

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NUMBER 20050407-017 GRANTING A TAXICAB FRANCHISE TO ROY'S TAXI, INC.; AMENDING ORDINANCE NUMBER 20050609-019 GRANTING A TAXICAB FRANCHISE TO GREATER AUSTIN TRANSPORTATION COMPANY, D/B/A YELLOW CAB; ALLOWING THE TEMPORARY USE BY YELLOW CAB OF THE ROY'S TAXI, INC. NAME, VEHICLE NUMBERING, AND COLOR SCHEME; AND PROVIDING FOR INELIGIBILITY FOR ADDITIONAL FRANCHISE PERMITS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance Number 20050407-017, which grants a franchise to Roy's Taxi, Inc. to operate a taxicab business on the streets, alleys, and public ways in the City of Austin, is repealed.

PART 2. Part 2 of Ordinance No. 20050509-019, which grants a franchise to Greater Austin Transportation Company doing business as Yellow Cab (Franchise Holder) to operate a taxicab business on the streets, alleys, and public ways in the City of Austin, is amended to read:

PART 2. FLEET SIZE. The Franchise Holder must maintain an active fleet of at least 25 and not more than 459 [304] taxicabs. The City Council may amend this taxicab allocation during the course of the franchise.

PART 3. Ordinance No. 20050509-019 is amended to add Part 13 to read:

PART 13. EQUIPMENT. Until (90th day after the effective date of this ordinance), Franchise Holder may operate a vehicle using the Roy's Taxi, Inc. name, vehicle number, or color scheme, notwithstanding the requirements of Chapter 13-2, Article 3 (Taxi Service) of the City Code. Yellow Cab shall repaint the Roy's Taxi, Inc. driver-owned taxicabs that transfer to Yellow Cab with the Yellow Cab color scheme and name and install Yellow Cab equipment at no cost to the driver-owner. Yellow Cab may not charge Roy's Taxi, Inc. driver-owners transferring to Yellow Cab and whose vehicles have bicycle racks located on the back of the vehicles a fee in lieu of advertising.

PART 4. Ordinance No. 20050509-019 is amended to add Part 14 to read:

PART 14. ADDITIONAL PERMITS. The Franchise Holder shall be ineligible for allocation of additional franchise permits under Sections 13-2-324 (Allocation of

1 Additional Franchise Permits), 13-2-325 (Eligibility For Additional Franchise Permits)
2 and 13-2-326 (Request For Additional Franchise Permits) of the City Code for the period
3 remaining of its current taxicab franchise, beginning with the allocation in 2006.

4 **PART 5.** The Franchise Holder shall file its written acceptance of the terms of this
5 ordinance with the City Clerk not later than (60th day after the City Council's adoption of
6 this ordinance).

7 **PART 6.** This ordinance takes effect on (61st day after the City Council's adoption of
8 this ordinance) if Franchise Holder files its written acceptance of this ordinance as
9 required in Part 5. If the Franchise Holder does not file the written acceptance, this
10 ordinance is void.

11 **PASSED AND APPROVED**

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15 _____, 2006

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Will Wynn
Mayor

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20 **APPROVED:**

21 _____
22 David Allan Smith
23 City Attorney

ATTEST

24 _____
25 Shirley A. Gentry
City Clerk