

TOWN OF NASHVILLE
ORDINANCE # 08-07

TOWN OF NASHVILLE ORDINANCE PERMITTING AND REGULATING THE
OPERATION OF PEDICAB TAXIS ("RICKSHAWS")

1. Preamble:

The operation of any Pedicab Taxi vehicle upon the streets of the Town for the purpose of transporting persons for hire or as a contractual service is a violation of this ordinance unless operated in accordance with the terms set out herein and licensed by the Town according to the licensing provisions of this ordinance.

2. Vehicular Requirements:

- (A) A Pedicab Taxi or "rickshaw" is any human-drawn or human-pedal powered vehicle carrying one or more passengers for hire or contract.
- (B) Pedicab Taxis shall have wheels with a rubber covering thick enough to protect the streets from damage and to keep noise to a minimum.
- (C) All Pedicab Taxis should be equipped with brakes.
- (D) All Pedicab Taxis operated at night shall be equipped with lights visible for a distance of 500 feet from the front and rear of the vehicle and visible from the sides.
- (E) Each Pedicab Taxi should be equipped with a slow moving vehicle sign approved by the Indiana Department of Transportation and mounted on the rear of the vehicle.
- (F) No Pedicab Taxi should be larger in capacity than to transport the operator and three passengers.

3. License Application:

- (A) Applications for a Pedicab Taxi business license shall be made to the Clerk-Treasurer on business license forms provided by that office. The application shall contain all information the Clerk-Treasurer deems necessary to identify the applicant but not less than the following information.
 - 1. The name and the business address of the applicant.
 - 2. The Social Security number or Federal Business ID number of the applicant

- (B) The application shall be verified by oath and include a written agreement by the applicant to operate the business if licensed, strictly in accordance with the terms of this ordinance and to indemnify and hold harmless the Town of Nashville from any judgements, losses and expenses arising out of the operation permitted by the license, and a bond or public liability insurance policy as required by paragraph #5 hereof.
- (C) Each application shall be accompanied by a route and operation schedule for the business which has been approved by the Town Marshall and a certification from the Town Marshall that the Pedicab Taxis used in the business conform with the requirements of this ordinance.
- (D) The Town shall issue no more than one (1) license per year with a maximum number of two (2) Pedicabs. The holder of the license may renew the license by applying with necessary fees between January 1 and April 1 of each year. If the holder fails to renew within said period, the Town Clerk-Treasurer may accept applications from any interested parties on the basis of time of applications, giving preference to the earliest filed.

4. Operation:

Pedicab Taxi business shall be operated only in accordance with the following rules and regulations.

- (A) A copy of the license shall be carried by the Pedicab Taxi driver or in the Pedicab Taxi.
- (B) Each Pedicab Taxi shall be operated by the holder of a valid driver's license.
- (C) When carrying persons for hire or by contract, the vehicle shall be operated only upon the routes and during hours approved by the Town Marshall.
- (D) For the purpose of loading or unloading passengers, the Pedicab Taxis may park at the "loading zones" designated by the Town Council. The Town Council may relocate these loading zones from time to time as necessary to maintain smooth and safe traffic conditions and for other concerns for public safety.
- (E) Pedicab Taxis when in motion shall be operated only in the curb-most traffic lane of any public street and the driver shall obey all applicable state and local traffic laws, rules and regulations.
- (F) No passengers shall be allowed to ride on the vehicle except in the designated seating area. No person other than the licensee or an employee of the licensee shall be allowed to peddle or steer the vehicle.
- (G) The Pedicab Taxi operator or driver shall not solicit patronage in a loud tone of voice or manner that annoys the public or obstructs the movement of vehicular or pedestrian traffic.

5. Public Liability:

- (A) Before a license shall be issued or renewed, the applicant shall post or maintain with the Clerk-Treasurer either an indemnity bond or a policy of liability insurance, by which the licensee will indemnify and hold harmless the Town, its Council members, agents and employees from any and all loss, costs, damages or expenses, by reason of any and all liability which may result from or arise out of granting of the license for the operation of a Pedicab Taxi for which a license is issued; and that the licensee will pay any and all loss of damage that may be sustained by any person resulting from or arising out of the illegal or negligent operation or maintenance of a Pedicab Taxi. The bond or policy of insurance shall be maintained in its original amount by the licensee at his or her expense at all times during the period for which the license is in effect. In the event that two or more licenses are issued to one licensee, one such bond or policy of insurance may be furnished to cover two or more vehicles. If a claim is paid during any period of coverage which causes the aggregate amount of available insurance to fall below \$300,000, the licensee shall enter the marketplace and purchase additional layers of insurance so that there is a minimum of \$300,000 of available insurance during the remainder of the policy period.
- (B) The limit of liability upon any bond or policy posted pursuant to division (A) above shall in no case be less than \$500,000 for death or injury of one person, \$1,000,000 for total liability for death or personal injury or property damage arising out of any one event or casualty.
- (C) Any bond posted pursuant to this section shall be accompanied by good and sufficient sureties approved by the Clerk-Treasurer of the Town.
- (D) The Clerk-Treasurer shall notify the licensee under this chapter of any claim of which the Town has notice where the claim arises from the operation or maintenance of any Pedicab Taxi.
- (E) The licensee under this chapter shall notify the Clerk-Treasurer of any claim of which the licensee has notice where the claim arises from the operation or maintenance of any Pedicab Taxi.

6. Suspension or Revocation:

- (A) Any violation of this chapter by the holder of a license issued hereunder shall be grounds for the suspension or revocation of the license by the Clerk-Treasurer .
- (B) Any suspension, revocation, or denial of a license application shall be subject for review of the Town Council made upon timely request of the applicant.

7. Fees:

Pedicab Taxi Business License Fee shall be \$100.00 plus an administrative fee of \$57.00.

8. Transfers:

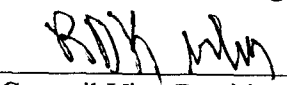
Any person or corporation holding a license pursuant to the provisions of this chapter who sells the business may assign the license to the purchaser provided the purchaser is continuing the same business according to the route, loading zones, and other restrictions and conditions by said license. Both the seller and the purchaser may sign a request for transfer which must be approved by the Clerk-Treasurer and a transfer fee of \$35.00 must be paid before the license can be transferred.

9. Penalties:


Any person, corporation or other entity failing to comply with the provisions of this chapter shall be subject to a fine of not more than \$50.00 per day. Each day of violation shall be deemed a separate violation for the purpose of establishing the fine, in addition, the Town may have any and all available remedies at law or equity to penalize or enjoin Pedicab Taxi operation in violation of this ordinance.

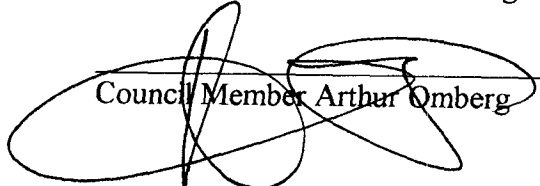
It is so Ordained this 18th day of SEPTEMBER, 2008


Council President Roger D. Kelso ☒ yea ☐ nay ☐ abstain

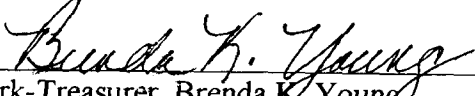

Council Vice-President Robert Kirlin ☒ yea ☐ nay ☐ abstain

Council Member R. Dale Cassiday ☐ yea ☐ nay ☐ abstain


Council Member Charles B. King ☒ yea ☐ nay ☐ abstain


Council Member Arthur Omberg ☒ yea ☐ nay ☐ abstain

ATTEST:


Clerk-Treasurer, Brenda K. Young