

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
_____ Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: Carl S. Goldsmith, Director of Public Works *g*
DATE: October 26, 2009 (BOT) Date: November 5, 2009
TITLE: Amendment to Title 11, Chapter 121 of the Lombard Village Code in
Regard to Transportation

BACKGROUND/POLICY IMPLICATIONS:

This amendment will amend the process used to license and respond to service complaints/issues regarding taxicab service in Lombard.

Fiscal Impact/Funding Source:

No fiscal impact

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



October 26, 2009

To: Village President and Board of Trustees

Through: David A. Hulseberg, Village Manager

From: Carl S. Goldsmith, Director of Public Works *CS*

Subject: Ordinance Amending Title 11, Chapter 121 of the Lombard Village Code in Regard to Transportation

Title 11, Chapter 121 of the Lombard Village Code sets forth the regulations for the licensure and inspection of public passenger services (taxi) in Lombard. The Village Board of Trustees approved a license for Oak Brook Taxi & Limo Company at the October 1, 2009 meeting. This application was reviewed by the Transportation and Safety Committee (T & S Committee). While T & S has historically been reviewing applications for taxi licenses, a review of the Village Code does not support this practice.

Section 121.03 of the Lombard Village Code sets forth the application process for the issuance of a business license for a taxicab company. The process for the issuance of a taxicab license is consistent with the issuance of business license for other businesses in Lombard, which is conducted by the Finance Department. The proposed change, in and of itself, does not require a change to the Village Code, as this is the process spelled out in the current Code.

Staff is however, recommending a modification to Section 121.07 of the Code, which relates to the administration and monitoring of the performance of any taxi license holder. The Code currently provides that the Village Manager receive and conduct hearings on all complaints concerning taxicabs licensed by the Village of Lombard. Staff is recommending that the Code be amended to assign the Transportation and Safety Committee the responsibility to review and conduct hearings on all complaints against a taxicab license holder. The recommendation(s) of the Transportation and Safety Committee would then be forwarded to the Village Manager for consideration relative to the suspension and/or revocation of the taxi license.

Through the proposed amendments to the Lombard Village Code, the Village can provide greater consistency in the licensure process and ensure that all complaints and service matters are addressed in a fair and equitable manner.

RECOMMENDATION

Staff recommends that the Village Board adopt AN ORDINANCE AMENDING TITLE 11, CHAPTER 121 OF THE LOMBARD VILLAGE CODE IN REGARD TO TRANSPORTATION

ORDINANCE _____

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 121,
OF THE LOMBARD VILLAGE CODE IN REGARD TO TRANSPORTATION**

**BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS** as follows:

Section 1: That Title 11, Chapter 121, Section 121.01 DEFINITIONS of the Lombard Village Code is amended to add as follows:

TRANSPORTATION AND SAFETY COMMITTEE means the Standing Committee of the Village Board of Trustees responsible for reviewing and reporting upon all methods and forms of transportation affecting the Village, including both public and private methods of transportation.

Section 2: That Title 11, Chapter 121, Section 121.07 ADMINISTRATION of the Lombard Village Code is amended to read as follows:

- (A) Service Complaints and Communications. The Transportation and Safety Committee shall receive all complaints concerning Taxicabs, Business Licensees and the service rendered by them; and any other matters arising under this Ordinance.
- (B) Books and Records. In order to keep the Village properly informed concerning the administration of this Ordinance and the quality and quantity of Taxicab service being provided by the Business Licensees, each Business Licensee shall keep such books, records and financial statements in such detail and containing such information as may be required by the Village.

Each Business Licensee shall maintain such records concerning his Taxicabs and their operation, maintenance and repair as may be required by Rule.

(C) Notices.

- 1) Notices. Every Business Licensee shall promptly notify the Village Manager of the occurrence of every accident involving one of his Taxicabs, which has resulted in injury to or death of any person, or serious damage to the Taxicab.

Every Business Licensee shall notify the Transportation and Safety Committee of the filing by or against him of a Petition under any Chapter of the Bankruptcy Act; or the filing against him of an action at law seeking to recover damages arising out of the operation of one of his Taxicabs, which damages are alleged to be in excess of the limits of coverage provided by the Business Licensee's commercial general and automobile liability insurance.

- 2) Service of Notices. Any notice or other document required to be filed with or served upon the Village Manager as provided for in this section and shall be in writing and delivered to his office during regular business hours. Any notice or other document required to be served on or given to any Business Licensee shall be in writing and delivered to him in person or by first class United

States mail at his address on file. All required notices shall be filed with the: Village Manager, Village of Lombard, 255 E. Wilson, Lombard, IL 60148.

(D) Notices and Appeal Process. The Transportation and Safety Committee shall provide at least seven (7) calendar days notice to the Business Licensee prior to conducting a hearing to consider the suspension or revocation of a Business License. The Transportation and Safety Committee shall schedule a hearing for the person or company potentially affected by such suspension or revocation if requested to do so at any time within the seven (7) calendar day period before such suspension or revocation shall take effect. The decision of the Transportation and Safety Committee on any suspension or revocation shall be sent to the Village Manager and shall be used in the determination of a suspension or revocation of a license. In case of an emergency where there is imminent danger to the safety of the public or passengers, the Village Manager may temporarily suspend any license under this Ordinance without prior notice, but shall grant a hearing on such suspension within seven (7) calendar days of taking such action.

Section 3: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

Passed on first reading this _____ day of _____, 2009

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.

Passed on second reading this _____ day of _____, 2009

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2009

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk