

Introduced by:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 5.72 OF THE PASADENA MUNICIPAL CODE (VEHICLES FOR HIRE)

WHEREAS, in 1991, the City Council originally adopted Title 5 (Business Licenses and Regulations), Chapter 5.72 (Vehicles for Hire) of the Pasadena Municipal Code, also known as the taxicab ordinance; and

WHEREAS, on December 17, 2018, the City Council directed that amendments be prepared to conform the taxicab ordinance to State laws passed in 2017 and 2018.

NOW, THEREFORE, the People of the City of Pasadena ordain as follows:

SECTION 1. Pasadena Municipal Code Section 5.72.020 (Definitions) is amended by adding a new subdivision (O) and the existing subdivision (O) and subsequent subdivisions shall be re-alphabetized accordingly. The new subdivision (O) shall read as follows:

"O. "Substantially located" shall have the same meaning as defined in Government Code Section 53075.5, as amended."

O.P. "Taxicab" means a motor-propelled vehicle, used for the transportation of passengers who direct the route to be traveled over the streets, and not operated over a fixed route for compensation fixed by a taximeter in accordance with the distance traveled and/or the time elapsed.

P.Q. "Taximeter" means a mechanical instrument or device by which the charge for the hire of a passenger-carrying motor-propelled vehicle is mechanically registered, calculated and/or indicated by means of figures in accordance with the distance traveled and/or the time elapsed.

Q.R. "Taxi stand" means a public place alongside the curb of a street or elsewhere in

the city which has been designated by the city manager as reserved exclusively for the use of taxicabs.

SECTION 2. Pasadena Municipal Code Section 5.72.030 (Permit – Owner’s – Required) is amended as follows:

“5.72.030 – Permit – Owner’s – Required.

No person **who is substantially located within the city** shall operate or cause to be operated in the city any of the vehicles defined in Section 5.72.020 unless there has been issued by the city an owner's permit to the owner thereof and unless such permit is in full force and effect.”

SECTION 3. Pasadena Municipal Code Section 5.72.040 (Permit – Not required when) is amended as follows:

“5.72.040 – Permit – Not required when.

No owner's permit shall be required of **where** the owner, **vehicle, or operations meet any** of the following **criteria**:

- A.** **Any owner who is not substantially located within the city;**
- ~~**B.**~~ Any vehicle under the terms and conditions of a franchise granted by the city to the owner of such vehicle;
- ~~**C.**~~ Any operations for which a certificate of convenience and necessity has been granted by the Public Utilities Commission of the state;
- ~~**D.**~~ Any vehicle which only transports a passenger or passengers from a point outside to a destination within the city; **and/or**
- ~~**E.**~~ Any vehicle which only travels from a point outside the city through the city while en route to a destination outside of the city.”

SECTION 4. Pasadena Municipal Code Section 5.72.050 (Permit – Owner’s – Application) is amended by amending the first paragraph as follows:

“Any person **who is substantially located within the city** may apply to the city for a permit to operate any vehicle defined in Section 5.72.020 by paying the

nonrefundable application fee specified by resolution of the city council and by filing with the license collector, upon forms supplied by the city, a verified application containing the following information:"

SECTION 5. Pasadena Municipal Code Section 5.72.140 (Driver's permit –

Required) is amended as follows:

"No person who is substantially located within the city shall operate a taxicab, for-hire vehicle or a sight-seeing vehicle upon the streets of the city and no person who owns or controls any such vehicle shall permit it to be so driven and no such vehicle licensed by the city shall be so driven unless the driver of the vehicle shall have first obtained and shall have then in force a driver's permit issued under the provisions of this chapter. A permitted driver who becomes employed by a different owner is required to obtain a new permit either in the driver's own name, if the driver has a valid owner's permit, or in the name of the new employer."

SECTION 5. Pasadena Municipal Code Section 5.72.150 (Driver's permit –

Application) is amended by amending the first paragraph as follows:

"Any person who is substantially located within the city who intends to operate a taxicab, for-hire vehicle, or sightseeing vehicle may apply to the city for a driver's permit by filing with the license collector, upon forms supplied by city, a verified application containing the following information:"

SECTION 6. Pasadena Municipal Code Section 5.72.190 (Tournament of Roses

– Special permits issued) is repealed.

~~5.72.190 – Tournament of Roses – Special permits issued.~~

~~Notwithstanding any other provisions of this chapter and without regard to the conditions or limitations contained in Sections 5.72.030 through 5.72.130, any person may apply to the city for a special owner's permit to operate taxicabs or for hire vehicles upon the streets of the city on the day of the Tournament of Roses parade only, by filing with the license collector, not later than the 15th day of December preceding the day of the parade, upon forms to be supplied by the city, an application setting forth the name and address of the applicant, and the nature of the liability insurance covering each such taxicab or for hire vehicle. If satisfactory proof shall be made to the license collector that the applicant has secured adequate insurance covering each of said~~

~~taxicabs or for hire vehicles insuring against liability for injury to or death of any person and/or for damage to property as a result of the ownership, operation or use thereof, and if satisfactory proof shall be made to the license collector that the best interests of the public will be served by the issuance of the special owner's permit, the license collector may issue the same without charge. The special owner's permit shall become effective only upon payment to the license collector of the fee prescribed by resolution of the council. The provisions of this chapter requiring a driver's permit shall not apply to the driver of any taxicab or for hire vehicle operated under a special owner's permit issued pursuant to the provisions of this section. The provisions of Sections 5.72.130 and 5.72.180 shall not apply to the owner or driver of a taxicab or for hire vehicle operated under a special permit issued pursuant to the provisions of this section.~~

~~(Ord. 7084 § 9 (part), 2007; Ord. 6465 § 2 (part), 1991)~~

SECTION 7. Pasadena Municipal Code Section 5.72.200 (Tournament of Roses

~~– Identification sticker) is repealed.~~

~~5.72.200—Tournament of Roses—Identification sticker.~~

~~No person shall operate or cause to be operated in the city on the day of the Tournament of Roses parade any taxicab or for hire vehicle unless there is affixed to the windshield of such vehicle an identification sticker issued by the license collector.~~

~~(Ord. 6465 § 2 (part), 1991)~~

SECTION 8. Pasadena Municipal Code Section 5.72.210 (Tournament of Roses

~~– Rates posted) is repealed.~~

~~5.72.210—Tournament of Roses—Rates posted.~~

~~There shall be displayed in the passenger's compartment of each taxicab or for hire vehicle a statement of rates including any additional rate for the day of the Tournament of Roses, as prescribed by state laws and regulations.~~

~~(Ord. 6465 § 2 (part), 1991)~~

SECTION 9. Pasadena Municipal Code Section 5.72.215 (Superbowl) is

~~repealed.~~

~~5.72.215—Superbowl.~~

~~No person shall operate or cause to be operated in the city on the day of the Superbowl any taxicab or for hire vehicle unless there is affixed to the windshield of such vehicle an identification sticker, issued by the license collector, for the Superbowl. For the purposes of Superbowl, the procedures of Sections 5.72.190 and 5.72.210 are incorporated in this section, except that the license collector shall set an appropriate deadline for filing applications for Superbowl permits. The special permit for Superbowl taxicab or for hire vehicle shall be issued upon the payment to the license collector of the fee specified by resolution of the council.~~

~~(Ord. 7084 § 9 (part), 2007; Ord. 6465 § 2 (part), 1991)~~

SECTION 10. The City Council hereby declares that, should any section, paragraph, sentence, phrase, term or word of this ordinance, hereby adopted, be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance irrespective of any such portion declared invalid.

SECTION 11. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 12. This ordinance shall take effect 30 days from its publication.

Signed and approved this ____ day of _____, 2019.

Terry Tornek
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:


ABSTAIN:

Date:

Published:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:



Javan N. Rad
Chief Assistant City Attorney