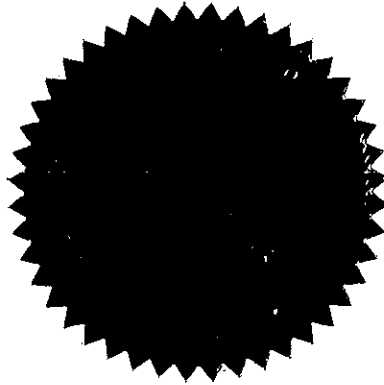


ORDINANCE 4763


PAMPHLET

FRONT OF PAMPHLET

AMENDING TITLE 11, CHAPTER 121 OF THE
LOMBARD VILLAGE CODE IN REGARD TO TAXICAB LICENSING



PUBLISHED IN PAMPHLET FORM THIS 3RD DAY OF FEBRUARY, 2000.
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.


Lorraine G. Gerhardt
Village Clerk

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

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

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

- A. The following definitions shall be deleted therefrom:

ASSISTANT TO THE VILLAGE MANAGER
LICENSING CLERK
RULE
TAXI OPERATOR'S PERMIT
VEHICLE LICENSE

- B. The following words shall be deleted from the end of the definition of "EXCLUSIVE":

"at a charge which shall have been filed in accordance with this Ordinance."

- C. The following words shall be deleted from the end of the definition of "GROUP RIDE":

"each paying a separate fare as filed by the TAXI OPERATOR in accordance with this Ordinance."

- D. The following words shall be deleted from the end of the definition of "MULTIPLE RIDE":

"each paying a separate fare as filed by the TAXI OPERATOR in accordance with the Ordinance."

- E. The following words shall be deleted from the end of the definition of "SHARED RIDE":

"each paying a separate fare as filed by the TAXI OPERATOR in accordance with the Ordinance."

- F. That the definition of "VILLAGE MANAGER" is amended to read in its entirety as follows:

"VILLAGE MANAGER means the individual selected by the President and Board of Trustees to serve in the appointed position of Village Manager for the Village, or his/her designee."

SECTION 2: That Title 11, Chapter 121, Section 121.02 of the Lombard Village Code is hereby amended by deleting the first sentence thereof prior to subsection (A).

SECTION 3: That Title 11, Chapter 121, Section 121.02(A) of the Lombard Village Code is amended to read in its entirety as follows:

"(A) Types of Service Rendered. Business Licensees may provide Exclusive Taxicab service, Non-Exclusive Taxicab service or both."

SECTION 4: That Title 11, Chapter 121, Section 121.02(B) of the Lombard Village Code is amended to read in its entirety as follows:

"(B) Advertising of Services Offered. Business Licensees shall include all of the types of services offered and the charges therefor in the advertisements of the Business Licensee."

SECTION 5: That Title 11, Chapter 121, Section 121.02(C) of the Lombard Village Code is amended to read in its entirety as follows:

"(C) Inspection Testing and Approval of Taximeter Devices. No Person shall file for the provision of Taxicab service which requires the calculation of the fare in terms of distance traveled and time elapsed by a Taximeter unless said Person's Taxicabs are equipped with Taximeters which have been inspected, tested and certified by a company that calibrates and seals meters. A copy of said certification shall be filed with the Village's Finance Department at the time of application for any Business License issued under this Chapter, or any renewal thereof."

SECTION 6: That Title 11, Chapter 121, Section 121.02(D) of the Lombard Village Code is amended by deleting the last sentence thereof.

SECTION 7: That Title 11, Chapter 121, Section 121.02(E) of the Lombard Village Code is amended as follows:

A. That the first sentence of the first paragraph is amended by:

1. revising the opening portion thereof, prior to the first comma, to read as follows:
"Every Business Licensee who renders Exclusive Taxicab service, ";
2. deleting the words "of Lombard in which he is licensed"; and
3. revising the word, "his," to read, "his/hers/its".

B. By revising the last sentence of the first paragraph to read in its entirety as follows:

"Application for and receipt of a Business License under this Chapter by a Business Licensee assumes that the Business Licensee's Taxi Operators are familiar with the corporate limits of the Village."

C. That the second paragraph is amended to read in its entirety as follows:

"Every Business Licensee who renders Non-Exclusive Taxicab service shall require his/her/its Taxi Operators to accept for transportation any additional orderly person(s) provided:

- (1) the initial passenger has not requested Exclusive Taxicab service;
- (2) there is space available in the Taxicab; and
- (3) acceptance of said additional passenger or passengers will not unreasonably delay passengers previously accepted for transportation."

SECTION 8: That Title 11, Chapter 121, Section 121.02(F) of the Lombard Village Code is amended

to read in its entirety as follows:

"(F) Performance Hearings. The President and Board of Trustees may, as deemed necessary, hold public hearings from time to time to evaluate the performance of any Business Licensee operating within the Village. A senior person from each Business Licensee shall, as a condition of said Business Licensee's Business License, be required to appear at all such hearings."

SECTION 9: That Title 11, Chapter 121, Section 121.03(A)(3) of the Lombard Village Code is

amended to read in its entirety as follows:

"(3) *Application/Renewal.* Application for a Business License may be filed by any qualified applicant at any time. The application for each Business Licensee shall be in writing; signed by the applicant, if a natural person; signed by the president or vice-president, if the applicant is a corporation; signed by the partner if the applicant is a partnership; and the information in

the application shall be verified on the oath of the person signing. A valid application shall be filed with the Village's Finance Department, shall be accompanied by the appropriate fee and shall contain all of the following information:

- (a) The name, business address and business telephone number of the applicant;
- (b) The names of all persons involved in the applicant's business;
- (c) The tax identification number of the applicant;
- (d) The number of vehicles to be used to provide Taxicab service;
- (e) In regard to each Taxicab, the vehicle make, model, vehicle identification number, the year that it was manufactured, the vehicle seating capacity and the State of Illinois license place number;
- (f) In regard to each Taxicab, certification that said Taxicab has passed the inspection required pursuant to Section 121.04(B) below or, in regard to any Taxicab that has passed an inspection by another municipality as provided by Section 121.04(D) below, a copy of the certificate of inspection from said other municipality;
- (g) The name, address, telephone number, date of birth and drivers license number for each Taxicab Operator that the applicant intends to use to provide service in the Village;
- (h) The trade name and trademark under which the applicant will provide service;
- (i) The types of Taxicab service offered to the public and the rates and charges therefor to the extent not covered by Section 121.06(B) below;
- (j) Certificates of insurance evidencing commercial general and automobile liability insurance for each Taxicab in accordance with this Chapter;
- (k) Certification of an ability to meet service standards required by this Chapter; and
- (l) A copy of the operating rules under which services are offered.

It shall be the duty of the Business Licensee to notify the Village of any changes in regard to the information set forth in the application during the period of time the Business License is valid. Notice of any change shall be

provided to the Village's Finance Department in writing within ten (10) days of such change taking place.

Application for renewal of a Business License shall be filed with the Village's Finance Department prior to July 1st of the licensing year for which such renewal is operative. At least thirty (30) days prior to the renewal date of the Business License, the Village shall issue applications for Business License renewals. Failure to receive the application does not eliminate the obligation to obtain a renewed Business License."

SECTION 10: That Title 11, Chapter 121, Section 121.03(A)(4) of the Lombard Village Code is amended by revising the title thereof to read, "*Qualifications - Business Licensee.*"

SECTION 11: That Title 11, Chapter 121, Section 121.03(A)(5) of the Lombard Village Code is amended by revising the reference therein to, "Licensing Clerk," to read, "Finance Department."

SECTION 12: That Title 11, Chapter 121, Section 121.03(A)(7) of the Lombard Village Code is amended to read in its entirety as follows:

- "(7) *Unlawful to Operate Without Business License.* It shall be unlawful for any Person to operate any Taxicab for hire in the Village unless:
 - (a) The owner of said Taxicab is a Person holding a current Business License;
 - (b) The Taxicab is listed as an approved Taxicab on the list of Taxicabs associated with a Person holding a current Business License; and
 - (c) The Taxi Operator is listed as an approved Taxi Operator on the list of Taxi Operators associated with a Person holding a current Business License."

SECTION 13: That Title 11, Chapter 121, Section 121.03(A)(8) of the Lombard Village Code is amended to read in its entirety as follows:

- "(8) *Qualifications - Taxi Operators and Taxicabs.*

- (a) Taxi Operators listed on the application for a Business License must meet the qualifications set forth in Section 121.03(C) below.
- (b) Taxicabs listed on the application for a Business License must comply with the requirements of Section 121.04 below."

SECTION 14: That Title 11, Chapter 121, Section 121.03(A)(9) of the Lombard Village Code is amended by revising the references therein to, "Licensing Clerk" to read, "Finance Department," and revising the reference therein to, "Assistant to the Village Manager," to read, "Village Manager."

SECTION 15: That Title 11, Chapter 121, Section 121.03(A)(10) of the Lombard Village Code is amended by revising the references therein to, "Assistant to the Village Manager," to read, "Finance Department."

SECTION 16: That Title 11, Chapter 121, Section 121.03(B) of the Lombard Village Code is amended to read in its entirety as follows:

"(B) Taxicab Requirements. All Taxicabs used by a Business Licensee shall be subject to the requirements of Section 121.04 below, and shall only be operated within the Village subsequent to compliance with said Section 121.04 and verification thereof being supplied in writing to the Village's Finance Department. An approved list of Taxicabs shall be provided to the Business Licensee by the Village's Finance Department."

SECTION 17: That Title 11, Chapter 121, Section 121.03(C) of the Lombard Village Code is amended to read in its entirety as follows:

- "(C) Taxicab Operator Qualifications. All individuals that an applicant proposes to use as Taxicab Operators shall meet the following qualifications:
- (1) Be the holder of a valid State of Illinois drivers license, which is appropriate to the class and weight of the vehicle that the applicant intends the Taxicab Operator to drive;
 - (2) Be at least eighteen (18) years of age;
 - (3) Be able to read, write and speak the English language; and

- (4) Not have been convicted, within the preceding five (5) years, of any felony offense.

The Village's Police Department shall provide the Business Licensee, through the Village's Finance Department, with an approved list of Taxicab Operators based on the list of proposed Taxicab Operators submitted by the Business Licensee pursuant to Section 121.03(A)(3)(g)."

SECTION 18: That Title 11, Chapter 121, Section 121.03(D) of the Lombard Village Code is amended to read in its entirety as follows:

- "(D) Fees. The fee for a Business License issued pursuant to this Chapter shall be two hundred and no/100 dollars (\$200.00) per year. A late fee of two hundred and no/100 dollars (\$200.00) shall be assessed in relation to any Business License renewed after the renewal due date or obtained after Taxicab service has commenced."

SECTION 19: That Title 11, Chapter 121, Section 121.03(E) of the Lombard Village Code is hereby repealed.

SECTION 20: That Title 11, Chapter 121, Section 121.04(A) of the Lombard Village Code is amended by revising the word, "exists," as contained therein, to read, "exits."

SECTION 21: That Title 11, Chapter 121, Section 121.04(B)(1) of the Lombard Village Code is amended to read in its entirety as follows:

- "(B) Inspection of Vehicles.
 - (1) *Requirements.* Prior to the issuance of a Business License or the renewal thereof, or upon receipt of complaints that a Taxicab or its equipment is not safe or sanitary, each Taxicab will be inspected to ensure that it is in a safe operating condition. Only those Taxicabs which pass said inspection will be approved for use by the Business Licensee. Any Taxicab that is involved in a serious accident shall be inspected prior to said Taxicab being returned to service. Inspections shall be conducted at an inspection station designated or approved by the Village and shall be conducted prior to the issuance of any new Business License or within the six (6) month period prior to the renewal date of an existing Business License. The cost relative to inspections and reinspections shall be paid by the applicant/Business Licensee, and shall be in addition to the fee set forth in section 121.03(D) above.

After receiving a notification relative to the inspection of a specific Taxicab, the Business Licensee will be allowed thirty (30) calendar days to take the identified Taxicab to an inspection station for inspection. Failure to do so will result in said Taxicab being deleted from the Business Licensee's approved list of Taxicabs.

The inspection of a Taxicab shall include, but not be limited to, and inspection of the following:

- (a) Service brakes;
- (b) Emergency brakes;
- (c) Horn;
- (d) Rear view mirror;
- (e) Windshield wipers and washers;
- (f) Headlights;
- (g) Tail lights;
- (h) Stop lights;
- (i) Turn signals;
- (j) Speedometer;
- (k) Steering;
- (l) Interior condition (including driver and passenger seat belts);
- (m) Exterior condition;
- (n) Windows; and
- (o) Tires;

with the inspection report resulting therefrom including the vehicle make, year and vehicle identification number; State license number and year; vehicle color; and applicant/Business Licensee name.

Any Taxicab which fails to pass said inspection will not be allowed to be used as a Taxicab within the Village until such time as it does pass said inspection, and shall be deleted from the approved list of Taxicabs for the Business Licensee until such time as it does pass said inspection."

SECTION 22: That Title 11, Chapter 121, Section 121.04(B)(2) of the Lombard Village Code is amended as follows:

- A. In the first paragraph, the words, "Village Manager," shall be substituted for the words, "Assistant to the Village Manager."
- B. In the first paragraph, the words, "Finance Department," shall be substituted for the words, "Licensing Clerk."

- C. In the second paragraph, delete the words, "numbered certified inspection stickers."
- D. In the fourth paragraph, substitute the word, "may," for the word, "will."
- E. The fifth paragraph is hereby repealed.

SECTION 23: That Title 11, Chapter 121, Section 121.04(C) of the Lombard Village Code is amended by revising the first paragraph thereof to read in its entirety as follows:

"At the time of any application for a Business License under this Chapter, the renewal thereof or within ten (10) working days following a change in rates, the applicant/Business Licensee shall provide the Finance Department with a certification, by a company that calibrates and seals meters, relative to the accuracy of each Taximeter proposed to be used/being used by the applicant/Business Licensee."

SECTION 24: That Title 11, Chapter 121, Section 121.04 of the Lombard Village Code is amended by adding a new subsection (D) thereto which shall read in its entirety as follows:

"(D) Vehicle Inspections by Other Municipalities. In lieu of submitting a Taxicab to an inspection under subsection (B) above, relative to an initial application for a Business License or the renewal of a Business License, an applicant/Business Licensee may submit proof that said Taxicab has passed, within the six (6) month period preceding the application for a new Business License or the renewal of an existing Business License, an inspection by another municipality engaged in the inspection and licensing of Taxicabs; provided, however, that such other municipality is on the approved list maintained, and updated from time to time, by the Village Manager."

SECTION 25: That Title 11, Chapter 121, Section 121.05(A)(1) of the Lombard Village Code is amended by deleting the words, "and every Vehicle Licensee."

SECTION 26: That Title 11, Chapter 121, Section 121.05(A)(2)(a) of the Lombard Village Code is amended by deleting the words, "the Vehicle Licensee."

SECTION 27: That Title 11, Chapter 121, Section 121.05(A) of the Lombard Village Code is amended by revising the last paragraph thereof to read in its entirety as follows:

"Certificates of insurance policies shall be presented to the Village's Finance Department prior to July 1st of each year and shall be kept on file. Certificates shall be reviewed by the Village's Finance Department for compliance with the insurance requirements of this Section. The Village's Finance Department shall be notified of all changes to policies."

SECTION 28: That Title 11, Chapter 121, Section 121.05(B) of the Lombard Village Code is amended by revising the reference at the end thereof to, "B+, VII," to read, "A-, VI".

SECTION 29: That Title 11, Chapter 121, Section 121.06 of the Lombard Village Code is amended as follows:

- A. In subsection (A), revise, "Assistant to the Village Manager," to read, "Village Manager," and revise the word, "Rules" to read, "rules"
- B. Revise the first and second paragraphs of subsection (B) to read in their entirety as follows:

"(B) Rate of Fare and Charges. Rates of fare shall be expressed and calculated by Taximeter and shall not exceed the following:

- (1) An initial flag pull.....\$2.00
- (2) For the first one-tenth (1/10) mile
or fraction thereof.....\$0.16
- (3) For each additional one-tenth (1/10) mile
or fraction thereof\$0.16
- (4) For each additional passenger over
twelve (12) years of age, per flag pull.....\$0.50
- (5) For each minute of waiting time.....\$0.30
- (6) Any and all toll road fees shall be added to the above charges.

Fares for trips outside of Lombard, excluding trips to O'Hare Airport and Midway Airport, shall be charged at the rate of a fare and one-half."

- C. In subsection (C), revise, "Taxi Operator," to read, "Business Licensee."
- D. In subsection (D), revise, "driver of a Taxicab," to read, "Taxicab Operator."
- E. Revise subsection (E) to read in its entirety as follows:

"(E) Overcharging. No Taxicab Operator shall charge or attempt to charge any passenger a greater fare than that to which the Taxicab Operator is entitled. If it is determined that an overcharge has been made, the Business Licensee shall be liable for reimbursement of the overcharge to the passenger."

- F. In subsection (F)(1), revise, "Rule" to read, "rule," and delete the words, "Assistant to the," prior to, "Village Manager."
- G. In subsection (F)(4), revise, "Rule" to read, "rule," and revise "License" to read, "Licensee."
- H. Revise subsection (G) to read in its entirety as follows:

"(G) Fare Receipt. If demanded by the passenger, the Taxicab Operator shall deliver to the passenger, at the time of payment, a receipt in legible type or writing containing the names of the Business Licensee and the Taxicab Operator, the total amount paid and the date of payment."

SECTION 30: That Title 11, Chapter 121, Section 121.07 of the Lombard Village Code is amended as follows:

- A. That subsection (A) is amended by revising, "Assistant to the Village Manager," to read, "Village Manager," and by inserting the word, "Business," before the word, "Licensees."
- B. That subsection (B) is amended by revising the word, "Rule," to read, "the Village," and by inserting the word, "Business," before the word, "Licensees."
- C. That subsection (C)(1) is amended by inserting the word, "Business," before the word, "Licensee," in the first paragraph thereof, and by deleting the words, "Assistant to the," prior to the words, "Village Manager," in the second paragraph thereof.
- D. That subsection (C)(2) is amended by inserting the word, "Business," before the word, "Licensee."
- E. That subsection (D) is amended by revising the first sentence thereof to read in its entirety as follows:

"The Village Manager shall provide at least seven (7) calendar days notice to the Business Licensee of a suspension or revocation of a Business License."

SECTION 31: That Title 11, Chapter 121, Section 121.08 of the Lombard Village Code is amended as follows:

- A. The opening language, prior to subsection (A), is amended to read in its entirety as follows:

"The Taxi Subsidy Program (hereinafter the "Program"), which provides assistance to senior citizens and people with disabilities relative to Taxicab rides within and outside of the Village, shall be subject to the following criteria:"

- B. That subsection (B) is amended by substituting the words, "who hold or are qualified to hold," for the word, "holding."
- C. That subsection (C) is hereby repealed.
- D. That subsections (D), (E) and (F) are hereby relabeled as subsections (C), (D) and (E).
- E. That subsection (G) is hereby relabeled as subsection (F) and revised to read in its entirety as follows:

"(F) That participation in the Program shall not in any way limit the number of Taxicab rides that senior citizens or people with disabilities can take."

- F. That subsection (H) is hereby relabeled as subsection (G) and revised to read in its entirety as follows:

"(G) That the Village shall offer up to two (2) packets of twenty-six and no/100 dollars (\$26.00) worth of taxi coupons each, per month per Program participant, at a cost of five and no/100 dollars (\$5.00) per packet to each Program participant; provided, however, that only one (1) such packet may be purchased by the Program participant on any given day of the month; and"

- G. That subsection (I) is hereby relabeled as subsection (H) and revised to read in its entirety as follows:

"(H) All Business Licensees shall participate in the Program and shall comply with the following:

- (1) Program coupons shall be accepted in lieu of cash at the rate of two and no/100 dollars (\$2.00) per coupon;
- (2) There shall be no limit to the number of Program coupons that may be used by a passenger for any given Taxicab ride;
- (3) Log sheets supplied by the Village must be completed legibly by the Taxi Operator when

Program coupons are used to pay for a Taxicab ride and shall include the signature of the passenger using said Program coupons;

- (4) Taxi Operators must turn in the log sheets and Program coupons to the Business Licensee;
- (5) After verifying that the log sheets are complete and that the Taxi Operator is eligible for reimbursement in cash for said Program coupons, the Business Licensee shall submit the log sheets and Program coupons received from the Business Licensee's Taxi Operators to the Village's Finance Department at least once each month;
- (6) Program coupons submitted with log sheets which indicate that either the Taxicab or the Taxi Operator, or both, is/are not on the Business Licensee's approved list of Taxicabs and/or approved list of Taxi Operators shall not be eligible for a cash reimbursement from the Village;
- (7) In the event the Business Licensee is notified by the Village's Finance Department that certain Program coupons submitted by the Business Licensee are not eligible for reimbursement as a result of subsection (6) above, the Business Licensee shall have ten (10) working days from the mailing date of said notice to take whatever action is necessary under this Chapter to have said Taxicab and/or Taxi Operator added to the Business Licensee's approved Taxicab list and/or approved Taxi Operators list, which, if done, will cause said Program coupons to be eligible for reimbursement from the Village. In the event said Taxicab and/or Taxi Operator is not added to the appropriate approved list within said ten (10) working day period, the Program coupons shall not be eligible for reimbursement from the Village, even if said Taxicab and/or Taxi Operator is/are subsequently added to the appropriate approved list."

SECTION 32: That Title 11, Chapter 121 of the Lombard Village Code is amended by adding a new Section 121.09 thereto which shall read in its entirety as follows:

"§121.09 PENALTY.

Any person, firm or corporation who violates any of the provisions of this Chapter shall be subject to the general penalty provisions set forth in Section 10.99 of this Code."

SECTION 33: That Title 11, Chapter 121 of the Lombard Village Code is amended by substituting, "this Chapter," for, "this Ordinance," wherever the words, "this Ordinance," appear therein.

SECTION 34: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ___ day of _____, 2000.

First reading waived by action of the Board of Trustees this 2nd day of March, 2000.

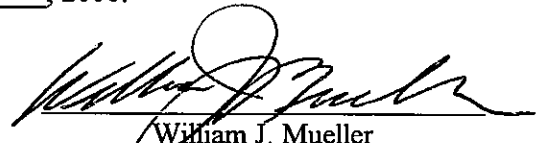
Passed on second reading this 2nd day of March, 2000, pursuant to a roll call vote as follows:

AYES: Trustees Borgatell, Tross, Schaffer, Sebby and Florey

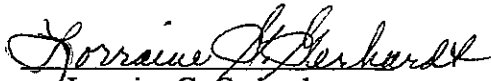
NAYS: None

ABSENT: Trustee Kufirin

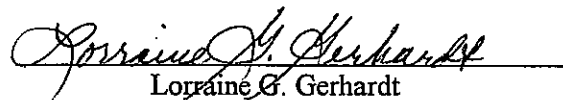
Approved by me this 2nd day of March, 2000.


William J. Mueller
Village President

ATTEST:


Lorraine G. Gerhardt
Village Clerk

Published by me in pamphlet form this 3rd day of March, 2000.


Lorraine G. Gerhardt
Village Clerk

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