

**CITY COUNCIL  
COMMUNICATION:**

**REVISED**

**ITEM \_\_\_\_\_**

**00-540**

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

**AGENDA:**

**SYNOPSIS -**

NOVEMBER 20, 2000

Cory Shelton, seeking to do business as Personal Chauffeurs, applied for a Certificate of Public Convenience and Necessity to operate a taxicab service in the City of Des Moines. As required by ordinance, a public hearing must be held prior to the certificate being issued.

**SUBJECT:**

CERTIFICATE OF  
PUBLIC  
CONVENIENCE AND  
NECESSITY FOR  
TAXICAB SERVICE

**FISCAL IMPACT -**

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

**TYPE:**

**RECOMMENDATION -**

**RESOLUTION**  
ORDINANCE  
RECEIVE/FILE

**Approval.**

**BACKGROUND -**

**SUBMITTED BY:**

FLOYD BENTZ, P.E.  
CITY ENGINEER

On April 19, 1999, by Roll Call No. 99-1146, the City Council approved the modified ordinance regulating taxicab services. This ordinance requires any taxicab company to obtain a Certificate of Public Convenience and Necessity in order to operate a taxicab service in the City of Des Moines.

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

Section 126-183 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 taxicab 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 November 6, 2000 meeting, by Roll Call No. 00-4218, the City Council received an application from and set the Council meeting of November 20, 2000, for the public hearing for this taxicab

company. Following is a summary of this application.

Cory Shelton, seeking to do business as Personal Chauffeurs, 2600 East 38th Court, Des Moines, Iowa 50317. Mr. Shelton has worked at a downtown hotel arranging passenger transportation to and from the airport and currently operates Personal Chauffers Limousine Service. Mr. Shelton has four new minivans providing contract transportation for hotel patrons in the downtown area. The company has submitted a proper insurance certificate. Vehicles are stored at 423 SE 18th Street, which is zoned for this type of commercial business.

Mr. Shelton intends to start operation of taxicab service with the required minimum of eight vehicles, and add vehicles as demand increases. The application indicates the company would hire current owner/operators from the existing cab companies. Drivers will be subcontracted and will store their own vehicles. Mr. Shelton has been advised that if his application for a certificate is approved by Council, he must obtain a special permit from the Zoning Board of Adjustment to operate this business in a residential district, or obtain a separate place of business in a location properly zoned for that business, and provide additional detailed information on vehicles, driver, color scheme and insignia, and the insurance certificate before the certificate and vehicle licenses can be issued.

Staff reviewed the application for Certificate of Public Convenience and Necessity and the liability insurance document and has determined that the application submitted by Cory Shelton meets the minimum requirements for providing taxicab service subject to:

(a) approval by the Zoning Board of Adjustment for a special permit to operate a business in a residential district, or obtaining a separate place of business in a location properly zoned for that business; and

(b) providing the City Traffic Engineer with specific information regarding:

(1) number of vehicles to be operated or controlled by the applicant, including information on the age, type, and condition of each vehicle, including safety inspection information;

(2) color scheme and insignia to designate taxicabs operated by Personal Chauffeurs;

(3) the names of a minimum of ten qualified taxi drivers; and

(4) a certificate of insurance meeting the minimum requirements of

Section 126-187 of the Municipal Code.

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