



## ***Non-Motorized Vehicle Company Application***

### **Instructions for Applicant**

**The following items must be submitted for initial review by the Taxi Inspector. If acceptable it will be then forwarded to the City Manager.**

1. Detailed Business Plan (Refer to City of Greenville Ordinance section 48-73)
2. Completed application packet.
3. Copy of Insurance Policy (\$1,000,000) with the City of Greenville listed as co-insured and as entitled to notice in the event of cancellation or non-renewal of policy. \*\*Only a Quote required until review is completed.
4. 10-Year Criminal Background check Completed by SC Law Enforcement Division (SLED) (Original: Certified).
5. South Carolina Sexual Offender Report. Completed by SC Law Enforcement Division (SLED) (Original: Certified).
6. 10-Year Driving Record (Original: Certified by the South Carolina Department of Motor Vehicles)
7. South Carolina Driver's License. Color Copy.

**If approved by the City Manager, the Taxi Cab Inspector will contact the Applicant requesting the following information:**

1. Final Conditions of approval.
  - A. The Owner/Operator must provide us with a 10 year Driving Record (Original: Certified by the SC Department of Motor Vehicles). No copies are accepted. (Above)
  - B. SC Sexual Offender Report. Completed by SC Law Enforcement Division (SLED) (Original: Certified).
  - C. The Owner/Operator must provide us with a 10-year Criminal History Records Check. (Completed by SC Law Enforcement Division (SLED) (Original: Certified and Sealed) No copies are accepted. (Above)
  - D. Owner/Operator must also bring a current Driver's License. (Above)
  - E. A completed Inspection approved form completed by the Taxi Cab Inspector. Which, must be completed on each NMV vehicle prior to being placed into service
  - F. A City Decal Certificate for each NMV is to be filled out to include a \$125 fee per each NMV approved. Completed by the Taxi Inspector.
  - G. Payment of all fee's required. (Certificate of Occupancy, Business License, City Decal Certificate)
  - H. If the owner intends to operate a NMV they must obtain a permanent NMV drivers permit. Owner/Operator must obtain a set of two (2) picture IDs from the Law Enforcement Center at 4 McGee Street.
  - I. Once A – G (above) is reviewed and approved a permanent drivers permit will be issued. Drivers permit fee is \$25.00
2. Each individual hired by the owner to be a NMV Driver must submit the following information to the Taxi Cab Inspector for their review:
  - A. 10-year driving record for the SC DMV. (Originals only Stamped). No copies are accepted.
  - B. SC Sexual Offender Report. Completed by SC Law Enforcement Division (SLED) (Original: Certified).
  - C. 10-year Criminal Background check for the Law Enforcement Center (Originals only Stamped and Sealed). No copies are accepted.
  - D. Current Driver's License.
  - E. A set of two (2) picture IDs that can be obtained through the Law Enforcement Center at 4 McGee Street.
  - F. If approved a Payment of \$25.00 for a permanent Drivers Permit which, expired December 31<sup>st</sup> of each year will be required.



<b>Office Use Only:</b> Year _____ License # _____
Entered By _____ C/O # _____

- **New Businesses** must obtain a business license prior to beginning operation.
- **Business Licenses Expire December 31st Each Year.**
- **RENEWAL BUSINESS LICENSES** Must Be Paid In Full **On Or Before The Last Day Of February** To Avoid Penalties.
- **Resident Business Only:** 2% Early Discount if Paid by 01/31

# Business License Application

Application for current year only.

1. Application Type  New  Renewal  Ownership Change  Location Change  Out of Business (closing date) \_\_\_\_\_

2. In-City Physical Location, Suite # \_\_\_\_\_

3. City Business Category \_\_\_\_\_

4. In-City Original Business Start Date (Required) \_\_\_\_\_

5. DBA Name \_\_\_\_\_

6. FEIN or S.S. Number (Required) \_\_\_\_\_

7. Corporate Name \_\_\_\_\_

8. Ownership Type  Corp.  Indiv.  Partnership  LLC  LLP

9. Billing Address, Suite # City, State ZIP \_\_\_\_\_

10. Phone \_\_\_\_\_

11. Email of Responsible Contact Person for Business License \_\_\_\_\_

12. # of Employees \_\_\_\_\_

13. Specify business activity or NAICS Code (Required) \_\_\_\_\_

14. Minority Status (Info Purposes Only)  Aleut  East Indian  Asian  Eskimo  African American M/F  Hispanic  Caucasian Female  Native American

15. Commercial Property(s) including locations & tax map # \_\_\_\_\_

16. Credit Card (optional)  Visa  MasterCard  Discover  Am Ex Card # \_\_\_\_\_ CV \_\_\_\_\_ Expiration Date \_\_\_\_\_

### 17. Computation of Fees (use the chart on the right to estimate fees):

#### A. New Business Have you ever owned a business in the City of Greenville before?

No  Yes – If yes, name and location: \_\_\_\_\_

1. Estimated total gross sales/revenue/contracts for the balance of the year.
2. Calculate and enter fee based on Line 1.

#### B. First Time Renewals (For businesses renewing for the first year only.)

1. Total actual gross receipts/revenues/contracts for preceding year.
2. Allowable ordinance deductions.
3. Total gross receipts from previous year (B.1. minus B.2.).
4. Estimated gross contracts/jobs from previous year.
5. First year adjustment (B.3. minus B.4.).
6. Adjust gross contracts/jobs (B.3. plus B.5.).
7. Calculate and enter fee based on B.6.

**All businesses must pay the base fee amount.**

#### C. Existing Businesses

1. Total actual gross receipts/revenue/contracts for prior year ending Dec. 31, 20 \_\_\_\_.
2. Allowable ordinance deductions. (Proof of deduction must be attached for approval.)
3. Total gross receipts (C.1. minus C.2.)
4. Calculate business license fee based on gross receipts in C.3.

#### D. Penalties due for late filing or Resident Business 2% Discount for early filing by 01/31. See Penalties in Instructions on back.

#### E. Total Fees.

To calculate license fees go to <http://www.greenville.gov/347/Business-Calculator>.

### 18. Does this business have an Alcohol Beverage and Licensing (ABL) License?

No  Yes – If yes, license number. \_\_\_\_\_

Consumption:  Off-premise  On-Premise Expiration Date \_\_\_\_\_ Hours of Operation \_\_\_\_\_

Does this business plan to apply for an ABL license during the coming year?  No  Yes

### 19. Does this business have any coin-operated amusement machines? No Yes

### 20. Do you own or lease machines? Own Lease – If lease, from whom. \_\_\_\_\_

Number of Machines \_\_\_\_\_ Number of stickers \_\_\_\_\_ Type of Machines \_\_\_\_\_

### 21. Name of owners and/or officers and titles \_\_\_\_\_

**This is to certify that the above is a true statement of the business done or transacted at or through the above location. The report corresponds with the books and records of the business and with the report of same filed, or to be filed, for the corresponding period with the S.C. Department of Revenue or Insurance commissioner and with the Collector of Internal Revenue of the United States and that the exact amount returned as TOTAL GROSS REVENUES from this business or profession as reported herein are true and correct and that I am familiar with the City ordinance providing for penalties and revocation of this license for making false or fraudulent statements in this applications. The books of this business are available for inspection by authorized agents of the City. The issuance of a business license is condition upon strict compliance with the ordinance of the City of Greenville and failure to so comply may result in revocation in addition to other remedies.**

Name of Preparer (Print) \_\_\_\_\_ Daytime Phone Number \_\_\_\_\_

Applicant Name (Print) \_\_\_\_\_ Applicant Signature \_\_\_\_\_

Date \_\_\_\_\_

Business Gross Revenues		Estimated License Fees		
A.1.		A.2.		
B.1.		If B6 is negative, you must pay the base fee amount		
B.2.				
B.3.				
B.4.				
B.5.				
B.6.			B.7.	
C.1.				
C.2.				
C.3.		C.4.		
Early Discount		Penalties	% D.	
Form Entry Date:		E.		

Fees subject to verification

**\*Application cannot be emailed.  
Mail, drop-off or fax (864) 467-5715**

## INSTRUCTIONS FOR FILING A NEW, FIRST TIME RENEWAL AND EXISTING BUSINESS LICENSE APPLICATION

### PERSON REQUIRED TO FILE AN APPLICATION:

- Every person engaged in, or intending to engage in, any business, in whole or in part, in the City of Greenville (except the professions of public school teachers and ministers of the gospel), shall file with the City Business License Office an application, under oath, for a license to engage in such business.
- For further information and additional applications, please call the City Business License Office at (864) 467-4505
- **Email address for responsible contact person for business license issues. #11 (NEW)**

### RENEWAL INFORMATION:

- Please verify and correct, as necessary, all pre-printed information shown. Complete all other blank items, in full, to avoid delays in processing.
- **If you are no longer in business, please indicate in writing and return this application.**
- **You can find your NAICS code on your tax returns. #13 (NEW)**

### DUE DATES, PENALTIES AND 2% EARLY DISCOUNT FOR RESIDENT BUSINESSES:

- **NEW** business applications, with payment in full, must be filed at the City of Greenville Business License Office **prior to opening or beginning operation** in the City. A penalty is charged for applications filed after the starting date. The penalty is dependent on when the application is filed.
- **RENEWAL** business applications, with payment in full, must be filed with the City of Greenville Business License Office and post marked, by the U.S. Postal Service, **on or before the last day of February of each year**. A penalty will be assessed as of March 1<sup>st</sup> for each additional month, or portion thereof that the tax remains unpaid.
- **RESIDENT BUSINESSES 2% EARLY DISCOUNT.** For resident businesses only, if the business files their business license renewal application on or before the last day of January each year, they will be eligible for a 2% early filing discount off of their business license tax. **(NEW)**

### COMPLETION OF THE APPLICATION:

- **Please complete in full. Do not leave any items blank.**
- **Print clearly or type all information.**
- **This application will not be processed unless all requested information is provided.**

### IMPORTANT NOTES TO REMEMBER:

A resident business located **within** the City limits must report all gross revenues, whether derived from within or outside the City limits. The reported gross revenue must correspond with the records of the business and with the returns filed for the corresponding year with the South Carolina Department of Revenue and the Collector of Internal Revenue of the United States.

**Allowable Ordinance Deductions:** Deductions from your gross revenues are allowed if you are a resident business that a business license has been paid to another municipality. The deduction is limited to the gross revenues that were reported on that license. **Satisfactory proof of this deduction must be attached to this application before the deduction will be allowed.** A business may deduct sales, use, or excise taxes if these amounts are included in the total gross revenues amount reported.

A non-resident business located **outside** the City must report all gross revenues earned **within** the City limits only.

#### New Business Penalties

10% if not filed prior to beginning operation in the City.  
10% additional for each month thereafter, until paid.  
Maximum annual penalty is 50%.

#### Renewal Penalties

10% if filed or postmarked on March 1st.  
10% additional for each month thereafter, until paid  
Maximum annual penalty is 50%.

All penalties are a percentage of, and are added to, the license tax.

For resident businesses only that are in "good standing" with the City Code, there will be a 2% discount allowed to be deducted off the calculated **renewal business license tax** remitted. **(NEW)**

**Businesses that fail to purchase the license after formal notification shall be subject to a Uniform Summons.**

**Note:** All appropriate state licensing is required prior to obtaining a City business license.

**A SIGNATURE MUST BE PLACED ON THE BOTTOM OF THE BUSINESS LICENSE APPLICATION, ALONG WITH THE SIGNEE'S TITLE OR CAPACITY WITH THE BUSINESS.**

**CITY OF GREENVILLE**  
**2017 BUSINESS LICENSE FEES**  
**(864) 467-4505**  
**FAX (864) 467-5715**

***New Resident Business License taxes*** are calculated on an estimate of gross revenue from the time you begin operation until December 31, and the rates are shown below. The base fee (\$80) is prorated quarterly, depending on the starting date. Proration is not allowed if the business opened prior to obtaining a Business License.

***Businesses renewing for the first time*** must make an adjustment to their estimated gross revenues from the previous year. The Business License tax will be based on the actual gross revenues from the prior year plus or minus the adjustment. All businesses must pay at least the base fee amount.

***Renewal License taxes*** are calculated on the gross revenue for the year ended December 31, **2016**, or the fiscal year ended in **2016**.

**A. Resident Business** License taxes are calculated as follows:

\$80.00 on the first \$2,000 gross receipts/revenues (base fee)  
\$1.67 per \$1,000 or portion thereof on the next \$98,000  
\$1.75 per \$1,000 or portion thereof on the next \$24,900,000  
\$1.00 per \$1,000 or portion thereof in excess of \$25,000,000

***New Nonresident Business License taxes*** are calculated on an estimate of gross revenue to be earned in the City from the time you begin operation in the City until December 31. The rates are shown below.

***Nonresident Renewal*** License taxes are calculated on the gross revenue earned within the City of Greenville during the year ended December 31, **2016**.

**B. Nonresident Business** License taxes are calculated as follows:

\$160.00 on the first \$2,000 gross receipts/revenues earned in the City (base fee)  
\$3.34 per \$1,000 or portion thereof on the next \$98,000  
\$3.50 per \$1,000 or portion thereof on the next \$24,900,000  
\$2.00 per \$1,000 or portion thereof in excess of \$25,000,000

***Penalties:***

Business Licenses expire December 31<sup>st</sup> each year. Business License renewal taxes are due and payable on or before the last day of February. Renewal Business License Applications must be postmarked, by the U.S. Postal Service, the last day of February to avoid penalties. New businesses must apply for their license prior to beginning business in the City to avoid penalties. These penalties are a percentage of and added to the Business License tax.

**New Business Penalties**

10% if not filed prior to beginning operation in the City.  
10% additional for each month thereafter, until paid.  
Maximum annual penalty is 50%.

**Renewal Penalties**

10% if filed or postmarked March 1st.  
10% additional for each month thereafter, until paid.  
Maximum annual penalty is 50%.



**Public Service Vehicle Operation Application**

1. Owner' Name: \_\_\_\_\_
2. Owner's Address: \_\_\_\_\_
3. Social Security Number: \_\_\_\_\_
4. Date of Birth: \_\_\_\_\_
5. Driver's License Number: \_\_\_\_\_
6. Education Completed (Highest Level): \_\_\_\_\_
7. List charge and date of any criminal convictions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. If owner is a Corporation, attach Certified Copy of Article of Incorporation.
9. Number of Vehicles requiring Certificate of Public Convenience and Necessity: \_\_\_\_\_

10. Complete for Each Vehicle:

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Make	Model	Year	VIN	Passenger Capacity

11. List amount and character of any liens, mortgages, or other encumbrances on the vehicles: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
12. Net worth of Owner (Above debts, judgments, claims, and other demands): \$ \_\_\_\_\_
13. List title and amount of any unpaid or un-bonded judgments of record against owner:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
14. List any Court record of Owner or if Corporation, Court record of Officers, Directors, and Supervising employees (including the General Manager): \_\_\_\_\_  
\_\_\_\_\_

15. List Two (2) Previous Employers:

Company Name	Supervisor	Address	Telephone number	Dates of Employment

16. List Three (3) References:

Name	Address	Telephone Number	Occupation	Relation

17. Complete for Each Driver:

Name	Address	Telephone Number	Driver's License Number	State

18. Additional information that the City Manager may require: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I certify that these responses are true and correct.

Owner of Company \_\_\_\_\_  
Signature

Date of Filing: \_\_\_\_\_

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_

## ***Background Check Instructions***

A police background check will be required for the following new businesses: Amusement Centers, Bingo Operators, Detective Agencies, Escort Services, Sexually Oriented Businesses, Kindergarten/Nursery/Day Cares, Pawn Shops, Precious Metal Dealers, Restaurant Owners, Transient Merchants/Peddlers/Mobile Vendors, Day Cares and others as the Revenue Administrator deems necessary.

• **Sec. 8-42. - Police background checks required for certain businesses.**

A police background check will be required for the following new businesses prior to issuance of a business license. Background checks may include owners, partners, managers, operators and employees as designated below. In addition to the standard background check, fingerprints, photographs and other information may be required as specified below.

- (a) Amusement centers. Background check on owners, partners and managers.
- (b) Bingo operators. Background check on owners, partners and managers.
- (c) Detective agencies. Background check on owners, partners, managers and all other employees.
- (d) Escort services. Background check, photographs and fingerprints on owners, partners, managers and all other employees.
- (e) Sexually oriented businesses. Background check on owners, partners, managers and all other employees.
- (f) Kindergarten, nursery and day cares. Background check on owners, partners, managers and all other employees.
- (g) Pawn shops. Background check on owners, partners, managers and all other employees.
- (h) Precious metal dealers. Background check on owners, partners, managers and all other employees.
- (i) Restaurant, nightclubs, taverns, bars and related clubs. Background check on owners, partners and managers.
- (j) Transient merchants/peddlers/mobile vendors. Background check on owners, partners, managers and all other employees.
- (k) Others. Others as set out elsewhere in this Code, or as deemed necessary by the revenue administrator.

(Ord. No. 2012-96, Exh. A, 11-26-12)



## BACKGROUND INVESTIGATION FORM

Date of application: \_\_\_\_\_

### **BUSINESS INFORMATION**

Business Name: \_\_\_\_\_ Type of Business: \_\_\_\_\_

Business Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### **BUSINESS OWNER(s): (A separate investigation form is required for each owner. See reverse)**

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Birthdate: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN#: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ DL #: \_\_\_\_\_ State: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Have you ever had a license or permit revoked, denied or suspended? Yes  or No  If yes, list the jurisdiction, date, and reason: \_\_\_\_\_

Have you ever been convicted of any criminal charges (misdemeanor or felony) in the last 10 years? Yes  or No

If yes, explain: \_\_\_\_\_

Are there any charges (misdemeanor or felony) against you that are still pending? Yes  or No  If yes, list jurisdiction, date, and reason: \_\_\_\_\_

Has applicant (Owner) previously owned or operated a business? Yes  or No  If yes, names of business and location: \_\_\_\_\_

Provide a brief statement of applicant's background and employment history for the past five years: \_\_\_\_\_

### **BUSINESS INFORMATION:**

#### **Manager:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Birthdate: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN#: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ DL #: \_\_\_\_\_ State: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

#### **Building Leased From:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

**Planned Business Hours:** Days open for business: \_\_\_\_\_ Hours of operation: \_\_\_\_\_

Does this business have an ABL License? Yes  If yes, License Number: \_\_\_\_\_ No  If no, does this business plan to apply for an ABL License? \_\_\_\_\_

Does this business have any coin-operated amusement machines? Yes  No  If yes, do you own or lease? \_\_\_\_\_

Leased from: \_\_\_\_\_ Type of machines: \_\_\_\_\_ Number of machines: \_\_\_\_\_



**BUSINESS INFORMATION**

Business Name: \_\_\_\_\_ Type of Business: \_\_\_\_\_

**BUSINESS OWNER #2:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Birthdate: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN#: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ DL #: \_\_\_\_\_ State: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Have you ever had a license or permit revoked, denied or suspended? Yes  or No  If yes, list the jurisdiction, date, and reason: \_\_\_\_\_

Have you ever been convicted of any criminal charges (misdemeanor or felony) in the last 10 years? Yes  or No  If yes, explain: \_\_\_\_\_

Are there any charges (misdemeanor or felony) against you that are still pending? Yes  or No  If yes, list jurisdiction, date, and reason: \_\_\_\_\_

Has applicant (Owner) previously owned or operated a business? Yes  or No  If yes, names of business and location: \_\_\_\_\_

Provide a brief statement of applicant's background and employment history for the past five years: \_\_\_\_\_

**BUSINESS OWNER #3:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_

Birthdate: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN#: \_\_\_\_ - \_\_\_\_ - \_\_\_\_ DL #: \_\_\_\_\_ State: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Have you ever had a license or permit revoked, denied or suspended? Yes  or No  If yes, list the jurisdiction, date, and reason: \_\_\_\_\_

Have you ever been convicted of any criminal charges (misdemeanor or felony) in the last 10 years? Yes  or No  If yes, explain: \_\_\_\_\_

Are there any charges (misdemeanor or felony) against you that are still pending? Yes  or No  If yes, list jurisdiction, date, and reason: \_\_\_\_\_

Has applicant (Owner) previously owned or operated a business? Yes  or No  If yes, names of business and location: \_\_\_\_\_

Provide a brief statement of applicant's background and employment history for the past five years: \_\_\_\_\_

**\*\*\*\*\* I HEREBY ATTEST THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. I UNDERSTAND THAT FALSIFYING THIS APPLICATION IS GROUNDS FOR DENIAL OR REVOCATION OF MY LICENSE(S).**

**Signature (owner/applicant):** \_\_\_\_\_ **Required on each page.**

**Print Name (owner/applicant):** \_\_\_\_\_ **Required on each page.**

## Chapter 48 - VEHICLES FOR HIRE

- ARTICLE I. - IN GENERAL
- Sec. 48-1. - Definitions.
- Sec. 48-2. - Compliance with chapter; liability for violations by corporation.
- Sec. 48-3. - Parking or stopping other than in designated stop or stand.
- Sec. 48-4. - Rates of fare.
- Sec. 48-5. - Rate cards.
- Sec. 48-6. - Riding without paying fare.
- Sec. 48-7. - General rules of operation.
- Sec. 48-8. - Filing of information with inspector.
- Sec. 48-9. - Submission of business statistics.
- Sec. 48-10. - Reporting of accidents.
- Sec. 48-11. - Deceiving passengers.
- Sec. 48-12. - Conveying passenger to wrong destination.
- Sec. 48-13. - Disposition of articles left in vehicles.
- Sec. 48-14. - Registration and licensing.
- Sec. 48-15. - Drivers' manifests.
- Secs. 48-16—48-40. - Reserved.
- 
- ARTICLE II. - INSPECTOR
- Sec. 48-41. - Office created; appointment.
- Sec. 48-42. - Qualifications.
- Sec. 48-43. - Duties generally.
- Sec. 48-44. - Reports and recommendations.
- Sec. 48-45. - Reporting of violations by police officers.
- Sec. 48-46. - Duty to aid in prosecutions.
- Sec. 48-47. - Reserved.
- Sec. 48-48. - Removal.
- Secs. 48-49—48-70. - Reserved.
- 
- ARTICLE III. - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
- Sec. 48-71. - Required.
- Sec. 48-72. - Number of taxicabs.
- Sec. 48-73. - Application.
- Sec. 48-74. - Taxicab panel.
- Sec. 48-75. - Issuance of certificate.
- Sec. 48-76. - Issuance or denial; appeals.
- Sec. 48-77. - Business license.
- Sec. 48-78. - Renewal.

- [Sec. 48-79. - Assignment or transfer.](#)
- [Sec. 48-80. - Suspension or revocation.](#)
- [Sec. 48-81. - Surrender.](#)
- [Sec. 48-82. - City decal certificate.](#)
- [Sec. 48-83. - Change of ownership of vehicle.](#)
- [Sec. 48-84. - Replacement of vehicles.](#)
- [Secs. 48-85—48-110. - Reserved.](#)
- 
- [ARTICLE IV. - TAXICABS](#)
- [DIVISION 1. - GENERALLY](#)
- [Sec. 48-111. - Taking longer route than necessary.](#)
- [Sec. 48-112. - Compliance with passengers' requests.](#)
- [Sec. 48-113. - Drivers to remain in or near vehicles.](#)
- [Sec. 48-114. - Solicitation of patronage.](#)
- [Sec. 48-115. - Manner of receiving or discharging passengers.](#)
- [Sec. 48-116. - Refusing passengers.](#)
- [Sec. 48-117. - Place of business.](#)
- [Sec. 48-118. - Insurance or surety bond.](#)
- [Sec. 48-119. - Identification of vehicles.](#)
- [Sec. 48-120. - Prohibited acts.](#)
- [Secs. 48-121—48-140. - Reserved.](#)
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- [DIVISION 2. - DRIVERS' PERMIT](#)
- [Sec. 48-141. - Required.](#)
- [Sec. 48-142. - Qualifications of drivers.](#)
- [Sec. 48-143. - Application.](#)
- [Sec. 48-144. - Examination of applicants.](#)
- [Sec. 48-145. - Fees.](#)
- [Sec. 48-146. - Issuance; term.](#)
- [Sec. 48-147. - Contents.](#)
- [Sec. 48-148. - Denial.](#)
- [Sec. 48-149. - Probationary permit.](#)
- [Sec. 48-150. - Suspension.](#)
- [Sec. 48-151. - Revocation; reinstatement.](#)
- [Sec. 48-152. - Renewal.](#)
- [Sec. 48-153. - Transfer required when driving for new owner.](#)
- [Secs. 48-154—48-170. - Reserved.](#)
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- [DIVISION 3. - SPECIFICATIONS AND EQUIPMENT](#)
- [Sec. 48-171. - Compliance with division.](#)

- [Sec. 48-172. - General construction.](#)
- [Sec. 48-173. - Brakes.](#)
- [Sec. 48-174. - Bumpers.](#)
- [Sec. 48-175. - Spare tire.](#)
- [Sec. 48-176. - Heater.](#)
- [Sec. 48-177. - Rearview mirror.](#)
- [Sec. 48-178. - Speedometer.](#)
- [Sec. 48-179. - Display of rate card and driver's permit.](#)
- [Sec. 48-180. - Windshield wipers.](#)
- [Sec. 48-181. - Lights.](#)
- [Sec. 48-182. - Use of handheld cellular phones.](#)
- [Sec. 48-183. - Inspections of taxicabs.](#)
- [Sec. 48-184. - Inspections by owner.](#)
- [Sec. 48-185. - Repair.](#)
- [Sec. 48-186. - General maintenance requirements.](#)
- [Secs. 48-187—48-200. - Reserved.](#)
- 
- [DIVISION 4. - TAXIMETERS](#)
- [Sec. 48-201. - Type and approved design of meter; operating accuracy.](#)
- [Sec. 48-202. - Visibility.](#)
- [Sec. 48-203. - Inspection by inspector; removal from service of taxicabs with inaccurate meters.](#)
- [Sec. 48-204. - Inspection by owner.](#)
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FOOTNOTE(S):

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State Law reference— State regulation of ambulances, S.C. Code 1976, § 44-61-10 et seq.; authority of city to impose additional license fee on Class C buses, S.C. Code 1976, § 58-23-620; authority to participate in regional transportation authorities, S.C. Code 1976, § 58-25-10 et seq.

ARTICLE I. - IN GENERAL

**Sec. 48-1. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bus means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, used for the transportation of persons for compensation.

Certificate means a certificate of public convenience and necessity issued by authority of the city council.

City decal certificate means the decal issued by the inspector to an owner for display in a conspicuous place with an exterior view designated by the inspector on a public service vehicle indicating that such vehicle has been granted a certificate of public convenience and necessity.

Cruising means the movement of unoccupied vehicles over the public streets in search of, or soliciting, prospective passengers for hire; provided, however, unoccupied vehicles proceeding to answer telephone calls for service from prospective passengers and vehicles returning by the most direct route, after having discharged passengers, to the garage where such vehicles are housed or to the depot or terminal nearest to the place of discharge of the passengers shall not be considered to be cruising.

Driver means every person in actual charge of the operation of a public service vehicle, whether as owner, agent, independent contractor or employee.

Inspector means the inspector of public service vehicles of the city.

Limousine means any chauffeur-driven motor vehicle for hire to include driver that meets the manufacturer's specifications for a luxury limousine. Every limousine shall have a minimum of four seats or one continuous sofa-styled seating area located behind the operator of the vehicle. No limousine shall be operated as a taxicab by engaging in cruising or to be operated on call or demand, but shall be operated only by pre-arranged or charter basis contract. Fees are defined as fixed hourly or daily to a specific destination agreed upon through the pre-arranged contract. The company must have obtained a Class C charter certificate for limousine through the state public service commission.

Limousine (luxury sedan) means any chauffeur-driven luxury sedan for hire to include driver that the manufacturer promotes as a luxury automobile. A limousine sedan differs from a limousine in that it has fewer than four seats behind the driver and does not meet the manufacturer's specifications for a luxury limousine. Vehicles that are classified by the manufacturer as vans or trucks shall not be considered as limousine luxury sedans. No limousine luxury sedan shall be operated as a taxicab by engaging in cruising or to be operated on call or demand, but shall be operated only by pre-arranged, charter basis contract. Fees are defined as fixed hourly or daily to a specific destination agreed upon through the pre-arranged contract. The company must have obtained a Class C charter certificate for limousine through the state public service commission.

Manifest means a daily record prepared by the driver of all trips made by the public service vehicle which he operates, showing the time and place of the origin and destination of each trip and the amount of the fare.

Owner means any person who has the control, direction, maintenance and benefit of the collection of revenue derived from the operation of a public service vehicle on or over the streets of the city.

Public service vehicle means any vehicle operating upon any street on call or demand, accepting or soliciting passengers or patients indiscriminately between points along such street or within the city.

Rate card means the card approved by the inspector to an owner for display within each public service vehicle for which a certificate has been issued, describing the schedule of fares charged by such vehicle.

Shuttle van means a for-hire motor-driven vehicle to include driver originally designed by the manufacturer's specifications without modification to transport eight or more passengers. No shuttle van shall be operated as a taxicab by engaging in cruising or to be operated on call or demand, only by pre-arranged, charter basis contract. Fees are defined as fixed hourly or daily to a specific destination agreed upon through the pre-arranged contract. The company must have obtained a Class C charter certificate for limousine through the state public service commission.

Street means any street, alley, avenue or highway within the city and within a radius of ten miles beyond the city as the city may now exist or may be hereafter extended.

Taxicab means any motor vehicle seating nine or fewer passengers and a driver operating upon any street on call or demand, accepting or soliciting passengers indiscriminately for hire between points along such street or within the city as may be directed by the passenger so being transported.

Taxicab panel means a five-person panel appointed by the city manager to receive applications for certificates and to hear appeals regarding suspension and revocation.

Vehicle without motor means a public service vehicle which is not customarily powered by a motor, and its operation depends on the physical exertion of draft animals or human beings. The term "vehicle without motor" includes, but is not limited to, those defined with greater specificity in section 48-321.

Wrecker means any motor vehicle used for the purpose of towing or removing disabled or wrecked vehicles.

(Code 1985, § 6-3-1; Code 1997, § 48-1; Ord. No. 96-81, § 1, 9-16-1996; Ord. No. 99-48, § 1, 9-13-1999; Ord. No. 2001-30, § 1, 5-14-2001; Ord. No. 2011-50, 6-13-2011)

Sec. 48-2. - Compliance with chapter; liability for violations by corporation.

It shall be unlawful for any person to violate any of the provisions of this chapter. If the person violating any provision of this chapter is a corporation, the officer, agents or employees thereof who shall violate or procure, aid or abet any violation of any of the provisions of this chapter or permit the operation of any public service vehicle contrary to the requirements thereof shall be subject to the same penalties as if they themselves were personally operating such public service vehicle at the time such violations were committed.

(Code 1985, § 6-3-2; Code 1997, § 48-2)

Sec. 48-3. - Parking or stopping other than in designated stop or stand.

It shall be unlawful for the driver of any public service vehicle to stand or park upon any street at any place other than at a bus stop, taxicab stand, hackney stand, or truck or vehicle stand, except that this provision shall not prevent the driver of any such vehicle from stopping temporarily in accordance with other stopping or parking regulations at any place for the purpose of, and while actually engaged in, loading or unloading passengers.

(Code 1985, § 6-3-3; Code 1997, § 48-3)

Sec. 48-4. - Rates of fare.

The rates of fare to be charged for public service vehicle service may be established by the city council by resolution. If such rates are established by the council, no other rate of fare may be charged by any owner or driver without giving the city council 60 days' written notice thereof, and first obtaining consent of the city council.

(Code 1985, § 6-3-4; Code 1997, § 48-4)

Sec. 48-5. - Rate cards.

For every public service vehicle for which a certificate shall be granted, the owner shall prepare a rate card in a form approved by the city manager, stating the schedule of fares applicable to such vehicle. Such rate card shall at all times be displayed within the public service vehicle in a manner approved by the inspector.

(Code 1985, § 6-3-5; Code 1997, § 48-5)

Sec. 48-6. - Riding without paying fare.

No person shall fraudulently evade or attempt to evade the payment of any toll or fare, lawfully established, for the carrying of passengers by a public service vehicle by giving a false answer to the collector of the fare, by traveling beyond the point to which the fare has been paid, or by otherwise riding or attempting to ride without paying such toll or fare, or by riding without permission on trains that do not carry passengers, or by concealing themselves upon or about any such public service vehicle with the intent to evade the payment of the lawful toll or fare.

(Code 1985, § 6-3-6; Code 1997, § 48-6)

Sec. 48-7. - General rules of operation.

(a) Every public service vehicle shall be operated in accordance with the laws of the state, this Code and the other ordinances of the city, and with due regard for the safety, comfort and convenience of passengers and for the safe and careful transportation of property and for the safety of the general public.

(b) No public service vehicle shall be operated at a rate of speed greater than that established by state laws, this Code or the other ordinances of the city, or in any event without proper regard for the traffic, the surface and width of the highway, the hazards at intersections and any other conditions then existing.

(c) No public service vehicle shall be operated in such a manner or in such a condition when, in the opinion of the inspector, such operation would endanger, or be likely to endanger, the safety of passengers, pedestrians or vehicles or the person or property of others.

(Code 1985, § 6-3-7; Code 1997, § 48-7)

Sec. 48-8. - Filing of information with inspector.

Every owner shall maintain on file with the inspector his name, business address and garage address, all business telephone numbers listed in his name, and the names of all drivers and their license numbers and addresses, and within 48 hours after any change in connection therewith report such change to the inspector.



(Code 1985, § 6-3-8; Code 1997, § 48-8)

Sec. 48-9. - Submission of business statistics.

Every owner shall, upon request, submit statistics of his operations when required by the inspector or the city council.

(Code 1985, § 6-3-9; Code 1997, § 48-9)

Sec. 48-10. - Reporting of accidents.

All accidents resulting from, or in connection with, the operation of public service vehicles which result in death or personal injury, or in damage to any property, shall be reported, within 24 hours from the time of occurrence, to the inspector. Such reports shall be made on forms to be furnished by the inspector and shall be made in duplicate.

(Code 1985, § 6-3-10; Code 1997, § 48-10)

Sec. 48-11. - Deceiving passengers.

No driver shall deceive, or attempt to deceive, any passenger who may ride in his public service vehicle or who may desire to ride in his public service vehicle as to his destination or the rate of fare to be charged.

(Code 1985, § 6-3-11; Code 1997, § 48-11)

Sec. 48-12. - Conveying passenger to wrong destination.

No driver shall convey any passenger, or cause him to be conveyed, to a place other than that directed by him.

(Code 1985, § 6-3-12; Code 1997, § 48-12)

Sec. 48-13. - Disposition of articles left in vehicles.

Any article of value which has been left in a public service vehicle by a passenger and is later found therein shall be immediately returned to the passenger owning it, if he is known; otherwise it shall be deposited with the owner of the vehicle at the conclusion of the driver's tour of duty.

(Code 1985, § 6-3-13; Code 1997, § 48-13; Ord. No. 2011-50, 6-13-2011)

Sec. 48-14. - Registration and licensing.

No person shall operate a public service vehicle until such vehicle has been registered in accordance with all of the requirements of the state and until all proper licenses have been obtained therefor.

(Code 1985, § 6-3-14; Code 1997, § 48-14)

Sec. 48-15. - Drivers' manifests.

(a) Every driver shall maintain a daily manifest upon which is recorded every trip made each day. Such manifest shall show the time and place of origin and destination of each trip and the amount of the fare. All completed manifests shall be returned to the owner by the driver at the conclusion of his tour of duty. The forms for such records shall be furnished to the driver by the owner and shall be of a character approved by the inspector.

(b) Every owner shall retain and preserve all drivers' manifests in a safe place for at least six months, and they shall be made available, upon demand, to the inspector, the city police and the city council.

(Code 1985, § 6-3-15; Code 1997, § 48-15)

Secs. 48-16—48-40. - Reserved.

## ARTICLE II. - INSPECTOR

Sec. 48-41. - Office created; appointment.

There is hereby created the office of inspector of public service vehicles, who shall be appointed by the city manager.

(Code 1985, § 6-3-31; Code 1997, § 48-41)

Sec. 48-42. - Qualifications.

The inspector shall be a city employee appointed by the city manager.

(Code 1985, § 6-3-32; Code 1997, § 48-42; Ord. No. 2008-61, 9-8-2008)

Sec. 48-43. - Duties generally.

The inspector is charged with the duties required of him under this article and in general shall be responsible for the inspection of public service vehicles, the licensing of the drivers thereof, and the safety of the public in connection with the operation and use of public service vehicles.

(Code 1985, § 6-3-33; Code 1997, § 48-43)

Sec. 48-44. - Reports and recommendations.

The inspector shall advise the city manager, the chief of police or the city council with respect to matters covered or incidentally involved in the operation or administration of this chapter. He shall make recommendations to the city manager with respect to the adequacy of public service vehicle service in the city, and whether or not, in his opinion, there are too many or too few public service vehicles in the city to serve the public convenience and necessity. He shall make such other reports as may be required.

(Code 1985, § 6-3-34; Code 1997, § 48-44)

Sec. 48-45. - Reporting of violations by police officers.

It shall be the duty of all members of the police department to report any violation of a traffic ordinance and of this chapter by a public service vehicle to the inspector.

(Code 1985, § 6-3-35; Code 1997, § 48-45)

Sec. 48-46. - Duty to aid in prosecutions.

When any charge is placed against any holder of a certificate or against a holder of a driver's permit, it shall be the duty of the inspector to attend the trial of such person and render proper assistance to the prosecuting officers and to the court.

(Code 1985, § 6-3-36; Code 1997, § 48-46)

Sec. 48-47. - Reserved.

Sec. 48-48. - Removal.

The inspector shall be subject to removal from the position of inspector with or without cause at any time by the city manager.

(Code 1985, § 6-3-38; Code 1997, § 48-48)

Secs. 48-49—48-70. - Reserved.

ARTICLE III. - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Sec. 48-71. - Required.

No person or business shall operate any public service vehicle in the city without first having obtained a certificate of public convenience and necessity from the city manager authorizing such operation.

(Code 1997, § 48-71; Ord. No. 2011-50, 6-13-2011)

Sec. 48-72. - Number of taxicabs.

The maximum number of taxicabs that will be permitted to operate in the city will be determined based on a ratio of the number of taxicabs per 1,000 residents. This ratio will be established by the city manager and may be reviewed periodically.

(Code 1997, § 48-72; Ord. No. 2011-50, 6-13-2011)

Sec. 48-73. - Application.

All applicants applying for a certificate of public convenience and necessity for the operation of one or more public service vehicles shall file with the city manager or his designee a sworn application therefor, in triplicate, on forms provided by the city, stating as follows:

- (1) The name and address of the owner, and, if the owner is a corporation, a certified copy of the articles of incorporation;
- (2) The number of vehicles actually owned and the number of vehicles actually operated by such owner on the date of such application, if any, including extra or spare cars;
- (3) The number of vehicles for which a certificate of public convenience and necessity is desired;
- (4) The net worth of the owner or applicant over and above all debts, judgments, claims and demands whatsoever;
- (5) Whether there are any unpaid or unbonded judgments of record against such owner, and if so, the title of all actions and the amount of all judgments unpaid or unbonded;
- (6) The make, type, year of manufacture, serial number, engine number and passenger capacity of each vehicle for which application for a certificate is made;
- (7) The court record of the applicant or, if the applicant is a corporation, the court record of the officers, directors and supervising employees thereof, including the general manager, if any;
- (8) Whether there are any liens, mortgages or other encumbrances on such vehicles and, if so, the amount and character thereof; and
- (9) Such other information as the city manager may in his discretion require.

(Code 1997, § 48-73; Ord. No. 2011-50, 6-13-2011)

Sec. 48-74. - Taxicab panel.

The city manager shall appoint a five-person taxicab panel to receive applications for certificates of public convenience and necessity. The candidates of the taxicab panel will be composed of representatives from each of the following areas: hotels, restaurants, social

services, health care and a rider advocate. The city attorney shall make available an attorney to advise and assist the panel on legal matters. There will also be two other appointees from city staff, taxi inspector and revenue administrator, to serve as nonvoting ex officio members.

(Code 1997, § 48-74; Ord. No. 2011-50, 6-13-2011)

#### Sec. 48-75. - Issuance of certificate.

- (a) The applicant shall have the burden of establishing that the award of the certificate of public convenience and necessity will enhance the public welfare.
- (b) The taxicab panel shall recommend whether the award of any certificate will enhance the public welfare concerning economic considerations, public need, and potential benefits to the public. The taxicab panel shall also consider the following relevant factors in making its determination.
- (1) Whether the demand of the public requires additional public service vehicle service;
  - (2) The adequacy of existing mass transportation and public service vehicle service;
  - (3) The financial responsibility and experience of the applicant;
  - (4) The ability of the applicant to earn a fair return on the capital invested;
  - (5) The number, kind and type of equipment and the color scheme to be used;
  - (6) The effect which such additional public service vehicle service may have upon traffic congestion and parking;
  - (7) Whether the additional public service vehicle service will result in a greater hazard to the public; and
  - (8) Such other relevant facts as may be deemed advisable or necessary in view of currently available and proposed levels of service.
- (c) The taxicab panel shall consider the case record as well as any other pertinent documentation offered by any interested party.
- (d) After the taxicab panel reviews all documents submitted, they may recommend to authorize certificates for the number of vehicles applied for, for a lesser number than that applied for, or deny issuance of any certificates. The taxicab panel's recommendation will be sent to the city manager. The city manager may approve, reject or alter the taxicab panel's recommendation. The city manager shall notify the applicant, by certified mail to the address provided on the application, of the final decision.

(Code 1997, § 48-75; Ord. No. 2011-50, 6-13-2011)

#### Sec. 48-76. - Issuance or denial; appeals.

- (a) The taxicab panel may recommend for approval an application, provided the following requirements are met:
- (1) The owner of the vehicle shall have complied with all the provisions of this chapter;
  - (2) The vehicle for which application for a city decal certificate is made shall have been found, after investigation by the taxicab panel, to be in strict compliance with this chapter;
  - (3) There are no unpaid or unbonded judgments of record against such owner; and
  - (4) The court record of the applicant is not such as would make it against the public interest for such certificate to be granted.
- (b) When the taxicab panel determines that public convenience and necessity do not require the proposed service or when the applicant for a certificate fails to meet the conditions of subsections (a)(1) through (a)(4) of this section, the taxicab panel shall recommend for denial the certificate. Appeals from the manager's denial may be taken to the city council by filing written intention to appeal to the city clerk and specifying the grounds thereof within five working days of the manager's certified letter notifying the applicant of the city managers decision.

(Code 1997, § 48-76; Ord. No. 2011-50, 6-13-2011)

#### Sec. 48-77. - Business license.

The owner of each public service vehicle which is granted a certificate shall obtain annually a business license in accordance with the schedule of business license fees then in effect. Such license fees shall be in addition to, and not in lieu of, any other license fees or charges established by proper authority and applicable to public service vehicles.

(Code 1997, § 48-77; Ord. No. 2011-50, 6-13-2011)

#### Sec. 48-78. - Renewal.

Prior to the termination of each calendar year, the inspector may continue in full force and effect any active certificate previously authorized by the city manager, for the ensuing year, in the absence of any contrary evidence regarding the necessity for such public service vehicle service.

(Code 1997, § 48-78; Ord. No. 2011-50, 6-13-2011)

#### Sec. 48-79. - Assignment or transfer.

No certificate or city decal certificate may be assigned or transferred until the inspector, upon written application setting forth the purpose, terms and conditions of such assignment or transfer, shall, after investigation, refer the assignment or transfer to the city manager or his designee for approval or disapproval.

(Code 1997, § 48-79; Ord. No. 2011-50, 6-13-2011)

Sec. 48-80. - Suspension or revocation.

- (a) Certificates may be suspended or revoked by the city manager at any time:
- (1) If the city manager finds the owner's past record to be unsatisfactory;
  - (2) If the owner fails to operate the public service vehicle in accordance with the provisions of this chapter;
  - (3) If the owner shall cease to operate any public service vehicle for a period of 30 consecutive days without having obtained permission for cessation of such operation from the inspector;
  - (4) If the public service vehicle is operated at a rate of fare other than that provided by this chapter;
  - (5) If the inspector finds that any agreement of sale, conditional contract of sale, or chattel mortgage entered into by the owner is made in fraud of creditors;
  - (6) If the holder of a certificate shall fail to register properly, in the correct and true owner's name, the public service vehicle covered by the certificate with the state and upon the semimonthly list furnished the inspector in operation; or
  - (7) For any other reason which the city manager may deem warrants suspension or revocation.
- (b) No certificate shall be revoked unless and until 48 hours' notice of a hearing shall have been given to the holder of such certificate and such hearing is duly had thereon before the city manager.
- (Code 1997, § 48-80; Ord. No. 2011-50, 6-13-2011)

Sec. 48-81. - Surrender.

Certificates which shall have been suspended or revoked by the city manager shall forthwith be surrendered to the inspector, together with the corresponding memorandum certificates; and the operation of any public service vehicle covered by such certificates shall cease.

(Code 1997, § 48-81; Ord. No. 2011-50, 6-13-2011)

Sec. 48-82. - City decal certificate.

For each public service vehicle for which a certificate has been granted, a city decal shall be issued by the inspector. This decal is the property of the city and is not transferable. The city decal shall be displayed at all times in a conspicuous place with an exterior view designated by the inspector on the public service vehicle for which issued.

(Code 1997, § 48-82; Ord. No. 2011-50, 6-13-2011)

Sec. 48-83. - Change of ownership of vehicle.

Change of ownership of or title to any public service vehicle shall automatically revoke any certificate previously granted for the operation of such public service vehicle unless prior approval for such change has been obtained from the city manager in writing. For the purpose of this section, a change of ownership is deemed to have taken place in addition to other methods usually employed if the owner of any public service vehicle leases the vehicle to any person under any lease or other arrangement whereby such person shall have the right, upon the payment of any amount of money or other consideration, to acquire title to the public service vehicle or any other thing of value at any future date.

(Code 1997, § 48-83; Ord. No. 2011-50, 6-13-2011)

Sec. 48-84. - Replacement of vehicles.

(a) Any owner who shall permanently retire any public service vehicle from service, and who does not replace the vehicle within 30 days thereafter, shall immediately surrender any certificate granted for the operation of such vehicle to the inspector, and such owner may not secure additional certificates for the operation of any public service vehicle without having first made application therefor in the manner provided in this article.

(b) Whenever any owner sells or transfers title to a public service vehicle for which a certificate has been granted, and within 30 days after such sale or transfer purchases another public service vehicle, the city manager shall, as a matter of right, upon written application within 30 days of such purchase, cause to be issued a transfer of the certificate for the operation of no greater number of vehicles than those so sold or transferred, provided such owner has complied with all provisions of this chapter.

(c) Any owner whose public service vehicle for which a certificate has been granted, has been retired from service or destroyed involuntarily, or who voluntarily destroys any public service vehicle, will, as a matter of right, upon written application to the city manager within 30 days thereafter, be issued a transfer of that certificate for the operation of no greater number of vehicles than those so retired or destroyed, upon satisfactory evidence being presented, provided that the owner has complied with all the provisions of this chapter.

(Code 1997, § 48-84; Ord. No. 2011-50, 6-13-2011)

Secs. 48-85—48-110. - Reserved.

ARTICLE IV. - TAXICABS

FOOTNOTE(S):

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State Law reference— Taxis generally, S.C. Code 1976, § 58-23-1210 et seq.

DIVISION 1. - GENERALLY

Sec. 48-111. - Taking longer route than necessary.

No taxicab driver shall take a longer route to his destination than is necessary unless so requested by a passenger.

(Code 1985, § 6-3-71; Code 1997, § 48-111)

Sec. 48-112. - Compliance with passengers' requests.

All taxicab drivers shall comply with all reasonable and lawful requests of their passengers as to the speed of travel and the route to be taken.

(Code 1985, § 6-3-72; Code 1997, § 48-112)

Sec. 48-113. - Drivers to remain in or near vehicles.

Every taxicab driver shall remain either in the driver's compartment or immediately adjacent to his vehicle at all times when such vehicle is upon the public streets. Nothing in this section shall be held to prohibit any driver from alighting to a street or sidewalk for the purpose of assisting passengers into or out of his vehicle.

(Code 1985, § 6-3-73; Code 1997, § 48-113)

Sec. 48-114. - Solicitation of patronage.

(a) No driver shall solicit passengers for a taxicab except when sitting in the driver's compartment of such taxicab or while standing immediately adjacent to the curbside thereof.

(b) No driver shall obstruct the movement of any person or follow any person for the purpose for soliciting patronage.

(Code 1985, §§ 6-3-74, 6-3-75; Code 1997, § 48-114)

Sec. 48-115. - Manner of receiving or discharging passengers.

Drivers of taxicabs shall not receive or discharge passengers in the roadway, but shall pull up to the sidewalk on the right-hand side of the roadway, or in the absence of a sidewalk, to the right-hand side of the roadway, and there receive or discharge passengers.

(Code 1985, § 6-3-76; Code 1997, § 48-115)

Sec. 48-116. - Refusing passengers.

No driver of a taxicab shall refuse or neglect to convey any orderly person upon request, unless he is previously engaged or is unable or forbidden to do so by the provisions of this chapter.

(Code 1985, § 6-3-77; Code 1997, § 48-116)

Sec. 48-117. - Place of business.

All persons engaged in the taxicab business and operating under the provisions of this chapter shall render an overall service to the public desiring to use their vehicles. Holders of certificates of public convenience and necessity shall maintain a fixed place of business within two miles of the corporate limits of the city for the purpose of maintaining a dispatch location, maintenance of records, and for offering those records for inspection.

(Code 1985, § 6-3-78; Code 1997, § 48-117; Ord. No. 2012-43, 5-21-2012)

Sec. 48-118. - Insurance or surety bond.

(a) It shall be unlawful for any person to operate, or cause to be operated, any taxicab used for transporting passengers for hire over the streets of the city without first taking out and keeping in effect at all times a policy of insurance in some reliable and responsible insurance company acceptable to the city manager and duly licensed to do business in the state, or providing a surety bond with individual or corporate sureties as may be approved by the city manager to cover damages arising in the city from accidents resulting in bodily injury, death and/or property damage in such amounts as required by state law. Such insurance or surety bond shall be conditioned for the payment of any final judgment rendered on account of property damage or personal injury as described in this subsection caused by any such vehicle of such person on the streets of the city. A copy of such policy shall be kept on file with the city manager or his designee.

(b) Such insurance shall be subject to approval by the city manager. Termination of insurance protection, without having been replaced prior to termination, shall automatically operate as a revocation of the certificate to operate taxicabs within the city. Before an insurance policy will be approved by the city manager as provided in this section, it must be demonstrated that such policy has a provision whereby the city council shall be notified prior to 30 days before any termination thereunder.

(Code 1985, § 6-3-79; Code 1997, § 48-118)

State Law reference— Bodily injury and property damage limits, S.C. Code 1976, § 56-9-820.

Sec. 48-119. - Identification of vehicles.

Subject to approval of the inspector, every taxicab company shall adopt a separate color scheme for painting its cabs in order to make them distinct from the cabs of any other cab company. On all taxicabs of each company, the taxicab number and the telephone number shall be painted with permanent paint on both sides, and the taxicab number only on the rear of each cab, with letters and numbers at least four inches high on the sides, and with a four-inch or greater cab number on the rear. The color of the paint to be used for lettering and numbers shall be of sharp contrast with the color of the surface paint to which applied, so as to be distinguishable at a reasonable distance, especially at night. No lettering or numbers shall be acceptable which have been painted upon a sheet of metal or other material which, in turn, can be removed or detached to conceal the identification of the cab company and the cab number.

(Code 1985, § 6-3-80; Code 1997, § 48-119)

Sec. 48-120. - Prohibited acts.

Smoking is prohibited in all vehicles for hire, including taxicabs.

(Code 1997, § 48-130; Ord. No. 2011-50, 6-13-2011)

Secs. 48-121—48-140. - Reserved.

## DIVISION 2. - DRIVERS' PERMIT

Sec. 48-141. - Required.

No person shall drive a taxicab within the city without first having obtained a taxicab driver's permit from the inspector.

(Code 1985, § 6-3-91; Code 1997, § 48-141)

Sec. 48-142. - Qualifications of drivers.

Each applicant for a taxicab driver's permit must meet the requirements of the taxi inspector.

(Code 1985, § 6-3-92; Code 1997, § 48-142; Ord. No. 2011-50, 6-13-2011)

Sec. 48-143. - Application.

(a) Each applicant for a taxicab driver's permit shall make his application on forms to be provided by the inspector and shall, among other things, show his full name and address. He shall also show his physical condition, with particular reference to his hearing and eyesight and his use of intoxicating liquors and drugs. He shall give a physical description of himself, showing his age and color. He shall show his place of birth, the length of time he has resided in the city, whether he is a citizen of the United States, previous places of employment for five years prior to the date of his application, whether he is married or single, his court record and his state driver's license number. Such application and statement shall be signed and sworn to by the applicant, and any false statement made by an applicant in applying for a taxicab driver's permit shall invalidate the permit issued to such applicant.

(b) Each application shall have attached thereto two recent photographs of the applicant. The applicant shall also be required to have fingerprints taken and be photographed by the police department for identification purposes.

(Code 1985, § 6-3-93; Code 1997, § 48-143)

Sec. 48-144. - Examination of applicants.

Each applicant for a taxicab driver's permit shall be examined by the inspector as to his knowledge of the provisions of this Code, the traffic regulations of the state and city, and the geography of the city. Any applicant may be required to obtain a physical examination, at his expense, from a qualified physician, if in the opinion of the inspector such physical examination should be needed to determine the applicant's physical fitness for operating a taxicab.

(Code 1985, § 6-3-94; Code 1997, § 48-144)

Sec. 48-145. - Fees.

All applicants for taxicab drivers' permits, and the renewal, transfer or replacement of such permits, shall pay to the finance director fees in accordance with the schedule of fees currently in effect in the business license ordinance at that time.

(Code 1985, § 6-3-95; Code 1997, § 48-145)

Sec. 48-146. - Issuance; term.

Should the inspector find that the applicant for a taxicab driver's permit has satisfactorily complied with all the conditions of this division, he shall issue to him a taxicab driver's license. The taxicab driver's license shall be issued to expire on December 31 of that year.

(Code 1985, § 6-3-96; Code 1997, § 48-146)

Sec. 48-147. - Contents.

Every taxicab driver's permit shall show the driver's photograph, name, address, height, weight, age, company affiliation and expiration date. Such permit shall be displayed in a location clearly visible to the passenger in any taxicab being operated by such driver at all times, as specified in section 48-179.

(Code 1985, § 6-3-97; Code 1997, § 48-147; Ord. No. 2011-50, 6-13-2011)

Sec. 48-148. - Denial.

The inspector may refuse to grant, renew or transfer a taxicab driver's permit in the case of an application from any person:

- (1) Whose state automobile operator's license or whose driver's permit to operate a taxicab has been suspended or revoked or has expired;
- (2) Who has been convicted of a felony;
- (3) Who has previously been convicted of driving an automobile resulting in death to any person;
- (4) Who has been convicted of driving a motor vehicle while intoxicated;
- (5) Who has been convicted of a violation of any law, state or federal, or municipal ordinance relating to the use, possession or sale of intoxicating liquors;
- (6) Who has been convicted of a violation of any law, state or federal, or municipal ordinance relating to prostitution;
- (7) Who has been convicted of a violation of any law, state or federal, or municipal ordinance relating to the use, possession or sale of intoxicating drugs; or
- (8) Who has been an habitual violator of traffic laws or an habitual user of intoxicating liquors or narcotic drugs; or when for any reason, in addition to the reasons otherwise specified in this section, the applicant is unfit, in the opinion of the inspector, to drive a taxicab.

(Code 1985, § 6-3-98; Code 1997, § 48-148)

Sec. 48-149. - Probationary permit.

After the inspector has become satisfied as to the results of an interview and the applicant has complied with the requirements by filling out an application blank, the inspector, in his discretion, after checking local records and employers, may issue a probationer's permit for a period not to exceed 60 days, pending the return of the Federal Bureau of Investigation's record of the applicant. After the applicant has served his probationer's period and a careful check of his conduct during such time by the inspector or his agent warrants the approval of a regular taxicab driver's permit, the permit shall be issued.

(Code 1985, § 6-3-99; Code 1997, § 48-149)

Sec. 48-150. - Suspension.

The inspector shall have the authority to suspend any taxicab driver and require the surrender of his permit for a period not to exceed 60 days for a violation of this article or any other ordinance dealing with public safety or public morals, or for making any false statement in his application for a taxicab driver's permit.

(Code 1985, § 6-3-100; Code 1997, § 48-150)

Sec. 48-151. - Revocation; reinstatement.

(a) At any time after the issuance of a taxicab driver's permit to any person, the city manager may revoke such permit if the person holding such permit is convicted of any of the following:

- (1) A felony;
- (2) A violation of any federal or state statute or municipal ordinance relating to the possession or sale of intoxicating liquors;
- (3) A violation of any federal or state statute or municipal ordinance relating to prostitution;
- (4) A violation of any federal or state statute or municipal ordinance relating to the use, possession or sale of narcotic drugs; or
- (5) Repeated violations of traffic laws or ordinances; or for habitual use of intoxicating liquors or narcotic drugs, or for any other cause which, in the opinion of the city manager, warrants such revocation.

(b) The city manager may reinstate any taxicab driver's permit for such period and upon such conditions as he may deem proper in the circumstances. Any application for reinstatement which the city manager has denied, upon request, in writing, by the driver or the company, shall be reported to the city council, which may conduct a hearing or investigation thereon if it is deemed necessary or advisable.

(Code 1985, § 6-3-101; Code 1997, § 48-151)

Sec. 48-152. - Renewal.

The inspector may renew a taxicab driver's permit, to expire on December 31 of each year, by appropriate endorsement thereon. A driver applying for renewal of his permit shall make application on a form furnished by and at the time designated by the inspector.

(Code 1985, § 6-3-102; Code 1997, § 48-152)

Sec. 48-153. - Transfer required when driving for new owner.

No taxicab driver shall operate a cab for any other owner without securing a transfer of his permit from the inspector.

(Code 1985, § 6-3-103; Code 1997, § 48-153)

Secs. 48-154—48-170. - Reserved.

### DIVISION 3. - SPECIFICATIONS AND EQUIPMENT

Sec. 48-171. - Compliance with division.

No person shall be granted a certificate required by article III of this chapter for any taxicab unless such taxicab conforms with all the provisions of this division, and continuance in effect of such certificate shall require conformance with all the provisions of this division at all times.

(Code 1985, § 6-3-111; Code 1997, § 48-171)

Sec. 48-172. - General construction.

(a) Doors. All taxicab bodies shall have four doors, two leading into the passenger compartment and two leading into the driver's compartment, so constructed that they may be opened from the inside and the outside.

(b) Upholstery. All upholstery covering in any taxicab shall be of leather or other nonabsorbent or washable material.

(c) Floor mats. Floor mats shall be provided of rubber or other washable material and shall at all times be removable. No taxicab shall have on the floor thereof any footrest, bracket or other fixture extending above the top of the floor mat.

(d) Windshield and windows. The windshield and all windows in both the driver's compartment and the passenger compartment shall be of nonshatterable safety glass of a type approved by the inspector.

(Code 1985, § 6-3-112; Code 1997, § 48-172)

Sec. 48-173. - Brakes.

All taxicabs shall be equipped with properly functioning four-wheel foot brakes. Brake drums shall be fully enclosed so as to prevent the entrance of water or any other substance. Foot brakes shall be so maintained as to operate upon all four wheels and shall be capable of stopping the vehicle within 22 feet at a speed of 20 miles per hour upon a smooth, dry roadway. All taxicabs shall be equipped with a parking brake, which shall operate upon the drive shaft or the rear wheels of the vehicle independently of the foot brakes.

(Code 1985, § 6-3-113; Code 1997, § 48-173)

Sec. 48-174. - Bumpers.

All taxicabs shall be equipped with bumpers, both front and rear. Front bumpers shall be in one solid piece, and rear bumpers may be of one or two pieces (bumperettes) securely fastened to the frame of the vehicle.

(Code 1985, § 6-3-114; Code 1997, § 48-174)

Sec. 48-175. - Spare tire.

Every taxicab shall be equipped with at least one spare tire, which shall at all times be kept inflated to the required pressure.

(Code 1985, § 6-3-115; Code 1997, § 48-175)

Sec. 48-176. - Heater.

Every taxicab shall be equipped with a heater with a shutoff appliance thereon, sufficient to heat the interior of the cab adequately in cold weather.

(Code 1985, § 6-3-116; Code 1997, § 48-176)

Sec. 48-177. - Rearview mirror.

Every taxicab shall be equipped with an adjustable rearview mirror so installed within the driver's compartment as to enable the operator to obtain a reasonably clear view toward the rear.

(Code 1985, § 6-3-117; Code 1997, § 48-177)

Sec. 48-178. - Speedometer.

Every taxicab shall be equipped with a standard speedometer properly installed, maintained in good working order and exposed to view. No taxicab shall be operated in taxicab service while such speedometer is out of repair or disconnected.

(Code 1985, § 6-3-118; Code 1997, § 48-178)

Sec. 48-179. - Display of rate card and driver's permit.

Every taxicab shall display the owner's city decal certificate, rate card and taxicab driver's permit. The rate card and driver's permit shall be placed so as to face the passenger and be so located as to be at all times in plain view of such passenger.

(Code 1985, § 6-3-119; Code 1997, § 48-179; Ord. No. 2011-50, 6-13-2011)



Sec. 48-180. - Windshield wipers.

Every taxicab shall be equipped with double windshield wipers, properly installed and maintained at all times in good working order.  
(Code 1985, § 6-3-120; Code 1997, § 48-180)

Sec. 48-181. - Lights.

(a) Every taxicab shall be equipped with the following lights:

(1) Two headlights of a type approved by applicable standards under state law.

(2) Standard rear lights so placed and constructed as to show a steady white light on the license plate sufficient to illuminate the figures thereon and render them discernible at night at a distance of 100 feet, and the view of such license plate shall at all times be unobstructed.

(3) A passenger compartment light adequate to illuminate the interior of the passenger compartment.

(b) No red light shall be visible from the front of any taxicab operating on the streets of the city.

(c) All lights must comply with state regulations.

(Code 1985, § 6-3-121; Code 1997, § 48-181)

Sec. 48-182. - Use of handheld cellular phones.

No driver shall operate a handheld cellular phone in any taxicab while it is being used to transport passengers for hire in the city; provided, however, this section shall not prohibit the use in any taxicab of a hands-free device used for receiving and transmitting messages from or to the office or headquarters of the owner of such taxicab. The use of cellular phones for dispatching a call by a driver is allowed only via a hands-free device. Texting in any form both transmitting and/or receiving is prohibited while the vehicle is in operation.

(Code 1985, § 6-3-122; Code 1997, § 48-182; Ord. No. 2011-50, 6-13-2011)

Sec. 48-183. - Inspections of taxicabs.

(a) Before a certificate required by article III of this chapter is issued to any owner, for a new or renewal vehicle, the owner of the taxicab shall deliver such taxicab to a place designated with an ASE (Automotive Service Excellence) mechanic which is certified to inspect light vehicles, including taxicabs. Cost, if any, of such inspections as shall be required by the inspector shall be paid by the owner of such taxicab.

(b) The inspector or his agents shall have the right, at any time, after displaying proper identification, to enter into or upon any certificated taxicab for the purpose of ascertaining whether or not any of the provisions of this article are being violated.

(c) Any taxicab which is found, after any such inspection, to be unsafe or in any way unsuitable for taxicab service may be immediately ordered out of service by the inspector, and before again being placed in service shall be delivered to the inspector at a designated point for reinspection.

(Code 1985, § 6-3-123; Code 1997, § 48-183; Ord. No. 2011-50, 6-13-2011)

Sec. 48-184. - Inspections by owner.

Every owner must institute a system of regular weekly inspections of all his taxicabs and equipment and must keep all of his taxicabs and equipment in proper repair and sanitary condition at all times. A record of all such inspections shall be kept by the owner and shall be available to the inspector and his agents.

(Code 1985, § 6-3-124; Code 1997, § 48-184)

Sec. 48-185. - Repair.

Any taxicab found by the owner, upon inspection, to be unsafe for taxicab operation shall have such repairs and alterations made as may be required. The owner shall not operate or cause or permit to be operated any such taxicab until all such repairs and alterations have been completed.

(Code 1985, § 6-3-125; Code 1997, § 48-185)

Sec. 48-186. - General maintenance requirements.

(a) All exterior body work of any taxicab shall be maintained in good condition and free of excessive damage.

(b) All exterior paint work shall be maintained in good condition, free of substantial scratches, chips and abrasions.

(c) All suspension components affecting the ride and safety of the vehicle shall be maintained such that they comply with the manufacturer's specifications.

(d) All windshield and window glass shall be maintained free from cracks, scratches, pitting, abrasions or any other conditions that reduce clarity of vision below the level specified by the manufacturer.

(e) The interior and exterior of each taxicab shall be cleaned on a regular basis and a clean and sanitary appearance shall be maintained.

(Code 1985, § 6-3-126; Code 1997, § 48-186)

Secs. 48-187—48-200. - Reserved.

#### DIVISION 4. - TAXIMETERS

Sec. 48-201. - Type and approved design of meter; operating accuracy.

Taxicabs which operate in the city shall be equipped with meters, but such meters shall not be required to be used if a fare is calculated by a method approved by the city council. Those which are used shall be of a type and design which shall have been approved by the city council, and for those taxicabs using a taximeter, it shall be the duty of the person operating the taxicab, and also the driver thereof, to keep such meter operating at all times within five percent of absolute accuracy. This section shall apply regardless of whether the taxicab is engaged for a trip entirely within the boundaries of the city or partially outside thereof.

(Code 1985, § 6-3-141; Code 1997, § 48-201; Ord. No. 2011-50, 6-13-2011)

Sec. 48-202. - Visibility.

The taximeter shall be placed in each taxicab so that the reading dial showing the amount to be charged shall be well lighted and readily discernible to any passenger riding in any such taxicab.

(Code 1985, § 6-3-142; Code 1997, § 48-202)

Sec. 48-203. - Inspection by inspector; removal from service of taxicabs with inaccurate meters.

Every taximeter used in the operation of taxicabs shall be subject to inspection at any time by the inspector or any of his agents or assistants. Upon the discovery of any inaccuracy in a taximeter, the operator thereof shall remove or cause to be removed from service the taximeter until such taximeter shall have been repaired and accurately adjusted.

(Code 1985, § 6-3-143; Code 1997, § 48-203)

Sec. 48-204. - Inspection by owner.

Every taximeter shall be inspected and tested for accuracy by the owner at least once every six months. Upon the completion of each inspection any meter found to be outside the standards of accuracy shall be sent to the manufacturer for repair and must be accurate before being placed back into service.

(Code 1985, § 6-3-144; Code 1997, § 48-204; Ord. No. 2011-50, 6-13-2011)

Sec. 48-205. - Use of flags.

When using a taximeter, it shall be unlawful for any driver of such taxicab, while carrying passengers, to turn off or disable the taximeter in such a position as to denote that such vehicle is not employed, or to fail to turn off the taximeter to a position indicating that such vehicle is unemployed at the termination of each and every trip or drive.

(Code 1985, § 6-3-145; Code 1997, § 48-205; Ord. No. 2011-50, 6-13-2011)

Sec. 48-206. - Prohibited meters and uses.

No taxicabs shall be used whose mechanism will register a combined charge for mileage and waiting time in any single position, and no taximeter shall be so operated as to cause any charge to be registered thereon except during the time the taxicab is engaged by a passenger.

(Code 1985, § 6-3-146; Code 1997, § 48-206)

Sec. 48-207. - Operation generally.

When using a taximeter to calculate fares, at all times while such taxicab is engaged, the taximeter shall be placed into position to register charges for mileage, or into a position to register charges for waiting time.

(Code 1985, § 6-3-147; Code 1997, § 48-207; Ord. No. 2011-50, 6-13-2011)

Sec. 48-208. - Charging more than approved fare.

It is unlawful for a taxicab operator to charge any passenger more than the fixed fare or rate for transportation or waiting time as approved by the city council.

(Code 1985, § 6-3-148; Code 1997, § 48-208)

Sec. 48-209. - Waiting time.

For the purpose of this division, waiting time shall mean the time consumed while a taxicab is not in motion at the direction of a passenger, and also the time consumed while the driver is waiting for a passenger after having responded to a call; but no charge shall be made for the time consumed by a premature response to a call, or for the three minutes following timely arrival at any location in response to a call, or for delays caused by the inefficiency of the taxicab or its driver. Waiting time for lost time in traffic shall be limited to periods when the vehicle is either not moving or traveling less than five miles per hour.

(Code 1985, § 6-3-149; Code 1997, § 48-209; Ord. No. 2000-80, 11-13-2000)

Sec. 48-210. - Receipt for payment of fare.

It shall be unlawful for the driver of any taxicab, upon receiving full payment for a fare as indicated by the meter, to refuse to give a receipt upon the request of any passenger making such payment.

(Code 1985, § 6-3-150; Code 1997, § 48-210)

Sec. 48-211. - Breaking seals.

It shall be unlawful for any driver of any taxicab, or any other person, except the owner's approved repairmen or the inspector of taxicabs, to break the seal of any taximeter.

(Code 1985, § 6-3-151; Code 1997, § 48-211)

Sec. 48-212. - Inspection after repairs.

After any taximeter has been repaired, the cab must be presented to the inspector of taxicabs for inspection as to accuracy and proper operation, and be resealed.

(Code 1985, § 6-3-152; Code 1997, § 48-212)

Secs. 48-213—48-240. - Reserved.

## ARTICLE VII. - VEHICLES WITHOUT MOTORS

### DIVISION 1. - GENERALLY

Sec. 48-321. - Applicability of article.

This article applies to horse-drawn carriages, rickshaws, pedicabs, and like vehicles which have no motor, which carry one or more passengers for hire, and which utilize public rights-of-way and other public property for a portion or all of the trip for hire. The purpose of this article is to regulate the public safety of passengers in such public service vehicles, as well as pedestrians and occupants of other vehicles in the public rights-of-way and on public property.

(Code 1997, § 48-321; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-322. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Horse-drawn carriage means a four-wheeled vehicle which is designed and outfitted for passenger travel and which operates by being pulled by a horse, mule or other draft animal. Any reference herein to horse shall be interpreted to apply to whatever draft animal is being used.

Pedicab means a three-wheeled vehicle powered by a human being peddling.

Rickshaw means a two-wheeled vehicle pulled by a human being or draft animal.

(Code 1997, § 48-322; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-323. - Required certificates; owners and drivers.

(a) No owner of a vehicle without motor shall permit the vehicle to be operated in the public rights-of-way or on public property without first securing from the city manager a certificate of public convenience and necessity under article III of this chapter. To the extent any requirements of article III apply exclusively to motor vehicles, the city manager, directly or through his designee, may waive their application to this section.

(b) No driver shall operate a vehicle without motor in the public rights-of-way or on public property without first meeting the qualifications for a driver under this article and being issued a certificate to that effect from the inspector. Any applicant who is denied a certificate by the inspector may appeal the decision within ten days of the notice to the city manager, whose decision, on review, shall be final.

(c) The city manager and inspector shall have the discretion to issue certificates provided for under this section subject to specific conditions which protect public safety, provided the conditions are stated in writing.

(Code 1997, § 48-323; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-324. - Equipment.

(a) Passenger design. Prior to receipt of a certificate of public convenience and necessity under article III of this chapter, each owner of a vehicle without motor shall first establish for the inspector's approval that the vehicle was designed for passenger conveyance, at a minimum having seats and the means of safe ingress and egress into and from the vehicle. The inspector may make such additional requirements of vehicle design for particular vehicles as may be pertinent to the safe conveyance of the traveling public.

(b) Functioning components. All weight-bearing and moving components of vehicles without motors shall be fully functional at all times, without requiring the driver or passengers to hold or constrain any component of the vehicle or to position themselves in any special way during the course of the trip for the sake of safety or comfort.

(c) Lights and reflectors. No vehicles without a motor shall operate except in broad daylight hours without being equipped with such lights and reflectors as the inspector may require. The inspector shall require such lights and reflectors as can reasonably be expected to be seen by pedestrians and drivers of vehicles using the public rights-of-way and other public property from a distance of 500 feet. In implementing this requirement, the inspector shall have the discretion to consider the type, size, and shape of the vehicle as well as the anticipated or likely places of use for the vehicle. The inspector shall have the further discretion to reconsider and revise the requirements for any previously approved lights and reflectors in view of actual practice.

(d) Certificate of capacity. Each vehicle without motor shall have displayed permanently a certificate showing the vehicle's maximum capacity, as determined by the inspector, of the total number of passengers or the total weight, or some combination of number of passengers and weight. No driver shall operate a vehicle in excess of the certificate's designated capacity.

(e) Owner identification. Each vehicle without motor shall have displayed prominently on the exterior of the vehicle in a manner satisfactory to the inspector a sign identifying the business entity owning the vehicle and a telephone number for contact.

(Code 1997, § 48-324; Ord. No. 2001-30, § 3, 5-14-2001)

#### Sec. 48-325. - Driver qualification.

Each person operating a vehicle without motor shall at the time of operation:

(1) Possess a valid driver's license issued to the driver by the driver's current state of residence;

(2) Possess and exercise the physical strength necessary to maintain control of the vehicle under the driver's charge;

(3) Not be under the influence of alcohol or other drugs, whether prescribed or otherwise, to such a degree that the driver's ability to operate the vehicle is impaired; and

(4) Possess a cell phone, radio, or similar wireless communication device which is capable of contacting police dispatch.

(Code 1997, § 48-325; Ord. No. 2001-30, § 3, 5-14-2001)

#### Sec. 48-326. - Locations for routes, loading and unloading.

(a) The inspector shall be authorized to establish locations, days, and times for routes of travel for vehicles without motors and for loading and unloading of their passengers. The identification of such locations shall be made after consultation with the chief of police, the fire chief, and the public works director, or their designees. Whenever the route of travel includes or affects public rights-of-way or other public property, no driver of a vehicle without motor shall utilize any route of travel or any location for loading and unloading of passengers, without authorization pursuant to this section, even when such loading or unloading location is on privately owned property. The locations selected by the inspector shall be compatible with public safety.

(b) The inspector may suspend temporarily the use of locations authorized under subsection (a) of this section when those locations are being used for or affected by special events or when public safety requires.

(Code 1997, § 48-326; Ord. No. 2001-30, § 3, 5-14-2001)

#### Sec. 48-327. - Obedience to traffic laws.

All vehicles without motors shall during their operation be subject to the general traffic laws of the state and the city which are applicable to motorized vehicles, unless the applicability is made impossible by the absence of a motor. Citations for violations of those provisions may be written by reference to this section or the section of a state or municipal code otherwise giving rise to the violation. However, any owner or driver who receives a certificate or permit under this chapter for the operation of a vehicle without motor shall be deemed to have waived the requirement under any other section that the vehicle must be a "motor vehicle" as an element of the charge.

(Code 1997, § 48-327; Ord. No. 2001-30, § 3, 5-14-2001)

#### Sec. 48-328. - Insurance.

No person shall operate a vehicle without motor without maintaining in force a general comprehensive liability insurance policy in such minimum coverage amounts as the inspector shall uniformly establish and from time to time adjust, but in no event less than \$1,000,000.00. No license or permit shall be issued under this chapter without presenting to the city a certificate of insurance, naming the city as an additional insured and as entitled to notice in the event of cancellation or nonrenewal. No owner shall operate a vehicle without motor without having in place workers' compensation insurance in the statutory amounts set by the state unless the person is exempt from such mandatory coverages. For good cause shown the city manager may waive any portion of this section's requirements, provided adequate protections can be shown to be in place for the public, the driver and the city.

(Code 1997, § 48-328; Ord. No. 2001-30, § 3, 5-14-2001)

#### Sec. 48-329. - Suspension and revocation.

(a) Failure to abide by the provisions of this chapter or any of the ordinances of the city or laws of the state in the operation of a vehicle without motor shall be grounds for the temporary suspension or revocation of any certificate issued under this chapter.

(b) If in the opinion of the inspector, a certificate should be suspended or revoked, the inspector shall give written notice of the decision to the certificate holder and of the right of the certificate holder to appeal the decision to the city manager or his designee. The notice may be delivered personally or sent by mail.

(Code 1997, § 48-329; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-330. - Drivers; required and prohibited acts.

(a) While on duty each driver shall do the following:

- (1) Keep the passenger area clean at all times;
- (2) Require all passengers to remain seated at all times, except when loading and unloading;
- (3) Advise passengers to enter and exit the vehicle with care; and
- (4) Wear an identification badge.

(b) While on duty, each driver shall not:

- (1) Solicit passengers in a loud tone of voice or annoying manner;
- (2) Permit any other person to operate the vehicle under the driver's charge, unless the person is currently certified by the inspector to be a driver of the particular type of vehicle without motor; or
- (3) Smoke or consume food or beverages, except when not operating the vehicle and on break.

(Code 1997, § 48-330; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-331. - Appeals.

Any person submitting an application for a certificate of any type under this article, to the inspector or any employee other than the city manager, or any person whose certificate has been suspended or revoked, may appeal the decision to the city manager, provided such appeal is in writing and is delivered to the city manager within ten days of the date of the adverse decision. The city manager shall review all relevant documentation and may receive additional information as he determines to be appropriate. Except as provided for certificates of public convenience and necessity under section 48-75, the decision of the city manager shall be final.

(Code 1997, § 48-331; Ord. No. 2001-30, § 3, 5-14-2001)

Secs. 48-332—48-340. - Reserved.

DIVISION 2. - HORSE-DRAWN CARRIAGES

Sec. 48-341. - Additional requirements.

Horse-drawn carriages, their owners, and their drivers shall meet the requirements of division 1 of this article. In addition, they shall meet the requirements of this division.

(Code 1997, § 48-341; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-342. - Design and maximum size.

Horse-drawn carriages shall be traditionally styled passenger carriages, or wagons which have been upfitted appropriately for safe and comfortable passenger travel. Wagons that are patently designed for cargo instead of passengers will not be approved. Horse-drawn vehicles must not exceed 14 feet in length or seven feet in width. Vehicles will be measured from end to end, excluding steps and shafts; and, from axle tip to axle tip. No part of the vehicle may be over seven feet in width.

(Code 1997, § 48-342; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-343. - Hand brake required.

At all times, when in use as such, the horse-drawn carriage shall be equipped with suitable and efficient, manually operated brakes. The brakes must be engaged whenever the driver dismounts for any reason.

(Code 1997, § 48-343; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-344. - Harness apparatus and blinders.

At all times, when in use as such, the horse-drawn carriage shall have a harness attachment maintained so as not to allow the horse to break away from its harness or vehicle. All carriages shall have the suspension, pivoting axle, shaves and tongue and harness trees secured to the vehicle properly with safety measures taken to ensure that any key parts will not accidentally loosen. Each horse must be properly fitted with blinders while the horse-drawn carriage is in operation.

(Code 1997, § 48-344; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-345. - Diapering apparatus and clean up required.

The driver of a horse-drawn carriage must equip the horse with diapering apparatus maintained in working order that prevents droppings of the animal from being deposited or otherwise left on public rights-of-way or other public property. Failure to flush all liquid waste excreted from the horse immediately with water and spray with the appropriate chemical to eliminate all noxious odor and bacteria is a violation of this article.

(Code 1997, § 48-345; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-346. - Additional driver qualifications.

In addition to the qualifications set forth for drivers of all vehicles without motors in section 48-325, each driver of a horse-drawn carriage must:

- (1) Be at least 21 years of age; and
- (2) Demonstrate competence in handling horse-drawn vehicles. All drivers of horse-drawn vehicles shall be required to pass a horse-drawn vehicle competency examination administered by the police department traffic division which will satisfy the city that the driver is knowledgeable and capable of handling horses and horse-drawn vehicles in emergency situations. Should any driver be involved in an accident while operating a horse-drawn vehicle, such driver shall be subject to re-examination for competency.

(Code 1997, § 48-346; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-347. - Additional equipment requirements.

In addition to equipment criteria set forth in section 48-324, each horse-drawn carriage shall be equipped with a rear reflective device as follows:

- (1) An equilateral triangle in shape at least 16 inches wide at the base and at least 14 inches in height, with a bright red border, at least 1¼ inches wide of highly reflective beaded material; or
- (2) A center triangle, at least 12¼ inches on each side of yellow-orange fluorescent material.

The device shall be mounted on the rear of the horse-drawn vehicle, not less than three feet nor more than five feet above the ground, measuring to the lowest portion of the device and as near the center of the vehicle as practicable.

(Code 1997, § 48-347; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-348. - Hitching location.

(a) No horse shall be hitched or unhitched to the harness apparatus of the carriage except at locations approved by the inspector. The locations selected by the inspector shall be compatible with public safety.

(b) The inspector may suspend temporarily the use of locations authorized under subsection (a) of this section when those locations are being used for or affected by special events or when public safety requires.

(Code 1997, § 48-348; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-349. - Treatment of horses.

(a) No owner or driver shall treat a horse used in a horse-drawn vehicle in an inhumane manner. No driver shall work a horse which is in poor health, lame, ill or which has sores. No driver shall work a horse under the age of three years or over the age of 20 years.

(b) No horse shall be placed into service for more than 12 hours per day. A rest break of at least ten minutes shall be given to each horse after one 50-minute period. After two consecutive 50-minute periods, a 30-minute rest period shall be given.

(c) Horses shall be provided with adequate food and water while in service.

(d) Horses shall not be operated when the chill index is below zero degrees Fahrenheit, or the heat index is above 95 degrees Fahrenheit, as measured by the National Weather Service. When the chill index is below 20 degrees Fahrenheit, the horse must be blanketed during rest periods.

(e) Any horse used on asphalt, concrete, or similar type street surfaces shall be shod with metal shoes coated with material which minimizes damage to the surface. A good quality, shock-absorbing material may be used between the horse's hooves and the shoes at the discretion of a certified farrier.

(f) Shoes are to be refitted, as needed. Any shoe lost during the work period by a horse then in service must be replaced before such horse resumes service.

(g) The horse's hooves shall be trimmed, as needed, at the scheduled times for shoe refitting. Hooves are to be examined by a certified farrier and a report of the examination in writing shall be submitted to the inspector every six months that the horse is in service.

(h) Horses shall be given a minimum of four days' pasture time per month.

(i) No driver shall use more than a light touch of the whip upon a horse, and no driver or other person may forcefully strike a horse or make movements or noise intended to frighten or harm the horse.

(j) The fitness of such horse to pull a horse-drawn vehicle shall be certified in writing at least annually by a certified veterinarian, and a copy of such certification filed with the inspector, in order for such horse to remain in service for use with horse-drawn vehicles.

(Code 1997, § 48-349; Ord. No. 2001-30, § 3, 5-14-2001)

Sec. 48-350. - Taunting and interference prohibited.

No person shall taunt, tease or assault a horse. No person shall interfere with a horse-drawn vehicle being operated in accordance with this article.

(Code 1997, § 48-350; Ord. No. 2001-30, § 3, 5-14-2001)

City of Greenville Code of Ordinances Regarding Animals in Public Places

Sec. 4-9. Prohibitions and restrictions of animals in public places.

(a) No owner, keeper, or other person having control or supervision of an animal shall permit an animal, whether restrained or not, to be in an area in which a special event is being held pursuant to a special event permit issued under the ordinances of this Code, unless the event permit specifically authorizes the presence of animals.

(b) Any owner, keeper, or other person having control or supervision of an animal must remove promptly all feces left by the animal on any street, sidewalk, or plaza in the central business district or in any public park anywhere within the city.

(c) No owner, keeper, or person having control or supervision of an animal, shall permit the animal, whether restrained or not, to walk, run, or stand, on the premises of a cemetery.

(d) This section shall not apply to a guide, hearing, or service dog or other dog which has been trained to accompany a person with a disability while being accompanied by a disabled person or to any dog or horse in the custody or control of a law enforcement officer while the officer is in the performance of official duties. Nor shall it apply to an animal which remains at all times within the confines of a motor vehicle.

(Ord. No. 98-39, § 1, 6-8-98; Ord. No. 2005-87, Exh. 10-10-05)