

Chapter 22

TAXIS AND OTHER VEHICLES FOR HIRE

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Section 22.100.ART. Article I. GENERAL

NOTE: For state law as to authority of Village to license and regulate taxicabs, see Ill. Comp. Stat. Ch. 65, § 5/11-42-6.

(Ord. 5148, Renumbered, 09/07/2010)

Section 22.101. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

Council. The Village Council.

Person with a disability. A Downers Grove resident who has a physical or mental impairment which is expected to be of long-continued and indefinite duration and which is a substantial impediment to the resident's ability to move about as a pedestrian. Proof thereof shall consist of a regional transportation authority special user card or an affidavit from a medical doctor.

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Mileage. The distance in rate of fare, as mechanically registered, from the point of passenger pickup to the point of passenger delivery.

Owner. Every individual, trustee, partnership, association or corporation, owning, operating or having the use or control of one or more taxicabs for hire in the Village.

Person. Includes a natural person, partnership, firm or corporation.

Senior citizen. A Downers Grove resident who is sixty-five years of age or older. Proof thereof shall consist of a State of Illinois photograph identification card, containing proof of age.

Taxicab. A public conveyance for hire only at lawful rates of fare, which rates are as recorded and indicated by a taximeter, except buses or limousines as such terms are defined by the Illinois Vehicle Code.

Taxicab Commissioner. The Village Clerk.

Taxicab company. Every individual, trustee, partnership, association, firm or corporation engaged in business as a proprietor, franchisor or dispatcher of one or more taxicabs.

Taxicab Operator. A person who drives a taxicab on the streets and ways within the Village.

Taximeter. Any mechanical, electrical or electronic device installed in a public passenger vehicle, which calculates and indicates the fares, measures the distance traveled and time elapsed, and indicates other charges which may be due.

Taxi Stand. A place that has been designated by the Village as reserved exclusively for the use of taxicabs. (Ord. No. 2002, § 1; Ord. No. 2355, § 1.)

(Ord. 5148, Renumbered, 09/07/2010; 2465, Amended, 05/26/1992; 3427, Amended, 01/20/1992)

Section 22.102. Police requested service.

Notwithstanding any other provision of this chapter, Downers Grove police officers may request service from a taxicab company not licensed to operate in the Village of Downers Grove in any emergency or non-emergency situation where the police officer determines that taxicab service is necessary for protection of the public health, welfare and safety, and is not reasonably available from a licensed taxicab company. A taxicab company not licensed under the provisions of this chapter, may provide taxi service in the Village of Downers Grove only to the extent such service is requested and authorized by a Downers Grove police officer as provided herein.

(Ord. 5148, Renumbered, 09/07/2010; 3427, Enacted, 01/20/1992)

Section 22.200.ART. OFFICIAL.

(Ord. 5148, Add, 09/07/2010)

Section 22.201. Taxicab Commissioner.

A Taxicab Commissioner (hereinafter referred to as the Commissioner), shall perform all the duties and functions of Commissioner as provided in this chapter, including but not limited to the following:

(a) Convening and presiding at certain hearings and meetings required by this chapter; and

(b) Approving, denying, revoking and suspending licenses pursuant to the provisions of this chapter.

The Village Clerk shall assume the duties of Commissioner. The Commissioner may at any time appoint a deputy commissioner who shall have the power to perform any of the tasks assigned to the commissioner hereunder. (Ord. No. 2002, § 1; Ord. No. 2355, § 2.)

(Ord. 5148, Renumbered, 09/07/2010)

Section 22.300.ART. Article III. LICENSE REQUIRED.

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(Ord. 5148, Renumbered, 09/07/2010)

Section 22.301. Cab company license required.

It shall be unlawful for any taxicab company to operate a taxicab for transportation of passengers for hire from a point of origin within the Village unless that taxicab company is licensed by the Village. Each cab company shall, as a condition precedent to operation of a taxicab in the Village, obtain the appropriate Village license as hereinafter provided. (Ord. No. 2002, § 1.)

(Ord. 5148, Renumbered, 09/07/2010; 4043, Amended, 06/22/1998; 3658, Amended, 07/11/1994)

Section 22.302. Application for and issuance of taxicab company license.

The taxicab company shall apply to the Taxicab Commissioner for a taxicab company license before operating any taxicabs within the Village. The application for a taxicab company license shall be approved by the Commissioner and a taxicab company license issued pursuant to the following rules and regulations:

(a) Application shall be made by the taxicab company in writing to the Taxicab Commissioner on a form as reasonably required and approved by the Commissioner. A license fee as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule" shall be submitted with the application. A taxicab company license shall be valid for a period of one (1) year beginning May 15, 2010, except for those taxicab companies currently licensed through March 30, 2013. The full license fee shall be paid no matter when the license is applied for or issued. If the application is for renewal of a taxicab company license, the application shall be submitted to the Taxicab Commissioner by March 1 of the year in which the license will expire. Applications filed after this deadline shall be considered a late filing but shall be accepted by the Taxicab Commissioner provided a late filing fee as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule" is submitted with the application and the license fee.

(b) The taxicab company shall be required to include in the application a true statement of certain facts including, but not limited to, the state of incorporation of the taxicab company if the taxicab company is a corporation; whether the taxicab company is organized and qualified to do business under the laws of the state if the taxicab company is a corporation; the taxicab company's principal place of business; the names of the individuals who own the taxicab company; whether the taxicab company is a corporation, partnership or sole proprietorship; the registered agent of the corporate taxicab company, and the principal office of the taxicab company.

(c) The taxicab company shall, with its application for a taxicab company license, register or cause to be registered each taxicab operated by or operated for, such company within the Village. The following information for each taxicab to be registered shall be provided:

- (1) The year, make, color and vehicle identification number of the taxicab.
- (2) Name, address, and telephone number of the owner of the taxicab.
- (3) Written certification that required safety inspections of the taxicab and inspection of the taximeter have been completed within thirty (30) days prior to application and that these inspections find the taxicab to be safe and the taximeter to be in proper working order and accurate.

(d) The owner(s) or applicant(s) shall submit his/her fingerprints to be used in completing the investigation. Owner(s)/applicant(s) are required to present themselves for fingerprints to be taken by the Downers Grove Police Department or by a State approved agency. Applicant shall pay a fingerprint fee as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule". Provided, in the

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case of a renewal application, fingerprints and the fingerprinting fees shall not be required from a renewal applicant whose fingerprints are on file, unless the Village determines that there may be reason to believe that the renewal applicant may have unreported convictions.

(fe) The taxicab company shall be required to file with the Taxicab Commissioner, along with its application for a taxicab company license, a certificate of insurance showing that the taxicab company, its taxicab operators and employees, are adequately insured against public liability, property damage and workmen's compensation claims on account of its operation of taxicabs in the Village, and shall provide proof of automobile liability insurance for each taxicab registered pursuant to this section. Taxicab companies with independent contractors as taxicab operators must cause each operator to provide proof of automobile liability insurance for each taxicab registered pursuant to this section. The limits for the required automobile liability insurance shall be not less than \$100,000 for injury to any one person or \$300,000 for personal injuries in any one occurrence, and not less than \$25,000 for property damage in any one occurrence. If the insurance expires or is otherwise terminated during the term of the license, the cab company shall submit to the Village, within 15 days of receipt thereof, a new certificate of insurance showing that the policy has been renewed or a new policy obtained which meets the requirements of this section.

(f) Failure to fully comply with the application and disclosure requirements of this section shall constitute grounds for the Commissioner to deny issuance of a taxicab company license to any taxicab company.

(g) Issuance or Denial - Taxi Cab Company License. The Taxicab Commissioner shall, within sixty (60) days after submittal of a properly completed application, or within such other period of time as the Village and the applicant shall otherwise agree, either issue or deny issuance of a taxicab company license pursuant to this Ordinance. (Ord. No. 2002, § 1; Ord. No. 2355, § 5; Ord. No. 2579, § 6; Ord. No. 3174, § 1.)

(Ord. 5148, Renumbered, 09/07/2010; Ord. 5132, Amended, 04/20/2010; Ord. 4852, Amended, 02/20/2007, his to his/her(s); Ord. 4696, Amended, 07/05/2005; Ord. 4600, Amended, 07/06/2004; 4275, Amended, 03/20/2001; 3973, Amended, 09/15/1997; 3848, Amended, 04/15/1996; 3822, Amended, 01/08/1996; 3658, Amended, 07/11/1994; 3539, Amended, 02/01/1993)

Section 22.303. Investigation.

The Village shall investigate the owner(s) of the applicant taxicab company, including each officer, general partner, sole proprietor and all persons having an ownership interest of five percent (5%) or more of any such applicant. If this investigation of the application materials reveals information showing any of the following, the application shall not be approved and no license shall be issued to the taxicab company:

(1) The owner(s) has been convicted of a felony based upon his or her conduct or involvement in taxicab business activity or similar business activity within the past ten (10) years;

(2) The owner(s) has been convicted of a felony or misdemeanor unrelated to his or her conduct or involvement in taxicab business activity or similar business activity, which felony or misdemeanor involves any of the following offenses:

(a) Unlawful possession with the intent to deliver: any controlled substance, as such term is defined in the Illinois Controlled Substances Act (720 ILCS 570/100 et seq.), as amended from time to time; or cannabis, as defined in the Cannabis Control Act (720 ILCS 550/1 et seq.), as amended from time to time; or an intoxicating compound, as listed or defined in the Intoxicating Compounds Act (720 ILCS 690/0.01 et seq.), as amended from time to time, within the past ten (10) years.

(b) Unlawful possession of any controlled substance; cannabis or intoxicating compound

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within the past five (5) years;

(c) Criminal sexual assault and criminal sexual abuse, as such offenses are defined in the Illinois Criminal Code (720 ILCS 5/1-1 et seq.), or any like offense of another state or country, within the past ten (10) years;

(d) Any offense involving moral turpitude, including, but not limited to any offense involving the misapplication, misappropriation or misuse of funds of another person within the past five (5) years.

(3) An owner(s) has been convicted of a misdemeanor based upon his or her conduct or involvement in taxicab business activity within the past five (5) years; or

(4) The owner(s) or applicant(s) has misrepresented or omitted material facts in the application for a license.

(Ord. 5148, Renumbered, 09/07/2010; 3848, Repealed, 04/15/1996)

Section 22.304. Denial, suspension or revocation of licenses.

If a license is denied, the applicant may file a written appeal of the decision to the Village Manager within ten (10) days of receipt of the decision. The written appeal shall set forth the reasons why the applicant believes the decision to deny the license should be reversed. The Village Manager shall respond to the appeal within 14 days either affirming or reversing the decision to deny the license. (Ord. No. 2002, § 1; Ord. No. 2579, § 12.)

(Ord. 5148, Renumbered, 09/07/2010; 4464, Amended, 12/03/2002; 4043, Amended, 06/22/1998; 3945, Amended, 06/23/1997; 3822, Amended, 01/08/1996)

Section 22.305. Transfer of taxicab company license.

If a licensee holding a taxicab company license under this chapter shall change the principal place of business of the company, he shall apply to the Taxicab Commissioner for a transfer of the license, such application to state the address of the new principal place of business.

Upon approval, the Commissioner shall make the necessary alterations and endorse the transfer on the license. No fee shall be required for the transfer of a license for a change in the principal place of business of the company.

If ownership of a taxicab company licensed under this chapter shall be conveyed to a new owner, said new owner shall apply for a new license in his/her name in accordance with the procedures and standards set forth in Section 22.302 herein. There shall be no transfer of a license from one owner of a business to another. (Ord. No. 2355, § 6.)

(Ord. 5148, Renumbered, 09/07/2010; Ord. 4852, Amended, 02/20/2007, his to his/her(s); 3658, Amended, 07/11/1994)

Section 22.306. Changes in taxicabs during license term.

During the term of any license issued to a taxicab company, if the cab company substitutes another taxicab for any taxicab registered with the Village pursuant to Section 22.302(c) of this chapter, or adds any additional taxicab to the list of registered taxicabs, the taxicab company shall register such substitute or additional taxicab with the Village pursuant to Sections 22.304(c). (Ord. No. 2579, § 8.)

(Ord. 5148, Renumbered, 09/07/2010; 3658, Amended, 07/11/1994)

Section 22.400.ART. Article IV. STANDARDS OF OPERATION

(Ord. 5148, Add, 09/07/2010)

Section 22.401. Operational Requirements.

The licensee shall be responsible for the acts, omissions and general conduct of persons operating a taxicab for, on behalf of or with the permission of such taxicab company. The taxicab company shall, quarterly during the term of each annual license, determine if its taxicab operators continue to meet the qualifications set forth in this Article and shall, within ten (10) days from the start of the quarter, inform the Commissioner of the names of any such operators who fail to so qualify.
(Ord. 5148, Add, 09/07/2010)

Section 22.402. Use of taxicabs.

(a) It shall be unlawful for any taxicab licensed to do business in the Village to refuse any person transportation in a taxicab to any place of destination within the Village in a taxicab that is unoccupied by a passenger for hire unless it is on its way to pick up a passenger or otherwise out of service or unless the person to be served appears intoxicated or uses profane or abusive language in attempting to contract for service. When the taxicab is out of service or carrying a passenger, there shall be displayed on the taxicab, and visible to those outside the taxicab, a sign or light indicating the taxicab is "not for hire" in letters at least two inches in height.

(b) Group riding is permitted in taxicabs; provided, that the driver accepts no more than six (6) passengers for any trip, and provided that the fare charged to any passenger will be no greater than if he rode alone. (Ord. No. 2002, § 1.)
(Ord. 5148, Renumbered, 09/07/2010; 3427, Amended, 01/20/1992)

Section 22.403. Maximum Number of Licenses.

(a) There shall be a maximum of eight (8) taxicab company licenses issued by the Village.
(b) A taxicab company may request that the Council amend the maximum number of taxicab companies which may be registered for operation in the Village as required in by this section in the same manner as if it were requesting a fare revision under Section 22-406 of this chapter. (Ord. No. 2002, § 1; Ord. No. 2321, § 4; Ord. No. 2579, § 16; Ord. No. 3174, § 3.)
(Ord. 5148, Renumbered, 09/07/2010; 3658, Amended, 07/11/1994)

Section 22.404. Identification on taxicab operated by a licensed taxicab company required.

Every taxicab operated by a taxicab company licensed by the Village hereunder shall have displayed thereon, in the appropriate place, the following identification materials:

(a) On the center of the exterior main panel of the front or rear doors of each such taxicab, there shall appear the taxicab number assigned by the taxicab company and the taxicab company's name and telephone number; and

(b) On the back of the front seat, clearly visible to passengers in the rear of the vehicle, there shall be affixed the taxicab operator's name in plainly legible print, the telephone number and name of the taxicab company, and the rates charged for trips inside and outside of the Village. (Ord. No. 2002, § 1; Ord. No. 2355, § 3; Ord. No. 2579, § 2.)
(Ord. 5148, Renumbered, 09/07/2010; 3539, Amended, 02/01/1993; 3427, Amended, 01/20/1992)

Section 22.405. Taximeters.

Every taxicab operated by a taxicab company licensed by the Village shall be equipped with a taximeter connected with and operating from the transmission of the taxicab, subject to the following regulations:

(a) No taximeter shall be attached to a taxicab unless it has been inspected by an inspector

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approved by the Taxicab Commissioner and found to be accurate. The taxicab company shall keep certificates of accuracy from the inspector for each taximeter and provide the same for inspection by a passenger upon request.

(b) Each taximeter shall be inspected annually not more than thirty days prior to March 1, and a certificate of accuracy, as provided above, shall be submitted by the taxicab company to the Taxicab Commissioner prior to renewal of the taxicab company license.

(c) Taximeters shall have a visible dial or dials to register the tariff in accordance with lawful rates as expressed herein and the dial shall at all times be maintained by the taxicab company so that it is in plain view and readable by the passenger.

(d) No taxicab operator or taxicab company shall operate a taxicab with a taximeter that is inaccurate, has not been inspected as provided herein or is otherwise not in compliance with the provisions of this chapter.

(e) It shall be unlawful for any person to tamper with a taximeter.

(f) Upon the request of the Commissioner, the taxicab company shall submit any taximeter installed on a taxicab to an inspection to determine its accuracy. (Ord. No. 2002, § 1; Ord. No. 2284, § 1; Ord. No. 2579, § 3; Ord. No. 3346, § 11.)

(Ord. 5148, Renumbered, 09/07/2010; 3427, Amended, 01/20/1992)

Section 22.406. Taxicab fares.

Taxicab companies shall establish the rates of fare for their taxicabs on a mileage basis, such rates to be posted in the taxicab as required under Section 22.404. Notice shall be given to the Village of the established rates. No changes in the rates shall be made unless the Village has been given thirty (30) days prior written notice of the rate change.

(Ord. 5148, Renumbered, 09/07/2010; 3822, Amended, 01/08/1996; 3539, Amended, 02/01/1993; 3427, Amended, 01/20/1992)

Section 22.407. Discounted taxicab fares for senior citizens and persons with disabilities.

(a) The Village shall print and sell, at a discounted rate, tickets for taxicab rides for the exclusive use of senior citizens and persons with disabilities who reside within the corporate limits of the Village. Such tickets shall be honored by any taxicab company licensed by the Village for taxicab rides at the rates provided in Section 22.406 hereof. Taxicab companies shall maintain a record of trips provided in exchange for such tickets on forms provided by the Village. This record shall include the date and points of origin and destination for each trip for which discount tickets are collected. Any such taxicab company who furnishes to the Village the tickets which are utilized by senior citizens or persons with disabilities for taxicab rides offered by such companies, along with the record of such trip as required herein, shall be reimbursed by the Village for the actual value thereof.

(b) The discounted rate tickets provided for in subsection (a) above shall not be used by a senior citizen or person with a disability, and shall not be accepted by a taxicab company, for taxicab rides to or from any airport. Taxicab companies accepting such discounted rate tickets for rides to or from airports shall not be reimbursed by the Village.

(c) If at any time it is determined by the Commissioner that the taxicab company has accepted or has been accepting discounted rate tickets contrary to the provisions of this Section and has been reimbursed by the Village for the actual value thereof, the taxicab company shall reimburse the Village for the amount of taxicab fare paid for such trips. In addition, any license issued under this Chapter may be revoked or suspended for a violation of this Section pursuant to the procedures set forth in Section 22.304. (Ord. No. 2002, § 1; Ord. No. 2321, § 3; Ord. No. 2355, § 4; Ord. No. 3286, § 1.)

(Ord. 5148, Renumbered, 09/07/2010; Ord. 4740, Amended, 01/17/2006; 4029, Amended, 04/13/1998; 3465, Amended, 05/26/1992)

Section 22.408. Conditions of taxicabs generally.

Every taxicab operated in the Village by a taxicab company licensed by the Village shall be maintained in a safe condition at all times. Each taxicab shall have two doors on each side of the taxicab. If any taxicab shall become unsafe for operation or if its body or seating facilities shall be so damaged as to render the taxicab unfit for public use, the Commissioner may suspend the license issued to the taxicab company operating that vehicle until the vehicle is made safe for use by the public. (Ord. No. 2002, § 1; Ord. No. 2579, § 4.)

(Ord. 5148, Renumbered, 09/07/2010; 3658, Amended, 07/11/1994)

Section 22.409. Taxi Stand.

(a) The Village Manager may authorize establishment of taxi stands in such places as the Village Manager deems necessary for the use of taxicabs operated within the Village. In establishing taxi stands, the Village Manager shall consider the need for such stand, the convenience to the general public and the possible traffic hazards which might ensue. No taxi stand shall be created in any manner that is inconsistent with the provisions of the zoning ordinance of the Village, as amended from time to time. When such taxi stand is created, the Village Manager shall prescribe the number of taxicabs that may occupy such taxi stand and shall cause the installation of signs giving notice thereof.

(b) Only taxicabs in such numbers and of such kinds, as are set forth on the required sign may remain at the stand while waiting for employment, and only in single file pointed in accordance with the traffic regulations. No taxicab standing at the head of any such line shall refuse to carry any orderly person applying for a taxicab who agrees to pay the proper fare, but this shall not prevent any person from selecting any taxicab he may desire on the stand regardless of whether it is at the head of the line. As the taxicabs leave the line with passengers, those behind shall move up, and any taxicab seeking a space on the stand shall approach the same only from the rear of the stand and shall stop as near as possible to the last cab already on the line. No taxicab shall stand at the curb within fifteen (15) feet of the entrance of any building adjacent to a taxicab stand located and designated by the Village Manager, which distance shall be determined by measuring fifteen (15) feet on each side of the point of the curb opposite the middle of the entrance to the adjacent building. No private vehicle shall be permitted to stand or use the space in a public stand except to receive or to discharge passengers or merchandise.

(Ord. 5148, Add, 09/07/2010)

Section 22.410. Books and records of account.

Every licensed taxicab company shall keep accurate books and records of account and log books of services rendered in its dispatching office. The Commissioner shall be permitted to examine those books and records of account and logs as they may relate to a specific charge that is the subject of a public hearing under the provisions of this chapter. (Ord. No. 2002, § 1)

(Ord. 5148, Renumbered, 09/07/2010; 3755, Amended, 06/26/1995)

Section 22.411. Conduct of taxicab operators generally.

Taxicab operators shall be obligated to render reasonable aid to any person who suffers injury or illness while a passenger of a taxicab operated by the taxicab operator.

It shall be unlawful for any taxicab operator:

(a) conduct him/herself in a disrespectful or contemptuous manner towards any person, or to use abusive or profane language while so occupied or in charge of such vehicle.

(b) to solicit by word, gesture, or otherwise, the patronage of any person upon any public street or place in the Village.

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- (c) to seek employment by repeatedly and persistently driving his or her taxicab about the streets of the Village or otherwise interfere with the proper and orderly access or egress from any theater, hotel or place of public gathering.
- (d) to use, possess or be under the influence of any controlled substance, cannabis or intoxicating compound when operating a taxicab.
- (e) to have been convicted of a felony or misdemeanor for any offense involving moral turpitude within the past five (5) years.
- (f) to have been convicted of a felony or misdemeanor involving violence against another person or threatened violence against another person under the Illinois Criminal Code (720 ILCS 5/1-1 et seq.) or any like offense of another state or country, within the past ten (10) years; or
- (g) to have been convicted of a felony or misdemeanor unrelated to his/her conduct or involvement in such business or activity or related or similar business or activity, but which felony or misdemeanor involved the use of a deadly weapon, traffic in narcotic drugs, or violence against another person, including criminal sexual assault and sexual abuse, within the past ten (10) years;
- (h) to have been convicted of driving under the influence of drugs or alcohol within the past five (5) years.
- (i) to have been convicted of reckless driving within the past five (5) years;
- (j) to have had their driver's license suspended for violations concerning his/her operation of a motor driven vehicle within the past five (5) years;
- (k) to stand for purposes of soliciting taxi fares in any parking place in the Downtown Business District other than designated taxi stands.
- (l) to violate any provision of this Article.
(Ord. No. 2002, § 1.)
(Ord. 5148, Renumbered, 09/07/2010)

Section 22.412. Complaints.

- (a) Any person may file a written complaint with the Commissioner regarding the conduct of a taxicab operator or taxicab company.
- (b) The Commissioner shall investigate all complaints against taxicab operators or taxicab companies. The Commissioner shall notify the taxicab company of the complaint and shall hold a meeting on the matter, if he determines that such a meeting is necessary, at which meeting the representative of the taxicab company shall be present. If the Commissioner determines that any provision of this chapter has been violated, he shall take any further action consistent with the provisions of this chapter and shall also refer the matter to the police department. (Ord. No. 2002, § 1.)
(Ord. 5148, Renumbered, 09/07/2010; 3658, Amended, 07/11/1994)

Section 22.500.ART. Article V. PENALTIES

(Ord. 5148, Add, 09/07/2010)

Section 22.501. Penalties.

Any person or entity who shall be guilty of a violation of any of the provisions of this Chapter, shall be subject to a fine of not less than seventy-five dollars (\$75.00) and not more than seven hundred fifty dollars (\$750.00). A separate offense shall be deemed committed for every day a violation continues.
(Ord. 5148, Add, 09/07/2010)

Section 22.502. Suspension or Revocation of Licenses.

(a) A license issued under the provisions of this chapter may be revoked or suspended by the Commissioner for a violation of any provision of this chapter. If the Commissioner determines after investigation that cause exists for the suspension or revocation of a license, the Commissioner shall notify the licensee in writing that its license will be revoked or suspended, setting forth the reasons therefor, and advising the licensee of the right to appeal pursuant to Section 22.503 of this Chapter. Unless a timely appeal is filed as provided in Section 22.503, such revocation or suspension shall be final and effective on the eleventh business day following receipt of the notice by the licensee. If a timely appeal is filed as provided in Section 22.503, such revocation or suspension shall not be final and effective until the appeal has been processed.

(b) Any taxicab company license issued to a taxicab company shall be automatically revoked as follows:

(1) If owners of the taxicab company is convicted of such offenses as are enumerated in Section 22.303

(c) Suspension of a license shall be for a period of not to exceed 30 days. No revocation or suspension shall require return by the Village of any license fee.

(d) Any revocation of a license shall preclude the licensee (or any subsequent taxicab company that has 20% or more common identity/ownership interest with the licensee) from receiving another license under this Chapter for two years from the date of revocation; except that upon automatic revocation, as provided above, the license (or any subsequent taxicab company that has 20% or more common identity/ownership interest with the licensee) shall not be permitted to receive another license for ten years from the date of revocation for violations of Section 22.304(b)

(e) Revocation or suspension of a license shall not preclude the imposition of a fine by a court of competent jurisdiction for violation of any part of this Chapter.

(Ord. 5148, Add, 09/07/2010)

Section 22.503. Appeals.

(a) Any permit holder who receives a notice of revocation or suspension may file an appeal with the Village Manager as provided herein. Such appeal shall be filed with the Village Manager, in writing, no later than ten (10) business days following receipt of the notice of revocation or suspension, and shall include: (1) a petition for an informal public hearing, and (2) a response to the notice. Such response shall include a brief statement addressing the substantive deficiencies cited in the Taxicab Commissioner's notice and shall set forth the basis for why the license should not be revoked or suspended.

(b) The Village Manager shall schedule an informal public hearing as soon as possible following receipt of such appeal. The purpose of the hearing will be to offer the applicant or licensee an opportunity to show cause why the license should not be suspended or revoked. A record shall be made of the informal public hearing and documents may be submitted and/or testimony given, either in person or through sworn affidavit. This record may be made by electronic recording. The Village Manager shall have the power to administer oaths and to continue the hearing from time to time to permit the applicant to provide additional information.

(c) Within thirty (30) days after such hearing, the Village Manager shall make written findings of fact and issue an appropriate order. If the Village Manager determine that the license or permit should be revoked or suspended, the reasons supporting such determination shall be included in the written order. A copy of such order shall be served upon the permittee.

(d) The decision of the Village Manager as provided in subsection (c) above shall be the final administrative action of the Village with respect to the permit and shall be subject to the immediate appeal by the permittee to the circuit court. Such appeal to the circuit court shall be filed not later than thirty-five (35) days following receipt of the Village Manager's findings and order. Failure to timely file such appeal as provided herein shall render the Village Manager's decision final.

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(e) The Village Manager may delegate any duty or power set forth in this section, including but not limited to, the conduct of the informal hearing and issuance of any final order, to such Village officer as the Village Manager may designate. (Ord. No. 2002, § 1; Ord. No. 2579, § 13.)
(Ord. 5148, Renumbered, 09/07/2010; 4464, Amended, 12/03/2002; 3945, Amended, 06/23/1997)