

## Chapter 236

### TAXICABS

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**[HISTORY: Adopted by the Board of Trustees of the Village of Brewster at time of adoption of Code (see Ch. 1, General Provisions, Art. I). Amendments noted where applicable.]**

**§ 236-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**BOARD OF TRUSTEES** -- The Board of Trustees of the Village of Brewster, New York.

**CLERK** -- The Clerk of the Village of Brewster, New York, and the Village of Brewster Board of Trustees' designee with respect to administration of the provisions of this chapter, unless otherwise stated to the contrary.

**DISPATCH COMPANY** -- Any person(s), corporation, partnership or other entity that solicits or receives requests for taxi service.

**OPERATE ANY TAXICAB** -- As the term is used in § 236-2, shall mean the operation of a taxicab engaged in the business of carrying persons for hire within the limits of the Village in which such trip originates within the boundaries of the Village of Brewster, except:

- A. Vehicles subject to the provisions of the Transportation Law;
- B. Vehicles used by undertakers in carrying on their business;
- C. Vehicles used during the conduct of a wedding, a high school prom or similar event; and
- D. Any other use as the Village of Brewster Board of Trustees may determine from time to time by resolution to be necessary and appropriate.

**OWNER** -- Any person having title to one or more vehicles used for hire as taxicabs upon the streets of the Village of Brewster.

**PERSON** -- One or more persons of either sex, corporations, partnerships, associations, joint-stock companies, societies and all other entities of any kind capable of being sued.

**RATE DECAL** -- A decal on which is printed the tariff rates in the Village as provided in this chapter shall be displayed conspicuously by being affixed to the rear of the front passenger seat or headrest and should not only post the fares for trips within the Village, but also advise passengers that fares for trips outside the Village are to be determined by agreement in advance of a trip, on a decal of a uniform size as prescribed by the Clerk. The rate decal shall be issued to the owner of the vehicle. The operator's license card, which shall also include the rates, will be issued to the operator.

**STREET** -- Any street, alley, avenue, court, bridge, lane, public place or shopping center in the Village.

**TAXICAB** -- Any motor vehicle engaged in the business of carrying persons for hire within the limits of the Village, whether the same is operated from a street stand or subject to calls from a central dispatching point, or otherwise operated for hire, except:

- A. Vehicles subject to the provisions of the Transportation Law;
- B. Vehicles used by undertakers in carrying on their business;
- C. Vehicles used during the conduct of a wedding, a high school prom or similar event; and
- D. Any other use as the Village of Brewster Board of Trustees may determine from time to time by resolution to be necessary and appropriate.

**TAXICAB LICENSE** -- Permission granted to any person to own or register a vehicle for hire as a taxicab in the Village.

**TAXICAB LICENSE NUMBER** -- The number which shall be issued pursuant to § 236-11 of this chapter and displayed on a taxicab pursuant to § 236-14 of this chapter.

**TAXICAB OPERATOR** -- Any person who operates a taxicab, whether such person is the owner of such taxicab or registrant of such taxicab or employed to operate such taxicab.

**TAXI OPERATOR'S LICENSE** -- Permission granted to any person to operate a taxicab in the Village.

**TAXICAB STAND** -- Any place alongside the curb of a street or elsewhere which is exclusively reserved for the use of taxicabs.

**VILLAGE** -- The Village of Brewster, in the County of Putnam, State of New York.

### **§ 236-2. General requirements.**

It shall be unlawful for any person to operate any taxicab without first having obtained and paid for a license to operate a taxicab, and having the same in force and effect, under the provisions of this chapter.

### **§ 236-3. Taxi Commission.**

A. The Village of Brewster Board of Trustees shall act as the Board of Taxi Commissioners and when so acting shall be known as the "Board of Taxi Commissioners" or the "Taxi Commission."

B. Except as otherwise provided in this chapter, the Taxi Commission may request any licensee to appear before it for a hearing based upon any complaint against such licensee relative to the provisions of this chapter or any other applicable local law or state law. Upon request, the Taxi Commission shall receive from the Justice Court all reports of any convictions for which a summons was issued and shall, upon request, be provided copies of complaints received by the office of the Sheriff of Putnam County, New York, and complaints received from the public and copies of all accidents involving the licensee. The licensee shall be given the opportunity to be heard, including the right to present witnesses, confront his or her accuser and the right to cross-examine witnesses against him or her. After a hearing, the Taxi Commission may suspend or revoke any such license or take such other action as it may deem proper. It shall file its determination together with supporting findings of fact with the Clerk.

**§ 236-4. Taxi operator's license.**

No person shall operate a taxicab and no owner or registrant or dispatcher shall permit anyone to operate a taxicab within the Village without such operator having first obtained and paid for and having in force and effect a taxi operator's license under the provisions of this chapter.

**§ 236-5. Application for taxi operator's license.**

A. Each applicant for a taxi operator's license must comply with the following to the satisfaction of the Clerk:

- (1) He/she must first have obtained a Class 4 or a public service license.
- (2) He/she shall be of the age of 18 years or over.
- (3) He/she shall be of sound physique, with good eyesight and not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might render said applicant unfit for the safe operation of a public vehicle, to be evidenced by the production of a physician's certificate. Operators must have a physical examination every year, to be evidenced by producing a physician's certificate that renders said operator fit for the safe operation of a public vehicle. An operator who suddenly develops an illness or disability between regular periods of physical examination, temporarily preventing him or her from operating a cab, must be reexamined by a physician and show evidence that he or she is fit for the safe operation of a public vehicle.
- (4) He/she shall be able to understand the rules and regulations which govern this chapter and pass a written examination to be given by the Clerk with regard to same.
- (5) He/she shall be clean in dress and person.
- (6) He/she shall not be addicted to the use of intoxicating liquor or drugs.
- (7) He/she shall fill out, on duplicate blank forms to be provided by the Clerk, a statement

giving his or her full name; residence for five years previous to moving to his or her present address; age; social security number; telephone number; height; color of eyes and hair; place of birth; places of previous employment during the five years previous to the application, with dates of each employment; whether married or single; whether convicted of a felony or misdemeanor; whether previously licensed as a taxicab operator in any jurisdiction in the State of New York; if so, whether such license has ever been revoked and for what cause; and the class number of license issued by the state, which statement shall be signed and sworn to by the applicant and filed with the Clerk as a permanent record. The original application shall be filed with the Clerk. A copy of said application shall be forwarded by the Clerk to the office of the Sheriff of Putnam County.

(8) He/she shall agree to submit to drug and alcohol testing upon reasonable suspicion of intoxication or impairment through a panel of physicians selected by the Village.

B. False statements.

(1) Each application shall contain the following statement: "It is a crime punishable as a Class A misdemeanor to knowingly make a false statement herein."

(2) Any false statements made by the applicant for a taxi operator's license shall be promptly reported by the Clerk to the Village Attorney. The Clerk is empowered to require such additional information as may be deemed necessary.

#### **§ 236-6. Operator's photograph.**

Each applicant for a taxi operator's license must file with the application four unmounted, unretouched color photographs of himself or herself, showing his or her full face and no part of the person below the shoulders, taken within the 30 days preceding the filing of the application. Photographs shall be of a size which may be easily attached to the license, one of which shall be attached to the license when issued and one attached and filed with the application. Each licensed operator shall, upon demand, exhibit his/her license and photograph for inspection. The photograph shall be so attached to the license that it cannot be removed and another photograph substituted without detection.

#### **§ 236-7. Form and term of taxi operator's license.**

A. Upon satisfactory fulfillment of the foregoing requirements, there shall be issued to the applicant a license which shall be in such form as to contain a photograph and signature of the licensee.

B. The license shall bear the same number and shall be numbered by the Clerk, and the license shall contain the name of the licensee and the dates of issuance and expiration of the license.

C. The license shall be placed on the right-hand side of the dashboard in an upright position

in the taxicab which is in the charge of the licensee so as to be fully visible at all times to passengers in the taxicab.

D. Licenses shall be issued as of July 1 in each year and shall be valid to and including June 30 of the next succeeding year unless previously suspended or revoked.

E. No license shall be issued to a person who has been convicted of a felony.

F. Taxi operator's licenses shall not be transferred.

#### **§ 236-8. Renewal of taxi operator's license.**

A taxi operator's license may be renewed from year to year by the Clerk after completion of a new application, signed and sworn to by the applicant. Four recently taken color photos shall be submitted. The operator's license holder shall apply for renewal within 30 days prior to the expiration of said license; if not applied for within that time period, said license at the conclusion of said period shall be deemed abandoned.

#### **§ 236-9. Fees for taxi operator's license.**

A. There shall be a fee for each taxi operator's license, whether it be originally issued or renewed, as set forth in the Village fee schedule set from time to time by resolution of the Village of Brewster Board of Trustees.

B. There will be an additional fee for replacement of lost licenses as set forth in the Village fee schedule set from time to time by resolution of the Village of Brewster Board of Trustees.

#### **§ 236-10. Suspension or revocation of taxi operator's license.**

The Clerk may request any operator licensed hereunder to appear before him or her for an informal hearing based on any complaint, or on his or her initiative, if there is cause to believe that the licensee has violated any provision of this chapter or any other local law or state or federal law, or that said operator's continued operation of a taxicab would jeopardize the public safety. Upon a hearing, the Clerk may suspend an operator's license up to a maximum of 10 days. If, in the discretion of the Clerk, the appropriate penalty should be in excess of a ten-day suspension or a revocation of the license, the Clerk shall refer the matter to the Taxi Commission for a formal hearing which shall conduct same under the procedures set out in § 236-3B of this chapter. Any such suspension shall be noted on the records of the Clerk, together with a statement of the reasons therefor, a copy of which shall be given to the licensee, and the operator shall be deprived of his or her license accordingly.

#### **§ 236-11. Licensing of vehicles.**

A. It shall be unlawful for any person to own a motor vehicle to be operated as a taxicab upon the streets of the Village without first having obtained therefor a taxicab license under the

provisions of this chapter from the office of the Clerk. Such license shall be issued as of July 1 and shall be valid to and including June 30 next succeeding, unless previously suspended or revoked. No license shall be issued unless said person and vehicle are affiliated with a dispatching company duly licensed under the provisions of this chapter. No license shall be issued to a person convicted of a felony.

B. Pursuant to the authority granted to the Village of Brewster Board of Trustees under § 181 of the General Municipal Law, there shall not be more than 30 taxicab licenses in the Village at any time.

**§ 236-12. Application for taxicab license.**

A. Application for a taxicab license shall be made by the owner upon blank forms furnished by the Clerk. Such application shall contain a statement giving:

- (1) The name, home address and business office address of the owner of such vehicle.
- (2) If the vehicle is registered to a person other than the owner, the name and address and place of business of the person, firm, partnership, corporation or other entity to whom the vehicle is registered.
- (3) The make, model and year of the vehicle.
- (4) The vehicle identification number (VIN) of the vehicle.
- (5) The vehicle registration number and a copy of the current New York State vehicle registration.
- (6) Evidence of current inspection and insurance in compliance with state law. Prior to the issuance of a taxicab license, a certificate of insurance shall be provided to the Village of Brewster naming the Village of Brewster as an additional insured on the insurance policy insuring each taxicab for which a license is issued by the Village of Brewster.
- (7) The place and date of any felony and misdemeanor convictions of all persons to whom such vehicle is to be registered.
- (8) The place and date of any previous licenses in the Village or other jurisdictions for the ownership or operation of a taxicab.
- (9) Whether the applicant's license to own or operate a taxicab has ever been suspended or revoked and, if so, for what cause.
- (10) The name of the dispatch company that will dispatch for the vehicle.
- (11) Written consent of the dispatch company for said vehicle.

(12) Name and address and a certified copy of the taxi operator's license and a copy of the New York State motor vehicle operator's license for persons who will operate the vehicle.

(13) Proof of liability insurance. Prior to the issuance of a taxicab license, a certificate of insurance shall be provided to the Village of Brewster naming the Village of Brewster as an additional insured on the insurance policy insuring each taxicab for which a license is issued by the Village of Brewster.

(14) Such other information as may be prescribed by the Clerk.

B. False statements.

(1) Each application shall contain the following statement: "It is a crime punishable as a Class A misdemeanor to knowingly make a false statement herein."

(2) Any false statements by the owner of a taxicab shall be promptly reported to the Village Attorney. The Clerk is authorized to require such additional information as may be deemed necessary.

**§ 236-13. Renewal of taxicab license; duties and rights of license holder during the licensing year.**

A. All applications for renewal shall be returned for approval at least 30 days before the expiration date. Proof of liability insurance and that the applicant is the owner or registrant in compliance with the Vehicle and Traffic Law must accompany the renewal application. Prior to the issuance or renewal of a taxicab license, a certificate of insurance shall be provided to the Village of Brewster naming the Village of Brewster as an additional insured on the insurance policy insuring each taxicab for which a license is issued by the Village of Brewster.

B. It shall be the duty of the owner and/or the registrant to immediately report to the Clerk any cancellation or revocation of insurance or any change in the availability of the licensed vehicle to operate as a taxicab or any change in the dispatch company of said vehicle.

C. A licensed vehicle owner may replace the licensed taxicab with another vehicle if the taxicab shall become disabled, disqualified for service or the like, provided that the license holder makes prior application to the Clerk and makes payment of a fee as set forth in the Village fee schedule set from time to time by resolution of the Village of Brewster Board of Trustees, and that said replacement vehicle complies with the requirements of this chapter.

D. Upon prior application and approval by the Clerk, transfers of the taxicab license shall be permitted and authorized upon the consent of the transferor/licensed vehicle owner, provided that the transferee meets the license requirements of § 236-12 with payment of a fee as set forth in the Village fee schedule set from time to time by resolution of the Village of Brewster Board of Trustees.

E. Upon prior application and approval by the Clerk, if a licensed vehicle is to be reregistered by a taxicab license owner to another person or entity, then said owner must provide a complete application containing the information required in § 236-12A(2) through (14), inclusive, with payment of a fee as set forth in the Village fee schedule set from time to time by resolution of the Village of Brewster Board of Trustees.

**§ 236-14. Condition of vehicles.**

A. Each taxicab shall have permanently painted and affixed to both front doors the name of the dispatch company, the business telephone and the taxicab license number. The taxicab license number shall also be permanently painted or affixed to the rear of the vehicle. Said letters and numbers shall not be less than three inches in height.

B. Each taxicab shall be equipped with an outside roof or dome light to clearly indicate when a taxicab is available for hire or off duty.

**§ 236-15. Inspection of vehicles.**

A. No vehicle shall be licensed until it has been thoroughly inspected and found to be in a safe condition for the transportation of passengers.

(1) Appearance.

(a) Every vehicle shall be well painted and in good appearance, interior and exterior.

(b) Any cab damaged in any way must be reported to the Clerk within 24 hours of the accident, at which time a form will be provided to the owner of said cab which must remain in the vehicle until such time as repairs are made. The cab must be repaired no later than 30 days from the date of the accident. When repairs are made the vehicle must be inspected to the satisfaction of the Clerk or his designee.

(2) The baggage compartment of every vehicle shall be clean and capable of holding passengers' baggage.

(3) Maximum age of the vehicle shall be no more than five years of the present years of manufacture.

(4) Taxicabs shall be kept clean. Every taxicab operated in the Village shall be kept in a clean and sanitary condition and shall be swept and dusted at least once a day. The interior woodwork, glass and floor shall be cleaned thoroughly with suitable antiseptic solution.

(5) Cabs shall be kept in repair. Every taxicab shall be kept in such condition of repair as may be reasonably necessary to provide for the safety of the public and for continuous and satisfactory operation.

B. Inspection of vehicles shall be annually. The inspection shall be performed by a private garage licensed as an inspection station, so designated by the Village, the cost of which is to be borne by the applicant.

**§ 236-16. License card; rate card.**

A. If, upon inspection, a taxicab is found to be of lawful construction and in proper condition, in accordance with the provisions of this chapter, upon the payment of the license fee hereinafter set forth, the same shall be licensed by delivering to the license holder a card of such size and form as may be prescribed by the Clerk.

B. The card shall contain the official taxicab license number of the taxicab, together with the date of inspection of the same, and a statement to the effect that, in case of any complaints, the Clerk shall be immediately notified by the licensee, who shall give the license number of the taxicab and a detailed statement of the complaint. The complainant may lodge a complaint with the Clerk. The owner shall also display a rate card in the vehicle which is visible to the riding public, said card to be furnished by the Clerk.

**§ 236-17. License fees for vehicles.**

Each taxicab licensed under this chapter shall pay a minimum annual fee as set forth in the Village fee schedule set from time to time by resolution of the Village of Brewster Board of Trustees.

**§ 236-18. Complaints.**

Any person wishing to register a complaint regarding taxicab service may do so by obtaining a complaint form by calling the office of the Clerk who shall be empowered to investigate same and take such action as may be deemed appropriate, either on his or her own or by referral to the Taxi Commission, as the case may be.

**§ 236-19. License of dispatch company.**

A. It shall be unlawful for any person, individual, company, corporation or entity to solicit or receive requests for taxi service without having first obtained a taxi dispatching license from the Clerk.

B. Applications for such license shall be made to the Clerk on forms provided by the Clerk.

(1) Such application shall include:

(a) The name, address and age, if applicable, of the applicant.

(b) If the applicant is other than an individual person, the name and place of business of the

firm, partnership, corporation or other entity, together with the name, address and social security number of all owners, partners, managers, members of the boards of directors and holders of 10% or more of the outstanding stock or indebtedness of such entity.

(c) The actual or estimated number of licensed operators for which the applicant proposes to solicit or receive requests for taxi service and the names and addresses of such operators, if available.

(d) The address of the location from which the applicant proposes to solicit or receive such requests.

(e) A statement of whether the applicant has ever been licensed under any provision of this chapter or any similar law of any jurisdiction and whether such license has ever been rescinded or revoked and, if so, for what cause.

(f) A statement of whether the applicant will employ any radio signal device in connection with relaying requests for service to the taxicab operator; if so, he or she shall state the type of device or signal and frequencies.

(g) A current certificate of insurance shall be provided in no less than the minimum amounts set out in the New York State Insurance Law.

(h) Place and date of any felony and misdemeanor convictions of all persons above named in Subsection B(1)(a) and (b).

(i) Such other information as the Clerk may require.

(2) Such application shall be sworn to before a notary public and filed with the Clerk as a permanent record.

(3) False statement.

(a) Each application shall contain the following statement: "It is a crime punishable as a Class A misdemeanor to knowingly make a false statement herein."

(b) Any false statements by the applicant for a company dispatch license shall be promptly reported to the Village Attorney. The Clerk is hereby authorized to require such additional information as may be deemed necessary.

C. License approval.

(1) Upon approval by the Village of Brewster Board of Trustees, the Clerk shall issue a license to the applicant. Such approval shall be given or denied within 30 days of submission of the application to the Clerk. Upon disapproval of any applicant, the Clerk shall notify the applicant in writing of the reasons for such disapproval.

(2) No license shall be issued if the applicant or any of the persons set out in Subsection B(1)(a) and (b) have been convicted of a felony.

D. Licenses shall be issued as of July 1 in each year and shall be valid to and including June 30 of the next succeeding year unless previously suspended or revoked. Licenses may be renewed from year to year by the Clerk after completion of a new application, signed and sworn to by the applicant. The annual fee for such license shall be as set forth in the Village fee schedule set from time to time by resolution of the Village of Brewster Board of Trustees.

E. It appearing that there are insufficient places to put taxi stands to provide parking in the core areas of the Village, including the train station area, and that, as a result, there are arguments and disturbances and the streets are congested by the dispatching of taxicabs and the pickup and dropoff of passengers and that the number of taxi companies bears a direct relationship to the amount of congestion and to the disturbances that arise; it appearing, in addition, that the pressure for more and more drivers as more companies are created results in danger to the public health, welfare and the good relationships necessary to living in a densely populated community, for these reasons the following limitations are set:

(1) The number of companies which may be licensed under this section at any one time is five.

(2) Any change in ownership must be completed in accordance with this chapter.

(3) Failure to renew such license within 30 days of expiration shall be deemed an abandonment.

(4) Any person who may be aggrieved by any action taken under the provisions of this Subsection E shall have the right to a hearing before the Board of Taxi Commissioners not later than 60 days after the effective date of the action or matter complained of.

F. Each dispatch company licensed under this chapter shall keep a complete, accurate and legible record, on forms provided by the Clerk's office, of each call on a daily log sheet which shall be exhibited upon request to the Clerk or his/her designee. These records must be kept on file and available for inspection for a period of not less than three years.

#### **§ 236-20. Register of licensed taxicabs.**

The Clerk shall keep a register of the name of each person owning or operating a taxicab licensed under this chapter, together with the license number and the description and make of such vehicle, with the date and complete record of inspections made of it.

#### **§ 236-21. Taxicab queuing areas and other matters.**

A. Subject to the provisions of Subsection B below, nothing shall prohibit a taxicab being dispatched to a location to pick up a customer pursuant to a prearranged advance reservation.

When picking up such customer, a taxicab shall stand at such location for no more than three minutes.

B. Notwithstanding any other provision of this chapter, at no time shall any taxicab occupy any parking space which has a parking meter adjacent to it and which space is subject to the collection of money for the right to park at such space. This prohibition shall be in effect 24 hours a day, seven days a week, regardless if such space is subject to the collection of money at the time in question.

C. At no time shall any taxicab enter private property or business property for any purpose. This prohibition shall not apply to property owned by a dispatch company with which a taxicab is affiliated or property the owner or resident of which has given said taxicab permission to use such property.

D. The Village of Brewster Board of Trustees may from time to time designate appropriate areas in the Village for the queuing and parking of taxicabs.

#### **§ 236-22. Fares.**

A. No charge shall be made for a passenger's suitcase, traveling bag, valise, shopping bags or other articles carried by hand by a passenger.

B. After a cab has been engaged, additional passengers may not be taken except with the consent of the passenger occupying the cab.

C. The operator of a taxicab transporting a passenger or passengers from a point within the Village limits shall charge the fares as set forth above from the point of origin to the Village limits and may charge such additional fares as the operator and the passenger may mutually agree upon for the ride beyond the Village limits. This agreement shall be made prior to departure and will be final.

#### **§ 236-23. Prepayment; refusal to pay fee.**

A. Every taxicab operator of a taxicab shall have the right to demand payment of the legal fare in advance and may refuse employment unless so prepaid, but no taxicab operator shall otherwise refuse or neglect to convey any orderly person or persons upon request anywhere in the Village, unless previously engaged or unable to do so.

B. It shall be unlawful for any person to refuse to pay the authorized fare of any of the vehicles mentioned in this chapter after having employed same, and it shall be unlawful for any person to hire any vehicle herein defined with the intent to defraud the person from whom it is hired or engaged of the value of such service.

#### **§ 236-24. Receipts; trip sheet.**

A. Whenever a passenger demands a receipt for a payment of his or her fare, it shall be given to him or her by the taxicab operator. Such receipt shall show the name of the taxicab operator, the name of the owner of the taxicab, the number of the taxicab, the time when the trip began and ended and the amount of fare collected.

B. The taxicab operator shall keep a complete, legible and accurate record of each trip upon a daily trip sheet, showing the time and place of origin and destination of the trip, the number of passengers carried and the amount of fare collected. This record shall be kept in the vehicle and exhibited upon request to the Clerk. When the taxicab operator goes off duty, this record shall promptly be filed with the dispatch company with whom he or she is affiliated, and such record shall be kept on file, and available for inspection, by the Clerk for a period of not less than three years.

#### **§ 236-25. Soliciting.**

A. No taxicab operator while awaiting employment by passengers shall stand on any public street or place, including a space designated for the parking or loading of vehicles, other than at or upon a taxicab stand, designated or established in accordance with this chapter. No person except a passenger shall be allowed to ride on the front seat of the taxicab with the operator.

B. No taxicab operator, dispatch company, or agent or employee of such dispatch company, shall use their voice, the horn, or other audible device to hail or to gain the attention of a fare. No taxicab operator, dispatch company, or agent or employee of such dispatch company, shall use a sign, other than that posted on the taxicab itself, to hail or to gain the attention of a fare. This shall not prohibit the display of a sign for a business as otherwise permitted in the Code of the Village of Brewster.

#### **§ 236-26. Articles found in taxicabs.**

Every taxicab operator of a taxicab, immediately after the completion of the fare, shall carefully search such taxicab for any property lost or left therein, and any such property, unless sooner claimed or delivered to the owner, shall be taken to the dispatch company and deposited with the dispatch company in charge within one hour after the finding thereof.

#### **§ 236-27. Suspension or revocation of licenses.**

Any and all licenses issued by the Village of Brewster pursuant to this chapter are at all times the property of the Village of Brewster, and may be revoked or suspended at any time for cause after a hearing by the Taxi Commission under the procedure set forth in this chapter.

#### **§ 236-28. Penalties for offenses.**

A. Any owner, operator or dispatch company of a taxicab not licensed or equipped in accordance with the provisions of this chapter, or of a taxicab the license of which has been suspended or revoked, who engages in the taxicab business as defined herein or attempts to

engage in such business or solicits passengers for hire shall be guilty of a violation and, upon conviction, shall be punished by a penalty of not more than \$250 or by imprisonment not exceeding 15 days, or by both such penalty and imprisonment.

B. Any person not having been duly licensed as a taxicab operator or any person whose license as such operator has been revoked or any person whose license has been suspended and who, during the term of nonlicense, revocation or suspension, operates for hire a taxicab upon the streets of the Village, and any dispatch company that engages in the business of soliciting or dispatching for said person a taxi for hire, shall be guilty of a violation and, upon conviction, shall be punished by a penalty not exceeding \$250 or by imprisonment not exceeding 15 days, or by both such penalty and imprisonment.

C. Upon conviction of any person or entity for any violation of a provision of this chapter for which no punishment is specifically provided, the violation shall be punishable by a penalty not exceeding \$250 or by imprisonment not exceeding 15 days, or by both such penalty and imprisonment.

D. In addition to the penalty or imprisonment, or both, authorized by this chapter, any licensee shall be subject to the suspension or revocation of his or her license, upon conviction, for any violation of this chapter. The Clerk may, in his/her discretion, suspend or revoke a license granted under this chapter pending or in advance of the criminal prosecution of the licensee.

**§ 236-29. Dress code; street map; passenger limit; bill of rights.**

A. There will be a dress code for taxicab operators as follows:

(1) Men: full-length trousers, short- or long-sleeve shirts with collars or button-down shirts, and shoes or sneakers.

(2) Women: slacks or skirts with long- or short-sleeve blouses or pullover tops, and shoes or sneakers.

B. All taxicabs must carry a Village street map at all times.

C. Under no circumstances should there be more than four passengers in a taxicab.

D. All taxicabs must display, where it can be readily seen by the riding public, and in a format approved by the Clerk, a copy of the following Taxi User's Bill of Rights, the violation of which may result in the suspension or revocation of a taxi operator's license and/or a penalty or fine as provided in this chapter.

(1) Taxi User's Bill of Rights.

(a) A passenger has the exclusive use of any taxicab, and no taxicab operator shall require a passenger to accept any other passengers without his or her consent.

- (b) A passenger can choose any taxicab in line at a taxi stand.
  - (c) If a group is starting at one location and going to the same destination, one passenger pays full, the others pay \$1 each. [Note: applies only to trips within Village limits.]
  - (d) Taxicab operators may not solicit or refuse an orderly fare.
  - (e) Taxicab operators must produce identification on request.
  - (f) Taxicab operators may not smoke in the taxicab.
  - (g) Taxicab operators shall make every attempt to ensure that passengers arrive at their destination in a timely manner. Passengers should be available upon the arrival of a taxi dispatched to them. No operator is obliged to wait for a fare.
- (2) All violations may be reported to the Clerk's office at (845) 279-3760.

**§ 236-30. Enforcement.**

This chapter shall be enforced by any official authorized to issue and serve appearance tickets under Chapter 4, Appearance Tickets, of the Code of the Village of Brewster or the laws of the State of New York.