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CITY COUNCIL MEETING
JANUARY 16, 1985

RESOLUTION
ADOPTED SETTING
LIABILITY
INSURANCE
REQUIREMENTS

Following introduction of the matter by Staff, Council, on motion of Council Member Hinchman, Snider second, adopted Resolution No. 85-11 setting liability insurance requirements for all persons operating taxicabs or automobiles for hire under permit of the City of Lodi and requiring that the City receive 30 days advance notice of policy cancellation.

RES. NO. 85-11

CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor
DAVID M. HINCHMAN
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. CLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

January 23, 1986

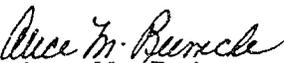
Mr. Julius Lechtenstein
6656 Mission Street
Daly City, CA 94014

Dear Mr. Lechtenstein:

Enclosed herewith please find Certified copy of Resolution No. 85-11 setting liability insurance requirements for all persons operating taxicabs or automobiles for hire under permit of the City of Lodi which was adopted by the Lodi City Council at its January 16, 1985 meeting.

Should you have any questions regarding this subject, please do not hesitate to call.

Very truly yours,


Alice M. Reimche
City Clerk

AMR:jj
Enc.

CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor
DAVID M. HINCHMAN
Mayor Pro Tempore
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RONALD M. STEIN
City Attorney

January 23, 1986

Mr. Jim Elson
Max Elson Insurance
832 South Fairmont Street
Lodi, CA 95240

Dear Jim:

Enclosed herewith please find Certified copy of Resolution NO. 85-11 setting liability insurance requirements for all persons operating taxicabs or automobiles for hire under permit of the City of Lodi which was adopted by the Lodi City Council at its January 16, 1985 meeting.

Should you have any questions regarding this subject, please do not hesitate to call.

Very truly yours,


Alice M. Reimche
City Clerk

AMR:jj
Enc.

CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor
DAVID M. HINCHMAN
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City Clerk

RONALD M. STEIN
City Attorney

January 23, 1986

Mrs. Rae Margrave
City Cab Company
510 East Lodi Avenue
Lodi, CA 95240

Dear Mrs. Margrave:

Enclosed herewith please find Certified copy of Resolution No. 85-11 setting liability insurance requirements for all persons operating taxicabs or automobiles for hire under permit of the City of Lodi which was adopted by the Lodi City Council at its January 16, 1985 meeting.

Should you have any questions regarding this subject, please do not hesitate to call.

Very truly yours,

Alice M. Reimche
Alice M. Reimche
City Clerk

AMR:jj
Enc.

RESOLUTION NO. 85-11

RESOLUTION OF THE LODI CITY COUNCIL
SETTING LIABILITY INSURANCE REQUIREMENTS
FOR ALL PERSONS OPERATING TAXICABS OR AUTOMOBILES
FOR HIRE UNDER PERMIT OF THE CITY OF LODI

BE IT RESOLVED, that the following are the liability insurance requirements set by the Lodi City Council under Chapter 24, § 24-25 of the Lodi Municipal Code relating to taxicab operator's liability insurance:

"All persons operating taxicabs or automobiles for hire (hereinafter referred to as "Operator"), under permit in the city, shall maintain in full force during the term of Operator's permit, a policy of public liability insurance under which Operator is named as insured, and containing an Additional Named Insured Endorsement naming the City of Lodi as an additional insured, and under which the insurer agrees to indemnify and hold Operator, and the City of Lodi harmless from, and against all costs, expenses, and liability arising out of, or based upon, any and all property damage, or damages for personal injuries, including death, sustained in accidents occurring in or about the demised premises; where such accident, damage, or injury, including death, results, or is claimed to have resulted, from any act or omission on the part of Operator, or Operator's agents or employees. The minimum limits of such insurance shall be \$500,000.00/\$1,000,000.00. In addition to the Additional Named Insured Endorsement on Operator's policy of insurance, said insurance policy shall be endorsed to include the following language:

"Such insurance as is afforded by the endorsement for the Additional Insured shall apply as primary insurance. Any other insurance maintained by the City of Lodi or its officers and employees shall be excess only and not contributing with the insurance afforded by this endorsement."

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Lodi does hereby determine that the City Clerk of the City of Lodi shall be notified in writing 30 days prior to the cancellation of the heretofore referenced liability policy.

Dated: January 16, 1985

I hereby certify that Resolution No. 85-11 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 16, 1985 by the following vote:

Ayes: Council Members - Hinchman, Pinkerton,
Reid, Olson, and
Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

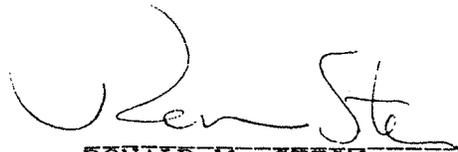

ALICE M. REIMCHE
CITY CLERK

COUNCIL COMMUNICATION

| | | |
|---|------------------|-----|
| TO: THE CITY COUNCIL | DATE | NO. |
| FROM: THE CITY MANAGER'S OFFICE | OCTOBER 31, 1984 | |
| SUBJECT: MODIFICATION OF TAXICAB LIABILITY INSURANCE REQUIREMENTS | | |

Our Lodi Municipal Code specifies certain limits of liability insurance for the operators of taxicabs or automobiles for hire, under permit in the City of Lodi. The minimum limits specified in Chapter 24, Section 24-25 are \$100,000, \$300,000, \$100,000 which is not adequate coverage. Further, there is no provision that the City of Lodi be named an additional insured in the operator's insurance certificate. It is recommended that Chapter 24, Section 24-25 be amended to read that limits and other insurance requirements are to be as set from time to time by resolution of the City Council.

In this regard, an amending ordinance has been prepared as well as a resolution which will bring the insurance limits up to recommended levels and further protect the City as an additional insured on operator's insurance certificates.



RONALD M. STEIN
CITY ATTORNEY

vc

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING CHAPTER 24 OF THE LODI MUNICIPAL CODE
RELATING TO LIABILITY INSURANCE REQUIRED FOR TAXICABS

BE IT ORDAINED BY THE LODI CITY COUNCIL:

SECTION 1. Chapter 24 - Taxicabs and Other Vehicles for Hire,
Article II - Operator's Permits, § 24-25 Liability Insurance
Required is hereby amended to read as follows:

"§24-25. Before a permit shall be issued by the city clerk, the applicant to whom a permit shall have been awarded by the city council shall deliver to the city clerk, a policy of insurance, executed by a company duly authorized under the laws of the State to operate an insurance business, by the provisions of which policy the company promises and undertakes to pay in full all claims for damages to persons or property resulting from the operation of the automobiles referred to in the application, provided that the maximum amount for which liability shall be assumed, and requirements for the City of Lodi being named an additional insured, and any other insurance requirements shall be as set and required from time to time by resolution of the city council."

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this day of

Name _____
MAYOR

Attest:

ALICE M. REIMCHE
City Clerk

State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. was introduced at a regular meeting of the City Council of the City of Lodi held and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held by the following vote:

Ayes: Council Members -
Noes: Council Members -
Absent: Council Members -
Abstain: Council Members -

I further certify that Ordinance No. _____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. KEIMCHE
City Clerk

Approved as to form

RONALD M. STEIN
City Attorney

RESOLUTION NO.

RESOLUTION OF THE LODI CITY COUNCIL
SETTING LIABILITY INSURANCE REQUIREMENTS
FOR ALL PERSONS OPERATING TAXICABS OR AUTOMOBILES
FOR HIRE UNDER PERMIT OF THE CITY OF LODI

BE IT RESOLVED, that the following are the liability insurance requirements set by the Lodi City Council under Chapter 24, § 24-25 of the Lodi Municipal Code relating to taxicabs operator's liability insurance:

"All persons operating taxicabs or automobiles for hire (hereinafter referred to as "Operator"), under permit in the city, shall maintain in full force during the term of Operator's permit, a policy of public liability insurance under which Operator is named as insured, and containing an Additional Named Insured Endorsement naming the City of Lodi as an additional insured, and under which the insurer agrees to indemnify and hold Operator, and the City of Lodi harmless from, and against all costs, expenses, and liability arising out of, or based upon, any and all property damage, or damages for personal injuries, including death, sustained in accidents occurring in or about the demised premises; where such accident, damage, or injury, including death, results, or is claimed to have resulted, from any act or omission on the part of Operator, or Operator's agents or employees. The minimum limits of such insurance shall be \$500,000.00/\$1,000,000.00. In addition to the Additional Named Insured Endorsement on Operator's policy of insurance, said insurance policy shall be endorsed to include the following language:

"Such insurance as is afforded by the endorsement for the Additional Insureds shall apply as primary insurance. Any other insurance maintained by the City of Lodi or its officers and employees shall be excess only and not contributing with the insurance afforded by this endorsement."

DATED:

I hereby certify that Resolution No. was
passed and adopted by the City Council of the City
of Lodi in a regular meeting held
by the following vote:

Ayes: Council Members -
Noes: Council Members -
Absent: Council Members -

ALICE M. REIMCHE
CITY CLERK

(f) That it shall appear to the council that there are a sufficient number of taxicabs and automobiles for hire in the city to fully serve the public, and that the granting of more permits would unduly congest the traffic and interfere with the free use of the public streets by the public, and that the public interest, convenience and necessity do not require the issuance of such permit. (Ord. No. 268, § 4.)

Sec. 24-25. Liability insurance required.

Before a permit shall be issued by the city clerk, the applicant to whom a permit shall have been awarded by the council shall deliver to the council a policy of insurance, executed by a company duly authorized under the laws of the state to do an insurance business, by the provisions of which policy the company promises and undertakes to pay in full all claims for damages to persons or property resulting from the operation of the automobiles referred to in the application, provided, that the maximum amount for which liability shall be assumed for injury to or death of one person in any one accident shall be one hundred thousand dollars and injury to or death of more than one person in any one accident shall be three hundred thousand dollars and the maximum amount for which liability shall be assumed for injury to or destruction of property in any one accident shall be one hundred thousand dollars. (Ord. No. 268, § 5; Ord. No. 1088, § 1.)

Sec. 24-26. Revocation of permit.

Any permit granted under the provisions of this article may be revoked by the council, either as a whole or as to any car described therein, or as to the right to use any distinctive color, monogram or insignia, after thirty days' notice to the permit holder, requiring him to appear at a certain time and place to show cause why the permit should not be revoked for any of the following reasons:

(a) That the undertaking provided for in section 24-25 has not been given or has been withdrawn or lapsed for nonpayment of premium, or is not in force for any reason.

(b) For the nonpayment for any license fee provided by this Code or other ordinance of the city.