

**ORDINANCE NO. 1454**

**AN ORDINANCE TO REVISE CHAPTER 9 SECTION 4 OF MANCHESTER  
MUNICIPAL CODE RELATIVE TO TAXICABS**

WHEREAS Chapter 9 Section 4 of Manchester Municipal Code regulates taxicabs; and

WHEREAS it appears to have been enacted in 1972 with little change since; and

WHEREAS it appears that some matters such as fees were not addressed in the original enactment; and

WHEREAS the Charter of the City of Manchester requires all action exacting fees be taken by ordinance; and

WHEREAS it appears that other amendments to Title 9 Chapter 4 are necessary or beneficial to the citizens of Manchester.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that Chapter 9 Section 4 of Manchester Municipal Code be amended to read as follows:

**Code Section 9-401 be amended to add:**

**“Taxicab’ for the purpose of this Chapter shall mean any private passenger vehicle for hire, including but not limited to a ‘limousine,’ ‘sedan’ or ‘taxicab,’ as defined by T.C.A. 7-51-1007.**

**An annual franchise fee of One Hundred Fifty Dollars (\$150) for operators of one (1) to five (5) taxicabs; Two Hundred Dollars (\$200) for operators of six (6) to ten (10) taxicabs; Two Hundred Fifty Dollars (\$250) for operators of eleven (11) to twenty (20) taxicabs and Three Hundred Dollars (\$300) for operators of more than twenty (20+) taxicabs shall be due upon the approval of the franchise or additional franchise. No franchise fee shall be due for franchises for existing taxicabs until the first anniversary of the franchise.”**

**Code Section 9-402 be amended to read as follows:**

**“9-402. Requirements as to application and hearing. No person shall be eligible for a taxicab franchise if he has been convicted of a felony, any theft or assaultive offense within the last ten (10) years. Applications for taxicab franchises shall be made under oath and in writing to the Chief of Police. The application shall state the name and address of the applicant; the name and address of the proposed place of business; the number of cabs the applicant desires to operate; the makes and models of said cabs and such other pertinent information as the Chief of Police may require. Within ten (10) days after receipt of an application, the Chief of Police shall make a thorough investigation of the applicant; determine if there is a public need for additional taxicab service; present the application to the governing body and make a recommendation to either grant or refuse a franchise to the applicant. The governing body shall thereupon hold a public hearing at which time witnesses for and against the granting of the franchise shall be heard. In deciding whether or not to grant the franchise, the governing body shall consider the public need for additional service; the increased traffic congestion; parking space requirements and whether or not the safe use of the streets by the public, both vehicular and pedestrian, will be preserved by the granting of such an additional taxicab franchise. Those persons already operating taxicabs when this code is adopted shall not be required to make applications under this section but shall be required to comply with all of the other provisions hereof. Prior to the hearing on the application, the Chief of Police shall conduct a T.B.I. and other**

criminal background search as he deems prudent, the cost of which shall be paid by the applicant in addition to the franchise fee.”

Code Section 9-403 be amended to add:

“Proof of compliance with this section shall be filed with the Finance Director. The Safety Committee shall approve an appropriate form for completion by franchises documenting compliance with this section.”

Code Section 9-407 be amended to add:

“An inspection fee of Twenty-Five Dollars (\$25) per taxicab shall be collected for each semi-annual inspection.”

Code Section 9-408 be amended to substitute “The required Tennessee driver’s license for operation of a taxicab” for “state special chauffeur’s license” and substitute “City” for “chief of police.”

Code Section 9-409 be amended to read as follows:

“9-409. Qualifications for taxicab driver’s permit. No person shall be issued a taxicab driver’s permit unless he complies with the following to the satisfaction of the Chief of Police:

- (1) Makes written application to the Chief of Police on a form approved by the Safety Committee.
- (2) Is at least eighteen (18) years of age and holds the appropriate Tennessee driver’s license to be permitted to operate a taxicab.
- (3) Undergoes an examination by a physician and is found to be of sound physique, with good eyesight and hearing and not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might render him unfit for the safe operation of a public vehicle.
- (4) Is clean in dress and person and not addicted to the use of intoxicating liquor or drugs.
- (5) Has not been convicted of a felony, driving under the influence of an intoxicant or drug, any theft or assaultive offense or of frequent traffic offenses.
- (6) Is familiar with the state and local traffic laws.
- (7) The Chief of Police shall conduct a T.B.I. background and other appropriate background checks of each applicant prior to issuing the permit required by this section. The cost of any such background check shall be advanced by the applicant.”

Code Section 9-410 be amended to delete the word “or” between the words “violations” and “violation” and to substitute therefore the following phrase: ‘failing to continue to meet the requirements of 9-409 or any’.

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this Ordinance shall take effect on and after its publication and passage, the public welfare of the City of Manchester, Tennessee requiring it.

PASSED FIRST READING: \_\_\_\_\_ April 21 \_\_\_\_\_, 2015

PASSED SECOND READING: \_\_\_\_\_ May 5 \_\_\_\_\_, 2015

PASSED THIRD AND FINAL READING: \_\_\_\_\_ May 19 \_\_\_\_\_, 2015

Signature on file