ORDINANCE No. 115014

Law Department

COUNCIL BILL No. 107862

AN ORDINANCE relating to taxicabs, extending the moratorium on issuance of taxicab licenses; and amending Seattle Municipal Code (SMC) Section 6.212.045.

PSE 3/22/90

PASS 2 - 0 DIVIDED REPORT

Aye: SN, CC Nay: SS

The City o

Honorable President:

Your Committee on

to which was referred the within Co
report that we have considered the

3/26/90 Hel

Vot

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COMPTROLLER FILE No.

Introduced: MAR 1 9 1990	By: Nelson
Referred: MAR 1 9 1990	To: Public Safety and Consumer Affairs
Referred:	To:
Referred:	To:
Reported: APR 2 1990	Second Reading: APR 2 1990
Third Reading: APR 2 1990	Signed: APR 3 1990
Presented to Mayor: APR 3 1990	Approved: 04-04-90
Returned to City Clerk:	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

Assistant

The City of Seattle--Legislative Department

Date Reported and Adopted

REPORT OF COMMITTEE

e President:

mittee on

was referred the within Council Bill No.

t we have considered the same and respectfully recommend that the same:

3/26/90 Held one week (by Bland)

Vote 5-4

Against Smith, Street, Meeks, Kramer

Committee Chair

JP:dmc
March 13, 1990
Taxicab2.Ord

#2
C.B. 107862

ORDINANCE 115014

AN ORDINANCE relating to taxicabs, extending the moratorium on issuance of taxicab licenses; and amending Seattle Municipal Code (SMC) Section 6.212.045.

WHEREAS, Seattle and King County established a Regional Taxicab Commission to review the taxicab industry in the Seattle-King County area and to establish a common taxicab regulatory system; and

WHEREAS, uniformity in taxicab ordinances is necessary to maintain a viable, efficient taxi industry because of the amount of travel between Seattle and its suburban areas; and

WHEREAS, the enabling legislation of both Seattle (Ordinance 113613) and King County established a moratorium on new taxicab licenses until December 31, 1988, which was subsequently extended through April 30, 1989, anticipating that the Regional Taxicab Commission would submit its recommendation for a uniform policy by then; and

WHEREAS, the Regional Taxicab Commission has completed its 1989 year-end report, including detailed recommendations for an entry system for the Seattle-King County region and a draft regional taxicab entry ordinance; and

WHEREAS, additional time is necessary to analyze the Regional Taxicab Commission's entry system recommendations and to coordinate and prepare final implementation action for an entry system; and

WHEREAS, additional time is also necessary to complete reports and recommendations on taxicab rates and to analyze, coordinate, and prepare final implementation action concerning rates; Now, Therefore

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 6.212.045 (Ordinance 113613, Section 3, as last amended by Ordinance 114903, Section 1), is further amended as follows:

Section 6.212.045 <u>Temporary Maximum Limit on Licenses; Transferability During Moratorium</u>.

<u>A.</u> A moratorium is hereby established on the issuance of taxicab licenses to applicants, without previous licenses, ((~~and on the transfer of taxicab licenses during the period October 15, 1987~~)) through ((~~April 30, 1990~~)) <u>December 31,</u>

CS 19.2

1990. ((~~Subject to subsections A and B,~~))((~~e~~))Only licensees whose licenses are about to expire or have expired within the previous thirty (30) days, are eligible for issue of new taxicab licenses, and then the new issues shall only replace the license currently held((~~.~~)); provided, however,

((~~A. Transfer: A taxicab license may be transferred to a successor when the licensee dies or is adjudicated as incompetent or disabled; to a transferee designated in an order of a bankruptcy court; to his or her marital community when the license holder marries; or to one of the former spouses in the event of a marital dissolution. A corporation, holding a license, may be issued a new license to replace the license currently held during the moratorium when its ownership and control remain with the same principal owners, or the transfer of its ownership or control occurs as a result of death, incompetency, bankruptcy, or between spouses in a marriage or between former spouses as a result of a marital dissolution.~~

~~B. Number of Licenses: This moratorium on the number of licenses outstanding is subject to the following limitation:~~

~~A)~~) a licensee((~~,~~)) who has a taxicab license from King County and operates within an area newly annexed to the City may secure a license to continue operating his or her existing cab(s) or replacement cab(s).

B. During the moratorium, any application for transfer of a license to another person shall state the name of the transferee, and the trade name and color scheme under which the vehicle will be operated. The owner of a taxicab vehicle license may transfer a license to any other motor vehicle with the approval of the Director. The transferee shall comply with all requirements of this chapter. Any taxicab vehicle license not in actual use for a period of ninety (90) days shall, at

the discretion of the director, be considered abandoned and non-renewable or non-transferable.

Section 2. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 3. Any acts taken by the Director of Licenses and Consumer Affairs consistent with this ordinance but prior to its effective date are hereby ratified and confirmed.

(To be used for all Ordinances except Emergency.)

Section 4. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 2nd day of April, 1990,

and signed by me in open session in authentication of its passage this 2nd day of April, 1990

President of the City Council.

Approved by me this 4th day of April, 1990

Mayor.

Filed by me this 4th day of April, 1990

Attest: Norman J. Brooks
City Comptroller and City Clerk.

(SEAL)

Published

By Theresa Dunbar
Deputy Clerk.

☐ PUBLISH ☐ DO NOT PUBLISH

CITY ATTORNEY _____

CS 0.1.6

STATE OF WASHINGTON - KING COUNTY

25259
City of Seattle

—ss.

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

ORD: 115014

was published on

04/10/90

The amount of the fee charged for the foregoing publication is the sum of $ C. Powell, which amount has been paid in full.

Subscribed and sworn to before me on

APR 10 1990

Notary Public for the State of Washington, residing in Seattle

City of Seattle

(ORDINANCE 115814)

AN ORDINANCE relating to taxicabs, extending the moratorium on issuance of taxicab licenses; and amending Seattle Municipal Code (SMC) Section 6.212.045.

WHEREAS, Seattle and King County established a Regional Taxicab Commission to review the taxicab industry in the Seattle-King County area and to establish a common taxicab regulatory system; and

WHEREAS, uniformity in taxicab ordinances is necessary to maintain a viable, efficient taxi industry because of the amount of travel between Seattle and its suburban areas; and

WHEREAS, the enabling legislation of both Seattle (Ordinance 113613) and King County established a moratorium on new taxicab licenses until December 31, 1988, which was subsequently extended through April 30, 1989, anticipating that the Regional Taxicab Commission would submit its recommendation for a uniform policy by then; and

WHEREAS, the Regional Taxicab Commission has completed its 1989 year-end report, including detailed recommendations for an entry system for the Seattle-King County region and a draft regional taxicab entry ordinance; and

WHEREAS, additional time is necessary to analyze the Regional Taxicab Commission's entry system recommendations and to coordinate and prepare final implementation action for an entry system; and

WHEREAS, additional time is also necessary to complete reports and recommendations on taxicab rates and to analyze, coordinate, and prepare final implementation action concerning rates; Now, Therefore

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 6.212.045 (Ordinance 113613, Section 3, as last amended by Ordinance 114903, Section 1), is further amended as follows:

Section 6.212.045 Temporary Maximum Limit on Licenses; Transferability During Moratorium.

A. A moratorium is hereby established on the issuance of taxicab licenses to applicants, without previous licenses, ((~~and on the transfer of taxicab licenses during the period October 15, 1987~~)) through ((~~April 30, 1990~~)) December 31, 1990. ((~~Subject to subsections A and B,~~))((~~a~~))Only licensees whose licenses are about to expire or have expired within the previous thirty (30) days, are eligible for issue of new taxicab licenses, and then the new issues shall only replace the license currently held((~~,~~)); provided, however,

((~~A. Transfer: A taxicab license may be transferred to a successor when the licensee dies or is adjudicated as incompetent or disabled; to a transferee designated in an order of a bankruptcy court; to his or her marital community when the license holder marries; or to one of the former spouses in the event of a marital dissolution. A corporation, holding a license, may be issued a new license to replace the license currently held during the moratorium when its ownership and control remain with the same principal owners, or the transfer of its ownership or control occurs as a result of death, incompetency, bankruptcy, or between spouses in a marriage or between former spouses as a result of a marital dissolution.~~

~~B. Number of Licensee: This moratorium on the number of licenses outstanding is subject to the following limitation:~~

A)) a licensee((~~,~~)) who has a taxicab license from King County and operates within an area newly annexed to the City may secure a license to continue operating his or her existing cab(s) or replacement cab(s).

B. During the moratorium, any application for transfer of a license to another person shall state the name of the transferee, and the trade name and color scheme under which the vehicle will be operated. The owner of a taxicab vehicle license may transfer a license to any other motor vehicle with the approval of the Director. The transferee shall comply with all requirements of this chapter. Any taxicab vehicle license not in actual use for a period of ninety (90) days shall, at the discretion of the director, be considered abandoned and non-renewable or non-transferable.

Section 2. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 3. Any acts taken by the Director of Licenses and Consumer Affairs consistent with this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 4. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 2nd day of April, 1990, and signed by me in open session in authentication of its passage this 2nd day of April, 1990.

PAUL KRAABEL,
President of the City Council.
Approved by me this 4th day of April, 1990.
NORMAN B. RICE,
Mayor.
Filed by me this 4th day of April, 1990.
Attest: NORWARD J. BROOKS,
City Comptroller and City Clerk.
(Seal) By THERESA DUNBAR,
Deputy Clerk.
Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, April 10, 1990.

(25258)