

ORDINANCE NO. 2004-23

AN ORDINANCE AMENDING ORDINANCE NO. 960423-01. REGULATING TAXICAB BUSINESS AND OPERATORS BY EXCLUDING FROM THE OPERATION OF A TAXICAB THE OPERATION OF NON-MOTORIZED SERVICES; AND BY EXCLUDING FROM THE DEFINITION OF TAXICAB; THE OPERATION OF NON-MOTORIZED SERVICES; PROVIDING A SAVINGS CLAUSE.

WHEREAS, the City of Taylor adopted Ordinance No. 960423-01, that regulates Taxicab Business and Operators; and

WHEREAS, it is the desire of the City of Taylor to allow the operation of non-motorized services and to exclude the operation of non-motorized services from the provisions of Ordinance No. 960423-01.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS, that:

SECTION 1. All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

SECTION 2. Chapter II: "Taxicabs", Division 1: "Generally", Paragraph A "Definitions" (6) "Operate a Taxicab" shall be amended to read as follows:

(6) Operate a taxicab means the driving of a vehicle so marked as to indicate that it is a taxicab on any street of the city, and shall also be construed to mean the driving of any vehicle containing a passenger over any street of the city for any monetary fare unless such vehicle is being operated pursuant to a:

- (a) ambulance service;
- (b) permit issued by the Texas Railroad Commission;
- (c) permission duly granted by the City Council; or

- (d) the operation of a non-motorized vehicle under an Ordinance adopted by the City of Taylor, allowing the operation of non-motorized services.

SECTION 3. Chapter II: "Taxicabs", Division 1: "Generally", Paragraph A "Definitions" (9) "Taxicab" shall be amended to read as follows:

(9) Taxicab means each private passenger vehicle, regardless of how it is propelled, save and except non-motorized vehicles operated under an Ordinance adopted by the City of Taylor allowing the operation of non-motorized services, that provides passenger taxicab transportation services for compensation, is designed for carrying no more than eight (8) passengers, and is operated:

- (a) within the jurisdiction of the city;
- (b) on property owned by the municipality, singly or jointly with one or more other municipalities or public agencies;
- (c) on property in which the municipality possesses an ownership interest; or
- (d) by transporting from the municipality, municipal property, or property in which the municipality has an interest and returning to it.

SECTION 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Taylor, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 5. In accordance with Article VIII, Section 1 of the City Charter, this Ordinance was introduced before the City Council of the City of Taylor, Texas, on the _____ day of _____, 2004.

PASSED, APPROVED and ADOPTED on this the _____ day of _____, 2004.

Donald R. Hill, Mayor

ATTEST:

Susan Brock, City Clerk

APPROVED AS TO FORM:

Ted W. Hejl, City Attorney

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Susan Brock, being the current City Clerk of the City of Taylor, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2004-_____, passed and approved by the City Council of the City of Taylor, Texas, on the _____ day of September, 2004, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this the _____ day of _____, 2004.

Susan Brock
City Clerk