

★ Roll Call Number

12-1763

Agenda Item Number

17

Date November 19, 2012

RESOLUTION SETTING DATE OF PUBLIC HEARING UPON APPLICATION OF
CROWN CAB CO.
FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE TAXICAB SERVICES

WHEREAS, Section 126-181 of the Municipal Code forbids the operation of a taxicab as a vehicle for hire upon the streets of Des Moines without obtaining a Certificate of Public Convenience and Necessity; and

WHEREAS, on September 24, 2012, by Roll Call No. 12-1515, the application presented by Crown Cab Co. for a certificate of public convenience and necessity to operate a taxicab service was denied, as it was the finding of the City Council of the City of Des Moines that the applicant is unfit to perform such public transportation and unable to conform to the provisions of the subchapter, all as shown by the evidence brought forth at the public hearing; and

WHEREAS, Crown Cab Co. has again filed an application with the City Traffic Engineer requesting permission of the City Council to operate a taxicab service in the City of Des Moines, which application containing additional information giving evidence that Crown Cab Co. is fit to perform such public transportation is now on file in the office of the City Clerk for public review and consideration; and

WHEREAS, upon the filing of an application for a Certificate of Public Convenience and Necessity, Section 126-185 of the Municipal Code requires the City Council to fix a time and place for a public hearing on the matter of the issuance of a certificate to operate a taxicab service; and

WHEREAS, Section 126-185 does require that written notice of the hearing be given to the applicant and all present holders of a certificate, if any.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

1. That the Des Moines City Council shall hear the matter of the request to operate a taxicab service in the City of Des Moines at the regularly scheduled City Council meeting on December 3, 2012, in the City Council Chambers at 5:00 p.m.; and
2. That the City Clerk is directed to give written notice of the time and place of the scheduled hearing to the applicant at the following address and to all the present holders of a taxicab certificate at their addresses of record.

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Magarsa Jana
 Crown Cab Co.
 3816 36th Street
 Des Moines, IA 50314

3. That any interested person, pursuant to Section 126-185, may file with the City Clerk a memorandum in support of or opposition to the issuance of the certificate.

MOVED BY Hensley

to adopt, refer to the City Manager and City Attorney for review and recommendation regarding possible amendment to the ordinance to require a waiting period for re-application.

APPROVED AS TO FORM:

Steve C. Lussier
 Steve Lussier
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

T. M. Franklin
 Mayor

Diane Rauh
 City Clerk