ORDINANCE NO. 006-17

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CHAPTER 52 ENTITLED "TAXICABS AND LIMOUSINES" THEREFROM AND ENACTING AND ADOPTING A NEW CHAPTER 52 ENTITLED "TAXICABS" IN LIEU THEREOF, AND PROVIDING PENALTIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Chapter 52 of the Cedar Rapids Municipal Code is hereby repealed and the following enacted in lieu thereof:

Section 1. Chapter 52 of the Cedar Rapids Municipal Code is hereby deleted and the following new Chapter 52 is enacted in lieu thereof as follows:

"CHAPTER 52 – TAXICABS

52.01 - ADOPTION AND SCOPE.

This ordinance shall be known as the Cedar Rapids Taxicab Code and shall apply to the operation of taxicab services originating within the city limits of the city of Cedar Rapids.

52.02 - DEFINITIONS.

Airport – The Eastern Iowa Airport.

City Manager – The Cedar Rapids City Manager appointed pursuant to City Code Section 5.02, or designee.

Clerk – The Cedar Rapids City Clerk appointed pursuant to City Code Section 5.03 or designee.

Chief - The City of Cedar Rapids Chief of Police or designee.

Digital platform - An online or smart phone enabled application that allows passengers to request vehicle transportation services.

Driver - Every person who drives or operates a vehicle while providing vehicle transportation services pursuant to a taxicab business license.

Good cause - An adequate or substantial reason put forth in good faith that is not unreasonable or arbitrary.

Holder - A person who is granted a taxicab business license issued by the Clerk.

Limousine - A vehicle furnished with a driver that carries passengers for hire either on a fixed route within the city of Cedar Rapids or pursuant to a pre-arranged contract or reservation in advance of the service, operates without a taximeter, charges for services on a fixed fee or hourly basis, and there is no hailing of customers.

Motor vehicle - A self-propelled vehicle not operated upon rails that is used to transport people upon the streets and highways.

Owner - Every person, firm, partnership, association or corporation having ownership or control of any taxicab business.
Passenger - A fare-paying person traveling in a motor vehicle, including but not limited to a taxicab, limousine, shuttle vehicle or other conveyance.

Pedicab - A wheeled vehicle powered by pedals, that is used to carry passengers for hire and accepts street hails.

Person - Any individual, firm, corporation, company, association, partnership or any combination thereof, or two or more persons having joint or common economic interest. The word person includes the singular and the plural.

Shuttle - A vehicle furnished with a driver that carries passengers for hire exclusively on a fixed route or pursuant to a pre-arranged contract or reservation in advance of the service, operates without a taximeter, charges for services on a fixed fee or hourly basis, and there is no hailing of customers.

Taxi or cab - A motor vehicle furnished with a driver, carrying no more than fifteen passengers regularly engaged in the business of carrying passengers for hire on an on-call basis, and accepts street hails. Any type of motorized pedicab shall be deemed to be a taxicab.

Taxicab business - A firm that provides taxicab services originating within the corporate limits of the city of Cedar Rapids. Activities to be conducted include, but are not limited to, receiving calls and dispatching of taxicabs, transferring drivers and/or vehicles, parking and storage of vehicles, storage of lost or misplaced baggage, maintenance, storage of business records, the conducting of employee meetings and related personnel matters.

Taxicab Business License - A license issued by the Clerk, authorizing the operation of a taxicab business for trips originating within the city of Cedar Rapids city limits.

Taximeter - An instrument or device which mechanically, electrically or electronically measures the distance driven and the waiting time upon which the fare is based and is converted to a monetary charge.

Vehicle transportation services - Use of a motor vehicle, including but not limited to a limousine, taxicab, pedicab, paratransit vehicle, or a shuttle, for providing a ride to passengers for consideration arranged by any means.

52.03 - EXCLUSIONS.

The provisions under this chapter shall not apply to any vehicle transportation services except taxicabs and shall not apply to Transportation Network Companies, or their drivers, operating pursuant to, and in compliance with, Iowa Code Chapter 321N (2016), as may be amended from time to time.

52.04 - TAXICAB BUSINESS LICENSE REQUIRED.

(a) A person shall not operate a taxicab business within the city of Cedar Rapids without a current and valid taxicab business license.

(b) A person shall not operate any taxicab where service originates on the streets of the city of Cedar Rapids except pursuant to a valid taxicab business license.

(c) Taxicab business licenses shall not be sold, assigned or otherwise transferred.
52.05 - REQUIREMENTS FOR TAXICAB BUSINESS LICENSE HOLDERS.

Holders of taxicab business licenses shall meet the following requirements:

(a) The holder must require all drivers authorized to operate a taxicab and provide vehicle transportation services to have a valid driver’s license for the operation of the motor vehicle used as a taxicab that is not an instruction permit, special instruction permit, or temporary restricted license.

(b) The holder shall not allow a person to operate a taxicab under its taxicab business license if any of the following apply:

(1) The person is under the age of nineteen.

(2) The person is restricted to operating motor vehicles equipped with an ignition interlock device.

(3) The person’s driving privileges have been suspended, revoked, barred, canceled, denied, or disqualified in the prior three-year period.

(4) The person has been convicted of more than three moving violations in the prior three-year period.

(5) The person has been convicted of violating Iowa Code Sections 321.218, 321.277, or 321J.21, or Section 321A.32, subsection 1, in the prior three-year period.

(6) The person has been convicted in the prior seven-year period of a felony, of violating Iowa Code Sections 321J.2 or 321J.2A, or of any crime involving resisting law enforcement, dishonesty, injury to another person, damage to the property of another person, or operating a vehicle in a manner that endangers another person.

(7) The person is registered on the national sex offender registry.

(c) The holder shall ensure that each taxicab operating under its taxicab business license is covered by the minimum insurance coverage for operation of the vehicle used in providing vehicle transportation services as required by Iowa Code Section 325A.6 (2016) as may be amended from time to time, and upon request provide to the Chief certificates of insurance evidencing such coverage.

(d) Before a driver is allowed to operate a taxicab, and biennially thereafter, the holder shall conduct, or instruct a third party accredited by the National Association of Professional Background Screeners, or a successor accreditation entity, to conduct, a local and national criminal background check on the driver and search the national sex offender registry database for the driver and shall also obtain a driving history record check on the driver.

(e) The holder shall prohibit the use of or being under the influence of drugs or alcohol by a driver while providing vehicle transportation services and upon receiving a complaint of such drug or alcohol use by a driver, the taxicab business holder shall:

(1) Immediately revoke the driver’s privilege to operate a taxicab. The revocation shall last the duration of the investigation, and

(2) Conduct an investigation. If the complaint is found to be true, the taxicab business license holder shall revoke the driver’s privilege to operate a taxicab. If the complaint is found to be untrue, the driver’s privilege to operate a taxicab may be immediately reinstated.
(f) Posting of rates; fare estimates; rate violation; receipts on request.

(1) Rates and charges for vehicle transportation services shall be posted at all times in a manner and place clearly visible to the person requesting the service prior to the service being booked or performed. Such rates and charges shall be posted for the potential customer's information in whatever medium utilized for contracting for such services, including but not limited to use of a rate card, taximeter, digital platform or the internet.

(2) An estimate of the fare is required to be given in advance of the trip. It shall be unlawful for the holder or driver of any taxicab to fix, charge, collect, and/or offer to fix, charge, or collect a rate more than that specified at the time the service is requested.

(3) If requested by a passenger or customer, the holder or driver shall give a receipt upon payment of the correct fare or charge via paper, email or an electronic transmission.

(g) Responsibility.

(1) Taxicabs authorized pursuant to this chapter shall be operated in compliance with this ordinance and the holder's written policies and regulations acknowledged by the driver.

(2) All taxicab business license holders, taxicab owners and drivers shall comply with all applicable city, county, state or federal laws, rules and regulations.

(3) Any violation of local, state or federal law by any driver while operating under the authority of a taxicab business license issued pursuant to this chapter may be deemed a violation by the holder if so determined by the Chief following a hearing, if requested by the holder, as provided herein.

(h) No discrimination; accessibility.

The following shall apply to all vehicle transportation services provided pursuant to a taxicab business license:

(1) Taxicab drivers shall not discriminate against passengers or potential passengers on the basis of age, race, religion, creed, color, sex, sexual orientation, gender identity, national origin, ancestry or disability.

(2) Taxicab drivers shall comply with all applicable laws relating to accommodation of service animals.

(3) No additional charges for providing services to persons with physical disabilities because of those disabilities shall be imposed.

(4) Potential taxicab passengers shall be provided an opportunity to indicate whether they require a wheelchair-accessible taxicab. If a wheelchair-accessible taxicab cannot be provided that passenger shall be directed to a licensed provider of such service.

(5) Taxicab drivers shall not discriminate against or show favoritism for any geographic area of the city or any neighborhood of the city on the basis of age, race, religion, creed, color, sex, sexual orientation, gender identity, national origin, ancestry or disability, but will serve all patrons seeking transportation from whichever point in the city the request may originate. To ensure compliance with this provision, the holder shall maintain a registry of call origination and provide it upon request.
52.06 – APPLICATION FOR TAXICAB BUSINESS LICENSE.

(a) Application. An application for a taxicab business license shall be in accordance with the requirements of this chapter and be furnished by the Clerk. An applicant shall sign the application, or cause it to be signed by a person authorized by the applicant to do so, and file the application with the Clerk and include necessary documents meeting the requirements of this chapter.

(b) Application requirements. In addition to the requirements under subsection (a) of this section, the application shall require the following:

1. The name, address and age of the applicant. The business name and address. If the applicant is a corporation, its name, the address of its principal place of business, and the name and address of its registered agent. If the applicant is a partnership, its name, the names of general and limited partners and the address of its principal place of business. If the applicant is an association, its name, the names and addresses of all transportation service vehicle owners in the association, the address of its principal place of business, and the name of a member authorized by the association to receive and accept all correspondence and notices from the City pertaining to the association, its members and its drivers.

2. Primary contact person and telephone number;

3. Description of type and extent of service to be rendered;

4. Applicant’s website if applicable, customer service telephone number and email address.

5. List of drivers. The holder shall provide at the time of application, a current and accurate list of all drivers. The holder shall maintain an updated list at all times and only drivers on such list shall be able to drive under the taxicab business license. The drivers shall be identified including names, dates of birth, address, telephone number and driver’s license number. This list shall be provided to the Chief upon request.

6. List of vehicles. The holder shall provide at the time of application, a current and accurate list of all taxicabs. The holder shall maintain an updated list at all times and only taxicabs on such list shall be able to provide service under the taxicab business license. Each taxicab shall be identified including make, model, VIN number and license plate number. This list shall be provided to the Chief upon request.

(c) Misrepresentation or fraud in securing license. No person shall give any false or fictitious information on any application for a taxicab business license provided for in this chapter or practice any fraud or misrepresentation in any manner to secure a taxicab business license.

(d) Reapplication after denial. Whenever any application for a taxicab business license shall have been denied by the Chief, no new application covering the same applicant or any principal, member, partner, or shareholder of the same or similar applicant, if not an individual, shall be filed with the Clerk until one year shall have elapsed from the date of filing the previous application.
52.07 – INVESTIGATION OF APPLICANT.

The Chief shall review each application and investigate whether the applicant meets the requirements to be a holder of a taxicab business license. The Chief shall report the results of the investigation to the Clerk.

52.08 – ISSUANCE OF TAXICAB BUSINESS LICENSE.

The Clerk, with such assistance from the Chief, or other City staff as necessary, shall review the application within a reasonable time after its completion and submittal. If the Clerk finds that the application is complete and that the applicant has met the requirements set forth in this chapter the Clerk shall issue the taxicab business license.

52.09 – LICENSE FEES.

An annual license fee shall be assessed for each taxicab business. The license fee shall be assessed annually for the period from July 1 through June 30 of the following year. The respective fee shall be assessed at an amount set in the schedule of fees adopted by the council by resolution.

52.10 - LICENSE RENEWAL.

(a) Renewal. On or before April 30 of each year, the holder may renew their taxicab business license by the payment of the fees herein required and submittal of an application for renewal in the same manner as required for original issuance. Applications for renewal shall be available from the Clerk.

(b) If upon review including the Chief’s investigation of the application for renewal, the Chief determines that such license should not be renewed the Chief shall provide the holder with a hearing if requested by the holder prior to finally determining whether the license should be renewed. An applicant who is denied renewal may appeal to the City Manager as provided in Section 52.25. The taxicab business license shall be considered fully expired at midnight June 30 of the year after issuance.

(c) Audit. The Chief may audit the holder’s operations to determine compliance with the terms of this chapter. The Chief may perform such audits at random times throughout the year. The holder shall cooperate with the Chief in the performance of the audit and will supply all information reasonably required by the Chief.

(d) Open records law. If the holder desires the records it produces under this chapter to remain confidential, the holder must make that request in writing to the Chief who shall then provide holder notice by telephone or e-mail of a public records request for such records. Holder shall then have five business days after notice to file a petition in the Iowa District Court for Linn County to enjoin production of the requested records as permitted by Iowa Code § 22.8.

(e) The Chief may determine that a license should not be renewed for causes that would constitute grounds for suspension or revocation of the license set forth in Section 52.11 of this chapter.
52.11 – LICENSE SUSPENSION OR REVOCATION.

(a) The Chief may at any time, pursuant to the hearing proceedings set forth in Section 52.25, revoke or suspend the taxicab business license granted under this chapter, if he or she makes any of the following determinations of violations by any drivers, operators, managers, partners, officers, or employees of the holder; or an independent contractor or agent operating under the authority of holder if the holder has knowledge of, reasonably should have had knowledge of, or failed to prevent or supported the violations committed by the driver, independent contractor or agent:

1. If vehicles operated under the authority of the holder are not operated in accordance with the provisions of this chapter
2. If vehicles are operated within the corporate limits of the city at a rate or fare greater than that specified by the driver at the time taxicab services were requested;
3. If vehicles operated under the authority of the holder fail to maintain insurance, or if a taxicab is operated but is not insured as required by this chapter;
4. If the license was procured by fraudulent conduct or false statement of a material fact, or a fact concerning the applicant was not disclosed at the time of application and such fact would have constituted just cause for refusal to issue the license;
5. If those persons, drivers, owners, operators, managers, partners, officers, employees, independent contractors, and/or agents engaging in the operation of a business that provides vehicle transportation services pursuant to the holder's authority have violated any provisions of this chapter, or have committed any other acts which reflect unfavorably on the fitness of the holder to offer public services;
6. If those persons, drivers, owners, operators, managers, partners, officers, employees, independent contractors and/or agents engaging in the operation of a business that provides vehicle transportation services pursuant to holder's authority have failed to maintain adequate and properly operating equipment as required by this chapter;
7. If holder is in violation of any City of Cedar Rapids Municipal Code requirements for fire, building, or zoning ordinances for buildings or facilities owned or leased within the city of Cedar Rapids and used in conjunction with the taxicab business license.
8. If the holder fails to comply with an audit performed in accordance with this chapter.
9. For other good cause.

(b) After revocation of a license, a holder shall not be eligible to make application for a license for a period of one year from the start date of the revocation, and subsequent applications must be made in accordance with this chapter.
52.12 - RECORD-KEEPING REQUIREMENTS.

Each holder shall maintain all records of vehicle transportation services within the city for the previous two-year period, subject to review by the Chief as provided herein.

52.13 - RECORD INSPECTION AUTHORITY.

If a complaint against a taxicab business holder or driver or owner of a taxicab is received by the Chief, or for any other good cause, the Chief, or any other City staff as necessary has the authority to inspect the records of the taxicab business license holder as necessary to investigate the cause and/or to resolve the complaint.

52.14 - DRIVER COMPLIANCE WITH TRAFFIC RULES AND REGULATIONS.

Any driver providing vehicle transportation services shall drive in compliance with city and state traffic rules and regulations, and shall not engage in any unlawful act while providing vehicle transportation services.

52.15 - VEHICLE INSPECTIONS; MAINTENANCE; EQUIPMENT.

(a) The holder shall cause every vehicle operating under the holder's license granted pursuant to this chapter to be inspected annually by, or under the direction of, an independent automobile mechanic currently certified by the National Institute for Automobile Service Excellence, or similar automobile service certification organization, to ensure the continued maintenance of safe operating conditions. Neither the holder nor the owner of a vehicle may inspect vehicles operating under the holder's license. The scope of the inspection shall be no less than the scope shown by Exhibit 52.15(a) attached hereto. Upon such inspection, if it is found that the vehicle does not meet safe operating requirements, the holder shall cause the vehicle to be removed from service until such time as the repaired vehicle will comply with safe operating standards. Records of these vehicle inspections shall be maintained, during the current taxicab business license period, for a period of no less than two years by the taxicab business license holder and will provide these records upon request.

(b) The holder and the driver shall be jointly and severally liable if the holder permits the driver to use a vehicle that does not meet the requirements for a transportation service vehicle. Operation of any vehicle in violation of the requirements of this section shall subject the holder to sanction, as determined by the Chief, up to and including suspension or revocation of the taxicab business license after hearing as prescribed in this chapter.

52.16 - TAXICAB DESIGNATION AND DRIVER IDENTIFICATION.

(a) Vehicle identification. The holder shall establish and require each taxicab to display a consistent and distinctive identifying design consisting of a logo, insignia, or emblem at all times while the taxicab is en route to pick up a passenger or vehicle transportation services are being provided. The markings shall:
(1) Be painted or affixed by decal in letters or figures at least two inches in height visible from the outside of both the driver and passenger sides of the vehicle, or from the front windshield on the passenger side. Such decals may be designed to be removed from the vehicle when not providing vehicle transportation services. Taxicabs may be further identified, including a top-light.

(2) Not conflict with or imitate any other companies' logo, insignia, or emblem or any official or emergency vehicle color scheme, in a manner that will mislead or deceive or defraud the public.

(3) Be removed from the exterior of the vehicle within seven days of expiration, cancellation or revocation of the taxicab business license. If a taxicab is no longer operating under a taxicab business license all markings shall be removed from the vehicle immediately.

(b) Driver identification. Holders shall require taxicab drivers to clearly display on the dashboard inside the vehicle and visible to all passengers driver identification cards with the name and photograph of the driver. The City shall provide the specifications for the driver identification cards and shall approve the locations where they are displayed. The driver identification cards for each vehicle shall be provided for every driver by each taxicab business license holder at its sole cost and expense. A driver may provide this information through an online platform that is reviewable to passengers from the time a ride is accepted through the duration of the trip.

52.17 - OPERATION AT AIRPORT.

Holders and drivers operating vehicle transportation services at the airport shall do so in accord with rules, regulations, and policies adopted by the Cedar Rapids Airport Commission. Taxicabs licensed to operate in another city or county that have a prior reservation to pick up a passenger at the Eastern Iowa Airport and transport that passenger to a destination outside of the city of Cedar Rapids are not required to have a license under this chapter.

52.18 - PREPAYMENT OF FARES AND REFUSAL TO PAY.

(a) Every driver of a taxicab shall have the right to demand payment of the estimated legal fare in advance and may refuse employment unless so prepaid.

(b) Any person who contracts with a taxicab business and uses a taxicab for the purpose of riding therein, or transporting any goods, wares or merchandise, and who refuses to pay the fare shall be guilty of a misdemeanor.

52.19 - SOLICITATION.

(a) No driver of a taxicab, while conducting business and accepting passengers for hire on a public street or any other public place, shall solicit passengers for hire for a taxicab except when sitting in the driver's compartment or while standing immediately adjacent to the curbside thereof and shall remain in the driver's compartment or immediately adjacent to the driver's vehicle at all times. Nothing herein contained shall prohibit a driver from alighting for the purpose of assisting passengers into or out of the vehicle or from complying with the directions of the person engaging the taxicab regarding the loading or unloading of any baggage, goods, wares or merchandise.
(b) It shall be unlawful for any operator of a taxicab to solicit a passenger or passengers for hire when said passenger or passengers have engaged another taxicab and are awaiting the arrival of such vehicle.

(c) When a taxicab conducting business by transporting or soliciting passengers for hire at public buildings leaves the line upon the taxicab stand, those behind it shall immediately move up and a taxicab seeking a place on the taxicab stand shall approach the same only from the rear of the stand and shall stop as near as practicable to the last cab in the line.

52.20 - RECEIPT AND DISCHARGE OF PASSENGERS.

(a) No driver shall receive or discharge passengers in the roadway but shall pull up to the right-hand sidewalk as nearly as possible or in the absence of a sidewalk, to the extreme right-hand side of the road, except upon one-way streets, where passengers may be discharged at either the right or left-hand sidewalk or side of the roadway in the absence of a sidewalk.

(b) No driver shall load or unload passengers or luggage at an intersection or crosswalk or at any other location where it will interfere with the orderly flow of traffic.

52.21 - ADDITIONAL PASSENGERS, PASSENGER LOADS.

(a) A driver may not transport any person other than a passenger or driver trainee.

(b) A driver may allow or refuse to allow a passenger to ride in the front seat when there is an unoccupied seat in the rear of the vehicle.

(c) No driver shall permit an additional passenger to occupy or ride in his or her taxicab, unless the person or persons first employing the taxicab shall consent to an additional passenger or passengers.

52.22 - DUTY TO CARRY ORDERLY PASSENGERS.

No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this chapter to do so. The driver shall, however, not be obligated to convey any person who is incapable of entering the taxicab unassisted due to intoxication or convey any person with objectionable personal hygiene.

52.23 - PROHIBITED ACTS.

(a) No taxicab shall transport more passengers at any one time than the vehicle has working seatbelts available to accommodate. No more than one person in addition to the driver shall be allowed in the front seat, and no one shall be seated in such a way as to interfere with the driver's operation of the taxicab. All vehicles are required to abide by all city and state laws governing child restraints and whenever needed, the passenger is responsible to provide the appropriate child seat.

(b) No driver shall deceive any passenger as to destination, route, or authorized rates or fares.
(c) No driver shall take a circuitous route to a destination or any other route than the most direct route, without the express consent of the passenger.

(d) While on duty or within four hours prior to being on duty, a driver shall not partake of any alcoholic beverage, intoxicating liquor, or any other drug or substance which may impair his or her driving ability; or otherwise be impaired and, while on duty, a driver shall not have any such beverage or substance in his or her possession.

(e) A driver shall not operate a taxicab while his or her ability or alertness is so impaired, or is likely to become impaired, because of fatigue, illness or any other cause which would make it unsafe for him or her to operate the vehicle.

(f) No driver shall overcharge or fail to provide a fare estimate.

(g) No driver shall fail to provide a receipt upon request.

(h) A driver shall not dismiss nor discharge any passenger at a point other than the requested destination without good cause.

(i) A driver shall not refuse to place a passenger's luggage or packages in and out of the vehicle when requested to do so.

(j) The transferring of drivers and/or vehicles in a residential district is restricted to a maximum of one vehicle per residential building address.

(k) Smoking in a taxicab is prohibited in accordance with the "Smokefree Air Act." I.C. Chapter 142D.

(l) No driver shall engage in any unlawful act while operating a taxicab.

(m) No driver shall operate a taxicab which is not in safe operating condition.

52.24 – REMEDY FOR VIOLATIONS.

In addition to any other remedy available, any violation of this code or of the laws of Iowa may be sufficient grounds for a hearing to consider revoking any license issued to any holder. In addition to the civil or criminal penalties set out in this code, the City of Cedar Rapids may also pursue injunctive or other relief to prohibit or regulate a holder or driver not complying with the provisions of this chapter.

52.25 – ADMINISTRATION AND APPEALS.

(a) Notice of adverse action. If the Chief proposes to take any action adverse to an applicant or holder, including the denial of a taxicab business license the Chief shall give notice of such action to the applicant or holder. The person shall have the right to a hearing before the Chief provided a written request therefor is filed with the City Clerk within 10 days after receipt of the notice of such action. The Chief shall establish a time, date and place for a hearing and shall notify such person (hereinafter "respondent") of the pending action at the respondent's address contained on his most recent application. Notice shall be sent by United States Mail, certified, return receipt requested. Circumstances resulting in the certified notice not being accepted, delivered or returned to sender, address unknown or as undeliverable shall not restrain the Chief from setting the date of the hearing or from taking appropriate adverse action if the Chief can show that the notice was mailed in accordance with the requirements of this section and mailed to the respondents most current address on file with the Chief. Mailed certified notice shall be considered service of notice of pending adverse action. Mailed certified notice shall be postmarked no later than seven days preceding the date of the hearing and shall:
(1) Set forth in detail the proposed action and the reasons therefor;
(2) Designate any section of this chapter, any statute, ordinance or other authority that requires or supports the proposed action;
(3) Set forth the date, time and place of the hearing;
(4) Advise the respondent that he may be present at such hearing to provide reasons why the proposed action should not be taken; and
(5) Advise the respondent that if he fails to appear at the hearing, action may be taken in his absence. Copies of such notice shall also be sent to the complaining party, if applicable.

(b) Hearing. A hearing shall be held before the Chief on the date and time and at the place contained in the notice described above.

(1) If the respondent appears, he shall be afforded an opportunity to be heard. Following the hearing, the Chief may take or refrain from taking the proposed action or may modify the same by placing reasonable conditions on the respondent, or otherwise, according to the provisions of this chapter.

(2) If the respondent fails to appear, notice of the decision made or action taken shall be given to all parties, and unless appealed to the City Manager as hereinafter provided, such decision shall be final and binding ten working days from and after the date of the decision.

(3) Notice of the action taken or decision made shall be given by certified mail, return receipt requested to the respondent, mailed to the most recent address provided by the respondent.

(4) The respondent shall be advised of his right to appeal the action or decision to the City Manager.

(c) Appeals to the City Manager. Any person aggrieved by a decision of the Chief may file an appeal to the City Manager by filing a written notice of appeal with the Chief within ten working days of the date of the decision complained of. Such notice shall specify the grounds for the appeal. A hearing on the appeal shall be heard by the City Manager not later than 30 days from the date of filing the notice of appeal. If an appeal is filed, the Chief shall notify the complaining party, if any.

(d) Enforcement stayed. If an appeal of the Chief's decision is made to the City Manager, enforcement of such decision shall be stayed until the City Manager has rendered his decision, unless the Chief certifies to the City Manager that a stay would cause imminent danger to life or property.

(e) If no appeal from the denial of a license is timely filed, or if the denial is not reversed upon final disposition of any appeal, the Office of the City Clerk shall promptly refund the refundable portion of the application fee, as set in the schedule of fees adopted by the City Council by resolution.
52.26 – ADMINISTRATIVE RULES.

The Office of the City Clerk or authorized representative is authorized to establish administrative rules not inconsistent with any ordinance to carry out the provisions of this chapter. A copy of said rules shall be on file at the Office of the City Clerk.*

Section 2. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

Section 3. This Ordinance shall be in full force and effect on April 3, 2017 from and after its passage and publication as provided by law. However, all businesses holding valid taxicab business licenses and issued pursuant to Chapter 52 of this Code as of the effective date of this Ordinance, and the drivers and vehicles currently licensed for those companies may continue to drive and operate without further qualification through the expiration date of such license. Such businesses currently holding valid licenses are exempt from any taxicab business license application or license fee until application is made for the year beginning July 1, 2017.

Section 4. The changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 5. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Introduced this 10th day of January, 2017.

Passed this 24th day of January, 2017.

Voting: Council member Gulick moved the adoption of the ordinance; seconded by Council member Shey. Adopted, Ayes, Council members Gulick, Olson, Overland, Poe, Russell, Shey and Mayor Pro Tempore Shields.

[Signature]
Justin Shields, Mayor Pro Tempore

Attest:

[Signature]
Amy Stevenson, City Clerk
# VEHICLE INSPECTION FORM

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<td>Cab top light</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Engine oil level</td>
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<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Transmission oil level</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Steering fluid level</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Antifreeze level</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Protection temp:</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Washer fluid level</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Vehicle interior</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Upholstery condition</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Parking Brake</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Service Brakes</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Shift Lever Operation</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Windshield Wipers</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Body Components</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Door handle operation</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Spare Tire</td>
</tr>
<tr>
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<td>☐ ☐</td>
<td>Jack</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Tires</td>
</tr>
<tr>
<td>☐ ☐</td>
<td>☐ ☐</td>
<td>Tire Tread wear depth: RF LF RR LR</td>
</tr>
</tbody>
</table>

On Hoist
- ☐ ☐  Steering Components
- ☐ ☐  Exhaust system
- ☐ ☐  Suspension Components
- ☐ ☐  Wheel bearings
- ☐ ☐  Overall undercarriage

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**OWNER INFORMATION**

Name: __________________________
Address: _________________________
Phone #: _________________________
Work Phone #: ____________________
Insurance Co.: ____________________
Agent Name: ______________________
Policy No.: _______________________
Policy Term: ____________ to ____________

**VEHICLE INFORMATION**

Cab #: _________________________
Cab Co.: _________________________
Address: _________________________
License Plate: ______________ Exp: ____________
VIN: ___________________________
Year: _____________ Make: _____________
Model: _________________________
Mileage: _______________________

Inspection Date: _______________
- ☐ Pass
- ☐ Fail

Inspected By: ____________________
Signature: _______________________

Re-Inspection: ☐ Pass ☐ Fail Date: _____________
Inspected By: ____________________
Signature: _______________________

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