

2016 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$170,088	\$25,733				\$195,821
Mayor	\$7,739	\$4,450				\$12,189
Community Support		\$70,500				\$70,500
City Manager	\$277,133	\$50,633				\$327,766
Urban Renewal		\$50,000				\$50,000
Human Resources	\$55,114	\$16,143				\$71,257
Civil Service	\$27,945	\$30,983				\$58,928
Law	\$315,941	\$115,270				\$431,211
Budget & Finance	\$160,036	\$138,985				\$299,021
Community Development	\$483,065	\$171,520				\$654,585
Economic Development	\$102,868	\$50,740				\$153,608
Health	\$304,143	\$147,258				\$451,401
Public Parking		\$60,750				\$60,750
Main Street Program		\$60,000				\$60,000
Service Administration	\$63,943	\$545,338	\$10,000			\$619,281
Shade Tree		\$79,670	\$10,000			\$89,670
Adjunct Facilities		\$24,000				\$24,000
Building	\$232,529	\$72,372				\$304,901
Land banking		\$165,000				\$165,000
Engineering	\$204,867	\$94,792				\$299,659
Miscellaneous & Sundry		\$423,250				\$423,250
Contingency					\$100,000	\$100,000
Fund Total	\$2,405,411	\$2,397,387	\$20,000	\$0	\$100,000	\$4,922,798
<u>West Side Fire (101)</u>						
Fire	\$244,849	\$27,577				\$272,426
Fund Total	\$244,849	\$27,577	\$0	\$0	\$0	\$272,426
<u>Street Construction Maintenance & Repair (102)</u>						
Service	\$899,750	\$829,786				\$1,729,536
Contingency					\$25,000	\$25,000
Fund Total	\$899,750	\$829,786	\$0	\$0	\$25,000	\$1,754,536
<u>State Highway (103)</u>						
Service		\$70,000				\$70,000
Fund Total	\$0	\$70,000	\$0	\$0	\$0	\$70,000
<u>Recreation (106)</u>						
Parks & Recreation	\$1,224,087	\$634,433	\$270,000			\$2,128,520
Fund Total	\$1,224,087	\$634,433	\$270,000	\$0	\$0	\$2,128,520
<u>Food Service (107)</u>						
Health	\$93,732	\$5,500				\$99,232
Fund Total	\$93,732	\$5,500	\$0	\$0	\$0	\$99,232

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<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	\$235,410	\$467,383				\$702,793
Managed Reserve				\$25,540		\$25,540
Fund Total	\$235,410	\$467,383	\$0	\$25,540	\$0	\$728,333
<u>Revolving Housing (120)</u>						
Health	\$118,866	\$10,700				\$129,566
Fund Total	\$118,866	\$10,700	\$0	\$0	\$0	\$129,566
<u>State & Local Forfeits (121)</u>						
Police						\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Drug Law Enforcement (122)</u>						
Police						\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Enforcement & Education (123)</u>						
Police						\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Income Tax Safety (124)</u>						
Police	\$6,373,631	\$585,980				\$6,959,611
Fund Total	\$6,373,631	\$585,980	\$0	\$0	\$0	\$6,959,611
<u>Law Enforcement Trust (125)</u>						
Police						\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Community Development Block Grant (126)</u>						
Community Development	\$45,050	\$288,200	\$110,000			\$443,250
Fund Total	\$45,050	\$288,200	\$110,000	\$0	\$0	\$443,250
<u>Fire & E.M.S. (128)</u>						
Fire	\$4,213,205	\$427,385	\$790,000			\$5,430,590
Fund Total	\$4,213,205	\$427,385	\$790,000	\$0	\$0	\$5,430,590
<u>Wireless 911 (129)</u>						
Safety		\$63,000				\$63,000
Fund Total	\$0	\$63,000	\$0	\$0	\$0	\$63,000
<u>Swimming Pool Inspections (130)</u>						
Health	\$6,528	\$500				\$7,028
Fund Total	\$6,528	\$500	\$0	\$0	\$0	\$7,028

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<u>Police Pension (132)</u>						
Police	\$110,000					\$110,000
Fund Total	\$110,000	\$0	\$0	\$0	\$0	\$110,000
<u>Fire Pension (133)</u>						
Fire	\$110,000					\$110,000
Fund Total	\$110,000	\$0	\$0	\$0	\$0	\$110,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager		\$50,000				\$50,000
Fund Total	\$0	\$50,000	\$0	\$0	\$0	\$50,000
<u>Water (201)</u>						
Service	\$1,496,750	\$821,944	\$468,500			\$2,787,194
Service (Capital Facilities)			\$896,400			\$896,400
Admin. Support	\$507,160	\$43,111	\$32,500			\$582,771
Budget & Finance (Debt)				\$55,759		\$55,759
Contingency					\$50,000	\$50,000
Fund Total	\$2,003,910	\$865,055	\$1,397,400	\$55,759	\$50,000	\$4,372,124
<u>Sewer (202)</u>						
Service	\$1,752,505	\$859,477	\$373,500			\$2,985,482
Service (Capital Facilities)			\$315,800			\$315,800
Lab	\$0	\$0	\$0			\$0
Admin. Support	\$507,160	\$40,862	\$32,500			\$580,522
Budget & Finance (Debt)				\$816,256		\$816,256
Contingency					\$50,000	\$50,000
Fund Total	\$2,259,665	\$900,339	\$721,800	\$816,256	\$50,000	\$4,748,060
<u>Utility Billing (204)</u>						
Budget & Finance		\$82,386				\$82,386
Fund Total	\$0	\$82,386	\$0	\$0	\$0	\$82,386
<u>Solid Waste (205)</u>						
Service	\$70,761	\$501,008				\$571,769
Fund Total	\$70,761	\$501,008	\$0	\$0	\$0	\$571,769
<u>Storm Water Utility (208)</u>						
Service	\$480,119	\$79,646				\$559,765
Service (Capital Facilities)						\$0
Admin. Support						\$0
Budget & Finance (Debt)				\$9,968		\$9,968
Fund Total	\$480,119	\$79,646	\$0	\$9,968	\$0	\$569,733
<u>Guaranteed Deposits (230)</u>						
Budget & Finance		\$1,000				\$1,000
Fund Total	\$0	\$1,000	\$0	\$0	\$0	\$1,000

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Capital Projects (301)						
Safety			\$164,700			\$164,700
Service			\$727,000			\$727,000
Service (Capital Facilities)			\$2,330,200			\$2,330,200
Budget & Finance (Debt)				\$1,316,756		\$1,316,756
Contingency					\$25,000	\$25,000
Fund Total	\$0	\$0	\$3,221,900	\$1,316,756	\$25,000	\$4,563,656
Municipal Public Improvement Tax Increment Equivalent (302)						
Service (Capital Facilities)						\$0
Budget & Finance (Debt)				\$1,507,922		\$1,507,922
Fund Total	\$0	\$0	\$0	\$1,507,922	\$0	\$1,507,922
Police Facility (303)						
Safety (Capital Facilities)			\$13,220,000			\$13,220,000
Budget & Finance (Debt)				\$438,775		\$438,775
Fund Total	\$0	\$0	\$13,220,000	\$438,775	\$0	\$13,658,775
Debt Service (402)						
Budget & Finance (Debt)				\$723,814		\$723,814
Fund Total	\$0	\$0	\$0	\$723,814	\$0	\$723,814
Total Appropriations						
	\$20,894,974	\$8,287,265	\$19,751,100	\$4,894,790	\$250,000	\$54,078,129
Original Appropriations						
Original Appropriations	\$20,894,974	\$8,287,265	\$19,751,100	\$4,894,790	\$250,000	\$54,078,129
Amendment #1						\$0
Amendment #2						\$0
Amendment #3						\$0
Amendment #4						\$0
Amendment #5						\$0
Amendment #6						\$0
Amendment #7						\$0
Amendment #8						\$0
	\$20,894,974	\$8,287,265	\$19,751,100	\$4,894,790	\$250,000	\$54,078,129

2016 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Paying Fund</u>	<u>Original</u>	<u>Receiving Fund</u>
<u>Operating Transfers</u>		
Fund 116 - Income Tax	\$2,700,000	Fund 001 - General
Fund 116 - Income Tax	\$1,099,314	Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	\$3,388,160	Fund 124 - Income Tax Safety
Fund 116 - Income Tax	\$3,388,160	Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	\$2,591,262	Fund 301 - Capital Projects
Fund 116 - Income Tax	\$1,694,080	Fund 303 - Police Facility
Fund 116 - Income Tax	\$266,898	Fund 402 - Debt Service
Fund 116 - Income Tax	\$0	Fund 807 - Health Insurance
Total Fund 116 Income Tax	\$15,127,874	
Fund 201 - Water	\$41,418	Fund 204 - Utility Billing
Fund 202 - Sewer	\$41,418	Fund 204 - Utility Billing
Fund 001 - General	\$3,100,000.00	Fund 124 - Income Tax Safety
Fund 001 - General	\$1,400,000.00	Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	\$19,710,710	
<u>Temporary Advances</u>		
Fund 001 - General	\$50,000	Fund 205 - Solid Waste (Recycling)
Fund 106 - Recreation	\$80,000	Fund 001 - General
Fund 201 - Water	\$65,000	Fund 116 - Income Tax
Fund 202 - Sewer	\$56,000	Fund 116 - Income Tax
Fund 205 - Solid Waste	\$53,000	Fund 001 - General
Fund 205 - Solid Waste	*	Fund 116 - Income Tax
Subtotal - Total Advances	\$304,000	
Grand Total - All Transfers & Advances	\$20,014,710	

* Designates Repayment of Advance



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: November 24, 2015
TO: David Ruller, City Manager
FROM: Tom Wilke, Economic Development Director
Subject: Semi-Annual EDA Revolving Loan Fund Certification

The Economic Development Administration (EDA) requires the City of Kent's Revolving Loan Fund (RLF) Review Committee and Kent City Council to semi-annually certify that the City is administering its EDA-funded RLF business loan program in accordance with the region's economic development plan and the EDA's regulatory requirements.

The RLF Committee met on November 24, 2015 and voted unanimously to certify that the City's EDA business loan program was administered in compliance with all regional and federal requirements for the period April 1, 2015 through September 30, 2015.

I am respectfully requesting time at the December 2, 2015 Committee session to seek Council approval of a resolution affirming that the City's program is consistent with the economic development focus for the region and that it is being administered in compliance with all EDA programmatic requirements and standards.

If you need any additional information in order to add this item to the agenda, please let me know.

Cc: Bridget Susel, Community Development Director
Linda Jordan, Clerk of Council



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: November 24, 2015

TO: David Ruller, City Manager

FROM: Tom Wilke, Economic Development Director

Subject: Loan Review Board (Loan Administration Board) Appointments

The City's Loan Review Board is responsible for reviewing loan applications from qualified businesses seeking Economic Development Administration (EDA) funding to assist with needed commercial start-up or production expansion costs. The program guidelines designated the creation of the five (5) member Board and specified that it consist of:

- a.) Three (3) experienced loan officers from different local banks;
- b.) One (1) local realtor who has knowledge of the commercial real estate market;
- c.) One (1) local attorney.

There are currently two vacancies on the Board.

I am requesting time at the December 2nd Committee session in order to request that Council consider appointing Ms. Tara Murphy, a loan officer with Huntington Bank, and Mr. Eric Decker, a loan officer with Portage Community Bank, to the Loan Review Board. Both candidates have been reviewed by the sitting members of the board and are being recommended to council for appointment to fill the two existing vacancies.

If you need any additional information in order to add this item to the agenda, please let me know.

Cc: Jim Silver, Law Director
Bridget Susel, Community Development Director
Linda Jordan, Clerk of Council



Introduces
SINGLE-STREAM

Join us for a celebration of this new program
Monday November 30, 2015
10:00am - 1:00pm





CITY OF KENT, OHIO

DEPARTMENT OF LAW

TO: KENT CITY COUNCIL, MAYOR, DAVE RULLER
FROM: JAMES R. SILVER *RS*
DATE: NOVEMBER 17, 2015
RE: TRANSPORTATION NETWORK PROVIDER

Attached is a draft of proposed legislation which could regulate Transportation Network Providers, such as UBER. Chief Lee, Patti Long and I have put the draft together.

It follows the suggestions and discussions presented at the previous committee meetings on the topic.

It recommends licensing the parent company and the drivers. Included in the driver licensing is a request for background checks. It also requires insurance and vehicle inspections.

Staff recommends adoption of the proposed legislation.

CHAPTER 749
Taxicab, Ride Sharing &
Transportation Network Company Regulations

749.01 Definitions.	749.11 Display of Rates; Excessive Charges
749.02 Compliance Required.	749.12 Taxicab Records; Trip Sheets.
749.03 Authority of Safety Director.	749.13 Vehicle Safety Inspections.
749.04 Taxicab Company's License, Requirements & License Fee.	749.14 Transportation Network Company License & Application Requirements
749.05 Taxicab Driver's License.	749.15 Transportation Network Company Requirements.
749.06 Taxicab Licensing; Expiration; Renewal.	749.16 Prohibited Acts.
749.07 Display of Taxicab License.	749.17 Refusal, Revocation or Suspension of Taxicab and/or Transportation Network Company and/or Drivers
749.08 Taxicab Licenses Not Transferable.	749.99 Penalties
749.09 Taxicab Vehicle Standards.	
749.10 Identification Markings on Taxicabs; Inspections.	

749.01 DEFINITIONS.

Unless otherwise expressly stated when used in this chapter the following terms shall have the meanings provided in this section:

- (a) "Taxicab company" means every corporation, company, association, joint stock association, person, firm or co-partnership, their lessees, trustees, receivers or trustees appointed by any court, owning, controlling, operating, maintaining or managing one or more taxicabs within the City.
- (b) "Street" means any public street, alley or public way within the corporate limits of the City.
- (c) "Taxicab" means any motor driven vehicle engaged in the business of carrying passengers for hire or fare or offered for hire or fare to the public for transportation, including "Limousines" operating within the City, except motor buses on regular schedules, PARTA vehicles and other regularly established routes. This includes anyone offering rides for free, but still accepting tips. (Ord. 2010-116. Passed 12-15-10).
- (d) "Taxicab driver" means any person who drives or operates a taxicab for hire or fare and who is in actual physical control of a taxicab on the streets of the City. (Ord. 2010-116. Passed 12-15-10).
- (e) "Digital Platform/Application" shall mean technology that connects a potential passenger with a vehicle/driver using the internet and mobile interfaces such as smartphone applications.
- (f) "Policy" shall mean an insurance policy required to be maintained by the Transportation Network Company which provides coverage under the terms described in Section 749.04(2) for any Transportation Network Driver and any transportation network vehicle engaged in conducting activities regulated under this chapter in the City of Kent, Ohio which activities the Transportation Network Company has authorized via its digital network/application.

- (g) "Surge Charge" shall mean multiplier or increase of the base fare rate used by the Transportation Network Company for periods or locations of high demand, or any other charge that applies to the requested ride and increases the fare.
- (h) "Transportation Network Company" shall mean a corporation, association, business, firm, partnership or person that uses a digital platform/application, and only the digital platform/application, to connect passengers to drivers who will be using a personal vehicle to transport passengers for compensation.
- (i) "Transportation Network Driver" shall mean a driver or operator of a public vehicle who uses a personal vehicle and a digital platform/application that is set up and operated by a Transportation Network Company, to accept and transport passengers for compensation.
- (j) "Transportation network vehicle" shall mean a personal vehicle driven by a Transportation Network Driver, who is engaged in the transportation of person(s) for compensation, which is arranged solely through a Transportation Network Company's digital platform/application.

749.02 COMPLIANCE REQUIRED.

No taxicab company or taxicab driver or Transportation Network Company or Transportation Network Driver shall operate any taxicab or Transportation Network vehicle except in accordance with the provisions of this chapter. (Ord. 2010-86. Passed 08-18-10)

749.03 AUTHORITY OF SAFETY DIRECTOR.

The Safety Director or their designee shall have the authority to supervise and regulate the operation of all taxicabs and Transportation Network Vehicles, and prescribe rules and regulations and issue orders in conformity with the provisions of this chapter. (Ord. 2010-86. Passed 8-18-10).

749.04 TAXICAB COMPANY'S LICENSE, REQUIREMENTS AND LICENSE FEE.

- (a) No taxicab company shall pick up fares in the City of Kent, Ohio unless the company has been issued a license for each of its taxicabs.
- (b) Application.
 - (1) A taxicab company desiring to obtain a license shall make application to the Director of Public Safety providing the following information:
 - (A) The business name, address and telephone number of the applicant.
 - (B) The make, license number, identification number and seating capacity of the vehicle(s).
 - (C) The names of the owner and drivers who will operate the taxicab(s) and their places of residence.
 - (D) A list of fares and rates to be charged passengers for transportation. Such list shall be re-filed with the Safety Director at any time fares or rates are adjusted or changed.
 - (2) The application shall be accompanied with proof of liability insurance with respect to all taxicabs and taxicab drivers, Network Transportation Companies and Network Transportation Drivers providing the following:

- (A) The policy shall must be current and in force. The policy shall be issued by a company approved by the director which is authorized or eligible to do business in the State of Ohio, and which shall be rated not less than A-: VII by A.M. Best & Co.'s measurement of insurer financial strength;
- (B) The insurance company issuing the policy must be an authorized Ohio insurance company or an eligible surplus lines insurance company approved to do business in the State of Ohio;
- (C) The policy shall cover each taxicab or Transportation Network Vehicle with at least \$500,000 in combined single limit liability third party coverage per occurrence for death, bodily injury and property damage involving a Transportation Network Driver's operation of a Transportation Network Vehicle beginning from the moment that the Transportation Network Driver has accepted a ride request through the Transportation Network Company's Digital Platform/Application, continuing while the Transportation Network Driver is en route to pick up the passenger who has requested the particular ride, then continuing while the Transportation Network Driver transports such passenger and ending when the passenger exists the vehicle. Such policy shall not include an assault and battery exclusion;
- (D) The policy shall provide uninsured and underinsured motorist coverage per occurrence for death or bodily injury in an amount of at least \$500,000.
- (E) The policy shall act as primary coverage for the driver, driver's vehicle and the passengers of the driver's vehicle beginning from the moment that the taxicab driver or Transportation Network Driver has accepted a ride request while the taxicab or Transportation Network Driver is en route to pick up the passenger who requested the particular ride, then continuing while the taxicab driver or Transportation Network Driver transports such passenger and ending when the passenger exists the vehicle;
- (F) The policy or, in the event that the accident or loss occurs outside the State of Ohio, a separate insurance policy maintained by the taxicab or Transportation Network Company shall provide coverage for all ride requests accepted through the taxicab or the Transportation Network Company's Digital Platform/Application that originate or end in the City;
- (G) The City shall be named as an additional named insured on such policy, and the taxicab company or the Transportation Network Company shall give the City at least thirty (30) day notice before such a policy is cancelled;
- (H) The insurance policy shall serve to fully describe the insurance coverage provided by the taxicab company or Transportation Network Company to its drivers and passengers, and such coverage

shall in no way be waived or limited by any terms or conditions for the provision of transportation services between a passenger and a taxicab or Transportation Network Driver, nor shall the insurance policy in any way limit the right to a trial by jury for the coverage required in Section 749.04(2). The taxicab company or the Transportation Network Company shall not use the form of dispute resolution to limit the type of remedy that may be available to a passenger. Any such conflicting language or agreement is hereby deemed to be void as against public policy and shall be unenforceable.

- (l) The Transportation Network Company shall pay the cost of all insurance premiums as specified in Section 749.04(2), unless payment is otherwise contracted for in an insured contract with the Transportation Network Driver.

A Transportation Network's Driver's personal insurance may satisfy the requirements of this section as primary coverage where the policy grants such Transportation Network Company coverage or where there is an insurance rider or endorsement of the driver's personal automobile insurance policy which meets state and local minimums, and which is specifically written to cover a Transportation Network Vehicle. Any such personal insurance policy shall serve as primary coverage only if it meets or exceeds the level of insurance coverage otherwise required of the policy requirements described under this section, as determined by the Director.

The Transportation Network Company must file proof of insurance that complies with all requirements of this section with the Director.

The Transportation Network Company's insurance policy or policies must be in force and effective as of the date the license is issued and must be maintained throughout the term of the license period. In the event the insurance expires or is cancelled during the term of the license, the Transportation Network Company must provide proof of a valid policy that meets the requirements of this chapter. Failure to provide proof of current insurance which meets the requirements of this section is a basis for suspension of Transportation Network Company license without a prior hearing. Notice to the Transportation Network Company shall be issued by the Director no later than the same date on which the suspension is scheduled to take effect.

In a claims coverage investigation, a Transportation Network Company shall cooperate with a liability insurer that also insures the Transportation Network Driver's personal vehicle, including the provision of relevant date and time an incident occurred involving the Transportation Network Driver's operation of his or her personal vehicle and a determination of whether or not the driver was logged into a Transportation Network Company's digital network at the time of the loss.

Furthermore, this ordinance shall not limit the liability of a Transportation Network Company arising out of an automobile accident involving a Transportation Network Driver in any action for damages against a Transportation Network Company for an amount above the required insurance coverage in Section 749.04(b)(2)(D).

- (3) The application shall be accompanied with a financial statement, a balance sheet, profit and loss statement and a capital improvement report showing purchases of all new taxicabs.
- (4) The company shall have 24-hour taxicab service and telephone service.
- (c) At the time of the issuance of the license, and annually thereafter, on or before September 30, the taxicab company shall pay a fee of seventy five dollars (\$75.00) to the Director of Public Safety for each taxicab to be operated during the year. This fee shall be in addition to any other fees required by this chapter.
- (d) A taxicab company shall not permit any person to operate or drive for hire any taxicab owned or operated by the company until the Director of Public Safety has been notified of the driver's name and address and the driver has obtained a taxicab driver's license pursuant to Section 749.05 of the Kent Codified Ordinances.
- (e) Prior to any fare increase the taxicab company shall advertise such fact three (3) times in a publication of general circulation and notification shall be sent to the Mayor, Safety Director and Council by certified mail. (Ord. 2010-86. Passed 08-18-10).

749.05 TAXICAB DRIVER'S LICENSE.

- (a) No person shall operate a taxicab within the City without first obtaining a taxicab driver's license.
- (b) Qualifications.
 - (1) An applicant for a taxicab driver's license must be at least twenty one (21) years old.
 - (2) An applicant shall have good eyesight and no physical or mental limitations which would render the person unfit for the safe operation of a motor vehicle.
 - (3) An applicant shall not be addicted to the use of intoxicating liquors or drugs.
 - (4) An applicant shall have no criminal convictions of:
 - i) sexual offenses;
 - ii) drug offenses;
 - iii) felony convictions within the last five (5) years.
- (c) A person desiring to obtain a taxicab driver's license shall make application in writing, under oath, to the Safety Director or their designee providing the following information:

- (1) Full name.
 - (2) Place of residence and telephone number; place of residence for five (5) years preceding the date of such application, and place of birth.
 - (3) Date of birth, sex, height, weight, color of eyes and hair, and citizenship.
 - (4) Place of previous employment for the five (5) years preceding the date of application.
 - (5) A valid driver's License issued by a State of the United States.
 - (6) Whether the applicant has been convicted of a felony or misdemeanor, and if so, when, where, what offense, and the sentence for each conviction.
 - (7) Whether the applicant has previously been employed as a tax driver, and if so, when, where and by whom.
 - (8) Whether the applicant has ever had a previous license denied, suspended, or revoked, and if so, where, when and for what reason.
- (d) Each application for a taxicab driver's license shall be accompanied by three (3) unmounted, unretouched photographs of the applicant, taken within thirty (30) days of the date of the application, suitable for attachment to the license.
 - (e) Each driver shall keep his correct address on file with the **Safety Director** and shall notify the Director if there is a change in address.
 - (f) Each applicant shall be fingerprinted by the Portage County Sheriff's Office (PCSO) webcheck system unless otherwise directed to check for BCI and NCIC criminal records before a taxicab driver's license may be issued. The fingerprints, records and any other relevant information shall be permanently filed with the Records Bureau of the Police Department. (Ord. 2010-116. Passed 12-15-10).

749.06 TAXICAB LICENSING; EXPIRATION; RENEWAL.

- (a) Upon satisfactory fulfillment of the requirements listed in Section 749.05 of the Kent Codified Ordinances, the **Safety Director or their designee** shall issue to the applicant a taxicab driver's license upon payment of the license fee in the amount of twenty five dollars (\$25.00).
- (b) A taxicab driver's license shall expire on September 30 of each year. In the event an application for a new license is made on or after September 1 of any year, but not later than September 30 of the same year, such license shall be in force and effect to and including September 30 of the following year.
- (c) A driver, in applying for a renewal of the taxi driver's license, shall make application before September 30 and provide the name and address of the applicant, the date when the original license was granted, the license number, and such other information as the Director may require and a ten dollar (\$10.00) renewal fee. Two (2) new photographs shall be provided with the renewal application. (Ord. 2010-86. Passed 08-18-10).

749.07 DISPLAY OF TAXICAB LICENSE.

A certified copy of a taxicab license and the City of Kent taxicab driver's license shall be exhibited in a prominent place in each taxicab at all times. (Ord. 2010-86. Passed 08-18-10).

749.08 TAXICAB LICENSES NOT TRANSFERABLE.

Any person acquiring a licensed taxicab shall at the time of acquisition acquire a license in such person's name as the new owner. Taxicab licenses are not transferable. (Ord. 2010-86. Passed 08-18-10).

749.09 TAXICAB VEHICLE STANDARDS – PERMITTING OPERATION OF AN UNSAFE VEHICLE.

- (a) No person shall knowingly permit the operation of a taxicab unless it is equipped with the following:
 - (1) A light within the passenger compartment.
 - (2) Telephone service shall be available to each taxicab driver so that calls to emergency services such as police and fire departments can be made if needed.
 - (3) Passenger restraints such as manufacturer-installed seatbelts or air bags, which may be used at the option of the passenger, numbering no fewer than the maximum occupancy of the cab.
 - (4) A suitable holder for the driver's identification card in a place where such card will be visible to the passengers at all times.
 - (5) All vehicles licensed as taxicabs shall have a minimum of twenty-nine (29) inches rear fore/aft room (leg room), and fifty-seven (57) inches rear shoulder room. No vehicle with less rear space shall be licensed as a taxicab.
- (b) No person shall knowingly permit the operation of any taxicab which is in such unsafe condition as to endanger any person or property.
- (c) No person shall place any vehicle into service as a taxicab which does not have at least three (3) doors. No vehicle which requires the movement of a seat or any portion of a seat to gain access to other seating shall be placed into service as a taxicab.
- (d) No person shall allow the operation of any taxicab which does not comply with the standards established in this section. Failure to do so shall constitute grounds for revocation of such taxicab license.
- (e) Taxicabs shall be tobacco smoke free.
(Ord. 2010-86. Passed 08-18-10).

749.10 IDENTIFICATION MARKINGS ON TAXICABS; INSPECTIONS.

- (a) Each taxicab shall bear distinctive permanent identification markings as follows:
 - (1) Rear. The rear part of each taxicab shall be painted, stenciled or decal transferred, the name of the company owning and operating the taxicab in

letters approximately four inches (4") in height, and the number of the taxicab in letters approximately eight inches (8") in height.

- (2) Sides. Each side of each taxicab shall have painted, stenciled or decal transferred the name of the company owning and operating the taxicab in letters approximately five inches (5") in height, the number of such taxicab in letters approximately six inches (6") in height and the rate of fare, the numerals indicating the base rate of fare in letters approximately two inches (2") in height and the remaining portion of the legend in letters approximately one inch (1") in height.
 - (3) Roof. An illuminated sign displaying the word "Taxi" to both the front and rear of the taxicab shall be mounted on the forward part of the roof. The sign shall be illuminated when the motor is running or when the ignition switch is in position to permit the motor to run. Such sign shall be approximately twelve inches (12") in overall length.
 - (4) Color. The color of such markings shall be adequately contrasting with the color of the vehicle to render them easily visible and legible.
- (b) Any taxicab may be inspected upon demand by the Director of Public Safety or a designated police officer to insure that it is in safe operating condition and meets the requirements of state law.
 - (c) The vehicle's Ohio vehicle registration plates shall be visible to the front and rear at all times. (Ord. 2010-86. Passed 08-18-10).
 - (d) The requirements of this **Section 749.10** do not apply to vehicles properly licensed by the State of Ohio as limousines or livery vehicles as long as the vehicles are operating within the law of Ohio as limousines and are only picking up passengers on prearranged contracts made in advance of boarding. If the limousine is picking up passengers without prearranged contracts, they are operating as a taxi cab and do need to meet the requirements of this section. (Ord. 2010-116. Passed 08-18-10).

749.11 DISPLAY OF RATES; EXCESSIVE CHARGES.

Every taxicab driver shall display, at all times, a printed list of the standard maximum fares and rates to be charged passengers for transportation. No owner or driver shall charge any amount in excess of such printed rates unless by mutual agreement between the passenger and driver entered into before leaving the point of departure. (Ord. 2010-86. Passed 08-18-10).

749.12 RECORDS; TRIP SHEETS

The owner or the person in charge of one (1) or more taxicabs shall keep a record of all such taxicabs showing the body number, city taxicab driver's license number, and the vehicle license plate number, and such data as may be necessary to identify the driver of such vehicle at any and all times. Such owner or person in charge shall also keep a record of the time of departure from and arrival at his garage or headquarters of such taxicab, and the total fares charged.

Taxicab owners shall require their drivers to submit completed trip sheets on a regular basis, but in no case shall this be greater than weekly.

All such records shall be maintained and not destroyed for a period of one (1) year, and shall be subject to inspection at all times by the police department and by the Director of Public Safety, and the City's income tax department or designee's. (Ord. 2010-86. Passed 08-18-10).

749.13 VEHICLE SAFETY INSPECTIONS.

- (a) No owner or other person having possession or control of any taxicab shall operate the same upon the streets unless such vehicle has an unexpired seal of inspection issued by the Ohio State Highway Patrol indicating that it has been duly inspected and found safe and roadworthy within the preceding twelve (12) months.
- (b) If any taxicab is damaged by reason of a collision or from any other cause, no owner or other person having possession or control thereof shall operate the same upon the streets unless such vehicle has been tested and approved by the Ohio State Highway Patrol within twenty-four (24) hours after such vehicle has been returned to service.
- (c) A violation of this section shall constitute grounds for revocation of such taxicab license.

749.14 TRANSPORTATION NETWORK COMPANY LICENSE AND APPLICATION REQUIREMENTS.

(a) Transportation Network Company License:

Before operating within the City of Kent, Ohio, any corporation, association, business, firm, partnership or person that uses only a digital platform/application to connect passengers to drivers who will be using personal vehicles for the purpose of accepting and transporting passengers for compensation must be licensed by the City as a Transportation Network Company. This license may not be transferred from or assigned by the original applicant.

The license fee and subsequent annual renewal for a Transportation Network Company shall be \$100.00; the license fee shall be \$75.00 if the company applies for the license after the thirtieth (13th) day of June per calendar year. The license shall expire on January 14th of the year following the date on which the license was issued. The license fee for each Transportation Network Company is intended to cover all enforcement, regulatory, and driver endorsement costs and shall be no less than other public vehicle company fees. Six (6) months following implementation of this license fee, and every six (6) months thereafter, the Director of Public Safety shall evaluate the fee to determine if it appropriately covers administrative, enforcement and driver endorsement costs.

(b) License Application:

The application for a Transportation Network Company license shall contain, at minimum, the following information and any additional information that the Director of Public Safety deems necessary:

- 1) The business name, address, phone number, and email address of the applicant;
- 2) The name, address, and phone number of the designated local company representative;
- 3) The certificate demonstrating that the company is authorized to transact

business in the State of Ohio;

- 4) Proof of insurance as required by Section 749.04(b)(2)(D); and
- 5) If applicable, a photograph of any distinctive trade markings to be used on all Transportation Network Vehicles for the company.

749.15 TRANSPORTATION NETWORK COMPANY REQUIREMENTS.

- (a) **Record Keeping Requirements:** Transportation Network Companies shall maintain up-to-date records for all of the following:
 - 1) All Transportation Network Vehicles driving on its own company platform in the City of Kent, including the BMV-issued license plate number, proof of vehicle registration, and the make, model, and year of each vehicle;
 - 2) All Transportation Network Drivers authorized to drive as a Transportation Network Driver by the company in the City of Kent, including driver's driving history report, criminal background check, proof of valid insurance, driver's license number, the vehicle(s) with which the driver is associated, and application to drive on the Transportation Network Platform;
 - 3) Each trip that originates or ends in the City of Kent, including the name of the driver for each trip, the vehicle used, date and time of the trip, and the fare charged for the trip; and
- (b) **Transportation Network Companies** shall maintain these records for a minimum of twelve (12) months after each act of transportation, and shall make these records available for inspection by the Safety Director or their designee:
 - 1) Upon a public complaint filed with the Director or Law enforcement officials against a Transportation Network Company or driver. The Safety Director or his designee may inspect the Transportation Network Company's records as reasonably necessary to investigate and resolve the complaint;
 - 2) Or as deemed necessary by the Safety Director to verify that the Transportation Network Company is in compliance with all licensing requirements in Chapters 407 and 408 of the Municipal Code. The Safety Director or his designee may inspect the Transportation Network Company's records as reasonably necessary to obtain such verification of compliance.
- (c) If a third party submits a public records request to the City of Kent for records that the City of Kent obtained from the Transportation Network Company pursuant to this section, the Director or another City official shall (i) advise the requester of any potential exclusions to the request to the extent permissible under Ohio law, in an effort to protect what has been asserted by the Company to constitute personal, business and proprietary information and designated as having trade secret status, and (ii) advise the Transportation Network Company regarding the existence of the request in order to allow the Transportation Network Company to take any necessary legal actions to assert any applicable exemptions to release of such records under Ohio law.

(d) Transportation Network Company Digital Platform/Application Requirements
The Transportation Network Company shall clearly communicate the following information to passenger(s) via the Digital Platform/Application:

- 1) The first name and picture of the driver who is to pick up the passenger(s);
- 2) A picture and/or the make, model and license plate number of the vehicle that will pick up the passenger(s);
- 3) Any applicable surge charge, which must be communicated prior to the passenger accepting the transportation;
- 4) An electronic notification or email displaying all fees charged to the passenger's credit card with twenty four (24) hours;
- 5) A telephone number or email address that the passenger(s) can use to file a complaint with the company; and
- 6) Information regarding available local options if the passenger requires a wheelchair accessible vehicle and the ability to connect to those services via a weblink, application or phone number.

(e) Transportation Network Company Operational Standard Requirements
Transportation Network Company shall comply with the following requirements:

- 1) Maintain a contract with a credit card processing company that meets the Payment Card Industry Data Security Standards;
- 2) Shall not lease or own vehicles used to transport passengers by Transportation Network Drivers;
- 3) Shall implement an intoxicating substance policy for drivers that disallows any amount of intoxication or consumption of intoxicating substances by the driver while providing services. The Transportation Network Company shall include on its website and mobile device application software a notice concerning the Transportation Network Company's intoxicating substance policy; and
- 4) Shall not knowingly or with reason to know permit a driver or vehicle that is not authorized under Kent Municipal Code chapters and authorized by the Transportation Network Company to utilize the company's Network Platform/Application.

(f) Transportation Network Driver Requirements

- 1) As submitted upon a form approved by the Safety Director, each application for a Transportation Network Driver shall set forth:
 - a. The name, date of birth, state driver's license number and address of the applicant;
 - b. The owner of the vehicle;
 - c. The Transportation Network Company that the applicant will use to arrange, through a digital network/application, passenger transportation;
 - d. The type of vehicle including age and condition. If the owner of the vehicle is not the applicant for license, the applicant must provide proof that the applicant is a named or additional insured on the personal auto insurance policy for the vehicle; and
 - e. A completed driver application shall be provided by each Transportation Network Driver to the Transportation Network Company.

- 2) Before authorizing a person to act as a driver on its digital network, a Transportation Network Company shall confirm that the person is:
 - a. Able to speak, read and write the English language;
 - b. Twenty one (21) years of age or over;
 - c. Cleared in a certified criminal background check for such person. The criminal background check shall be a national criminal background check including review of the national sex offender database. Any person who has been convicted, within the past seven (7) years, of driving under the influence of drugs or alcohol, or who has been convicted, within seven (7) years prior to submission of the driver application, for fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, theft, weapons, moral turpitude as stated in Chapter 801 of "General Provisions" acts of violence, or acts of terror, shall not be permitted to drive on the Transportation Network Company platform:
 - i. This certified criminal background check for such person is to be initiated by the Transportation Network Company; and
 - ii. The certified criminal background check must be completed by webcheck, BCI & I or a firm approved by the Kent Chief of Police.
 - d. Cleared by a certified driving history research report for such person. Any person with: (i) more than three (3) moving violations in the three (3) year period prior to such check, or (ii) a major violation for which a court may impose more than two (2) points per conviction against the individual's insurance pursuant to Ohio Revised Code Section 4510.036 in the three (3) year period prior to such check (including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license) shall not be permitted to drive on the Transportation Network Company platform:
 - i. This certified driving history record check for such person is to be initiated by the Transportation Network Company; and
 - ii. The certified driving history record check must be completed by an entity, association, corporation, or firm approved by the Director to perform such services.
- 3). Each application for a Transportation Network Driver shall require proof of a:
 - a. Valid state driver's license (the driver shall provide a copy of his/her valid driver's license to the Safety Director or their designee);
 - b. Certificate of a valid automobile insurance meeting state and local standards;
 - c. Valid state license plate registration; and
 - d. Valid state vehicle registration.

(g) Transportation Network Vehicle Requirements

- 1) All Transportation Network Vehicles must be either a four (4) door or two (2) door sedan, a station wagon with a minimum of four (4) doors, sports utility vehicle or a van type vehicle with either a minimum of four (4) doors or with a sliding door on the vehicle's passenger side.
- 2) All Transportation Network Vehicles shall have a mechanical safety inspection conducted initially and thereafter on an annual basis by an ASE

(Automotive Service Excellence) certified mechanic or the Ohio State Highway Patrol to inspect Transportation Network Vehicles for safety, mechanical, and body condition purposes.

- 3). The inspection of the Transportation Network Vehicle shall, at a minimum, include inspection of the following components:
 - (1) Foot brakes;
 - (2) Parking brakes;
 - (3) Steering mechanism;
 - (4) Windshield;
 - (5) Rear window and other glass;
 - (6) Windshield wipers;
 - (7) Headlights;
 - (8) Tail lights;
 - (9) Turn indicator lights;
 - (10) Stop lights;
 - (11) Front seat adjustment mechanism;
 - (12) Doors (open, close, lock);
 - (13) Horn;
 - (14) Speedometer;
 - (15) Bumpers;
 - (16) Muffler and exhaust system;
 - (17) Condition of tires, including tread depth;
 - (18) Interior and exterior rear view mirrors;
 - (19) Manufacturer installed safety belts, and which number no fewer than the maximum occupancy of the transportation network vehicle; and
 - (20) A light within the passenger compartment capable of being lighted or extinguished by the passenger.

- 4). Whenever a public Transportation Network Driver and/or vehicle is found not to be in a safe and sanitary operating condition or not to comply fully with all the requirements specified herein, the Director shall require the Transportation Network Company to temporarily suspend the authorization of the Transportation Network Driver until the Transportation Network Driver and/or vehicle is in full compliance with provisions herein.

- 5) A Transportation Network Vehicle shall display a sticker on the lower left side of the rear window of the Transportation Network Vehicle which is an identifying marker of the Transportation Network Provider, or, can be a sticker provided by the City Safety Director or their designee, marked TNP, upon issuance of the proper licenses as described in this Chapter.

749.16 PROHIBITED ACTS.

Taxicab companies, taxicab drivers, Transportation Network Providers and Transportation Network Drivers are prohibited from causing or permitting the following acts in the use or operation of taxicabs:

- (a) To permit occupancy by more persons than the actual seating capacity of such vehicle as shown by the application filed with the Director of Public Safety.

- (b) To drive a taxicab or Network Transportation Vehicle while under the influence of

intoxicating liquor or drugs greater than the CDL BAC limit of .04 or to drink any intoxicating liquor or use any illegal drugs or hallucinogens whatsoever while engaged in driving or while on duty as a driver of any taxicab.

- (c) To fail, neglect or refuse to turn over to the taxicab company's officers, the **Transportation Network Providers officers** within twenty-four (24) hours all lost articles found in any taxicab or **Network Transportation Vehicles**.
- (d) To fail to notify the Police Department about an accident within twelve (12) hours of its occurrence, upon a form provided by the Police Department, and/or provide any additional information which the Director may desire regarding such accident.
- (e) To permit a full-time driver to work in excess of twelve (12) hours in any twenty-four (24) hour period. (Ord. 2010-86. Passed 8-18-10).

749.17 REFUSAL, REVOCATION OR SUSPENSION OF TAXICAB AND/OR TRANSPORTATION NETWORK COMPANY AND/OR DRIVERS LICENSE.

- (a) The Director of Public Safety is authorized to refuse to issue a taxicab company license or a taxicab driver's license or a **Network Transportation Company or a Network Transportation Driver's License** upon good cause, and/or when the health, safety and/or welfare of prospective riders require it.
- (b) Any taxicab or taxicab drivers, or **Network Transportation Company or Network Transportation Driver's license** may be suspended or revoked at any time by the Director of Public Safety for the violation of any provision of this chapter or any ordinance of the City, or any law of the State of Ohio or of the United States. It shall be the duty of all police officers to call the attention of the Director to any such violation on the part of the licensee. Any such suspension or revocation shall be noted on the taxicab license or **Network Transportation License or their driver's license**, together with a statement of the reason therefor.
- (c) A taxicab or taxicab drivers, or **Network Transportation Company or Network Transportation Driver's license** which has been revoked shall not be reissued for one (1) year.
- (d) A determination of refusal, revocation or suspension of a taxicab license and **Network Transportation Driver's License** shall be a final decision, allowing all appropriate appeal to an appropriate court of law, pursuant to the Ohio Revised Code.
- (e) Any taxicab or taxicab drivers, or **Network Transportation Company or Network Transportation Driver's license** may be suspended, revoked or denied approval if any information provided on any application form required under **Chapter 749** is determined to be false.

749.99 PENALTIES.

- (a) Whoever violates Sections 749.02, 749.04, 749.05, **749.14(a) and 749.15** shall be guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than six (6) months, or both.
- (b) Whoever violates Sections 749.07, 749.09, **749.10, 749.11, 749.12, 749.14(b) or (c)**

or (d) shall be guilty of a minor misdemeanor and shall be fined not more than one hundred fifty dollars (\$150.00). Upon subsequent conviction such person shall be deemed guilty of a misdemeanor of the third degree and shall be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than sixty (60) days or both. Any violation shall constitute a separate offense for each successive day continued.

- (c) A violation of any other section of Chapter 749 shall be grounds for the suspension or revocation of the taxicab driver's license, or the Transportation Network Provider's License or the vehicle driver's license, in the case of a new application, shall be grounds to refuse to issue such license for a determinate period of time up to ninety (90) days or permanently.