

TOWN OF ADDISON, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE TOWN’S CODE OF ORDINANCES BY AMENDING CHAPTER 86 (VEHICLES FOR HIRE), ARTICLE II (TAXICABS, LIMOUSINES AND SHUTTLES), DIVISION 2 (PERMIT), SECTIONS 86-61 (REQUIRED), 86-65 (CONDITIONS AND TERMS) AND 86-66 (PERMITS NON-TRANSFERRABLE WITHOUT CONSENT OF TOWN) THEREOF BY AMENDING SAID SECTIONS REQUIRING TAXICAB SERVICE, LIMOUSINE SERVICE, OR SHUTTLE SERVICE TO SECURE A PERMIT FROM THE TOWN WHICH IS TO BE PERMANENTLY AFFIXED TO THE WINDSHIELD OF EACH VEHICLE, REGARDING PERMIT CONDITIONS AND TERMS, AND REGARDING PERMIT TRANSFERABILITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Amendment. The Code of Ordinances of the Town of Addison, Texas (“City”) is hereby amended by amending Chapter 86 (Vehicles for Hire), Article II (Taxicabs, Limousines and Shuttles), Division 2 (Permit) thereof as set forth below, and no other chapters, articles, divisions, sections, paragraphs, sentences, phrases or words of the said Code of Ordinances are amended hereby:

A. Sections 86-61, 86-65 and 86-66 of the said Code of Ordinances are amended so that they shall hereafter read as follows (additions are underlined; deletions are ~~struck through~~; where asterisks (*****) are used, the same represents text of a section that is not included herein and is not amended or modified by this Ordinance):

Section 86-61. Required.

* * * * *

(b) No taxicab, limousine or shuttle shall be operated unless it meets all of the requirements of the town’s annual permit and the laws of the state.

(c) It shall be unlawful and an offense for a person to operate a taxicab, limousine, or shuttle without having a permit sticker, issued by the town and assigned to the taxicab, limousine, or shuttle for the current permit period, displayed and adhered in a permanent manner attached to the driver’s side of the front windshield. Such certificate permit sticker shall be designed and coded by town for each year. Any permit sticker not permanently adhered to the windshield in accordance with this provision may be confiscated by a peace officer.

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Section 86-65. ~~Conditions and terms~~ Terms and Conditions.

A permit issued under this article:

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(3) Is effective for a single vehicle, registered with the town by vehicle identification number;

(4)(3) ~~Vests~~ no property right in the permittee except to operate a taxicab service, shuttle service, or limousine service within the town in accordance with the terms and conditions of this article; and

(5)(4) Is non-transferable and non-assignable except ~~that~~ in the event of a vehicle being discontinued ~~in~~ from service for any reason, the owner of such vehicle may, within 30 days thereafter, apply to the police department for a transfer of such permit to another vehicle.

Section 86-66. Permits non-transferable without consent of town.

It shall be unlawful and an offense for:

- (a) The holder of an annual permit with the town to sell to another person or entity any permit issued by the town.
- (b) ~~No~~ The holder of an annual permit with the town shall be permitted to assign to another person or entity any right or privilege granted by such annual permit without the express written consent of the town.
- (c) The holder of an annual permit with the town to transfer an annual permit with the town from one person or entity to another person or entity without the express written consent of the town (e.g. the permit may not move with a driver from one taxicab service to another taxicab service).

Section 2. Severability. The provisions of these Ordinances are severable, and if any section or provision of these Ordinances or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of any other section or provision of these Ordinances or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by the City Charter or by other law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the ____ day of February, 2014.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney