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May 3, 2011

ORDINANCE NO. 100940

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3 **An ordinance of the City of Gainesville, Florida, amending section**
4 **28-9 of the City of Gainesville Code of Ordinances, relating to flat**
5 **rates, minimum fares and taximeter exceptions; and amending**
6 **section 28-15 relating to the filing and posting of rates; providing**
7 **directions to the codifier; providing a severability clause;**
8 **providing a repealing clause; and providing an effective date.**
9

10 **WHEREAS**, at least 10 days notice has been given once by publication in a newspaper
11 of general circulation notifying the public of this proposed ordinance and of a public hearing to
12 be held in the City Commission Auditorium, City Hall, City of Gainesville; and

13 **WHEREAS**, the Public Hearings were held pursuant to the published notice described at
14 which hearings the parties in interest and all others had an opportunity to be and were, in fact,
15 heard.

16 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
17 **CITY OF GAINESVILLE, FLORIDA:**

18 **Section 1.** Section 28-9 of the Gainesville Code of Ordinances is amended to read as
19 follows:

20 **Sec. 28-9. - Taximeter required; rates and fares; exceptions.**

- 21 (a) All taxicabs operated under the authority of this chapter shall be equipped with
22 taximeters fastened in a manner so that the face shall be visible and readable to
23 passengers at all times both day and night. The face of the taximeter shall be set
24 so that it will register and compute on a mileage basis while the taxicab is moving
25 and on a time basis while the taxicab is standing and while the service is being
26 rendered the base fare to be charged. They shall be sealed at all points and

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27 connections which, if manipulated, would affect their correct reading and
28 recording shall be sealed.

29 (b) Each taximeter shall have a current inspection sticker issued by the state and shall
30 remain sealed. No taximeter that has been unsealed shall be used until it is again
31 inspected by the state.

32 (c) The taximeter shall be used for all trips, and the fare charged shall be that shown
33 on the taximeter, plus any posted extra passenger or other charges, ~~except that:~~

34 (1) FLAT RATES - on special event days, such as University of
35 Florida football home games, trips from/to the Gainesville
36 Regional Airport related to the event, may be charged a flat rate as
37 posted in the taxicab pursuant to section 28-15;

38 (2) MINIMUM FARES – a franchise owner may establish a minimum
39 fare per call for service or per trip. If such a minimum fare is
40 established and utilized, it shall be part of the rates for such
41 company, and subject to the requirements of section 28-15. When
42 a minimum fare is established and utilized, the taximeter shall still
43 be used for the trip, but the minimum fare may be charged when
44 the minimum fare exceeds the amount on the taximeter.

45 (d) Except as authorized in Section 28-9(c)(1) & (2), and posted in the taxicab
46 pursuant to section 28-15, a driver may not charge or request any other flat rate or
47 minimum fare in lieu of the rate on the meter.

48 **Section 2.** Section 28-15 of the Gainesville Code of Ordinances is amended by amending
49 subsections (a) and (b) to read as follows:

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50 Sec. 28-15. - Rates.

51 (a) Each franchise owner shall provide the city manager or designee a copy of its
52 proposed rates at least 30 days prior to any change in rates including any
53 authorized flat rate charges or minimum fares.

54 (b) Every taxicab operating under a franchise shall have rate cards setting forth the
55 rates of fare, including any authorized flat rate charges or minimum fares,
56 displayed both on the inside of the front windshield at the roof line of the
57 passenger side, on the inside of the right rear window at the eye level of a seated
58 passenger measuring at least five inches wide by five inches in height. All rate
59 cards shall state the rates of fare, including any authorized flat rate charges or
60 minimum fares, and any additional charges, such as for bags and luggage.

61 Additionally, the same information shall be displayed on a sign outside the
62 taxicab consisting of lettering not less than one inch in size for all information.

63 **Section 3.** It is the intention of the City Commission that the provisions of Sections 1
64 and 2 shall become and be made a part of the Code of Ordinances of the City of Gainesville,
65 Florida, and that the Sections and Paragraphs of this Ordinance may be renumbered or relettered
66 in order to accomplish such intentions.

67 **Section 4.** If any section, sentence, clause or phrase of this ordinance is held to be
68 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no
69 way affect the validity of the remaining portions of this ordinance.

70 **Section 5.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
71 such conflict hereby repealed.

72 **Section 6.** This ordinance shall take effect at 12:01 a.m., on August 1, 2011.

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73 **PASSED AND ADOPTED** this ____ day of _____, 2011.

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CRAIG LOWE

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MAYOR

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ATTEST:

Approved as to form and legality

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81

82

KURT M. LANNON

MARION J. RADSON

83

CLERK OF THE COMMISSION

CITY ATTORNEY

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This Ordinance passed on first reading this ____ day of _____, 2011.

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This Ordinance passed on second reading this ____ day of _____, 2011.