

February 3, 2003

City Council Meeting  
February 11, 2003

Mayor and Members  
of the City Council

**ORDINANCE NO. 03-1226 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH,  
CALIFORNIA, AMENDING THE TAXICAB REGULATIONS PERTAINING TO  
FRANCHISES AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE."**

Submitted for **adoption** and **waiver of full reading** is Ordinance **No. 03-1226**, relating to the above subject.

At the meeting of January 28, 2003, the ordinance was presented to the City Council for consideration and was introduced by the following vote:

AYES:	Dunbabin, Keegan, Reviczky, Yoon, Mayor Edgerton
NOES:	None
ABSENT:	None
ABSTAIN:	None

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Elaine Doerfling, City Clerk

Noted:

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Stephen R. Burrell, City Manager

1 **ORDINANCE NO. 03-1226**

2 **AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA,**  
3 **AMENDING THE TAXICAB REGULATIONS PERTAINING TO FRANCHISES**  
4 **AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE**

5 The City Council of the city of Hermosa Beach does hereby ordain as follows:

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7 **SECTION 1.** Section 5.72.020 of Title 5, Chapter 5.72 of the Hermosa Beach Municipal  
8 Code is amended by adding thereto in alphabetical sequence the following new definition:

9 “Exclusive taxicab service means the provision of taxicab services as authorized by a  
10 franchise issued by the City Council extending to the holder thereof the exclusive right to offer taxicab  
11 services within the City.”

12 **SECTION 2.** Section 5.72.020 of Title 5, Chapter 5.72 of the Hermosa Beach Municipal  
13 Code is amended to read:

14 **“5.72.030 Franchise or permit required for automobile for hire and**  
15 **taxicab service.**

16 It is unlawful for any person to engage in the business of operating or causing to  
17 be operated any automobile for hire or taxicab service within the City without having a franchise or a  
18 permit to do so pursuant to the provisions of this Chapter. The City Council may in its discretion issue  
19 one or more exclusive franchises for the provision of taxicab services within the City upon finding that  
20 franchising is necessary to assure reliable, safe and quality taxicab service to City residents and to  
21 eliminate undue congestion, disorganization and hazards associated with a deregulated taxicab  
22 environment. In such event, upon issuance of one or more franchises, the City shall not accept new or  
23 renewal applications for permits to operate a taxicab service and it shall be unlawful for any person other  
24 than the franchisee(s) to engage in the business of operating or causing to be operated any taxicab service  
25 within the City.”

26 **SECTION 3.** Chapter 5.72 of Title 5 of the Hermosa Beach Municipal Code is amended by  
27 adding thereto a new Section 5.72.045 to read:

28 **“5.72.045 Taxicab franchises.**

1                   One or more exclusive franchises may be issued in accordance with a competitive  
2 procedure and criteria formulated by the City Manager or his designee. Prospective franchisees shall  
3 provide such information as is requested by the City to evaluate their qualifications, corporate stability and  
4 financial capability to provide exclusive taxicab services. Criteria for eligibility for issuance of a franchise  
5 may include, among other things, demonstrated quality and safety of service, operation of a minimum  
6 number of taxicabs, age and condition of taxicabs, a minimum level of insurance, minimal financial  
7 qualifications, and the proposed amount of the franchise fee payable to the City. A franchise agreement  
8 entered into pursuant to this Chapter shall be for a limited term and may include payment by the  
9 franchisee of a franchise fee as consideration for the rights granted under the franchise.”

10           **SECTION 4** Section 5.72.070 of Title 5, Chapter 5.72 of the Hermosa Beach Municipal  
11 Code is amended by adding thereto a new paragraph R to read:

12                   “R. Issuance of one or more exclusive franchises for the operation of taxicab services  
13 in the City. Upon issuance of such franchise(s), the City Manager shall provide not less than ninety (90)  
14 days written notice of revocation of the permit to the taxicab permit holder. The provisions of Sections  
15 5.72.140 and 5.72.160 shall not apply to revocation of permits under this paragraph.”

16           **SECTION 5** The purpose of this Ordinance is to enable the City to grant one or more  
17 exclusive franchises for the use of its streets and highways for the provision of taxicab services initiated  
18 within the City. This Ordinance constitutes an exercise of the City’s police powers pursuant to Article  
19 XI, Section 7 of the California Constitution and enables a method of regulation intended to protect  
20 consumers and minimize hazards in the City’s streets and highways.

21           **SECTION 6** The City Clerk shall certify to the passage and adoption of this ordinance, shall  
22 enter the same in the book of original ordinances of said city, and shall make minutes of the passage and  
23 adoption thereof in the records of the proceedings of the City Council at which the same is passed and  
24 adopted.

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**SECTION 7.** Prior to the expiration of fifteen (15) days after the date of its adoption, the City Clerk shall cause this ordinance to be published in the Easy Reader, a weekly newspaper of general circulation, published and circulated in the City of Hermosa Beach.

**SECTION 8** This ordinance shall become effective and be in full force and effect from and after thirty (30) days of its final passage and adoption.

**PASSED, APPROVED and ADOPTED** this 11th day of February, 2003, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

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**PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

ATTEST:

APPROVED AS TO FORM:

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CITY CLERK

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CITY ATTORNEY