

**ORDINANCE NO. 2017 - 15**

**AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING ARTICLE 4.03 (TAXICABS, SHUTTLES AND TOURING VEHICLES) PROVIDING THE REQUIREMENTS OF OPERATING A TAXICAB AND DESIGNATING THE CITY MANAGER OR HIS OR HER DESIGNEE TO ENFORCE ALL REQUIREMENTS; APPROVING A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** The City Council is charged with the regulation of taxicabs, shuttles and touring vehicles; and

**WHEREAS,** The City Council has appointed the City Manager as the Chief Administrative Officer of the City; and

**WHEREAS,** The City Manager is responsible for the proper administration of all affairs of the City; and

**WHEREAS,** The responsibility to regulate and monitor the taxicabs, shuttles and touring vehicles is essential for the safety and wellbeing of our community; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:**

**Section 1:** That Division 1 of Article 4.03, Taxicabs, Shuttles, and Touring Vehicles of the Code of Ordinances of the City of Bastrop, Texas, is hereby amended to read as follows:

**ARTICLE 4.03 - TAXICABS, SHUTTLES AND TOURING VEHICLES**

**DIVISION 1. - GENERALLY**

**Sec. 4.03.001 - License required; exemptions.**

**Section (a); changes to read as follows**

Delete (a)(1) and move (a)(2) to (a)(1) and (a)(3) to (a)(2). Add (a)(3) to read as follows: A transportation network company prearranging a ride through the entity's digital network. A transportation network company and a digital network have the same meaning as defined in Chapter 2402 Occupations Code.

**Section (b); changes to read as follows**

*Determination of fitness of applicant.* Before the City Secretary issues an annual license to an applicant for a taxi, shuttle, or touring vehicle, the City Manager or his/her designee, after consulting with applicable staff and directors, shall first determine the applicant is fit, able, and willing to perform the proposed service. If the City Manager or his/her designee finds that the applicant is not fit, able and willing to perform the service the City Manager or his/her designee shall notify the applicant in writing that the application has been rejected. The applicant may, within ten (10) days after written notice of the decision of the City Manager or his/her designee, appeal the decision to the City Council.

...

**Section (c) (8); changes to read as follows**

... shall be provided to the City Manager or his/her designee. Thereafter, the City Manager or his/her designee shall identify ...

**Section (d); changes to read as follows**

... The City Manager or his/her designee may require a license holder to obtain additional insurance depending on the service to be provided, the type of event and the number of people to be transported. In accord with this section, the City Manager or his/her designee ...

**Section (e)(4); delete**

**Sec. 4.03.002 - Vehicle operation requirements.**

**Section (b); changes to read as follows**

... For good cause, at any time, the City Manager or his/her designee shall have the discretion...

**Section (f) changes to read as follows**

No person may drive any taxicab, shuttle or touring vehicle in the city: (1) for one year if convicted of two or more moving traffic violations or one or more chargeable motor vehicle accidents in the preceding 12 months, (2) for three years from the date of conviction of a class B misdemeanor, (3) for five years from the date of a conviction of any class A misdemeanor, (4) indefinitely for any felony conviction. It should be noted that probated or deferred adjudication is considered a conviction.

**Section (h); changes to read as follows**

... the licensee shall contact the City Manager or his/her designee to determine appropriate access.

**Section (l); added section l**

All taxicabs, shuttles, and touring vehicles shall have, affixed to the front left windshield, a valid permit issued by the City while in operation.

**Sec. 4.03.003 - Inspection of vehicles.**

**Section 4.03.003; changes to read as follows**

The City Manager or his/her designee, may cause inspections ... Vehicles failing such random city inspections shall not be allowed to operate on city streets or alleys until brought into a condition satisfactory to the City Manager or his/her designee.

**Sec. 4.03.006 - Restrictions on operation of taxicabs.**

**Section 4.03.006 (c); delete (c) and move (d) up to (c)**

**Sec. 4.03.007 - Restriction on shuttle operations.**

**Section 4.03.007 (a) changes to read as follows**

In the event ... shall provide to the City Manager or his/her designee the routes ...

**Sec. 4.03.031 - Additional requirements.**

**Section 4.03.031 (3) changes to read as follows**

The applicant has agreed to operate only on a schedule and route and over the designated traffic lanes approved by the City Manager or his/her designee ...

**Sec. 4.03.032 - Termination of license.**

**Section 4.03.032; changes to read as follows**

... notice and hearing before the City Manager or his/her designee.

**Section 2:** That all ordinances of the City of Bastrop, Texas in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Bastrop, Texas not in conflict with the provisions of this ordinance shall remain in full force and effect.

**Section 3:** That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**Section 4:** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinance as a whole.

**Section 5:** This ordinance shall take effect from and after its passage and the publication of the caption as the law and Charter in such cases provide.

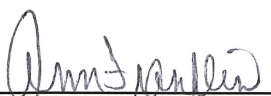
READ and ACKNOWLEDGED on First Reading on the 13<sup>th</sup> day of June 2017.

READ and APPROVED on the Second Reading on the 27<sup>rd</sup> day of June 2017.

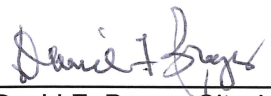
**APPROVED:**

  
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Connie B. Schroeder, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
David F. Bragg, City Attorney