#33

1301397

13-R-1397

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCILMEMBER

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA GEORGIA, CHAPTER 162, ARTICLE II, DIVISION 2, SECTION 162-61, (ENTITLED NUMBER LIMITED; COSTS), SO AS TO TEMPORARILY INCREASE THE PERMISSIBLE AGE OF A VEHICLE THAT MAY BE OPERATED AS A TAXICAB IN THE CITY FROM EIGHT TO TEN YEARS, EFFECTIVE JANUARY 1, 2014 AND EXPIRING ON JUNE 30, 2014; AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1ST ADOPT 2ND READ & REFER
- ☑ PERSONAL PAPER REFER

Date Referred 11/18/13

Referred To: Public Safety

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred To

Committee	Committee
PSLA	
Date 11/26/13	Date
Chair	Chair
Action Fav, Adv, Hold (See rev.side) Other	Action Fav, Adv, Hold (See rev.side) Other
Members	Members
C. T. Martin	
Cleta Winslow	
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action Fav, Adv, Hold (See rev.side) Other	Action Fav, Adv, Hold (See rev.side) Other
Members	Members
ADOPTED BY DEC 02 2013 COUNCIL	
Refer To	Refer To

FINAL COUNCIL ACTION 3350

☐ 2ND ☐ 1ST & 2ND ☐ 3RD

Readings

☑ Consent ☐ V Vote ☑ RC Vote

CERTIFIED

DEC 02 2013

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED

DEC 02 2013

Rhonda Dauphin Johnson

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

DEC 11 2013

WITHOUT SIGNATURE BY OPERATION OF LAW

470187-1

CITY COUNCIL
ATLANTA, GEORGIA

13-O-1397

AN ORDINANCE BY COUNCILMEMBER

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 162, ARTICLE II, DIVISION 2, SECTION 162-61, (ENTITLED NUMBER LIMITED; COSTS), SO AS TO TEMPORARILY INCREASE THE PERMISSIBLE AGE OF A VEHICLE THAT MAY BE OPERATED AS A TAXICAB IN THE CITY FROM EIGHT TO TEN YEARS, EFFECTIVE JANUARY 1, 2014 AND EXPIRING ON JUNE 30, 2014; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, pursuant to its police powers the City of Atlanta is authorized to enact legislation to regulate certain businesses and industries which could potentially affect the public health, safety, and welfare including those businesses which relate to Vehicles for Hire; and

WHEREAS, City of Atlanta Code of Ordinances § 162-33 sets forth that Chapter 162, Article II shall apply to all vehicles for hire for which a permit has been issued; and

WHEREAS, on December 3, 2012, Ordinance 12-O-1725 was adopted by the Atlanta City Council, and on December 12, 2012 Ordinance 12-O-1725 approved as per City Charger Section 2-403; and

WHEREAS, Ordinance 12-O-1725 amended Chapter 162, Article II, Division 2, Section 162-61 of the City of Atlanta Code of Ordinances in order to temporarily increase the permissible age of a vehicle that may be operated as a taxicab in the city from eight (8) years to ten (10) years until December 31, 2012 due to a desire to prevent over four-hundred (400) vehicles scheduled to become ineligible on December 31, 2012 to be operated for one more year; and

WHEREAS, in accordance with the scheduled expiration of the temporary increase in the permissible age of taxicabs pursuant to Ordinance 12-O-1725, over seven-hundred (700) vehicles, currently being operated will be ineligible for operation in the city beginning on January 1, 2014 once the permissible age of a vehicle that may be operated as a taxicab reverts to 8 years; and

WEHREAS, as a result, taxi drivers and taxi companies will be required to replace over 700 vehicles on or before January 1, 2014 in order to maintain current levels of service; and

WEHREAS, the City of Atlanta does not desire for taxi drivers and taxi companies to bear such an immediate and costly burden; and

WEHREAS, temporarily increasing the permissible age of a vehicle which may be operated as a taxicab in the city from 8 years to ten (10) years will allow over 700 vehicles currently scheduled to become ineligible on January 1, 2014 to be operated for one more year; and

WHEREAS, it is therefore the desire of the City of Atlanta that following the expiration of the temporary increase in the permissible age of taxicabs pursuant to Ordinance 12-O-1725 on December 31, 2013, Chapter 162, Article II, Division 2, Section 162-61 of the City of Atlanta Code of Ordinances be amended to temporarily set the permissible age of a vehicle which may be operated as a taxicab in the city at 10 years;

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

Section 1: That Chapter 162, Article II, Division 2, Section 162-61(a), of the City of Atlanta Code of Ordinances, entitled "[n]umber limited; costs," be amended such as it shall read as follows:

Sec. 162-61. - Number limited; costs.

(a) The maximum number of taxicab CPNC's outstanding shall be 1,600, which is the number of CPNC's issued as a result of the legislative limitation established in 1995. This limitation is specifically based upon the relationship between the number of taxicabs operating within a geographic area and the quality of service they provide. An excessive number of taxicabs results in a reduced level of service and more passenger complaints. A taxicab CPNC will be issued to, and can only remain affixed to a vehicle which meets the age limitations set forth below:

No vehicle having a vehicle age greater than **ten** years may be operated as a taxicab in the city. For purposes of this article, the term "vehicle age" shall be determined based on the vehicle's model year, and a "year" shall be measured through the last day of that respective calendar year (for example, a vehicle with a model year of 2000 shall have a vehicle age of

one year as of January 1, 2001). This **ten**-year age provision shall be temporary in nature and shall only remain in effect until December 31, **2013**, after which time, it shall no longer be of any further force and effect, and said taxicab age provision shall revert back to a "vehicle age" of no greater than eight years.

As of August 15, 2001, no new or replacement taxicab vehicle may be operated as a taxicab in the city if such vehicle is greater than five years old. However, **until June 30, 2014**, any such new or replacement vehicle for which a CPNC is obtained may continue to be operated as a taxicab through that vehicle's **tenth** model year provided that the vehicle continues to be in compliance with all other provisions of the City Code which pertain to the regulation of taxicabs licensed to operate in the city. **After June 30, 2014, any such new or replacement vehicle may continue to be operated as a taxicab through that vehicle's eighth model year provided that the vehicle continues to be in compliance with all other provisions of the City Code which pertain to the regulation of taxicabs licensed to operate in the city.**

Section 3: This ordinance shall take effect on January 1, 2014.

Section 4: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy:

Deputy Clerk

ADOPTED by the Atlanta City Council DEC 02, 2013
APPROVED as per City Charter Section 2-403 DEC 11, 2013

RCS# 3178
12/02/13
3:26 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I:EXCEPT
13-O-1333,1334,1264,1395,13-R-3783,3785
ADOPT

YEAS:	14
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	1
EXCUSED:	0
ABSENT	1

Y Smith	Y Archibong	Y Moore	Y Bond
B Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell