this ordinance and has complied with all the terms of this ordinance.

Section 10. THE SUSPENSION OR REVOCATION OF LICENSES. Licenses may be suspended or revoked by the Council at any time in case:

(a) The Council finds that the information contained in the application for such taxicab license was false or misleading.

(b) The Council finds that the owner, or any driver in his employ, has failed to operate the taxicab or taxicabs so licensed in accordance with provisions of this ordinance.

(c) The owner shall cease to operate any taxicab for a period of thirty consecutive days without having obtained permission for cessation of such operation from the Council.

(d) The Council finds that the owner or any driver in his employ has violated any provision of the Traffic Ordinance of the Village of Calumet while operating a taxicab licensed hereunder.

#### Part III.

Section 1. INSURANCE POLICY REQUIRED. No license shall be issued until the person applying therefor shall obtain and file with the Village a policy of liability insurance issued by a responsible insurance company authorized to do business in the State of Michigan, providing insurance coverage for each taxicab for which a license is issued for.

Such policy of insurance shall insure the applicant against liability for personal injury or injuries to a passenger or passengers in such taxicab, or to a member or members of the general public, resulting from an accident or accidents in which such taxicab may be involved through the recklessness or negligence of its driver, operator or owner, as well as against any damage to property.

Such policy shall provide minimum insurance protection for each taxicab in the amount of \$10,000.00 for injury to, or death of, one person, and \$20,000.00 for injury to, or death of, more than one person resulting from a single accident; and \$5,000.00 for damage to property (including personal belongings or baggage of passengers) as a result of one accident.

Such policy of insurance shall provide for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, and that the insolvency or bankruptcy of the insured shall not release the company.

Such policy shall further provide that it shall not be cancelled, surrendered or revoked by either party except after five days written notice to the Village of Calumet, furnished by the insurance company issuing such policy.

The cancellation, surrender, or other termination of any insurance policy issued and filed with the Village in compliance with this section shall automatically terminate the Licenses of all taxicabs covered by such insurance policy unless another policy complying with this Section shall be in effect and deposited with the Village of Calumet at the time of such cancellation or termination.

It shall be unlawful for any person to operate, or cause or permit to be operated any taxicab on the streets of the Village of Calumet without having fully complied with the terms of this section.

#### Part IV.

Section 1. MAINTENANCE AND EQUIPMENT. The owner of each taxicab licensed hereunder shall examine and inspect such taxicab as to its mechanical condition, especially as to brakes, power and lights, in such manner and with such frequency as to insure safety and dependability to patrons and the public and each taxicab licensed hereunder shall be maintained at all times in a dependable, workable and safe condition. Records of such inspections, defects found and repairs made, shall be kept on file by the owner of each taxicab licensed hereunder, and such records shall, during ordinary business hours be open for inspection by the Village.

Section 2. COMPLIANCE WITH LAWS AND ORDINANCES. Each taxicab licensed hereunder shall be operated in accordance with the laws of this state and the ordinances of this Village, and with due regard for the safety, comfort and convenience of passengers and for the safety of the general public. No taxicab shall be operated at a rate of speed greater than that established by State law or by the Ordinances of this Village.

Section 3. REPORT OF ACCIDENTS. All accidents, arising from or in connection with the operation of taxicabs which results in death of or injury to any person, or in damage to any property, shall be reported within 12 hours from the time of occurrence to the Clerk of the Village of Calumet.

Section 4. CRUISING PROHIBITED. No driver shall cruise in search of passengers at any time, and whenever a taxicab is unoccupied the driver shall proceed at once by the most direct route to the garage

where the vehicle is housed or to the taxicab stand customarily occupied by such taxicab.

Section 5. PASSENGERS. No driver or owner of a taxicab shall refuse or neglect to convey any orderly person or persons upon request by signal or telephone call, unless the taxicab is previously engaged. When a taxicab has been engaged by a passenger, no additional passengers shall be received therein except with the express consent of the first passenger.

Section 6. DRIVERS DRINKING ON DUTY PROHIBITED. No taxicab driver shall drink beer, wine, spirits or other alcoholic beverages or liquors while on duty.

Section 7. IMMORALITY. No owner or driver of a taxicab shall use, or permit the use of, any taxicab for immoral or illegal purposes.

#### Part V.

Section 1. TAXICAB STANDS. The Council shall have power to establish such taxicab stands as in its judgment are necessary for the proper service of the public. The Council shall have power to change the location of, or to abolish any taxicab stand established under the terms hereof.

#### Part VI.

Section 1. VIOLATIONS. Any person, firm, corporation, owner or driver, who shall violate any provision of this ordinance shall be subject to the penalties provided in Section 2 of this Part.

Section 2. PENALTIES. Any person, firm, corporation, owner or driver, who violates or fails to comply with any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, be fined not more than \$100.00 or be imprisoned for a period not to exceed 90 days, or to both such fine and imprisonment, in the discretion of the Court.

#### Part VII.

Section 1. SHORT TITLE. This ordinance may be cited as "The Taxicab Ordinance."

Section 2. SEVERABILITY. ( This ordinance and the various Parts, Sections and Clauses thereof are hereby declared to be severable. If any Part, Section or Clause is adjudged unconstitutional or invalid, it is hereby provided that the balance of this ordinance shall not be affected thereby.

#### Part VIII.

Section 1. EFFECTIVE DATE. This ordinance is ordered to take effect at the expiration of twenty (20) days from the date of passage hereof.

Approved this 7 day of June 1956.

E. C. H. [Signature]  
President

[Signature]  
Clerk