

ORDINANCE NO. 3915

AN ORDINANCE to amend and reordain Section 9-12-28 (ANNUAL SURVEY OF ECONOMIC CONDITIONS OF TAXI INDUSTRY) of Article A (TAXICABS AND FOR-HIRE VEHICLES), Chapter 12 (TAXICABS AND OTHER VEHICLES FOR HIRE), Title 9 (LICENSING AND REGULATION) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 9-12-28 of The Code of the City of Alexandria, Virginia, 1981, be, and the same hereby is, amended and reordained to read as follows:

Sec. 9-12-28 Annual survey of economic conditions of taxi industry.

(a) Not sooner than July 15, nor later than October 15 of each year, the traffic and parking board shall conduct a public hearing to which all applicants, existing certificate holders and the public shall be invited. The hack inspector or a police department representative shall be present. The purpose of the hearing shall be to solicit taxicab industry views and those of the public, and to receive evidence as to the economic condition of the taxicab industry. Applicants for changes in authorization shall be required to submit justification for the changes they recommend.

(b) Giving consideration to the evidence received at the meeting, but not being limited to such evidence, the traffic and parking board shall forward its conclusions as to the status of the industry, and its recommendation as to an appropriate level of taxicab certificates for the city to the city manager. It shall also forward its recommendation as to an appropriate allocation of the recommended number of certificates. It shall also forward the findings of fact upon which its recommendations are based. In making its recommendations as to allocation, the traffic and parking board shall give consideration to such factors as bear on public convenience and necessity, including, but not limited to:

- (1) The relative age of the certificate holders' vehicles.
- (2) The extent and character of the service offered by the several applicants.
- (3) The maintenance and condition of the vehicles.
- (4) The demonstrated or prospective responsibility of certificate holders in regard to taxicab regulations.

(5) The utilization of existing vehicles, particularly with reference to the existing and prospective ability of the applicants to utilize the applied for, or authorized, numbers of taxicabs to the benefit of the taxicab-riding public.

The traffic and parking board's conclusion and recommendations shall be transmitted to the city manager no later than November 15.

(c) Not later than December 15, the city manager shall issue an order giving his statement of the economic condition of the taxicab industry and allocating any increases or decreases in the authorized number of taxicabs. In issuing his order, the city manager shall presume that the factual findings of the traffic and parking board are prima facie correct. If he disagrees with the recommendations of the traffic and parking board, either as to the level of certificates or as to the allocation of certificates, he shall, with the issuance of his order, enumerate his reasons for not accepting the traffic and parking board's recommendations.

(d) The findings and recommendations of the report of the city manager may be used by him as part of any determination of the public convenience and necessity which he is authorized to make under the provisions of this chapter.

Section 2. That this ordinance shall become effective upon the date of its final passage.

KERRY J. DONLEY
Mayor

Introduction:	3/11/97
First Reading:	3/11/97
Publication:	3/12/97; 3/13/97
Public Hearing:	3/15/97
Second Reading:	3/15/97
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