

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

99-437

SYNOPSIS -

AGENDA:

SEPTEMBER 27, 1999

Three additional limousine companies have applied for Certificates of Public Convenience and Necessity to operate limousine service in the City of Des Moines. As required by ordinance, public hearings must be held prior to the certificates being issued.

SUBJECT:

CERTIFICATES OF
PUBLIC
CONVENIENCE AND
NECESSITY FOR
LIMOUSINE
SERVICE

Staff has reviewed the applications and has determined that all three applicants meet the requirements for providing limousine service.

FISCAL IMPACT -

The ordinance provides for annual license fees of \$150 per company and \$50 per vehicle.

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

RECOMMENDATION -

Approval.

SUBMITTED BY:

FLOYD BENTZ, P.E.
CITY ENGINEER

BACKGROUND -

On June 28, 1999, by Roll Call No. 99-2073, the City Council approved the modified ordinance regulating limousine services. This ordinance requires any limousine company to obtain a Certificate of Public Convenience and Necessity in order to operate a limousine service in the City.

The application procedure requires the City Council to set a hearing date prior to taking action to approve or deny the certificate.

Section 19-49 of the Municipal Code requires the following information to be included in the application for a Certificate of

Public Convenience and Necessity:

1. The name, address, and age of the applicant.
2. The financial status of the applicant, including the amounts of all unpaid judgments against the applicant and the nature of the transaction or acts giving rise to the judgments.
3. The experience of the applicant in the transportation of passengers, including a statement of any state or municipality where the applicant has ever been licensed to operate a taxicab or limousine service, whether such license was ever suspended or revoked and the reasons for suspension or revocation, and whether an application for a license or a renewal of a license was denied and the reasons for denial.
4. Any facts that the applicant believes tend to prove that public convenience and necessity requires the granting of a certificate.
5. The number of vehicles to be operated or controlled by the applicant.
6. The location of proposed vehicle storage.
7. A statement of the condition of the vehicles to be operated, including the age and type of each vehicle, and the date on which the vehicle passed its most recent safety inspection, if any.
8. A statement as to whether the applicant has, within the ten years immediately preceding the date of application, been convicted of, pled guilty to or stipulated to the facts of violating any criminal statute or ordinance, including traffic laws and municipal ordinances. If the applicant has been convicted, a statement as to the date and place of conviction, the nature of the offense and the punishment imposed.
9. The number of vehicles proposed for operation during periods of maximum demand and during periods of least demand.
10. Where the applicant will operate its central place of business.
11. The color scheme or insignia, if used, to designate the

vehicles of the applicant.

12. Such further information as the traffic engineer may require of each applicant.

At their August 23, 1999 meeting, Council granted Certificates of Public Convenience and Necessity to eight limousine companies, subject to final compliance with Zoning regulations. At their September 13, 1999 meeting, Council granted Certificates to three more limousine companies, also subject to final compliance with Zoning requirements. Also at their September 13, 1999 meeting, by Roll Call Numbers 99-2824 through 99-2826, Council received applications from and set the Council meeting of September 27, 1999, for the public hearing for three additional limousine companies. Following is a listing and summary of these three applications.

1. Principiant Hotel Company, L.C. d/b/a Hotel Fort Des Moines, 1000 Walnut Street, Des Moines, Iowa 50309. The Hotel Fort Des Moines has been providing transportation services for its patrons for many years. The Company operates two vans, with a place of business at 1000 Walnut Street in Des Moines. The company has submitted a proper insurance certificate. The business address and vehicle storage are both in downtown Des Moines, which is zoned for this type of commercial business.

2. J.Q.H. Hotels, LP d/b/a Embassy Suites on the River, 101 East Locust Street, Des Moines, Iowa 50309. The company operates two vans, with a place of business at 101 East Locust Street in Des Moines. The company has submitted a proper insurance certificate. The business address and vehicle storage are both in downtown Des Moines, which is zoned for this type of commercial business.

3. Smithson Limousine, Inc., 2904 SE 14th Street, Des Moines, Iowa 50320, registered agent Larry R. Smithson. Smithson Limousine has been providing limousine service for 15 years. The company operates a total of seven limousines and two vans, with a place of business at 2904 SE 14th Street in Des Moines. The registered agent, Larry Smithson, does not have any convictions for criminal activity in the past 10 years, and does not have any major traffic violations in the past 10 years. The company has submitted a proper insurance certificate. The business address and vehicle storage location at 2904 SE 14th Street are zoned for this type of commercial business.

Staff has reviewed the applications for Certificates of Public Convenience and Necessity and the liability insurance certificates and has determined that the applications for Principiant Hotel Company L.C., J.Q.H. Hotels, LP, and Larry R. Smithson meet the requirements for providing limousine service.

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