

## COUNCIL COMMUNICATIC

TO: THE CITY COUNCIL  
FROM: THE CITY MANAGER'S OFFICE

DATE:  
June 17, 1987

NO.

SUBJECT:

PUBLIC HEARING SET TO CONSIDER APPLICATION RECEIVED TO OPERATE A LIMOUSINE SERVICE WITHIN THE CITY

An application has been received from Buddy Moats, Lloyd D. Kuehne and Larry Giglitto proposing to do business as American Classic Limousine Service, 902 Industrial Way, Lodi, to operate a limousine service within the City of Lodi.

The application has been reviewed and it has been determined to contain all the information required under Section 5.24.210 of the Lodi Municipal Code. Further, pursuant to the Code, I have set this matter for Public Hearing before the City Council at 7:30 p.m., July 1, 1987.

At the time set for the hearing, regarding the application for a permit to operate a vehicle for hire within the City, the Council may examine the applicant/applicants and all persons interested in the matter set forth in the application and shall determine whether or not the public interest, convenience, and necessity require the issuance of the permit applied for.

There is no formal action required by the Council on this matter at this time.

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

COUNCOM4  
TXTA.02D

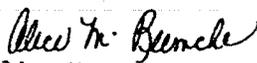
CITY OF LODI  
VEHICLE FOR HIRE OPERATOR'S PERMIT  
(ISSUED PURSUANT TO SECTION 5.24.200 ET SEQ.  
OF THE LODI MUNICIPAL CODE)

RESOLVED that a Vehicle for Hire Operator's Permit is hereby issued pursuant to Section 5.24 et seq. of the Lodi Municipal Code as authorized by the Lodi City Council by Resolution No. 87-80 adopted July 1, 1987 to:

Lloyd D. Kuehne, Buddy Moats, Larry Gigletto  
DBA: American Classic Limousine Service  
902 Industrial Way  
Lodi, CA 95220

Enclosures: a) Application of American Classic Limousine Service  
b) Section 5.24 et seq. of the vehicle code  
c) Certified copy of Resolution No. 87-80

By Order of the Lodi City Council

  
Alice M. Reimche  
City Clerk

RESOLUTION NO. 87-80

RESOLUTION DETERMINING THAT THE PUBLIC INTEREST,  
CONVENIENCE, AND NECESSITY REQUIRE THE ISSUANCE OF A  
PERMIT TO BUDDY MOATS, LLOYD D. KUEHNE AND LARRY GIGLITTO  
(AMERICAN CLASSIC LIMOUSINE SERVICE)  
TO OPERATE A LIMOUSINE SERVICE WITHIN THE CITY OF LODI

WHEREAS, an application has been received from Buddy Moats, Lloyd D. Kuehne, and Larry Giglitto (American Classic Limousine Service) to operate a limousine service within the City of Lodi; and

WHEREAS, the application has been reviewed and determined to contain all information required under Section 5.24.210 of the Lodi Municipal Code.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi, following a public hearing on the matter, does hereby determine that the public interest, convenience and necessity require the issuance of the permit applied for.

BE IT FURTHER RESOLVED, that the City Council of the City of Lodi does hereby order the City Clerk to issue a permit to Buddy Moats, Lloyd D. Kuehne, and Larry Giglitto (American Classic Limousine Service) in accordance with the application, subject to the filing and approval of an undertaking as required by Section 5.24.250.

Dated: July 1, 1987

I hereby certify that Resolution No. 87-80 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 1, 1987 by the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

*Alice M. Reimche*  
ALICE M. REIMCHE  
City Clerk

# American Classic Limousine Service

EXHIBIT A

EXHIBIT

902 Industrial Way  
P.O. Box 926

Lodi, CA. 95240  
(209) 334-3312

June 2, 1987

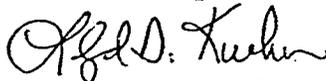
City of Lodi  
Box 3006  
Lodi, CA 95241

ATTN: Alice Reimche.

## APPLICATION OF CONTENTS

- A. American Classic Limousine Service  
902 Industrial Way  
Lodi, CA 95240 Partnership  
  
Buddy Moats 1191 Orangewood Drive Lodi, CA 95240  
Lloyd D. Kuehne 642 Atherton Drive Lodi, CA 95240  
Larry Giglitto 412 N. Church Street #25 Lodi, CA 95240
- B. Limousine for hire
- C. 85 Stretched Lincoln Continental
  - 1. American Classic Limousine Service
  - 2. V-8, I.D. #1LJBP96FOFY724850
  - 3. 1RJD292
  - 4. Six
  - 5. Limousine
- D. 902 Industrial Way Lodi, CA 95240
- E. See Attached Sheet
- F. Burgundy

Yours Truly,



Lloyd D. Kuehne

mgm/LDK

TELEPHONE (209) 334-3382

INDUSTRIAL WAY

MAILING: P.

DX 926

LODI, CALIFORNIA 95241

LIMOUSINE RATES

MID-WEEK

MONDAY THRU FRIDAY

Lunch \$45.00 2 hour minimum  
\$40.00 3 hour minimum

Tahoe /Reno

\$500.00 12 hour @ \$40.00 hour  
400 Miles Maximum & \$1.00 for over miles  
\$800.00 24 hours @ \$40.00 hour  
600 Miles Maximum & \$1.00 for over miles

Security Deposit

\$100.00 deposit applicable towards rental  
if left clean when leaving yard.

5.24.160

then not for a period of more than five minutes, excepting in such stands as may be designated by the council and described in the application for a stand. This section shall not apply to any automobile for hire or taxicab while the same is engaged by and being paid for by a passenger. (Prior code § 24-16)

**5.24.179 Application.**

If any proposed taxicab stand is in a public street of the city, application to maintain the same shall be in writing, filed with the city clerk, who shall set the same to be heard at a meeting of the city council and who shall give notice of such hearing by causing notice thereof to be published in the newspaper designated for the publication of official publications of the city, at least ten days before the date of the hearing. Such written application shall be accompanied by a fee of five dollars to be paid to the city by the applicant. At the hearing the city council shall publicly hear all persons desiring to consent or object to such application, and shall grant or deny such application in the discretion of the city council. (Prior code § 24-17)

**5.24.180 Rental.**

The holder of any permit to maintain a taxicab stand shall pay to the city such rental therefor as the city council from time to time fixes by resolution or ordinance. (Prior code § 24-18)

**5.24.190 Discontinuance.**

Anyone desiring to discontinue, or have discontinued, the use of a taxicab stand in a public street in the city may make written application to the city

council for such discontinuance and file the same with the city clerk, who shall set the same to be heard at a meeting of the city council and who shall give notice of such hearing by causing notice thereof to be published in the newspaper designated for the publication of official publications of the city at least ten days before the date of the hearing. At the hearing the city council shall publicly hear all persons desiring to consent or object to such discontinuance and shall grant or deny such application at the discretion of the city council. (Prior code § 24-19)

✓ **Article IV. Operator's Permit**

**5.24.200 Required.**

It is unlawful to operate or cause to be operated an automobile for hire or a taxicab upon any public street within the city, without first having obtained a permit to do so in accordance with the provisions of this article, and without complying or having complied with all of the provisions of this chapter. (Prior code § 24-20)

**5.24.210 Application contents.**

Any person desiring to obtain the permit required by Section 5.24.200 shall pay a fee of ten dollars to the city clerk and shall make application for the permit to the city council, which application shall set forth:

A. The name and address of the applicant, and if a corporation, the names of its principal officers, or if a partnership, association or fictitious company, the names of the partners or persons composing the association or company, with the address of each;

B. A statement as to whether the permit is desired for an automobile for hire or a taxicab:

C. A description of every motor vehicle which the applicant proposes to use, giving:

1. Trade name.
2. Motor and serial number.
3. State license number.
4. Seating capacity, and
5. Body style:

D. The street number and exact location of the place or places where the applicant proposes to stand each such automobile:

E. Proposed schedule of rates or fares to be charged for carrying passengers in such automobile:

F. The distinctive color scheme, name, monogram or insignia which will be used on such automobile. (Prior code § 24-21)

#### 5.24.220 Application hearing— Notice.

Upon the receipt of an application referred to in Section 5.24.210, the city clerk shall set a time, not less than ten nor more than thirty days thereafter, for the hearing of the application before the city council, and shall give notice of the time so set, at least five days before the date of the hearing, to the applicant and to any other permit holder under this chapter at the address set out in such application and by publication, if directed, by the council. (Prior code § 24-22)

#### 5.24.230 Application hearing— Conduct.

At the time set for the hearing of the application for a permit, the council may

examine the applicant and all persons interested in the matter set forth in the application, and shall determine whether or not the public interest, convenience and necessity require the issuance of the permit applied for, and if it is found by the council that the public interest, convenience and necessity require the issuance of the permit applied for, it shall by resolution order the city clerk to issue a permit in accordance with the application, subject to the filing and approval of an undertaking as required by Section 5.24.250. (Prior code § 24-23)

#### 5.24.240 Denial grounds.

The following reasons shall be sufficient for denial of an operator's permit:

A. That the application is not in the form and does not contain the information required to be contained by this article;

B. That the vehicle or vehicles described in the application are inadequate or unsafe for the purposes for which they are to be used;

C. That the color scheme, name, monogram or insignia to be used upon such automobile is in conflict with or imitates any color scheme, name, monogram or insignia used by any person in such manner as to be misleading or tend to deceive or defraud the public;

D. That the location of the stand, as stated in the application therefor as required by Section 5.24.170, is such as to congest or interfere with travel on any public street, or that the proposed stand is within three hundred feet of any other stand theretofore fixed by the council on the same street;

E. That the applicant has, at some

prior time, had a permit for the operation of an automobile for hire or taxicab revoked for reason:

F. That it appears 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. (Prior code § 24-24)

**5.24.250 Insurance.**

Before a permit is issued by the city clerk, the applicant to whom a permit has 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 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. (Ord. 1340 § 1, 1984; prior code § 24-25)

**5.24.260 Revocation.**

Any permit granted under the provisions of this article may be revoked by the council, either as a whole or as to any cab described in such a permit, 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 5.24.250 has not been given or has been withdrawn or lapsed for non-payment 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;

C. For the failure to observe any of the rules and regulations or provisions of this chapter;

D. For the violation of any of the laws of the state or ordinances of the city by the permit holder, operator or driver of an automobile for hire or taxicab;

E. For the failure to maintain satisfactory service to the public by means of any of the vehicles described in the permit or for the failure to keep any car described in the permit in use for a reasonable length of time, or for the failure to use the distinctive color, monogram or insignia described in the application;

F. For any cause which in the opinion of the council makes it contrary to the public interest, convenience and necessity for the permit to be continued. (Prior code § 24-26)

**5.24.270 One per person.**

No person shall be entitled to hold more than one permit at a time, either as individual, member of copartnership, stockholder or officer of a corporation, or under any fictitious name, or otherwise. (Prior code § 24-27)

**5.24.280 Transferability.**

No permit issued under the terms of this article shall be transferable, either by contract or operation of law, without the permission of the council having been first obtained, and any such attempted transfer shall be sufficient cause for revocation thereof. (Prior code § 24-28)

**Article V. Driver's Permit****5.24.290 Required.**

It is unlawful for any driver to operate any automobile for hire or taxicab in the city, unless such driver holds a permit to do so as required by this article. (Prior code § 24-29)

**5.24.300 Application.**

An application for a driver's permit, in writing, verified by the applicant, shall be filed with the chief of police, setting forth the following:

- A. Name, address and description of the applicant;
- B. Name of the applicant's employer or proposed employer;
- C. A photograph of the applicant taken within sixty days immediately prior to the date of the filing of the application, which picture shall be two inches by two inches, showing the head and shoulders of the applicant in a clear and distinguishing manner;
- D. The fingerprints of the applicant;
- E. A statement of whether or not the applicant has been convicted of any felony, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor. (Prior code § 24-30)

**5.24.310 Issuance—Term.**

The chief of police shall issue a driver's permit which shall continue in force and effect for a period of one year, provided that the applicant possesses the following qualifications:

- A. The applicant shall be at least twenty-one years of age.
- B. The applicant shall not have been convicted of any of the following offenses:
  1. Driving a motor vehicle in a reckless manner or under the influence of an intoxicant;
  2. Pandering;
  3. Using, possessing, selling or transporting narcotics;
  4. Assault and battery;
  5. Any crime involving moral turpitude;
  6. Violation of any of the provisions of this chapter. (Prior code § 24-31)

**Chapter 5.28****PRIVATE PATROL SYSTEMS****Sections:****Article I. Generally**

- |                 |   |
|-----------------|---|
| <b>5.28.010</b> | <b>Definitions.</b>                           |
| <b>5.28.020</b> | <b>Uniforms.</b>                              |
| <b>5.28.030</b> | <b>Badges and insignia—<br/>Use—Approval.</b> |
| <b>5.28.040</b> | <b>Badges and insignia—<br/>Sale.</b>         |
| <b>5.28.050</b> | <b>Rank insignia.</b>                         |
| <b>5.28.060</b> | <b>Complaints to state.</b>                   |
| <b>5.28.070</b> | <b>Payment of license fees.</b>               |
| <b>5.28.080</b> | <b>Notice service.</b>                        |