

ORDINANCE NO. 335

AN ORDINANCE OF THE CITY COUNCIL OF :
THE CITY OF MIAMI BEACH, FLORIDA,
REGULATING THE OPERATION OF TAXICABS
IN THE CITY OF MIAMI BEACH, FLORIDA;
FIXING THE RATES TO BE CHARGED FOR
THE SERVICES OF TAXICABS IN THE CITY
OF MIAMI BEACH, FLORIDA; PROVIDING FOR
THE INSTALLATION OF METERS UPON TAXI-
CABS IN THE CITY OF MIAMI BEACH, FLORIDA;
PROVIDING A PENALTY FOR THE VIOLATION
OF THIS ORDINANCE, AND DEFINING TAXICABS
FOR THE PURPOSE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI BEACH,
FLORIDA:

SECTION 1: Any person, operating or controlling a taxicab
within the meaning of this Ordinance, shall, for
each separate and distinct period of employment,
make charges based upon rates, as follows, to-wit:

- (a) Fifteen cents (15¢) for the first one-fourth of one mile, or any part thereof, and five cents (5¢) for each additional one-fourth of one mile or any part thereof.
- (b) For each three (3) minutes of time, or any part thereof, in which any taxicab shall be stopped, and/or not in motion, for any reason whatsoever other than on account of the inefficiency of such taxicab and/or the operator thereof, a charge of ten cents (10¢) shall be made.
- (c) In the event a taxicab within the meaning of this Ordinance shall desire to set a rate or rates for the complete charge to be made in the carriage of passengers between any two or more fixed and definite points, then and in that event such charge shall be computed upon the basis of the rates herein set in Items "a" and "b" of Section 1 of this Ordinance.

SECTION 2: Each taxicab shall have posted and exhibited therein, so as to be visible to the passengers thereof, a writing setting forth the rate to be charged for the hire of such taxicab, which rate shall conform to the rates set by this Ordinance, and shall be conspicuously displayed upon the exterior of such taxicab, also.

SECTION 3: The time for which a taxicab shall charge for its services shall begin with the arrival of such taxicab at the place to which it has been called, or the time consumed while standing at the direction of the employer thereof, but no charge shall be made for time that such taxicab is not in motion, due to the inefficiency thereof, or the inefficiency of its operator, or time consumed because of the premature response of such taxicab to any order for the services thereof.

SECTION 4: No driver or operator of any taxicab shall refuse or neglect to convey any orderly person or persons upon request anywhere within the City Limits of the City of Miami Beach, Florida, for and in consideration of the rates of compensation herein set forth. Provided, however, that such taxicab shall not have been previously engaged at the time of such request, or such taxicab is not disabled in such manner that it is unable so to convey the person or persons requesting such transportation.

SECTION 5: No operator of any taxicab shall, after accepting employment from or in behalf of any person or persons, accept employment from or in behalf of any other person or persons without the consent of the first person or persons, unless and until the first employment, in point of time, shall have been terminated.

SECTION 6: No person shall be permitted to solicit business by any sign or any word, as a taxicab, or be allowed to call a vehicle a taxicab for the purpose of solicitation of business within the limits of the City of Miami Beach unless the owner and/or operator thereof complies with the following, to-wit:

- (a) Every operator of a taxicab within the limits of the City of Miami Beach shall maintain a place or garage other than a place upon the public thoroughfares of the City of Miami Beach, Florida, within which and/or upon which to maintain such vehicle.
- (b) Every operator of a taxicab shall have his exclusive color combination with the name of the operator thereof, the telephone number, if any, of such operator, and the number of such taxicab conspicuously placed on the rear and on both sides of each of such vehicles.
- (c) No taxicab operator shall be permitted to advertise his vehicle as a taxicab, or in any manner lead the public into believing that such vehicle is a taxicab, without complying with the regulations of this Ordinance.
- (d) No operator of a taxicab shall advertise or solicit business in such a manner as to confuse the public, either by imitating the color combination of a competitor, or the name of any competitor, or to, in any manner, mislead the public by advertising or doing business while using a name or a color combination at that time being used by a competitor.
- (e) No driver and/or operator of any taxicab shall be permitted to sleep within the passenger compartment of such taxicab, nor shall such driver or operator at any time be permitted to sit or lounge within the passenger compartment of such taxicab. Provided, however, that this provision does not apply to the occupation by the operator or driver of such taxicab of the seat or compartment provided for his use.

SECTION 7: No taxicab shall be allowed to ply for-hire on the streets of the City of Miami Beach without a meter, which said meter shall conform to the type of meter usually maintained on taxicabs, and shall be maintained and used for the purpose of correctly measuring and computing the distance travelled by such taxicab while employed, and shall be operated by mechanical means, the power for which is derived by cable from the transmission of such taxicab or by star gear attached to the front wheels of such taxicab, before such taxicab may be operated for hire on the streets and thoroughfares of the City of Miami Beach, Florida, which said taxicab and said meter or meters shall be subject to inspection by the Police Department of the City of Miami Beach.

SECTION 8: For the purpose of this Ordinance, a taxicab shall be defined as a vehicle conveying passengers for hire at a rate to be determined upon the basis of the distance involved in such transportation, or upon the basis of an agreed charge for conveyance of passengers for hire between two or more given points, and for which vehicle the operator and/or owner thereof provides a person to direct, drive and operate such vehicle. Provided, however, that this definition shall not include vehicles conveying passengers for hire upon a particular schedule and over particular designated streets of the City of Miami Beach.

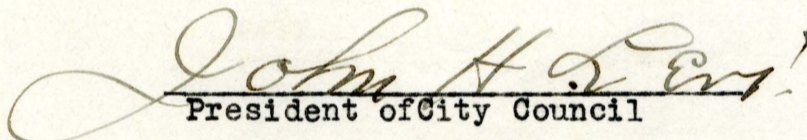
SECTION 9: Any person violating any of the provisions of this Ordinance, upon conviction thereof, shall be punished by a fine not exceeding Two Hundred Dollars (\$200.00), or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment, in the discretion of the Municipal Judge of the City of Miami Beach, Florida.

SECTION 10: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

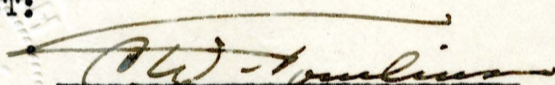
SECTION 11: If any section, sub-section, sentence, clause, or phrase of this Ordinance is, for any reason, held invalid and/or unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance.

SECTION 12: This Ordinance shall become effective from the date of its passage and approval.

PASSED AND ADOPTED this 11th day of December, A. D., 1933.

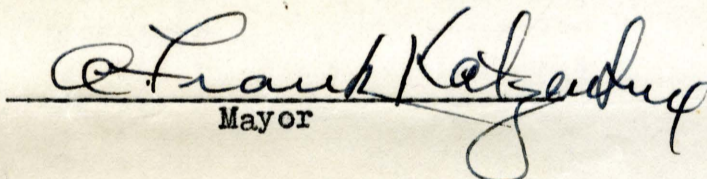

President of City Council

ATTEST:


City Clerk

1933.

APPROVED BY ME this 18th day of December, A. D.,


Mayor

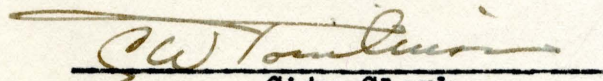
1st Reading, December 4th, 1933.
2nd Reading, December 4th, 1933.
3rd Reading, December 11th, 1933.
Posted - December 18-1933

STATE OF FLORIDA)

COUNTY OF DADE)

I, C. W. TOMLINSON, City Clerk in and for the City of Miami Beach, Florida, do hereby certify that Ordinance No. 335, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA, REGULATING THE OPERATION OF TAXICABS IN THE CITY OF MIAMI BEACH, FLORIDA; FIXING THE RATES TO BE CHARGED FOR THE SERVICES OF TAXICABS IN THE CITY OF MIAMI BEACH, FLORIDA; PROVIDING FOR THE INSTALLATION OF METERS UPON TAXICABS IN THE CITY OF MIAMI BEACH, FLORIDA; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE, AND DEFINING TAXICABS FOR THE PURPOSE OF THIS ORDINANCE," having been duly passed and adopted by the City Council of the City of Miami Beach, Florida, has been posted by me in three conspicuous places in the City of Miami Beach, one of which was at the door of the City Hall in said City on the 18th day of December, A. D., 1933, and that said ordinance remained posted for a period of at least thirty days in accordance with the requirements of the City Charter of the said City of Miami Beach.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Miami Beach, Florida, on this the 17th day of January, A. D., 1934.



City Clerk



(ORIGINAL)

ORDINANCE NO. 335

Regulating the operation
of taxicabs.