

ORDINANCE NO. 15,425

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Section 126-260, relating to the application fee for a paratransit service license.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Section 126-260, relating to the application fee for a paratransit service license, as follows:

Sec. 126-260. Paratransit service.

- (a) This article shall apply to the operation of a paratransit service only to the extent specified in this section.
- (b) A VHC certificate under this article shall not be required for the operation of a paratransit service.
- (c) Application for a license to operate a paratransit service shall be submitted to the traffic engineer, upon forms prepared or prescribed by the traffic engineer. The application shall contain:
 - (1) The name and address of the applicant and the owner of the paratransit service.
 - (2) The trade or other name, if any, under which the applicant does business and proposes to do business.
 - (3) The training and experience of the applicant in the transportation of wheelchair-bound persons.
 - (4) A description of each paratransit taxicab, including the make, model, year of manufacture, motor and chassis number; current state license number; the length of time the paratransit taxicab has been in use; and the color scheme, insignia, name, monogram or other distinguishing characteristics to be used to designate the applicant's paratransit taxicab.
 - (5) The location and description of the place from which it is intended to operate.
 - (6) Other information as the traffic engineer, shall deem reasonably necessary.
- (d) An annual license shall be issued upon compliance with subsection (c) of this section, as well as sections 126-231(b); 126-231(c) of this article with regard to insurance, and payment of fees as set in sections 126-232(b) and 126-235 of this article.
- (e) No paratransit service license issued pursuant to this article may be sold, assigned or transferred without the prior approval of the city council and a finding of conformance with all of the applicable standards prescribed in this article.

- (f) The city council may suspend or revoke any or all paratransit service licenses issued under this division for failure of a licensee to maintain compliance with the standards of this article, but only after warning and a reasonable time for compliance has been given. The traffic engineer shall give the paratransit service owner 15 days' written notice of the city council meeting at which the suspension or revocation action shall be presented.
- (g) Subsections 126-231(d); 126-231(e); 126-231(f) and section 126-240 of this article concerning drivers' requirements shall apply to the operation of a paratransit service.
- (h) Section 126-241 of this article concerning vehicle inspections; maintenance and equipment shall apply to the operation of a paratransit service.
- (i) Any operator of a paratransit service shall also comply with any and all applicable federal statutes and regulations and shall maintain evidence of such compliance for the review of the traffic engineer.
- (j) Section 126-242 of this article concerning vehicle designation and driver identification shall apply to the operation of a paratransit service.
- (k) A current schedule of all rates charged for services provided by the paratransit service shall be filed with the traffic engineer.
- (l) Section 126-238 of this division concerning reports and records shall apply to the operation of a paratransit service.
- (m) Subsection 126-232(d) and section 126-244 of this division concerning misrepresentation and fraud in securing licenses and criminal and civil penalties shall apply to the operation of a paratransit service.

Section 2. This ordinance shall be in full force and effect as of January 1, 2016.

FORM APPROVED:

Douglas P. Philip, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 15-1990), passed by the City Council of said City at a meeting held November 23, 2015 signed by the Mayor on November 23, 2015 and published and provided by law in the Business Record on December 11, 2015. Authorized by Publication Order No. 9389.

Diane Rauh, City Clerk

