

ORDINANCE NO. 81004

An Ordinance amending Sections 20-6311 and 20-6338 of Ordinance No. 76398 (License and Business Code) governing the procedure on appeal from cancellation, revocation or denial of taxi driver's and chauffeur's permits; and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that the procedure for appeal from cancellation, revocation or denial of taxicab driver's and chauffeur's (for-hire and sight-seeing busses) permits should provide for written notice to such drivers of the time within which appeal to the Council from such action may be taken, and for hearing and notice thereon; now, therefore, Sections 20-6311 and 20-6338 of Ordinance 76398 (the License and Business code), be, and the same hereby are amended to read as follows:

Section 20-6311. DRIVERS TO OBTAIN PERMIT: PROVISIONS THEREFOR. It shall be unlawful for any person to operate a taxicab in the City of Portland without first obtaining a driver's permit therefor from the motor bus inspector, Bureau of Police, who is authorized by the City of Portland to examine chauffeurs. The person applying for such permit shall make and sign a written application of a size and form to be provided by said inspector, whereupon the inspector shall examine the applicant concerning his knowledge of the traffic regulations in force in the City of Portland, his ability and judgment in the operating of a taxicab,. If the inspector approve his examination he shall assign to the applicant a number, whereupon the applicant shall pay a fee of 25¢ and present himself to the record division of said Bureau which shall take his photograph on which shall be entered the number assigned by the inspector and the name of the applicant, and then the inspector shall issue the permit. The photograph shall be kept on record in the record division for identification purposes. The inspector shall issue permits only to drivers whom he finds competent. In case of denial of application, the motor bus inspector shall immediately give written notice to the applicant of such denial and of the applicant's rights of appeal to the Council and the time within which such appeal may be taken, and shall send

a copy thereof to the City Auditor. Any person aggrieved by the decision of the motor bus inspector may appeal to the Council by filing with the City Auditor within five days after such decision a written notice of appeal, delivering to the motor bus inspector a copy thereof, whereupon the Auditor shall forthwith place such appeal on the calendar of the Council to be heard in the regular course of Council business. The Council shall fix a time for hearing on such appeal, and the Auditor shall send to the appellant and to the motor bus inspector written notice of the time when such appeal will be heard. It shall be the duty of said inspector to be present, state the reasons why such permit was denied and present to the Council such facts or argument as may tend to support such denial. The appellant shall have the right to appear personally and by counsel if desired and present such facts and other data as may tend to support his appeal. The action of the Council upon the appeal shall be final. All permits issued to drivers or chauffeurs for taxicabs shall expire on December 31 of each year and must be renewed for the following year. A new examination, photographing and the fee may be omitted in the discretion of the inspector, after the first examination if no complaint shall have been made against such driver. Said inspector shall keep a record of complaints against any driver concerning his care or lack of care in driving and concerning his fair treatment of passengers or lack of fair treatment. It shall be unlawful for any owner of a taxicab to cause or permit the same to be operated on any street in the City of Portland by any person who does not have a permit as herein provided and it shall be unlawful for any person to operate a taxicab on any street in the City of Portland without having a card posted in a conspicuous place in said cab stating the driver's permit number in figures at least 1-1/2 inches high and 3/4 inch wide.

Section 20-6338. PERMITS FOR DRIVERS, REVOCATION, AND APPEAL. All permits issued to chauffeurs for for-hire and sight-seeing busses shall expire on December 31 of each year and must be renewed for the following year. The Chief of Police shall have the authority to revoke a permit issued to any chauffeur or driver of any for-hire vehicle or sight-seeing bus when he has reasonable ground to believe that the chauffeur or driver is an incompetent or improper person to operate such motor vehicle. In case of the revocation

of any such permit, the Chief of Police shall immediately give written notice to the chauffeur or driver, of such revocation and of the right of appeal to the Council and the time within which such appeal may be taken, and shall send a copy thereof to the City Auditor. Any chauffeur or driver having his permit revoked by the Chief of Police may, within five days from the date of such revocation, appeal to the Council from such order. Whenever the Chief of Police shall revoke the permit of a chauffeur or driver he shall report such fact, with a statement of his reasons therefore, to the Council. The Council shall fix a time for hearing on such appeal and the Auditor shall send to the appellant and to the Chief of Police written notice of the time when such appeal will be heard. Whenever the Council shall have authorized for-hire vehicles or sight-seeing busses to stand at certain designated places in the city the Bureau of Police shall have the right to regulate said motor vehicles as to the manner of occupying such stands and such motor vehicles shall be subject to all the general traffic and parking regulations prescribed by ordinances and regulations of the City of Portland and laws of the State of Oregon.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland, in this: In order to avoid misunderstandings as to the time and manner of taking appeals relative to denial or cancellation of taxicab drivers permits and notices relating thereto; therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council MAY 3 1945

*Earl Riley*  
 Mayor of the City of Portland

Attest:  
 J.O.S.Jr.

*J.O. S. Jr.*  
 Auditor pro tem of the City of Portland

5/2/45  
 By Order of Council  
 JOS:mk

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By Order of the Council.

THE FOLLOWING ARE THE OFFICIALS OF THE FOOD AND DRUGS	
BOWEN	/
COOPER	/
LEE	/
PETERSON	/
RILEY	/

MAY 4 1945

Filed.....

*John Brockman*  
Auditor pro tem  
of the CITY OF PORTLAND

By.....  
ALBERT G. ROFF  
Deputy