

## AGENDA ITEM SUMMARY

### MEETING DATE

October 24, 2023

### PRESENTED BY

Kent White

### AGENDA ITEM # IV.2

Consideration of adopting Ordinance #O-23-\_\_ repealing Taxicab Regulations, as provided in Article II of Chapter 37 and Article IV of Chapter 2 of the Lynchburg City Code

### RECOMMENDATION

Following a public hearing, approve the extent of taxicab regulation Council wishes to repeal. If Council chooses to repeal sections of the ordinance, staff recommends Council adopt Option 2 to preserve the provisions that allow the Lynchburg Police Department to continue with licensing those operating taxicabs and ensuring the taxicabs meet all of the safety standards currently required by city code.

### SUMMARY

City ordinances related to taxicabs have been in effect since 1931 and Council has reviewed them on multiple occasions. Chapter 37, Article II of city code includes requirements, such as, (i) regulation of taxicab rates; (ii) criminal background checks for taxicab driver applicants; (iii) standards for the issuance of permits to operate a taxicab; (iv) a provision, where proper, to revoke permits to operate taxicabs; and (v) an appeal process in the event the revocation of a permit to operate a taxicab was not proper.

During the September 26, 2023 work session, Council directed staff to prepare ordinances to repeal provisions of city code that establish rates for taxicabs, along with any unnecessary regulations. The City Attorney's office has drafted two ordinances for Council's consideration -- Option 1 that repeals the entirety of the ordinance, and Ordinance 2 that repeals section 5 related to assigned rates.

Prior to September 26, City Council last reviewed these requirements and adjusted the rates on February 22, 2022. As part of that packet, the taxicab owners board provided a letter unanimously supporting the city regulating the rate, citing it as a mechanism for taxicabs to avoid price wars and provide a means of fixed-rate transportation that families can build into their budget. The Lynchburg Police Department also supported their continued involvement in the registration of taxicab operators and drivers, in addition to enforcement of the other safety provisions defined in the code.

### PRIOR ACTION(S)

August 9, 2005: After a public hearing, Lynchburg City Council voted 7-0 to adopt Ordinance #O-05-103 and incorporate fee increases for taxicab fare from \$1.40 to \$1.80 for the first one-ninth mile, or fraction thereof; from \$0.20 to \$0.25 for each succeeding one-ninth mile, or fraction thereof; and to increase the waiting time fee from \$0.40/min to \$0.50/min or \$30.00 per hour waiting time after the first three minutes of waiting time, effective September 1, 2005.

June 10, 2008: City Council voted 6-0 (one absent) to adopt Ordinance #0-08-088 amending the City Code and authorizing a \$1.00 surcharge on each taxicab fare to offset the high cost of fuel.

February 22, 2022: City Council voted 5-2 to adopt Ordinance #0-22-015 amending and reenacting Section § 37-109 of the City Code related to taxicab rates permitted within the City from \$1.80 to \$2.80 for the first one-ninth of a mile, or fraction thereof; from \$0.25 to \$0.28 for each succeeding one-ninth mile, or fraction thereof; and from \$.50/min or \$30.00 per hour to \$.60/min or \$36.00 per hour waiting time, after the first three minutes of waiting time.

September 26, 2023: City Council directed staff to draft ordinances to repeal all or part of Chapter 37, Article II and schedule a public hearing to discuss the changes on October 24, 2023.

## FISCAL IMPACT

N/A

## CONTACT(S)

Kent White, Assistant City Manager  
Matthew Freedman, City Attorney

## ATTACHMENT(S)

1. Taxicab Ordinance Repeal Draft - Option #1
2. Taxicab Ordinance Repeal Draft - Option #2
3. September 26, 2023 Presentation
4. February 22, 2022 Meeting Minutes
5. February 22, 2022 Agenda Packet - Taxicab Rate Increases and City Regulation of Taxicabs
6. City Code Chapter 37 Article II - Taxicabs

## REVIEWED BY



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Wynter C. Benda, City Manager

Date: October 19, 2023



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Alicia Finney, Clerk of Council

Date: October 19, 2023