

Ordinance 2012-10

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 7, ENTITLED “TRAFFIC,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY,” RELATING TO TAXICAB ISSUES.

WHEREAS, the Borough Council (the “Borough Council”) of the Borough of Hightstown, New Jersey, wishes to amend various sections of Chapter 7 of the Borough Code relating to taxicab issues, as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, as follows:

1. That Section 7.1, entitled “Definitions,” of Chapter 7, “Traffic,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” is hereby amended and supplemented at Subsection 7-1.1 thereof, entitled “Words and Phrases,” in the following respects (additions are shown with underline):

7-1.1 Words and Phrases.

Whenever any words and phrases are used in this chapter, the meaning respectively ascribed to them in N.J.S. 39:1-1 shall be deemed to apply to such words and phrases used herein.

In addition, the following terms shall have the meanings indicated:

Cruising shall mean the driving of an empty taxicab along a public street at a slow rate of speed for the obvious purpose of soliciting passengers.

Taxicab or *taxi* or *cab* shall mean a motor vehicle used to transport passengers for hire or compensation which does not operate over a fixed route and is not hired by the day or hour.

Taxi Stand shall mean a section of a public street or of a public place, or a section of private property with the express written consent of the property owner or other authorized representative, set apart for the exclusive use of a taxicab or a limited number of taxicabs when such section is distinctly marked as such by an appropriate sign attached to a stanchion on the curb or other conspicuous place, or by clearly visible marks upon the surface of the street or other public or private

place, or by other clearly visible markings that are approved by the Hightstown Borough Police Department.

2. That Chapter 7, "Traffic," of the "Revised General Ordinances of the Borough of Hightstown, New Jersey" is hereby amended and supplemented in order to *establish* a new Section thereof, located at Section 7-16, to be entitled "Taxicab Regulations," as follows:

7-16 TAXICAB REGULATIONS.

7-16.1 Exterior Taxicab Identification Required.

- a. Identification Required. All taxicabs shall display on the body of the vehicle the taxi license number issued to that vehicle pursuant to Section 4-21 of the Borough Code, along with a listing of each municipality that has issued a taxi license to that taxicab. The taxi license number shall be three (3) inches in height and must be located in the center of the rear quarter panels on the driver and passenger sides as well as the rear center line of the trunk of the vehicle. The list of each municipality shall be displayed on each rear door in letters three (3) inches in height.
- b. Imitation of Color Scheme or Insignia. No taxicab operated in the Borough shall imitate the color scheme or any identifying design or insignia of another taxicab lawfully operating in the Borough, nor shall one taxicab have a color scheme or identifying design or insignia which is so similar to that of another taxicab as to be likely to have a tendency to mislead the public. The person first using a particular color scheme or identifying design or insignia for his taxicab shall have the prior right to it.

7-16.2 Rates of Fare.

- a. Fares shall be conspicuously displayed in each taxicab.
- b. The driver of a taxicab, upon request, shall give the passenger a receipt for the amount charged. The receipt shall show the name of the owner, the license number of the taxicab, the amount of the fare and the date of the transaction.
- c. No person, after hiring a taxicab, shall refuse to pay the legal fare, nor shall any person hire a taxicab with the intent not to pay the legal fare.

7-16.3 Operational Regulations.

- a. All taxicab owners and drivers shall be licensed pursuant to Section 4-21 of the Borough Code.

- b. No taxicab shall stop, stand or remain idle on a public roadway or other public property within the Borough for a period of time in excess of fifteen (15) consecutive minutes without the prior approval of the Borough, unless said location has been properly designated as a taxi stand pursuant to Section 7-26 of this Chapter. Taxicabs while out of service (with an appropriate sign posted), or while parked by the owner or driver at their place of residence, shall be exempt from this regulation.
- c. No taxicab shall be parked or shall remain standing idle on any commercial property for the purpose of utilizing said property as a taxi stand without the express written consent of the property owner or other authorized representative, and the proper designation of said property as a taxi stand by the Borough pursuant to Section 7-26 of this Chapter.
- d. No taxicab shall remain “idling” with the engine running for more than three (3) consecutive minutes on any public roadway or other public property within the Borough, or on any private property within the Borough.
- e. Cruising is prohibited within the Borough.
- f. No person, while operating or attending a taxicab for hire, shall:
 - 1. Obstruct any sidewalk; or
 - 2. Knowingly misinform or mislead any person as to the location of a destination.
- g. Any motor vehicle accident involving a taxicab and causing injury to a person or damage to property in excess of \$500.00 shall be reported immediately to the Hightstown Borough Police Department and a copy of the police report for such accident must be given to the Hightstown Police Department within fourteen (14) days of the accident. Such information shall be placed in the Borough’s records regarding the taxicab owner and taxicab driver.
- h. All taxicab owners shall keep trip records and receipt books for six (6) months, which shall be kept current and shall be displayed when so requested by authorized Borough officials appointed by the Police Director. Trip records shall show, at a minimum, the date, time, pick-up location, destination, number of passengers and fare charged.
- i. All taxicab vehicles shall be kept clean and free of debris.
- j. Each licensed taxicab driver shall be clean in person and fully dressed while on duty, including shirt, pants and shoes.

- k. Taxicab drivers and passengers shall refrain from smoking within the taxicab vehicle while a hired trip is in progress. This prohibition shall be conspicuously posted in each Borough licensed taxicab vehicle.
 - l. No driver shall operate a taxicab after fourteen (14) consecutive working hours without an eight (8) hour rest period.
 - m. Taxicab drivers shall, immediately after the conclusion of their on-duty time, carefully search the taxicab for any property lost or left therein, and shall, within twenty-four (24) hours after finding any such property, advise the Hightstown Borough Police Department of the nature of the property and where it may be collected.
 - n. Taxicabs shall be used exclusively for purposes of transportation of passengers and their baggage.
 - o. No owner or driver of a taxicab shall be obliged to transport any person who is not orderly.
 - p. Taxicab drivers who are on-duty and available for hire shall not refuse to offer their services to potential patrons who are disabled, on the basis of said disability.
3. That Section 7.26, entitled “Taxi Stands,” of Chapter 7, “Traffic,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” is hereby amended and supplemented at Subsection 7-26.1 thereof, entitled “Taxi Stands,” in the following specific respects (additions are shown with underline; deletions are shown with ~~strikeout~~):

7-26.1 Taxi Stands.

- a. The locations described are hereby designated as ~~T~~taxi ~~S~~stands. No vehicle other than a taxi ~~shall~~ currently licensed by Hightstown Borough pursuant to Section 4-21 of this Chapter shall be permitted to occupy these locations during the times indicated.

<u>Street</u> (Reserved)	<u>Location</u>	<u>Hours</u>
<u>Intersection of Railroad Avenue and Rogers Avenue</u>	<u>Municipal Parking Lot (First two spaces closest to Rogers Avenue)</u>	<u>All</u>
<u>Intersection of Broad Street and Franklin Street</u>	<u>Northwest corner (Two parking spaces)</u>	<u>All</u>

Stockton Street

Cut-out by Railroad Avenue
on south side (Two parking spaces)

All

- ~~b. No taxicab shall be parked or shall remain standing idle for an extended period of time on a public roadway within a residential zoning district within the Borough without prior approval of the Borough.~~
 - ~~e. No taxicab shall stand or be parked on any commercial property without the express written consent of the property owner. Such consent must be provided to the Borough with the annual taxi company license application.~~
 - b. In order for any portion of private property to be utilized as a taxi stand, the property owner or other authorized representative must file its express written consent for same with the Borough Clerk and the Hightstown Borough Police Department.
 - c. No more than one (1) taxicab vehicle from the same taxicab owner's company shall be permitted to be parked, or to otherwise occupy, the same taxi stand at the same time (i.e., simultaneously).
 - d. No taxicab shall remain "idling" with the engine running for more than three (3) consecutive minutes at any taxi stand.
 - e. Every taxicab, while occupying space at a taxi stand, shall be immediately available for hire.
 - f. Only a taxicab licensed by Hightstown Borough may occupy or deliver a passenger to a taxi stand in the Borough.
 - g. Each taxi stand shall be marked with a statement that the stand is reserved for taxicabs licensed by Hightstown Borough only.
 - h. No person operating a taxi shall perform maintenance of any kind while occupying space at a taxi stand.
 - i. No taxicabs shall be permitted to be parked, or to otherwise occupy, any taxi stand during times of emergency or during a snow event, as directed by the Hightstown Borough Police Department.
4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
5. That in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only

to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

6. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduced:

Adopted:

ATTEST:

Debra L. Sopronyi
Municipal Clerk

Steven Kirson
Mayor