

**CITY OF LYNNWOOD**

**ORDINANCE NO 2600**

**AN ORDINANCE OF THE CITY OF LYNNWOOD  
RELATING TO TAXICABS AND FOR-HIRE VEHICLES  
AMENDING CHAPTER 5.40.330 OF THE LYNNWOOD  
MUNICIPAL CODE AND PROVIDING FOR  
SEVERABILITY, AN EFFECTIVE DATE AND FOR  
SUMMARY PUBLICATION.**

**WHEREAS**, the Administration has recommended changes to Chapter 5.40.330 to allow for an increase in taxicab rates which includes the drop rate, the per-mile rate and wait charge to be consistent with rates being charged in the surrounding area.

**WHEREAS**, the Lynnwood City Council finds that the cost for gasoline cost increases costs for those engaged in the business of operating taxicabs in the City; and

**WHEREAS**, the Lynnwood City Council finds that adopting a rate structure that will update the per mile rate for taxicabs each year will help promote safe, reliable and economically viable and stable taxicab transportation service; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD,  
WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** Amendment. 5.4.330 of the Lynnwood Municipal Code entitled "Rates" is amended to read as follows:

**5.40.330 RATES.**

- A. The rates for taxicabs licensed to operate in Lynnwood shall be established by the Lynnwood City Council;
- B. In reviewing rates the Council may take into account, among other things, and with the objective of prescribing a just and reasonable rate, the following factors.
  - 1. The information in a report prepared by the finance director pursuant to LMC 5.40.320;
  - 2. The public's need for adequate taxi service at the lowest level of charges consistent with the provision, maintenance and continuation of such service;
  - 3. The rates of other licensees operating in similar areas;
  - 4. The effect of such rates upon transportation of passengers by other modes of transportation;

5. The owners need for revenue of a level that, under honest, efficient and economical management, is sufficient to cover the cost (including all operating expenses, depreciation accruals, rents, license fees and taxes of every kind) of providing adequate taxi service, plus an amount equal to such percentage of the cost as is reasonable necessary for the replacement of deteriorated taxicabs and a reasonable profit to the owner;
  6. Consistency of rates with those charged by other jurisdictions;
- C. No taxicab shall have more than one rate on its meter;
- D. Except for special or contract rates as provided for in this chapter or any per trip fee established by the city and set forth in any operating agreement or tariff, it shall be unlawful for anyone operating a taxicab licensed by the city of Lynnwood to advertise, charge, demand or receive any greater or lesser rate than the following:

Taxicab.:

- a. To be determined by the taximeter:
  - i. Upon activation of the taximeter, two dollars and fifty cents;
  - ii. For each succeeding one mile, two dollars and ten cents; twenty-one cents for each one-tenth mile or fraction thereof;
  - iii. For each minute of waiting time or fraction thereof, sixty cents (thirty-six dollars per hour);
  - iv. Fifty cents (\$0.50) for each additional passenger carried for the entire trip;
  - v. No charge for extras;
- b. Waiting time shall include the time when the taxicab is not in motion, beginning with the arrival at the place to which it has been called, or the time consumed while standing at the directive of the passenger. No charge shall be made for time lost for inefficiency of the taxicab or its operator or time consumed by premature response to a call. The above charges shall be for one person.
- c. Limitation on assessment of wait time charges. The charge for waiting time on a taximeter shall not be utilized when the taxicab is traveling at a speed at which the fare assessed by the rate per mile exceeds the fare that would be assessed by the wait time charge.
- d. The per-mile rates set forth herein will be automatically updated each year, as of 8:00 a.m. on the second Monday of June, based on the following table. (Fuel price is for regular unleaded gasoline as reported by the American Automobile Association's Daily Fuel Gauge Report). In order to allow time for meter inspections to be completed, rate adjustment, if necessary, will be phased in between the second Tuesday in June and August 1<sup>st</sup>.

Gas Price	Per Mile	Per Fraction of Mile
2.39 and below	2.00	\$.20 for each 1/10th of a mile of fraction thereof
2.40 - 3.29	2.10	\$.21 for each 1/10th of a mile of fraction thereof
3.30 - 4.19	2.20	\$.22 for each 1/10th of a mile of fraction thereof
4.20 - 4.99	2.30	\$.23 for each 1/10th of a mile of fraction thereof
5.00 and over	2.40	\$.24 for each 1/10th of a mile of fraction thereof

- e. The charges herein set forth shall be binding upon the owners and drivers of such taxicabs and any collection of fares in excess of said rates shall be deemed to be a violation of this chapter.

E. Special Rates and Contract Rates.

1. Special rates as defined in this chapter shall be calculated as a percentage of the meter rate;
2. The special rates must be filed with the finance director on forms furnished by the finance director;
3. All special rates or contract rates shall be filed once a year at the time of application by the taxicab owner's representative or by the owner of a for-hire vehicle which is not a taxicab;
4. Licensees may change the special rates filed no more than once a year;
5. Contract rates set during the license year shall be filed within two weeks of securing such contract and before implementing the contract rate;

F. Every for-hire vehicle licensee shall file all rates and charges with the finance director. All rates and charges, including any adopted senior citizen discount rate or special rates, i.e., Sea-Tac Airport, shall be conspicuously displayed in the interior of the for-hire vehicle so as to be readily discernible to the passenger. The finance director will prescribe the manner of such posting;

G. The rates specified in this section shall not apply to transportation of persons provided pursuant to a written contract which establishes a fare at a different rate for specified transportation and has been previously filed with the finance director; provided, that no contract may include any provision the effect of which is directly or indirectly require exclusive use of the transportation services of the contracting taxicab or for-hire vehicle;

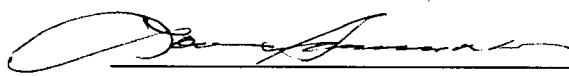
H. It is unlawful under the Americans with Disabilities Act to charge a special service vehicle rate which is different for the taxicab rates adopted in subsection (D) of this section, except in those instances where the transportation of disabled persons is pursuant to a writer contract as specified in subsection (G) of this section.

**Section 2.** Severability. If any section, subsection, sentence, clause, paragraph, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, paragraph, clause, phrase or word of this ordinance.

**Section 3.** Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval and summary publication by title only.

PASSED THIS 12th day of December 2005, and signed in authentication of its passage this 13th, day of December, 2005.

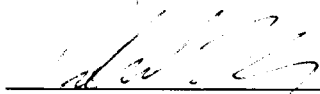
APPROVED:



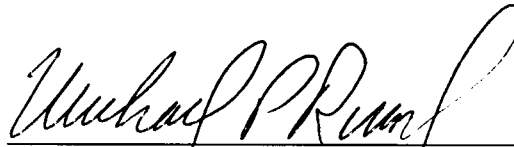
Loren Simmonds, Mayor Pro-Tem

ATTEST/AUTHENTICATED:

APPROVED AS TO FORM:



Patrick Dugan  
Interim Finance Director



Michael Ruark  
City Attorney