



# CITY OF BETHEL

P.O. Box 388 Bethel, Alaska 99559  
907-543-2297  
FAX # 543-4171

Introduced by: Council Member Williams  
Date: December 10, 1996  
Action: Tabled at January 14, 1997 meeting  
Amended and Adopted at 1-28-97 meeting  
Vote: 5-Yes, 2-No (Miller, Rodgers)

## ORDINANCE #96-48-S (Substitute for #96-48)

**AN ORDINANCE OF THE CITY OF BETHEL AMENDING THE BETHEL CITY CODE ON TAXICABS TO PROHIBIT THE ISSUANCE OF ADDITIONAL TAXICAB LICENSES AND TO RESTRICT OTHER ACTIONS REGARDING TAXICAB PERMITS.**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF BETHEL, ALASKA:**

**Section 1. Classification.** This ordinance is permanent in nature and shall become a part of the Bethel City Code.

**Section 2. Severance.** If any part or provision of this ordinance or application thereof to any person or circumstance adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision or application.

**Section 3.** Bethel City Code Section 5.30.020 is amended to read (new text is underlined, deleted text is overstruck):

**5.30.020 River Taxi Permit Required.**

No person may provide river taxi service within the City of Bethel without a river taxi permit. No river taxi may provide service between two or more points within the City of Bethel.

**Section 4.** Bethel City Code Section 5.30.040A is amended to read (new text is underlined, deleted text is overstruck):

A. An application for, or for the transfer of a bus; or river taxi ~~or taxicab~~ permit shall be made to the Transportation Inspector. The Transportation Inspector shall refuse to accept any application unless it pertains to:

1. transfer of an existing bus or river taxi permit;

Introduced by: Council Member Williams  
Date: December 10, 1996  
Action: Tabled at January 14, 1997 meeting  
Amended and Adopted at 1-28-97 meeting  
Vote: 5-Yes, 2-No (Miller, Rodgers)

2. a change of the vehicle for an existing taxicab, river taxi, or bus permit, or a change of dispatch service for an existing taxicab or river taxi permit;
3. a request for a new bus or river taxi permit;
4. a request for a renewal of an existing bus, river taxi or taxicab permit;
5. a request for the transfer of a taxicab permit by the person who has inherited the permit from a deceased person.

Section 5. Bethel City Code Section 5.30.040C is amended to read (new text is underlined, deleted text is overstruck):

C. An application for a river taxicab or bus permit shall be granted by the Transportation Inspector, if the applicant complies with subsection B above, is certified as required by Section 5.20.100 and if the applicant has not within five years:

1. had a felony or misdemeanor conviction entered by a court of competent jurisdiction for heinous or violent offenses or offenses of moral turpitude;
2. been committed voluntarily or involuntarily to a medical facility or psychiatric institution by reasons of mental illness;
3. had a felony or misdemeanor conviction entered by court of competent jurisdiction for the sale, transportation, possession, or use of any controlled substance as defined in A.S. 11.71;
4. had a felony or misdemeanor conviction entered by a court of competent jurisdiction for the sale of liquor without license or possession of liquor with the intent to sell (AS 04.11.010 and AS 04.16.200).

Each officer of, partner in, and each individual with a financial interest in a group or other entity applying to receive a new permit, the transfer of a river taxi or bus permit, or the transfer of an interest in a group holding a taxicab, river taxi or bus permit must meet the requirements of subsection C.

Section 6. Bethel Code Section 5.30.050 is amended to read (new text is underlined, deleted text is overstruck):

5.30.050 Taxicab Permit Transfer.

A. No person may transfer any ~~financial or proprietary~~ interest in a river taxi or bus taxicab permit or any interest in the corporation, joint venture association, partnership, or other group or entity which owns an interest in a taxicab, river taxi or bus permit unless that person obtains the

Introduced by: Council Member Williams  
Date: December 10, 1996  
Action: Tabled at January 14, 1997 meeting  
Amended and Adopted at 1-28-97 meeting  
Vote: 5-Yes, 2-No (Miller, Rodgers)

prior approval of the Transportation Inspector. No person may transfer any interest in a taxicab permit. An involuntary transfer of a taxicab, river taxi or bus permit is invalid and ineffective unless such transfer could have been lawfully made on a voluntary basis and the transfer has been approved by the Transportation Inspector.

~~B. Only a taxicab permittee can transfer his interest in a taxicab permit to another party.~~ An application for transfer of a river taxi or bus permit shall be made to the Transportation Inspector on forms approved by the Transportation Inspector and shall be accompanied by a proposed contract of sale which states the specific consideration to be paid by the transferee as well as other material conditions of the sale of the permit or the transfer of interest in the group. If the transferee meets the requirements of this section and those of Section 5.30.040 for issuance of a permit, then the Transportation Inspector shall approve the transfer. A dispute arising from any underlying contract of sale is not grounds upon which the Transportation Inspector can refuse to transfer a taxicab permit.

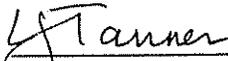
Section 7. Bethel City Code Section 5.50.020, Dispatch Service Permit Application, is repealed.

Section 8. Effective Date. This ordinance shall become effective immediately upon adoption.

**PASSED AND APPROVED THIS 28TH DAY OF JANUARY, 1997.**

  
\_\_\_\_\_  
Ruth M. Richardson, Mayor

ATTEST:

  
\_\_\_\_\_  
L.J. Tanner, City Clerk