

GREENVILLE CITY CODE

CHAPTER 1. VEHICLES FOR HIRE

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**\*Editor's note**--Ord. No. 97-44, adopted Apr. 21, 1997, has been codified herein as ch. 1, §§ 11-1-1, 11-1-2, 11-1-11--11-1-16, 11-1-31--11-1-45, 11-1-61--11-1-83 and 11-1-90--11-1-93, superseding ch. 1, §§ 11-1-1, 11-1-2, 11-1-11--11-1-16, 11-1-31--11-1-47, 11-1-61--11-1-67, 11-1-81--11-1-83 and 11-1-90--11-1-93. Former ch. 1 pertained to similar subject matter as derived from the Code of 1971, §§ 15-1--15-4, 15-6, 15-7, 15-11, 15-12, 15-14--15-17, 15-19.1, 15-20--15-30; Ord. No. 774, adopted Jan. 12, 1978; Ord. No. 820, adopted Nov. 9, 1978; Ord. No. 868, adopted June 14, 1979; Ord. No. 1073, adopted Mar. 12, 1981; Ord. No. 1430, adopted Aug. 9, 1984; Ord. No. 1502, adopted June 6, 1985; Ord. No. 1748, adopted Aug. 13, 1987; and Ord. No. 2646, adopted June 10, 1993.

**State law reference(s)**--Licensing and regulation of vehicles for hire, G.S. 160A-304.  
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## Article A. General Provisions

### Sec. 11-1-1. Liability insurance policy prerequisite to operation.

The owners or operators of any and all taxicabs or other vehicles used for the transportation of passengers for remuneration, and operating within the corporate limits of the city or within five (5) miles in each direction from the corporate limits, shall, before engaging in such business, procure liability insurance in a minimum amount of one hundred thousand dollars (\$100,000.00) for one (1) person and three hundred thousand dollars (\$300,000.00) for more than one (1) person for the protection of all passengers transported against personal injuries and fifty thousand dollars (\$50,000.00) property damage, against liability for damages to the person and property of others. It shall be unlawful for any person to violate any provision of this section. (Ord. No. 97-44, § 1, 4-21-97)

**State law reference(s)**--Liability insurance policy for taxicabs, G.S. 20-87; minimum, G.S. 20-280.

### Sec. 11-1-2. Failure to pay fare.

It shall be unlawful for any person to retain the services of the operator or driver of any bus or other vehicle, licensed under this article or any other article of the city Code regulating taxicabs or limousines to transport passengers for hire, for the purpose of transporting such person from one place to any other place, and to fail to pay such operator or driver the regular transportation fare upon reaching his destination; provided, that there was no agreement that the fare should be paid at some later date. (Ord. No. 97-44, § 1, 4-21-97)

### Secs. 11-1-3--11-1-10. Reserved.

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## Article B. Taxicabs

### Division 1. General Provisions

#### **Sec. 11-1-11. Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning:

- (1) *Certificate* shall mean a certificate of public convenience and necessity which has been issued to a holder in accordance with the provisions of this article, unless otherwise defined herein.
- (2) *Chief of police* shall mean chief of police or his designee.
- (3) *Holder* shall mean an individual(s), trustee, fiduciary, corporation, partnership, or other entity to whom a certificate of public convenience and necessity has been issued in accordance with the provisions of this article, unless otherwise defined herein.
- (4) *Permit* shall mean a permit for the operation of a taxicab issued to a driver in accordance with the provisions of this article, unless otherwise defined herein.
- (5) *Taxicab* shall mean any motor vehicle seating nine (9) or fewer passengers operated upon any street or highway on call or on demand, accepting or soliciting passengers indiscriminately for hire between such points along streets or highways as may be directed by the passenger so being transported. (Ord. No. 97-44, § 1, 4-21-97)

#### **Sec. 11-1-12. Annual license for operation of taxicab business.**

Every person before operating any taxicab business within the city, or within a distance of five (5) miles thereof, shall apply to and procure from the city an annual license for the privilege of operating such business and shall pay for such annual license a tax in such sum as may be required by the provisions of Title 3, Chapter 2 of this Code. This license shall be in addition to any and all other certificates, permits or documents required by this article. (Ord. No. 97-44, § 1, 4-21-97)

#### **Sec. 11-1-13. Duty to transport persons and property; exceptions.**

It shall be unlawful for any taxicab holder or driver, while on duty, to refuse to transport any person or property from the point of origin of any trip to the intended destination, provided such holder or driver shall, at the time of such request for transportation, have adequate seating capacity or space in his taxicab for such person or property and not be engaged in proceeding to a destination to transport a prior fare. Every holder or driver shall have a right to refuse transportation if:

- (1) Such holder or driver believes that his safety or that of his passenger(s) will be placed in jeopardy;
- (2) Such holder or driver knows from previous experience, that the person seeking transportation has contributed to the disruption of taxicab service, has caused damage to property, has failed to pay a fare, or committed any violation of this article.
- (3) The person being transported jeopardizes the safety of the driver or passengers or otherwise disrupts service during the transport; or
- (4) The person seeking transport is under the influence of an impairing substance. (Ord. No. 97-44, § 1, 4-21-97)

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**Sec. 11-1-14. Reserved.**

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### **Sec. 11-1-15. State vehicle inspection stickers; driver's permit displayed.**

No driver shall operate any taxicab carrying passengers for hire unless such vehicle shall display a valid North Carolina state vehicle inspection sticker and unless there is visually and prominently displayed therein the driver's permit as required by section 11-1-61. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-16. Taxicabs used for private purposes.**

No taxicab shall be used other than as a vehicle for hire, unless the driver's permit is first removed therefrom and an "off-duty" sign is thereon prominently displayed. (Ord. No. 97-44, § 1, 4-21-97)

### **Secs. 11-1-17--11-1-30. Reserved.**

## Division 2. Certificate of Public Convenience and Necessity

### **Sec. 11-1-31. Required.**

It shall be unlawful for any person to operate a taxicab upon and over the streets of the city without having first applied for and secured from the city council a certificate of convenience and necessity in accordance with the provisions of this article. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-32. Certificate as franchise; renewal.**

(a) A certificate of public convenience and necessity shall constitute a franchise from the city for the operation of taxicabs within the city limits subject to the provisions of this article for three (3) years, unless a shorter period of time is specified in the certificate. Applications for renewals shall be filed at the expiration of the previous three-year franchise and hearing conducted thereon as herein provided.

(b) The chief of police shall review at least annually the conduct of the holder with regard to his compliance with the provisions of section 11-1-44. Thereafter, if the chief of police believes there are grounds for the revocation of the certificate, he shall forward his recommendations in writing, with supporting documentation and findings, to the city council for consideration and decision in accordance with this article. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-33. Application.**

Every person desiring to operate a taxicab business upon and over the streets of the city shall file, on a form supplied by the city clerk, an application for a certificate of public convenience and necessity. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-34. Investigation of application.**

Before making any decision with respect to the issuance of a certificate of public convenience and necessity pursuant to this article, the city council or a committee thereof shall make a full and complete investigation of all facts in connection with the application and may subpoena witnesses and utilize the services of the chief of police or any other officer or employee of the city. Upon completion of the investigation and prior to commencement of the hearing set forth in section 1-11-35 below, a written report including all findings, supporting documentation and list of names and addresses of witnesses consulted shall be forwarded to the applicant. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-35. Hearing upon application; notice of such hearing.**

(a) Each application for a certificate of public convenience and necessity pursuant to this article shall be scheduled for a hearing not later than thirty (30) days after it is filed. The applicant shall be notified by

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the city clerk by mail, to the business address set forth in the application, of the date and time of such hearing, such notifications to be sent at least ten

(10) days before the date set for the hearing. The city clerk shall also, within the same time, notify all persons, who at that time hold certificates of public convenience and necessity for the operation of taxicabs within the city, of the date and time of such hearing and the name of the applicant. In addition, the city clerk shall cause to be published at least once in a newspaper of general circulation at least ten (10) days before such hearing, a notice setting forth the name of the applicant and the date and time of the hearing. The cost of such publication shall be paid for by the applicant at the time the application is filed.

(b) Each applicant shall have the opportunity to request the rescheduling of the public hearing once he receives the results of the investigation completed pursuant to section 11-1-34, in order to adequately prepare for the hearing. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-36. Burden of proof to be upon the applicant.**

The burden of proof shall be upon the applicant to establish the existence of public convenience and necessity for the operation of a taxicab business as specified in this application, and all other facts required for the granting of such certificate. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-37. Inspection of vehicles as prerequisite; subsequent inspections.**

(a) Before any certificate of public convenience and necessity will be issued under the provisions of this article, it shall be the duty of the chief of police to make an inspection, in accordance with the provisions of sections 11-1-68 through 11-1-72, of the condition of the taxicabs to be operated by the applicant. The chief of police making such inspection shall report his findings to the city council at the hearing upon the application for a certificate.

(b) Each taxicab operated in the city shall be inspected at least once every six (6) months during the months of June and December in the same manner as provided for in the original inspection. Each approved taxicab shall have affixed to the lower left side of the rear glass, a city police department inspection sticker. A list of all approved taxicabs shall be furnished to the finance department and no privilege license shall be issued for any taxicab or limousine failing this inspection. This inspection shall be in addition to all other inspections required by the state for the operation of a motor vehicle. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-38. Issuance or refusal--Power of council.**

The city council shall have power and it shall be its duty to order certain certificates of convenience and necessity issued, or to refuse to issue certain certificates of convenience and necessity for a partial exercise only of the privileges sought, and may attach to the exercise of the rights granted only by such certificate such terms and conditions as in their judgment the public convenience and necessity may require. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-39. Same--Matters to be considered by council.**

In determining whether the public convenience and necessity requires the franchising of any taxicab, the city council shall, among other things, take into consideration the following factors:

(a) Whether or not the public convenience and necessity requires such proposed or additional taxicab service within the city;

(b) The financial responsibility of the applicant and the likelihood of the proposed service being permanent, responsible and satisfactory;

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(c) The number and condition of equipment;

(d) The number of taxicabs in operation and the demand for increased service, if any, and whether or not the safe use of the streets by public, both vehicular and pedestrian, will be preserved, and whether or not adequate provision has been made for off-street parking of such taxicabs;

(e) The experience of such applicants in the taxicab business; and

(f) Such other relative facts as may be deemed necessary and advisable. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-40. Operations to begin within sixty days of grant.**

If a certificate of public convenience and necessity is granted to an applicant pursuant to this article, and the applicant shall fail in accordance with the provisions of the certificate to begin operations within sixty (60) days after the date of such certificate, then such certificate shall become null and void. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-41. Expiration or cessation of operation; death of franchisee.**

(a) If a holder shall for any period of time, in excess of sixty (60) days, fail to operate such franchise, that holder shall offer in writing to the chief of police an explanation for such failure to so operate. If such explanation fails to satisfy the chief of police of its reasonableness, the chief of police shall notify the city council and the council may, after a hearing, revoke the certificate or condition a revocation upon compliance with any reasonable order in relation thereto it deems advisable.

(b) Upon the death of a holder, the certificate of public convenience and necessity shall continue in effect for a period of sixty (60) days; provided, that a responsible person, as approved by the chief of police, shall be placed in charge of the taxicab operation. At the expiration of the sixty (60) days, such certificate shall become null and void. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-42. Transfer.**

A certificate of public convenience and necessity under this article is not transferable without the consent of the city council. Applications for a transfer of such a certificate shall be filed in the same manner as an application for a certificate of public convenience and necessity. The proceedings upon such application for a transfer shall be the same as those described for the issuance of a certificate, except that the question of public convenience and necessity need not be proved. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-43. Substitution of vehicles.**

A holder, by appropriate endorsement on the certificate by the chief of police, may substitute another vehicle for the vehicle for which the certificate was granted. Before any such vehicle may be approved as a substitute vehicle, it shall first meet the inspection requirements of section 11-1-37 and any other inspection required by the state. In such instance, the liability insurance or bonds shall also be transferred to such substitute vehicle. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-44. Revocation.**

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(a) The city council may, at any time after a public hearing, revoke any certificate of public convenience and necessity issued by authority of this article for any one (1) or more of the following causes:

- (1) Failure to operate the taxicabs specified in the certificate issued to the holder in accordance with this article; or operating taxicabs other than those specified on the certificate;
- (2) Failure to maintain motor equipment in good repair, in accordance with the requirements of this article and/or state law;
- (3) Failure to carry liability insurance or bond as is required by this chapter;
- (4) Failure to pay to the city taxes or license fees levied or imposed upon such taxicabs;
  
- (5) Repeated and persistent violations, not necessarily resulting in convictions, by the holder's drivers of city, county or state traffic and safety ordinances or laws, or state laws relating to alcoholic beverages or prostitution;
- (6) Failure to report accidents as required by Chapter 20 of the North Carolina General Statutes;
- (7) Repeated and persistent acts by one or more of the holder or holder's drivers impugning their truthfulness or veracity, including but not limited to acts of fraud and deception;
- (8) Willful failure to comply with any provision of this chapter or other ordinances or state laws relating to the operation of taxicabs.

(b) No certificate shall be revoked until the holder has had at least ten (10) days' notice by personal service or registered mail of the charges against him, and of the time and place of hearing. If after the hearing, there is competent evidence to support the violation of one (1) or more of the offenses listed herein, the city council shall have the power to revoke the certificate or to condition a revocation upon compliance of its order within any time fixed by it. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-45. Records; collection of fees.**

All records relative to the issuance of certificates, inspection of vehicles, assignments of taxicab numbers and substitution of vehicles shall be kept and maintained by the police department; provided, that the responsibility for collection of all privilege license fees shall be retained by the finance department. (Ord. No. 97-44, § 1, 4-21-97)

### **Secs. 11-1-46--11-1-60. Reserved.**

## Division 3. Driver's Permits

### **Sec. 11-1-61. Driver's permit required.**

No person shall drive any taxicab carrying passengers for hire from place to place within the city, or within a distance of five (5) miles thereof, unless that person shall have first applied to and secured from the chief of police a permit to drive a taxicab. Permits are valid only for the holder named on the permit. An application for a permit to drive for another holder within six (6) months of the date of initial issuance or subsequent renewal will constitute a transfer and shall be applied for on a form supplied by the city police department. An application for a permit to drive for another holder in excess of six (6) months from the date of initial issuance or subsequent renewal shall constitute a renewal and the applicant shall comply with all provisions of this article. Upon receipt of an application for a permit to operate a taxicab within the city, the chief of police shall, within fourteen (14) calendar days, issue a permit, if consistent with this article. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-62. Permit application; fingerprints and photograph as part thereof.**



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The application for a permit or renewal to drive a taxicab shall be made upon forms furnished by the chief of police for such purpose, and shall, among other things, state the name, address, physical condition, physical description, former employers, court record and state operator's license number of the applicant. Such application shall be signed and sworn to by the applicant. Each applicant shall submit to a controlled substance test as directed by the chief of police, provide authorization for release of the results of such testing to the chief of police and those involved in the permitting process or any appeals. The cost of the testing shall be borne by the applicant. The request for testing and the results of the test both shall constitute and become part of the application. The applicant shall further appear at the city police department for the purpose of having his fingerprints taken and photograph made, both of which constitute part of his application. (Ord. No. 97-44, § 1, 4-21-97; Ord. No. 04-73, § 1, 6-10-04)

### **Sec. 11-1-63. Chief of police to investigate.**

The chief of police shall investigate the facts stated in the application, taking into account the factors set forth in section 11-1-64. A criminal history shall be requested from sources permitted by law. The chief of police shall report his findings in writing, including all supporting documentation, with his determination as to whether a permit is issued to the applicant. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-64. Refusal and revocation.**

The following factors shall be deemed sufficient grounds upon which the chief of police may refuse to issue a driver's permit or may revoke a permit of any driver already issued such permit:

- (1) Conviction of a felony against the state or conviction of any offense against another state which would have been a felony if committed in this state. This section shall not apply to felony convictions (as defined herein) which occurred ten (10) years from the date of the application.
- (2) Violation of any federal or state law relating to the use, possession or sale of any alcoholic beverage as defined by Chapter 18 of the North Carolina General Statutes or any controlled substance as defined by Chapter 90 of the North Carolina General Statutes.
- (3) Addiction to or habitual use of any alcoholic beverage as defined by Chapter 18 of the North Carolina General Statutes or use of any controlled substances as defined by Chapter 90 of the North Carolina General Statutes not therapeutically prescribed.
- (4) Conviction of any federal or state law relating to prostitution.
- (5) Not being a legal resident of the United States.
- (6) Five (5) violations, or three (3) convictions within a one-year period of time, of any city, county or state traffic or safety ordinance or law. For purposes of this subsection a conviction is a violation. Violations resulting in not guilty verdicts are not counted for purposes of this section.
- (7) A single conviction of a city, county, or state traffic or safety ordinance or law that grossly endangers the lives of the driver, his passenger(s), or the community.
- (8) Conviction of any crime involving the use of a weapon of any type.
- (9) Repeated and persistent acts impugning the driver's truthfulness or veracity, including but not limited to fraud or deception. (Ord. No. 97-44, § 1, 4-21-97)
- (10) If the applicant, whether initial or for renewal, shall refuse to submit to a controlled substance test or if the applicant's controlled substance test result reveals a positive level for any of the controlled substances listed in § 90-89--§ 90-94 of the North Carolina Controlled Substances Act, the application for permit or renewal shall be denied. If the applicant, whether for initial permit or for renewal, is denied a permit as a result of a positive controlled substance test, the driver may not

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operate a vehicle for hire until a permit is issued and must wait six months from the date of the denial before re-applying for a permit. Any re-application shall be treated for fee purposes as an initial application. (Ord. No. 04-73, § 2, 6-10-04)

### **Sec. 11-1-65. Fee; term; renewal.**

Upon issuance of a taxicab driver's permit, subject to the provisions of this article, the person to whom such permit is issued shall pay therefor such fee as may be required by the city Manual of Fees. Such permit shall be renewed annually. Upon the application for renewal, the applicant for renewal shall be subject to the same investigation as required for initial issuance and shall pay such renewal fee as may be required by the city Manual of Fees. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-66. Posting in taxicab.**

The driver of every taxicab while on duty, [shall] prominently post and display in such taxicab, so as to be visible to the passengers therein, his permit to drive a taxicab, which shall contain the driver's photograph, fingerprint and such other information as required by the chief of police. (Ord. No. 97-44, § 1, 4-21-97)

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### **Sec. 11-1-67. Appeal to appeal board.**

(a) Any person who makes application to the chief of police and who is refused a driver's permit shall have the right of appeal to the appeal board as hereinafter constituted. The applicant must give notice of appeal in writing within ten (10) calendar days of the notification from the chief of police as set forth in [section] 11-1-63. The notice of appeal shall be directed to the office of the city manager. If such application is a renewal of a currently valid permit, the refusal to renew by the chief of police shall be stayed during the pendency of the appeal. If the application is for an initial permit, no stay will be issued. The stay of a refusal to renew can be dissolved pending the appeal by request of the chief of police and a showing that the refusal to renew was a direct result of a gross act by the applicant that jeopardized the safety of the applicant, his passengers or the community while he or she was operating a taxicab vehicle. The request of the chief of police to dissolve a stay shall be made to the city manager and the applicant shall have a reasonable and timely opportunity to respond to the same before ruling by the city manager.

(b) The appeal to the appeal board shall be conducted within fifteen (15) calendar days of the date of the notice of appeal. The appeal shall be an informal, administrative hearing in which the rules of evidence shall not apply, but the applicant's right to confront and cross-examine witnesses against him or her shall be enforced. The applicant shall be entitled to be represented by counsel and shall have the right to present evidence, call witnesses and confront and cross-examine witnesses against him or her. Witnesses shall testify under oath. The hearing shall be conducted in accordance with the principles of due process.

(c) The appeal board shall be constituted of three (3) members who shall be the current city manager or his designee, an elected member from the Greenville Taxicab Association, and a designated member from the city council. There shall be an alternate elected member from the Greenville Taxicab Association to serve in the event that the applicant is employed by or for the initial elected member. Each appeal board member shall have the right to question witnesses. The city manager shall be the chairman and conduct the hearing and govern procedural questions. The decision of the appeal board shall be by majority vote and said decision shall be made at the conclusion of the hearing, unless the appeal board requests additional evidence. The decision of the appeal board shall be documented by the city manager in writing, including findings to support their decision, and forwarded to the applicant within ten (10) calendar days of the conclusion of the hearing. (Ord. No. 97-44, § 1, 4-21-97)

## Division 4. Vehicle Requirements

### **Sec. 11-1-68. Taxicab numbers.**

Whenever a certificate shall be granted under the provisions of this article, the chief of police shall designate upon the certificate a number for each taxicab to be operated by the holder. Each taxicab shall be given a different number. It shall be the duty of each holder, before operating such taxicab, to imprint, legibly and visibly, upon each side and the rear of the exterior of the body of the taxicab, the number given it by the chief of police in figures at least three and one-half (3 ½) inches in size. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-69. Illuminated signs on taxicabs.**

Each taxicab operated in the city shall have an illuminated sign on top of the taxicab, with the name of the taxicab company and the number of the taxicab legibly and visibly imprinted thereon. Such sign shall be no less than eighteen (18) inches in length and lettering thereon shall be no less than three and one-half (3 ½) inches in height. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-70. Vehicle equipment.**

In addition to all other applicable regulations, all taxicabs operated in the city shall be equipped and maintained in a satisfactory condition so as to comply with the General Statutes of North Carolina, and the provisions of this Code, and among other requirements shall:

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- (1) Have a body of the sedan or enclosed type and shall be of not less than four-passenger capacity;
- (2) Have four (4) doors, two (2) leading into the passenger's compartment and two (2) leading into the driver's compartment, so constructed that they may be opened from the inside and outside;
- (3) Have all openings and doors in proper working condition;
- (4) Be equipped with a heater sufficient to heat the interior of the taxicab adequately in cold weather and an air conditioner sufficient to cool the interior in hot weather;
- (5) Have all windshields and side and rear glasses clear and free of all cracks and clear of dirt or obstructions to clear view.
- (6) Have front and rear bumpers and attachments of the original manufacturer's design which shall be in place and in proper repair.
- (7) Have headlights in good working condition and as installed by the original manufacturer.
- (8) Be equipped with a two-way radio in order that the taxicab can have direct communication with the taxicab stand for immediate dispatching.
- (9) Be equipped with all safety devices in proper working order as designed by the original equipment manufacturer and any other item which the city may require for the convenience and safety of the passengers.
- (10) Have removable floor mats of rubber or other nonabsorbent and washable material shall be provided for all taxicabs.
- (11) Have the windshield and all windows in taxicabs made of non-shatterable or safety glass. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-71. Condition of taxicabs.**

(a) Every vehicle operating under this chapter shall be kept in a clean and sanitary condition according to the rules and regulations promulgated by the city. The holder shall keep the body of the taxicab, both interior and exterior, safe and clean and its general appearance shall be kept as close as possible to the manufacturer's original appearance with respect to sheet metal and finish of the vehicle normal wear and tear expected.

(b) The holder shall clean the exterior as often as needed and shall clean the interior of each taxicab at least once every twenty-four (24) hours. (Ord. No. 97-44, § 1, 4-21-97)

### **Sec. 11-1-72. Maintenance of taxicab.**

When any taxicab is wrecked, damaged or unsafe for taxicab operation, the holder shall have such repairs and alterations made as may be required and shall not operate, or cause or permit to be operated, any such taxicab until such repairs and alterations have been completed. (Ord. No. 97-44, § 1, 4-21-97)

## Division 5. Driver's Requirements for Operation of Taxicabs

### **Sec. 11-1-73. Driver's manifests required.**

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Every driver shall maintain a daily manifest upon which are recorded all trips made each day, showing time and place of origin and destination, the number of passengers, and the amount of fare of each trip. All such completed manifests shall be returned to the holder by the driver at the conclusion of his tour of duty and shall be open for inspection at any reasonable time to any Greenville police officer whose duty it is to enforce the provisions of this chapter. The forms for such records shall be furnished to the driver by the holder and shall be of a character approved by the chief of police. (Ord. No. 97-44, § 1, 4-21-97)

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**Sec. 11-1-74. Solicitation of passengers by driver.**

(a) No driver shall solicit passengers for a taxicab except when sitting in the driver's compartment of such taxicab or while standing immediately adjacent to the curbside thereof. The driver of any taxicab shall remain in the driver's compartment or immediately adjacent to his vehicle at all times when such vehicle is upon the public street, except upon request to assist in the handling of baggage of a passenger or prospective passenger.

(b) No driver shall solicit patronage in a loud or annoying tone of voice or by sign or in any manner annoy any person, obstruct the movement of any person, or follow any person for the purpose of soliciting patronage.

(c) No driver shall solicit passengers at the terminal of any other common carrier. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-75. Restriction on number of passengers.**

No driver shall permit more persons to be carried in a taxicab than the seating capacity of his taxicab (such capacity to be determined by the automobile manufacturer), including the driver. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-76. Accepting additional passengers.**

No driver shall permit any other person to occupy or ride in his taxicab, unless the person first employing the taxicab shall consent to the acceptance of additional passengers. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-77. Deception of passengers.**

No driver shall deceive or attempt to deceive any passenger who may ride in the taxicab, or who may desire to ride in such taxicab as to the destination or the rate of fare to be charged, or shall convey any passenger, or cause any passenger to be conveyed, to a place other than that directed by the passenger, by the most direct route, unless so requested by the passenger. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-78. Lost articles.**

The driver of a taxicab shall make every effort possible to return any lost article that may be found in the taxicab to the rightful owner as soon as possible after discovery of such article. If the owner cannot be located or determined, the lost article shall be turned over to the Greenville Police Department as soon as possible. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-79. Unauthorized passengers.**

No taxicab shall be used other than as a vehicle for hire unless the driver is off duty. No individual except the holder or driver shall be allowed to ride in a taxicab which is in service unless such individual is a fare-paying passenger. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-80. Compliance of passenger's request required.**

(a) Each taxicab driver shall comply with all reasonable and lawful requests of the passenger as to the speed of travel and the route to be taken.

(b) The driver of a taxicab shall, upon the request of any passenger, give to such passenger the correct name and address of such driver and such other information as will identify the vehicle, driver and owner thereof. (Ord. No. 97-44, § 1, 4-21-97)

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### Division 6. Fares

#### **Sec. 11-1-81. Authority of city council to establish.**

The schedule of fares charged by all taxicabs operating within the city shall be as fixed by the city council from time to time. (Ord. No. 97-44, § 1, 4-21-97)

#### **Sec. 11-1-82. Schedule of fares.**

(a) *Adopted; zone map; rates.* Under the provisions of the General Statutes of North Carolina, Section 160A-304 and section 11-1-81 of this Code, the city council hereby adopts a schedule of maximum fares which taxicab operators may lawfully charge for their services within the city:

- (1) The corporate limits of the city shall be divided into at least eight (8) zones, and these zones shall be reflected on a map entitled "Taxi Fare Service Zones". The map shall periodically be revised to reflect expansion of the city's corporate limits. Said map and any subsequent revisions to it are hereby incorporated by reference in this section as if fully set forth.
- (2) The eight (8) zones created for the city shall have applicable rates for each zone. These rates shall be set out in the Manual of Fees for the City of Greenville.

(b) *Additional rates.* Additional rates may be in effect in certain situations. These additional rates are described and set forth in the Manual of Fees for the city.

(c) *Franchise holders.* Use of meters under this section may not be imposed on a franchise holder and will be on a voluntary basis only. (Ord. No. 97-44, § 1, 4-21-97; Ord. No. 97-72, § 1, 8-14-97)

#### **Sec. 11-1-83. Prior notice and payment of fare.**

The driver of every taxicab shall inform the passenger of the lawful fare prior to transporting the passenger and may, if he so desires, demand the payment of his lawful fare prior to transporting any person or property. (Ord. No. 97-44, § 1, 4-21-97)

#### **Secs. 11-1-84--11-1-89. Reserved.**

### **Article C. Limousines**

#### **Sec. 11-1-90. Definition.**

When used in this article, "limousine" shall mean any motor vehicle seating fifteen (15) or fewer passengers, operated for hire on call or demand, which does not solicit passengers indiscriminately for hire between points along streets or highways. (Ord. No. 97-44, § 1, 4-21-97)

#### **Sec. 11-1-91. License required; fee.**

Every person, firm or corporation shall apply to and receive from the city council an annual license for the privilege of operating a limousine service within the city, or within the distance of five (5) miles thereof, before operating such business and shall pay an annual license fee in a sum established by the city council. Renewals of a license issued by the city council may be issued by the collector of revenue. (Ord. No. 97-44, § 1, 4-21-97)



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**Sec. 11-1-92. Certificate of public convenience and necessity required.**

It shall be unlawful for any person, firm or corporation to operate a limousine upon the streets of the city without having first applied for and secured from the city council a certificate of convenience and necessity in accordance with the provisions of division 2 of article B of this chapter. For purposes of licensing limousines, all provisions of division 2 shall apply to limousines. (Ord. No. 97-44, § 1, 4-21-97)

**Sec. 11-1-93. Driver's permit required.**

It shall be unlawful for any person to drive a limousine carrying passengers for hire from place to place within the city, or within a distance of five (5) miles thereof, unless that person shall have first applied to and secured from the chief of police a permit to drive a limousine in accordance with the provisions of division 3 of article B of this chapter. (Ord. No. 97-44, § 1, 4-21-97)