

**CITY OF AMERY
CITY COUNCIL
POLK COUNTY, WISCONSIN**

ORDINANCE NO. 11-2024

**AN ORDINANCE TO CREATE CHAPTER 388 TAXICABS OF THE
MUNICIPAL CODE FOR THE
CITY OF AMERY, POLK COUNTY, WISCONSIN**

The Common Council of the City of Amery, Polk County, Wisconsin do ordain as follows:

§ 388-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

TAXICAB

Includes all motor vehicles regularly engaged in the business of carrying passengers for hire for which public patronage is solicited, excepting such vehicles as operate on established routes and are regulated by the State Public Service Commission and excepting such vehicles commonly known as “rent-a-cars” and excepting vehicles operated as carpools and other ride services entering Amery City limits.

§ 388-2 License required.

No person shall transport passengers for hire by taxicab within the city, nor shall any person solicit passengers to be transported for hire by taxicab, without first having obtained a license therefor as herein provided.

§ 388-3 Application for license.

Application for a taxicab license to convey passengers for hire, commonly known as “taxi service,” shall be made in writing, to the City Administrator/City Clerk-Treasurer, and said application shall be verified under oath and shall furnish the following information:

- A. The name and address of the applicant. If the owner is a partnership, the form shall state the name of the company and the names and addresses of the partners, and the application shall be signed by one of the partners. If the owner is a corporation, the names and addresses of the principal officers must be given, and the application must be signed by one of the duly elected officers of the corporation.
- B. The experience of the applicant in the transportation of passengers. The number of vehicles to be operated or controlled by the applicant and the location of proposed depots and terminals.

- C. The make, model and year of the manufacture, the engine number, factory number and capacity for passengers and the state certificate of title number and license plate number for the current year of each motor vehicle to be used in the business.
- D. The color scheme or insignia to be used to designate the vehicle and vehicles of the applicant.
- E. Such further information as the City of Amery may require. No license shall be issued until the applicant presents a policy or certificate of insurance herein required to the City Administrator/Clerk-Treasurer.

§ 388-4 Public hearing; approval of application.

- A. Upon the filing of an application, the Common Council shall fix a date and place for a public hearing thereon. Notice of such hearing shall be given to the applicant and shall require a Class 1 publication. Any interested person may appear in person or file with the City Clerk's office a memorandum in support or opposition to the pending application.
- B. If the Common Council finds that taxicab service in the City of Amery is required by the public convenience and necessity and that the applicant is fit, willing and able to perform such transportation and to conform to the provisions of this chapter, the Common Council may approve the application.
- C. In considering the application, the Common Council shall take into consideration whether existing transportation is adequate to meet the public need, the probable effect of increased service on local traffic conditions and the character, experience and responsibility of the applicant.
- D. No license shall be issued if the applicant is delinquent in payment of any taxes, assessments, forfeitures for violations of City ordinances, utility bills, or any other claims owed to the City.

§ 388-5 Fees.

The fees will be shown in the City of Amery's Schedule of Fees. The fee shall not be prorated or refundable.

§ 388-6 License not transferable.

No license issued under this chapter shall be transferable from the owner described in the original license to another person.

§ 388-7 Issuance of license.

Upon approval by the Common Council and upon filing with the City Administrator/Clerk-Treasurer proof of all fees, the policy or certificate of insurance and a certificate of inspection as provided herein, the Clerk-Treasurer shall issue a license for the operation of such vehicle or vehicles, and each license granted shall be given a number and shall give the number and an adequate description of the taxicab licensed thereunder, and such license shall be carried in the

taxicab for which it has been issued. The license period shall be from July 1 through June 30 yearly.

§ 388-8 Vehicle inspection.

No license shall be issued for any vehicle until it has been thoroughly inspected and found to be in safe condition for the transportation of passengers. In addition to being mechanically safe, such vehicle shall be clean and free of body damage and shall be well painted and maintained. The safety inspection provided herein shall be done by an automobile repair center, which shall certify that the inspected vehicle meets the provision of this chapter. No vehicle shall be placed in service until such time as it has been inspected, and each vehicle licensed shall be subject to reinspection and recertification every six months.

§ 388-9 Insurance.

- A. No taxicab license shall be issued to any vehicle under this chapter until the applicant deposits a policy or certificate of liability insurance covering each vehicle for which a license is sought with the City Administrator/Clerk-Treasurer. Such policy of insurance shall be issued by an insurance company authorized to do business in the State of Wisconsin and shall contain the vehicle identification number and the number of the state license plate for each vehicle covered by the policy, and such policies shall indemnify the applicant in the amount of \$500,000 single limit liability coverage for the injury or death of one or more persons and damage to the property of others for any one accident due to the negligent operation of any vehicle covered by such policy.
- B. Form approval and expiration notice. The policy shall contain a provision that the same may not be canceled before the expiration of its term, except upon 30 days' written notice to the city. Further, the licensee shall assure that the insurance carrier provides the city with copies of all insurance expiration and cancellation notices and copies of all notifications of reinstatement of insurance coverage.
- C. Automatic revocation of license. The cancellation or other termination of any insurance policy issued in compliance with this chapter shall automatically revoke and terminate all licenses issued for any vehicle covered by such policy unless another policy complying with this chapter is provided and in effect at the time of such cancellation or termination.
- D. Responsibility of licensee and surety. In any event, the licensee and the surety will be held responsible for and shall save the city, its employees and agents harmless from all liability for injury and damages occasioned by the taxi operation or which may result therefrom or which may result in any way from the negligence or carelessness of the licensee, his agents, employees or workers or by reason of the elements, unforeseen or unusual difficulties, obstructions or obstacles encountered in the service delivery, and they shall indemnify the city, its employees and agents for and save it harmless from all claims and liabilities, actions and causes of action and liens for materials furnished or labor performed in service delivery and from all costs, charges and expenses incurred in

defending such suits or actions and from and against all claims and liabilities for injury or damage to persons or property emanating from defective or careless work methods or accidents.

§ 388-10 Violations and penalties.

Except as otherwise provided, any person who shall violate any provision of this chapter shall be subject to a penalty as provided in § 1-5 of this Code of Ordinances.

Effective date. Upon passage and publication, this section shall take effect and be in force as provided by law.

Adopted by the City Council on May 15th, 2024.

CITY OF AMERY

By: Rick Van Blaricom
Rick Van Blaricom
Mayor

Attest: Taylor Larson
Taylor Larson
Clerk-Treasurer

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