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**LEGISLATIVE #**

**090616**

ORDINANCE NO. 090616

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An ordinance of the City of Gainesville, Florida, creating section 28-19 of the City of Gainesville Code of Ordinances, by providing for a Taxi Service Bill of Rights and related requirements; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

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 28-19 of the Gainesville Code of Ordinances is created  
19 to read as follows:

20           Sec. 28-19. – Taxi Service Bill of Rights.

21           (a) All taxicabs operated under the authority of this chapter shall have prominently  
22 posted in a location visible to a passenger seated in the passenger seats of the vehicle  
23 a “Taxi Service Bill of Rights”, or a notice that a “Taxi Service Bill of Rights” will be  
24 provided immediately upon request. If the entire “Taxi Service Bill of Rights” is not  
25 posted, and the option for a notice advising that said document is available on request  
26 is utilized, the taxicab must have available cards or circulars with the full text of the  
27 “Taxi Service Bill of Rights”. These cards or circulars must list in clear and legible

28 fashion the full contents of the approved “Taxi Service Bill of Rights”. The copies of  
 29 the “Taxi Service Bill of Rights” to be distributed shall be made available from the  
 30 City Manager or his or her designee, at a cost not to exceed the cost of production, or  
 31 may be reproduced by the franchise owner as long as the format and appearance of  
 32 said card or circular have been filed with, and approved by, the City Manager or his  
 33 or her designee.

34 (b) This “Taxi Service Bill of Rights” shall be prepared by the City Manager, or his/her  
 35 designee, and shall set forth the rights of taxicab passengers and taxicab drivers under  
 36 Florida State Statutes and City of Gainesville Ordinances, and shall provide  
 37 additional information as to how to report violations. It may be changed from time to  
 38 time as changes in law or ordinances require. Whenever the contents of the “Taxi  
 39 Service Bill of Rights” are changed, the franchise owners shall be provided notice at  
 40 least 30 days prior to the effective change in order to obtain or prepare copies for  
 41 distribution and posting.

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

46 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be  
 47 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no  
 48 way affect the validity of the remaining portions of this ordinance.

49 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
 50 such conflict hereby repealed.

51

DRAFT

5/12/11

52 Section 5. This ordinance shall take effect at 12:01 a.m., on August 1, 2011.

53 PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2011.

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\_\_\_\_\_  
CRAIG LOWE

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MAYOR

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61 ATTEST:

Approved as to form and legality

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\_\_\_\_\_  
KURT M. LANNON

\_\_\_\_\_  
MARION J. RADSON

64 CLERK OF THE COMMISSION

CITY ATTORNEY

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67 This Ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2011.

68 This Ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2011