



# CITY OF WASILLA

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CODE ORDINANCE

REQUESTED BY: CLERK'S OFFICE  
PREPARED BY: CLERK'S OFFICE

## ORDINANCE SERIAL NO. 95-53

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA REPEALING THE EXISTING CHAPTER 9.08, TAXICABS, AND ADOPTING A NEW CHAPTER 9.08, TAXICABS OF THE WASILLA MUNICIPAL CODE.

BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA AS FOLLOWS:

SECTION I. Classification. This ordinance is of a general and permanent nature and shall become a part of the Wasilla Municipal Code.

SECTION II. Purpose. To enact new regulations for taxicabs.

SECTION III. Repeal. Chapter 9.08 of the Wasilla Municipal Code and Ordinances W76-V-1, 84-38, and 90-35 are hereby repealed.

SECTION IV. Enactment. Chapter 9.08, Taxicabs

### CHAPTER 9.08

### TAXICABS

#### SECTIONS:

- 9.08.010 Definitions
- 9.08.020 Required Permits and Licenses
- 9.08.030 Fees
- 9.08.040 Insurance Required
- 9.08.050 Chauffeur's License Application - Renewal
- 9.08.060 Rules of the City of Wasilla
- 9.08.070 Hearing
- 9.08.080 Vehicle Inspection
- 9.08.090 Direct Route
- 9.08.100 Duty to Serve Public
- 9.08.110 Alcoholic Beverages and Controlled Substances
- 9.08.120 Regulation of Fares and Charges

#### 9.08.010 Definitions.

- A. "City" means City of Wasilla.
- B. "Chauffeur" means a person authorized by the City of Wasilla to operate a taxicab pursuant to this Chapter.
- C. "Clerk" means Wasilla City Clerk.
- D. "Council" means Wasilla City Council.
- E. "License" means a City of Wasilla Business License.

F. "Operate" means to drive, pick up, transport or discharge passengers.

G. "Operator" means a person, corporation, partnership or other form of business organization engaged in the operation of transporting the public for hire.

H. "Permit" means a document issued by the City of Wasilla pursuant to this Chapter that authorizes the operation of a taxicab.

I. "Taxicab" means a chauffeured motor vehicle used to transport passengers for hire having a manufacturer's rated seating capacity of nine passengers or less including the driver, and not operated over fixed or defined routes.

J. "Taxicab Company" means a business operating one or more taxicabs.

K. "Taximeter" means an instrument or device attached to a taxicab and by means of which the charge for such vehicle is mechanically or electronically calculated and displayed in dollars and cents. Such calculations may be premised upon the distance traveled or waiting time, or both.

9.08.020 Required Permits and Licenses.

A. No person(s) may operate a taxicab business within the City without first complying with all City, Borough and State regulations and valid City business license and a taxicab permit.

B. No person(s) may operate a taxicab within the City without first obtaining a chauffeur's license.

C. The Clerk's Office shall issue a taxicab permit for operation of each taxicab when the City Clerk certifies that all provisions of the Code, below, pertaining to taxicabs have been complied with.

D. No permit is transferable or assignable.

9.08.030 Fees. The following fees shall be payable to the City at the Clerk's Office:

A. \$75.00 shall accompany any application for the issuance of a taxicab permit.

B. \$45.00 shall be paid for the renewal of a taxicab permit.

C. \$50.00 shall accompany any application for the change or re-issuance of a taxicab permit.

D. \$50.00 shall accompany any application for a chauffeur's license and shall comply with Section 9.08.050 of this Chapter.

9.08.040 Insurance Required.

A. Before any taxicab permit is issued for any vehicle for hire, the applicant therefor shall furnish one or more certificates of insurance from an insurance company authorized to do business in the State of Alaska.

B. The minimum automobile liability insurance applicable to any one vehicle in use under this Taxicab Permit shall be as follows: \$300,000.00 Combined Single Limit of Liability per Accident for Bodily Injury and Property Damage to owned, hired, and non-owned automobiles. \$300,000.00 Bodily Injury per Person or Accident Uninsured or Underinsured Motorist Coverage and, \$50,000.00 Property Damage per Accident for Uninsured or Underinsured Motorist Coverage. Or applicable higher limits of liability if required by Federal, or State Law, Statute or Ordinance. The insurance policy language shall not contain any limitation or restriction to operators of the vehicles in use under this Taxicab Permit.

C. The certificate(s) of liability insurance shall be reviewed as to liability amounts noted above by the Clerk and filed with the Clerk.

D. Notice of Cancellation or Termination of Insurance. Every such certificate shall contain a clause obligating the insurer to give the Clerk by registered mail, at least twenty (20) days written notice before the cancellation, expiration, lapse, or other termination of such insurance. A lapse of insurance coverage shall work an automatic suspension of any permit during the period the permittee is without such insurance.

9.08.050 Chauffeur's License Application - Renewal.

A. An applicant for an initial chauffeur's license shall be at least 19 years of age. The license shall be effective for a period of one (1) year from date of issuance. An application for a license or renewal shall be made to and on forms supplied by the Clerk's Office and shall be conditioned upon and accompanied by the following.

1. The fee specified in Section 9.08.030.
2. A complete set of fingerprints on a standard FBI approved form at the time of the initial application. An applicant renewing his license need not supply.
3. A physician's certificate as to the applicants' physical ability to operate a vehicle for hire. An applicant renewing his license need only provide the physician's certificate once every three (3) years as long as the license has not expired.
4. A copy of current driving record provided by the Department of Motor Vehicles.
5. A background check authorization; the background check shall be utilized for the purpose of determining whether or not the applicant fulfills the following conditions which are a prerequisite to the issuance of the chauffeur's license by the City.
  - a. No conviction by a court, within one-year prior to the date of application, of any of the following:
    - i. Traffic violations totaling 12 points under Alaska State Statute A.S. 28.15.221-261;
    - ii. Reckless or careless driving.
    - iii. Driving while license suspended or revoked,
    - iv. Revocation or suspension of driver's license,
    - v. Driving while under the influence of intoxicating liquor, depressant, hallucinogenic stimulant, or narcotic drugs as defined in Alaska Statutes;
  - b. No conviction entered by a court, within the last five years, preceding the date of this application, of any of the following;
    - i. Prostitution, solicitation for the purpose of prostitution, offering to secure another for the purpose of prostitution, maintaining a vehicle for the purpose of prostitution, or accepting money for a prostitute.

ii Sale, transportation, possession, or use of any controlled substance as defined in Section 11.71.140-11.71.190 of the Alaska Statutes.

iii. Any felony or misdemeanor which includes, as an element, the use of or threat of force upon a person.

iv. Burglary, larceny, fraud, theft, or embezzlement or any sexual offense as defined in Section 11.41.410-11.41.455 of the Alaska Statutes.

6. a valid State of Alaska driver's license.

B. Any condition, noted above, that is not continued to be in compliance after issuance of a chauffeur's license, shall operate as an automatic suspension of the license.

C. Any person who has been denied a license pursuant to this chapter may not apply again for such a license for a period of one year.

9.08.060 Rules of the City of Wasilla.

A. The City Clerk shall take final action and may approve, modify, limit or deny the application for a taxicab permit.

B. The Wasilla City Council shall have the power to adopt and publish such reasonable rules and regulations not inconsistent with the provisions of this Chapter, as it may deem necessary, advisable, or expedite to carry out or enforce the provisions thereof. Copies of such rules and regulations when adopted shall be distributed to all licensed operators. Each permittee and licensee under the provisions of this Chapter shall observe all rules and regulations. Any violation of such rule or regulation duly adopted shall be deemed a violation of this chapter and shall be punishable as such.

9.08.070 Hearing. The Council may hold at least one public hearing annually to investigate the quality of services rendered by vehicles for hire.

9.08.080 Vehicle Inspection. At least twice a year, all vehicles licensed under this Chapter will be inspected at the permittee's expense. The Clerk may designate the inspection schedule. The Clerk will designate an approved automobile repair shop to inspect the vehicle. No vehicle may be licensed until it is inspected and found to be in a safe and clean condition and in compliance with all applicable standards for hire vehicles and with all applicable state and municipal laws and ordinances. The vehicle inspection required by this section shall include confirmation that the vehicle is equipped with a light or other recognizable emblem, mounted on the roof, identifying the vehicle as a taxicab, distinguishable from other vehicles using public roadways. In addition, taxicabs shall be required, pursuant to the inspection required by this section, to be equipped with side-door decals or emblems, one on each side of the vehicle as a taxicab and thereby distinguished from other vehicles using public roadways. A licensed vehicle that has been involved in any accident may not be placed in service until it has been inspected by an approved automobile repair shop, the inspection sheet shall then be forwarded to the City Clerk. The person who owns the damaged taxicab shall immediately notify the Clerk of damage received.

9.08.090 Direct Route. Every chauffeur of a taxicab who is engaged to carry passengers shall take the most direct route possible that will carry the passengers safely and expeditiously to their destination or destinations, unless otherwise directed by a passenger.

9.08.100 Duty to Serve Public.

A. No chauffeur shall refuse or neglect to convey any orderly person or persons upon request, unless chauffeur has been previously engaged or is unable or forbidden by the provisions of this chapter to do so, if the proper fee is delivered or presented by such person or persons.

B. Nothing set forth above in subsection (A) is intended to restrict or prohibit taxicab operators from exercising reasonable and prudent discretion in decisions regarding acceptance of taxicab passengers who may present a risk to the health or safety of the taxicab operator or a risk of damage to the taxicab or property.

9.08.110 Alcoholic Beverages and Controlled Substances.

A. A chauffeur shall not drink alcoholic beverages or be under the influence of a depressant, hallucinogenic, stimulant or narcotic drug, or any controlled substance as defined by A.S. 28.35.030 while on duty, or for eight hours prior to operating a taxicab.

B. Neither the chauffeur nor any occupant shall have alcoholic beverages in his possession in a taxicab except deliveries that are paid for as a fare and passenger baggage. Such alcoholic beverages shall be sealed and unopened.

9.08.120 Regulation of Fares and Charges.

A. The Council may regulate the fares and charges for the use of any motor vehicle licensed pursuant to this Chapter. Before any of said regulations shall be effective, the Council shall hold a public hearing. Notice of this hearing shall be given to all owners of vehicles affected by the regulations.

B. Fares, the chauffeurs license and the taxicab permit shall be at all times posted in a conspicuous place in the interior of the vehicle. All fares and charges shall be nondiscriminatory. Receipts for fares must be given upon request of the passengers.

C. No chauffeur may require payment of rates greater than those established and posted in the interior of the vehicle.

SECTION V. Effective Date. This ordinance shall take effect January 1, 1996.

Introduction: 11/13/95

Public Hearing: 11/27/95

ADOPTED by the Council of the City of Wasilla on the 11th day of December, 1995.

ATTEST:

Bi Brower for MCH  
MARJORIE D. HARRIS, CMC  
City Clerk

John C. Stein  
JOHN C. STEIN, Mayor