



REPORT TO CITY COUNCIL

DATE: OCTOBER 24, 2018

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: LOUIS CELAYA, DEPUTY CITY MANAGER 

SUBJECT: INTRODUCE, READ BY TITLE ONLY, AND WAIVER FURTHER READING OF ORDINANCE NO. 18-439, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING SECTION 7601 (DEFINITIONS) OF CHAPTER 6 (TAXICABS) OF ARTICLE VII (STREETS) OF THE AGOURA HILLS MUNICIPAL CODE REGARDING TAXICABS

In 2014, the City Council adopted Ordinance No. 14-408, regulating taxicabs and taxi drivers, and establishing requirements, such as vehicle inspections, business license requirements, insurance requirements, etc., for obtaining an operating permit from the City of Agoura Hills. To date, there are currently no taxicab companies or drivers who have operating permits in Agoura Hills.

The State Legislature recently adopted Assembly Bill 1069 ("AB 1069"), which restricts a city's ability to require taxicab companies and drivers to obtain business licenses and permits. AB 1069 permits a city to only require business licenses and permits from taxicab operators and drivers substantially located within a said city. "Substantially located" means the primary business of the taxicab driver or operator is located in the city, or the largest share of that operator's or the driver's total number of trips within Los Angeles County over the past year originated in the city.

Ordinance No. 18-439 revises the City's current taxicab ordinance to be consistent with AB 1069 by requiring only those taxicab operators and drivers that are substantially located in the City to obtain a taxicab driver permit and a taxicab operator permit, while still following the existing parameters established under the prior ordinance adoption. Ordinance No. 18-439 amends the existing ordinance and will not change current process still required from future operators who would be substantially located in the City.

The proposed ordinance have been reviewed and approved as to form by the City Attorney.

RECOMMENDATION

Staff respectfully recommends the City Council introduce, read by title only, and waive further reading of Ordinance No. 18-439, An Ordinance of the City Council of the City of Agoura Hills, California, Amending Section 7601 (Definitions) Of Chapter 6 (Taxicabs) of Article VII (Streets) of the Agoura Hills Municipal Code Regarding Taxicabs.

Attachment: Ordinance No. 18-439

ORDINANCE NO. 18-439

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING SECTION 7601 (DEFINITIONS) OF CHAPTER 6 (TAXICABS) OF ARTICLE VII (STREETS) OF THE AGOURA HILLS MUNICIPAL CODE REGARDING TAXICABS

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings and Intent.

A. The State Legislature recently adopted Assembly Bill 1069 ("AB 1069"), which restricts a city's ability to require taxicab companies and drivers to obtain business licenses and permits.

B. AB 1069 permits a city to require business licenses and permits from taxicab operators and drivers substantially located in said city.

C. The City Council desires to revise its taxicab ordinance to be consistent with AB 1069 by requiring only those taxicab operators and drivers that are substantially located in the City to obtain a taxicab driver permit and a taxicab operator permit.

Section 2. Environmental Findings. The City Council hereby finds that this Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed Ordinance may have a significant effect on the environment. The proposed Ordinance only relates to the regulation of taxicab services and permit processing within the City of Agoura Hills. As such, there is no possibility that the proposed amendment will have a significant effect on the environment.

Section 3. Code Amendment. The City Council hereby amends the definition of the term "driver" in Section 7601 (Definitions) of Chapter 6 (Taxicabs) of Article VII (Streets) of the Agoura Hills Municipal Code to read as follows:

"Driver" means an individual substantially located in the city who is engaged by an operator to drive a taxicab. "Driver" includes every person substantially located in the city driving any passenger-carrying or motor-propelled vehicle, either as an owner-operator, contractor, franchisee, agent, employee or otherwise."

Section 4. Code Amendment. The City Council hereby amends the definition of the term "operator" in Section 7601 (Definitions) of Chapter 6 (Taxicabs) of Article VII (Streets) of the Agoura Hills Municipal Code to read as follows:

"Operator" means a person or entity substantially located in the city and engaged in the business of providing transportation services for hire through the use of taxicabs."

Section 5. Code Amendment. The City Council hereby adds a definition for the new term “substantially located” between the terms “street” and “taxicab” to Section 7601 (Definitions) of Chapter 6 (Taxicabs) of Article VII (Streets) of the Agoura Hills Municipal Code to read as follows:

“Substantially located’ means the primary business of the taxicab driver or operator is located in the city, or the largest share of that operator’s or driver’s total number of trips within Los Angeles County over the past year originated in the city.”

Section 6. Code Amendment. The City Council hereby amends subsection (a) of Section 7602 (Operator permit required) of Chapter 6 (Taxicabs) of Article VII (Streets) of the Agoura Hills Municipal Code to read as follows:

“(a) It is unlawful for any person who constitutes an “operator”, as defined in section 7601 of this chapter, to operate, or cause to be operated, a taxicab without having first obtained an operator permit from the city as provided in this chapter. The operator permit shall include a list of the vehicle identification numbers (“VIN”) of the taxicabs which have passed the vehicle safety inspection required by this chapter and only vehicles so listed on the operator permit may be operated as taxicabs within the city.”

Section 7. Code Amendment. The City Council hereby amends subsection (a) of Section 7605 (Driver permit required) of Chapter 6 (Taxicabs) of Article VII (Streets) of the Agoura Hills Municipal Code to read as follows:

“(a) It is unlawful for any person who constitutes a “driver”, as defined in section 7601 of this chapter, to drive a taxicab for hire, unless he or she obtains a driver permit from the city.”

Section 8. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or its application to any person or circumstance, is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 9. Certification and Publication. The City Clerk of the City of Agoura Hills shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law. This Ordinance shall go into effect on the 31st day after its adoption.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Agoura Hills, California, on this 24th day of October, 2018.

AYES: ()

NOES: ()

ABSENT: ()

ABSTAIN: ()

William D. Koehler, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

Candice K. Lee, City Attorney

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