

R13193

ORDINANCE NO. 0-01-72

AN ORDINANCE AMENDING CHAPTER 4.36 "TAXICABS" IN THE CITY OF CONWAY MUNICIPAL CODE, **DECLARING** AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the existing ordinance for taxicabs in the City of Conway is both outdated in regard to rates and impractical in regard to zones, and

WHEREAS, the City Council is desirous of encouraging the establishment and sustainable operation of a taxicab service within the city, and

WHEREAS, the City of Conway currently has no operating taxicab service within the city nor does it have any transit service for the general public;

NOW, THEREFORE, BE **IT** ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS,

SECTION 1. Section 4.36.02 of the Conway Municipal Code is hereby amended to read as follows:

4.36.02 Licensee must have liability insurance:  
Before any license for the operation of a taxicab within the City of Conway shall be issued to any person, firm or corporation, such applicant for said license shall procure public liability insurance issued by some reliable insurance company or companies licensed to do business in the State of Arkansas in such amounts as may adequately insure such person, firm or corporation against any loss or damage to property, or injury or death to persons growing out of the operation by said person, firm or corporation of any taxicab but in no instance shall any taxicab licensed hereunder be insured in any sum less than the following minimum limits: If the accident has resulted in bodily injury or death to a limit, exclusive of interest and costs of not less than *one hundred thousand dollars* (\$100,000) because of bodily injury to or death of one (1) person in any one (1) accident and subject to said limit for one

(1) person, to a limit of not less than three hundred thousand dollars (\$300,000) because of bodily injury or death of two (2) or more persons in any one (1) accident, and if the accident has resulted in injury to, or destruction of property, to a limit of not less than one hundred thousand dollars (\$100,000) because of injury to or destruction of property of others in any one (1) accident. Said public liability insurance must be continued in full force and effect for so long as such person, firm or corporation is licensed by said city to operate a taxicab. Proof of such insurance, in the form of a Certificate of Insurance or a true copy of the insurance policy issued by the company or companies writing such insurance, must accompany the application for at the time the person, firm or corporation applies for said license. Such proof of insurance must show the name of the person, firm or corporation to whom such insurance is issued, the limits of coverage of said insurance, the issue and expiration date of insurance, the policy number and the complete description of the particular vehicle which is insured under the policy. In the event of vehicles belonging to one person, firm or corporation, shall be insured with one (1) insurance company under a single, or blanket policy, the complete description of all vehicles insured thereunder must be shown in the said proof of insurance. If, at any time and for any reason, during the licensing period, said insurance is canceled by the issuing company or allowed to lapse by the insured, the license to operate each taxicab insured under such canceled or lapsed insurance policy previously issued to such person, firm or corporation shall be revoked and shall become of no further force and effect unless such owner shall procure insurance as above required in such time that the taxicab or taxicabs insured under such policy or policies of insurance which has lapsed or have been canceled shall at no time be

without proper insurance as herein required. Each insurance policy shall include a representation by the insurance carrier that notice of cancellation will be sent to the Mayor's office at least ten (10) days prior to cancellation. In the event any person, firm or corporation exchanges any licensed and insured vehicle for an unlicensed and uninsured vehicle during any licensing period, such person, firm or corporation shall furnish proof of transfer of insurance in the same manner as set forth for proving insurance coverage above.

Section 2: Section 4.36.08 of the Conway Municipal Code is hereby amended to read as follows:

Section 4.36.08 Zones and Charges: For the purpose of setting the maximum fares that can be charged by taxicab operators within the City of Conway, the city is hereby divided into zones as shown on the map provided in Appendix A and by reference a part of this ordinance.

The following charges for taxicab service are hereby established:

1. For transporting one passenger from a point of origin in one zone to a destination within the same zone or to a destination in another zone, the maximum charge for each trip shall be determined by the schedule of fare rates shown in Appendix B and by reference a part of this ordinance based on the zone map in Appendix A.
2. The zone boundaries shown on the map in Appendix A shall include both sides of the street, avenue, or road designated. Any trip originating on the street, avenue, or road boundary shall be considered as originating in the zone nearest the point of destination. Any trip terminating in the street, avenue, or road designated as a zone boundary shall be considered as terminating in the zone nearest the point of origin.
6. Waiting time up to four (4) minutes and fifty-nine (59) seconds shall not be charged. At five

(5) minutes a charge of \$1.50 may be applied up to nine (9) minutes and fifty-nine (59) seconds, or fraction thereof. From ten (10) minutes up to fourteen (14) minutes and fifty-nine (59) seconds, or fraction thereof, may be assessed an additional charge of \$1.50. Upon waiting fifteen (15), the charge may convert to an hourly rate prorated at \$5.00 on the quarter hour, or fraction thereof.

7. A taxicab employed on an hourly basis may be \$20.00 for the first hour, or fraction thereof and \$5.00 for each additional fifteen minutes, or fraction thereof.
8. A rush hour surcharge of \$1.00 per trip is allowed from 7:00 a.m. to 9:30 a.m. and from 3:30 p.m. to 6:00 p.m. on weekdays.
9. The Zone Map and Zone Fare Schedule in a form approved by the Mayor must be posted in the interior of the taxicab in clear view of the passenger.

SECTION 3: That this ordinance is necessary for the protection of the public peace, health, and safety and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 10th day of July, 2001.

APPROVED:

  
\_\_\_\_\_  
MAYOR TAB TOWNSELL

ATTEST:

  
\_\_\_\_\_  
MICHAEL O. GARRETT, CITY CLERK