

ORDINANCE NO.: 2006-037

*Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina,
Chapter 24, Vehicles for Hire, to add Article V, Pedicabs*

BE IT ORDAINED by the Mayor and Council this 24th day of May, 2006, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 24, Vehicles for Hire, is amended to add Article V, Pedicabs, to read as follows:

Article V. Pedicabs

Sec. 24-301. The operation of pedicabs regulated.

(a) City council hereby makes the following findings of fact:

- (1) Pedicabs, as hereinafter defined, are by their design and nature, slow moving, and pose a potential danger for those using the vehicles and the streets; and,
- (2) The unregulated operation of pedicabs on the streets of the City would be detrimental to the safety of the public; and,
- (3) It is in the public interest, and for the public safety and welfare, that the streets in the City, and the users thereof be protected from unregulated vehicles which hinder travel or which pose dangers or distractions which give rise to accidents and inconvenience; and,
- (4) City council further finds, for the same reasons, that electric, oil or gasoline powered pedicabs in operation in the City would not be in the public interest.

Sec. 24-302. Definition.

"Pedicabs", shall be defined as a bicycle or other opened or closed vehicle with three (3) or more wheels operated by one individual for the purpose of, or capable of, transporting passengers in seats or a platform made a part of the pedicab. This definition shall not include a bicycle built for two where the operators are seated one behind the other, nor shall it include the operation of a bicycle with trainer or beginner wheels affixed thereto, nor shall it include a wheelchair or other vehicle with the purpose of operation by or for the transportation of a handicapped person, nor shall it include a tricycle built for a child or an adult with a seat for only one (1) operator and no passenger.

Sec. 24-303. Mechanized power, touring and sightseeing prohibited.

The operation of pedicabs powered in any manner other than the strength of the operator is prohibited in the City.

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Sec. 24-304. Certificate of public convenience and necessity required.

No pedicab shall operate in the City without a duly issued certificate of public convenience and necessity and without having paid such fee therefor as city council may, from time to time, establish. The certificate of public convenience and necessity must be permanently affixed to the vehicle in a location approved by the City Manager.

Sec. 24-305. Application; inspection.

(a) An applicant for a certificate of public convenience and necessity shall provide the City Manager with the following:

- (1) Adequate identification of the applicant and the pedicab and proof of ownership;
- (2) Factory authorized material setting forth the characteristics of the pedicab, including its dimensions, weight and passenger capacity;
- (3) Color photographs not less than 8" x 10" of all four (4) sides of the pedicab, or in the discretion of the City Manager, sketches of a similar make and model, and samples of colors proposed for use on the pedicab;
- (4) Adequate proof of liability insurance with policy limits of not less than \$300,000 per person and \$600,000 per occurrence.
- (5) A franchise fee of \$350.00 per year;
- (6) After approval, but prior to the issuance, a current City business license.

Sec. 24-306. Transferability.

A certificate of public convenience and necessity required by this division shall be issued on a specific vehicle and for a specific owner and is not transferable except in the event of an absolute sale of a pedicab company, in which case said certificate shall be transferable to the new owner thereof. The certificate remains the property of the city and must be surrendered upon expiration or revocation.

Sec. 24-307. Suspension or revocation.

(a) Failure to abide by the provisions of this chapter or any of the ordinances of the city or laws of the state in any manner affecting or regulating the operation of the vehicle for which the certificate is issued or the failure to maintain the required insurance shall be grounds for the suspension for a reasonable time or the revocation of the certificate of public convenience and necessity issued under this article or a penalty as provided in section 1-5 of the Code of the City of Columbia.

(b) If, in the opinion of the City Manager, a certificate of public convenience and necessity should be suspended or revoked, he shall give written notice to the holder thereof, by certified mail, of the right to appear before City Council and show cause why the certificate should not be suspended or revoked. No suspension or revocation of a certificate of public convenience

and necessity shall take effect until the holder thereof shall have had the opportunity to be heard by City Council.

Sec. 24-308. Expiration.

All certificates of appropriateness shall be granted for a period of one (1) year and shall expire on the anniversary of the date of issuance.

Sec. 24-309. Operators.

All operators of pedicabs within the City shall have a valid South Carolina driver's license.

Sec. 24-310. Number of passengers restricted.

No pedicab shall be operated with more than the manufacturer's recommendations for the maximum number of passengers therein.


Sec. 24-311. Lights required.

All pedicabs that operate in the City shall be equipped with front and rear lights as approved by the police department. Operators shall comply with all applicable laws pertaining to the requirements of usage.

Sec. 24-312. Repeated violations.

Repeated violations of any provisions of this article by an owner or operator of a pedicab may result in a forfeiture of the certificate of public convenience and necessity for said vehicle in the discretion of City Council.

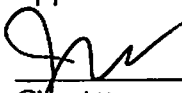
Requested by:


MAYOR

Approved by:


City Manager

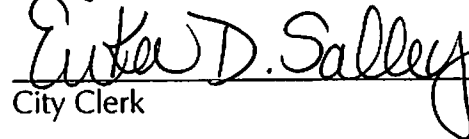
Approved as to form:


City Attorney

Introduced: 5/17/2006

Final Reading: 5/24/2006

ATTEST:


City Clerk

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