

Council Chamber, Ann Arbor, Mich., June 23, 1924.

Adjourned regular session.

Meeting called to order by Pres. Sugden.

Present: Ald. Slauson, Jocelyn Haarer, Graf, Lucas, Donnelly, White, Freeman, Gram, Norris, Pres. Sugden—11.

Absent: Ald. Henderson, Groves, Moore, Ware—4.

Communications

From Board of Public Works:

Petition of Aaron F. Gocton and 35 others asking to set aside injunction restraining J. F. Wuerth from erecting electric sign, also protest from Mr. Wuerth was received.

Moved by Mr. Reule, that matter be referred to council. Adopted.

(Council action.)

President Sugden referred matter to Ordinance Committee.

Petitions

Of L. L. Forsythe et al. for curb and gutter on Forest ave. from Wells st. to Granger ave. received and referred to Street Committee.

Of Ernest Schneeberger, asking that zoning ordinance be amended so that his property at 609 W. Jefferson st. be changed from Class "B" to Class "C," received and referred to Board of Appeals for recommendation.

Of S. Ann O'Neill et al. for pavement on Glen ave from Huron st. to Catherine st. received and referred to Street Committee.

Of Geo. A. Hastreiter et al. to grade and gravel Vinewood blvd. from Wayne st. to Berkshire road, received and referred to Street Committee.

Of Wm. H. and Edwin C. Krapf for sewer on Gardner ave., received and referred to Sewer Committee.

Committee Reports

Finance Report

Ald. Norris presented bill of Elery A. Schmidt for \$375.64 for coal and for services on Board of Review for June; L. O. Cushing, \$28.00; Wm. A. Dupsaff, \$28.00; Wm. A. Seery, \$28.00; Nuel E. Smock, \$28.00; Herbert G. Watking, \$28.00; James N. Galbraith, \$28.00.

Moved by Ald. Norris, that bills be allowed and City Clerk instructed to draw warrants for same.

Adopted by following vote: Yeas, Ald. Slauson, Jocelyn, Haarer, Graf, Lucas, Donnelly, White, Freeman, Gram, Norris, Pres. Sugden—11. Nays—none.

Ordinance Committee

Ald. Haarer presented the following ordinance which was given its third reading:

An ordinance to amend an ordinance, entitled "An Ordinance to License and Regulate Taxicab Owners and Taxicab Drivers, to Prescribe Conditions Under Which They May Do Business on the Streets of the City of Ann Arbor; to Fix the Rates of Fares That May Be Charged for the Use of Such Vehicles; to Provide for Traffic Regulations to Govern Such Vehicles; to Repeal All Ordinances or Parts of Ordinances in Conflict Therewith," passed April 10, 1924; approved April 18, 1924.

The Common Council of the City of Ann Arbor Ordain:

Sec. 1. That Sections 3, 4, 6, 8, 9, 10, 12 and 17 of an ordinance entitled, "An Ordinance to License and Regulate Taxicab Owners and Taxicab Drivers, to Prescribe Conditions Under Which They May Do Business on the Streets of the City of Ann Arbor, to Fix the Rates of Fare That May Be Charged for the Use of Such Vehicles, to Provide for Traffic Regulations to Govern Such Vehicles, to Repeal All Ordinances or Parts of Ordinances in Conflict Therewith," passed April 10, 1924; approved April 18, 1924, be and the same are hereby amended to read as follows:

Sec. 3. Also upon the execution of a bond to the City of Ann Arbor, in the sum of one thousand (\$1,000) dollars, upon the granting of the license aforesaid, with one or more adequate sureties, to be approved by the city attorney, conditioned that such taxicab will be operated in accordance with the provisions of the laws of the State of Michigan and the charter and ordinances of the City of Ann Arbor, and that no greater rate of fare will be charged to any person hiring such taxicab than the rate of fare permitted by law, and that any property left by any person in such taxicab will be returned to him upon application, and that any judgment rendered in any court against such applicant arising out of damage or injury to any person or property caused by the negligent operation of such taxicab, will be paid. Any person, firm or corporation who is damaged by reason of such taxicab being operated in violation of the provisions

of the state law, city charter or any ordinances of the city, may institute an action upon the same to recover damages sustained by him. All licenses issued by the mayor, unless sooner revoked by him, as hereinafter provided, shall expire on the first day of May of each year. When such license shall have been granted, the licensee shall affix to the taxicab so licensed a small plate, not exceeding six inches in diameter, which shall bear the license number of the vehicle. The registration of such number shall be under administration and control of the police department. Plates shall be changed annually.

Sec. 4. It shall be unlawful to operate a taxicab for hire or permit the same to be operated, nor shall any license be issued hereunder, until and unless the applicant for license deposits with the city clerk a prepaid policy or certificate of liability insurance for each taxicab for which a license is sought, said policy or certificate of liability insurance to be acceptable and approved by the city attorney and issued by a company authorized to do business in the State of Michigan, indemnifying the applicant in the sum of at least five thousand (\$5,000) dollars for injury to one person, or ten thousand (\$10,000) dollars for injury to more than one person, and one thousand (\$1,000) dollars property damage in any one accident, through the operation of the taxicab of the applicant; or deposits in lieu thereof the bond of a surety company authorized to do business in the State of Michigan, running to the City of Ann Arbor, and indemnifying persons who may be injured, or whose property may be damaged by the operation of such taxicab in the same amount and conditioned that action may be brought thereon by any person so damaged against said surety company for the amount of such damage, up to the amount named therein, such bond to be approved by the city attorney. The policy of insurance or bond so deposited shall contain a clause obligating the company issuing the same to give ten (10) days' written notice before cancellation thereof to said city clerk, the license for the operation of such taxicab to expire up-

on the lapse or termination of said policy or bond.

Sec. 6. No person, firm, co-partnership or corporation shall permit any employee to drive a public taxicab within the City of Ann Arbor without having first obtained a license as public driver from the mayor. The mayor is hereby authorized to grant a public driver's license to any citizen of the United States of the age of eighteen years and upwards, of good moral character, sound physique, and who has not lost an eye, arm, or is of unsound mind. Such applicant for such license must also be able to read and write the English language and not be addicted to the use of intoxicating liquors. The mayor may grant such public driver license upon the applicant applying for the same, conforming to the foregoing requirements and paying into the city clerk the sum of one (\$1.00) dollar, which license is upon the condition that while acting as a public driver he will comply with the laws of the State of Michigan, the charter and ordinances of the City of Ann Arbor, that he will not charge any person hiring a taxicab a greater rate of fare than that allowed by law, that he will return any property left by any person in the taxicab operated by him.

The public driver license granted hereunder shall be in such form as shall be provided by the city attorney and have thereon the licensee's signature. Any licensee who defaces, removes or obliterates any entry made upon said license blank may be penalized and a record may be kept of such causes for the revocation of his license. Upon the issuance of such public driver license, there shall be delivered to such licensee a medal badge, of such form and style as the Chief of Police shall approve with the license number thereon. Such badge must be continually and conspicuously displayed on the outside of the licensee's coat when he is engaged in his employment as public driver and the failure of licensee to so exhibit such badge shall be cause for revocation thereof. A full and complete record of each license issued hereunder, containing records of all renewals, suspensions and revocations thereof, shall be kept on

file with the original application for such license in the bureau of records of the office of the City of Ann Arbor, and a copy of such record shall be filed with the Police Department. The mayor may revoke or suspend such license at any time for cause, after a hearing. Two suspensions of such license shall automatically revoke the same, and any driver whose license has been revoked shall not again be licensed as a public driver in the City of Ann Arbor. All public drivers' licenses shall expire, unless sooner revoked by the mayor on May 1st of each year.

Sec. 8. The Common Council is hereby authorized to locate and designate as public taxicab stands, the space alongside the curb adjacent to property used for public parks, public buildings, restaurants, theatres, the center of any street, avenue or public place where the roadway, exclusive of the sidewalk, is at least thirty (30) feet in width. Provided, however, that no such stand shall be designated, or, if already designated, such stands shall be discontinued upon written protest filed with the Common Council by the abutting property owners or lessees of the premises in front of which such stand is located or intended to be located. The Common Council shall further designate the number of such public taxicabs that shall be permitted to stand at any of the public stands designated by it, and they shall cause to be attached to a post or stanchion a metal sign, which shall state the number of public taxicabs permitted to stand at that particular stand. The Common Council may designate the space beside the curb adjacent to hotel buildings and railroad depots, as a taxicab stand for such taxicab company or companies. Provided, however, that no public taxicab shall be permitted to stand within five feet of any crosswalk. The first five feet on either side of a point at the curb opposite the end of the door or entrance of the building

Sec. 9. Only public taxicabs in such number as are set forth on the metal signs, hereinbefore referred to, may remain at such stand while waiting for employment, and they must be parked in the manner designated by the police department. The public tax-

icab standing at the head of such parked line shall not be permitted to refuse to carry any orderly person who offers to hire such taxicab and agrees to pay the proper rate of fare. Provided, however, that the foregoing provisions shall not be construed to prevent any person from selecting any taxicab he may desire on the stand, whether it be the head of the line or not. And provided, further, that upon procuring a passenger or passengers in the same party the taxicab parked in the front of the line shall immediately move and drive away without further solicitation of passengers in order that those in the rear may be allowed to move up into the designated parking space, and that, as the taxicabs leave the park line with passengers, those in the rear shall move up, and any public taxicabs seeking space on such stand shall not approach the same except from the rear thereof, and shall move up as closely as possible to the last car on said parked line. The mayor may upon complaint and hearing, revoke the license of any public driver who violates the foregoing provisions.

Sec. 10. The following schedule of maximum rates shall govern any person, firm, co-partnership or corporation owning, operating or controlling any motor vehicle or taxicab for hire or reward as a taxicab, or for carrying of passengers for a fee or charge, to be determined by taximeter, by the most direct route to place of destination:

For the first one mile or fraction thereof, for one person, 35c

For each succeeding one-half mile or fraction thereof, 10c.

For each additional person for the same journey, 25c.

For each three minutes of waiting, 10c.

Hourly rates: Not to exceed \$3.00 for five passenger, and \$3.50 for seven passenger cars.

Every taxicab may have affixed thereto a taximeter of size and design to be approved by the mayor, which said meter may be tested at any time by the said city. Taxicabs without taximeters will be permitted to operate at a maximum rate of 35c per passenger, irrespective of distance within the city limits; provided, that they display a sign of size and design to be approved by the mayor, containing

the words, "Flat rate 35c."

Sec. 12. Every driver of a public taxicab immediately after the termination of any hiring or employment, shall carefully search such taxicab for any property lost or left therein, and any such property, unless sooner claimed or delivered to the owner, must be taken to the police station and deposited with the officer in charge within 24 hours after the finding thereof, and the officer in charge, to whom such report shall be made, shall give a receipt therefor, and shall write the name of the finder on paper and shall note thereon brief particulars and description of the property. Any such property not claimed or restored to the owner within 30 days shall be returned to the taxi owner.

Sec. 17. The provisions herein shall be construed to include any person, firm, co-partnership or corporation operating a motor vehicle for the carrying of passengers for hire within the City of Ann Arbor, but not to any person or persons operating bus or taxicab lines from Ann Arbor to other cities or operating bus lines within the City of Ann Arbor, under authority of the Common Council

Sec. 2. This ordinance shall take effect and be in force on and after ten days from legal publication thereof.

The Chair put the question "Shall this ordinance pass?"

Passed by following vote. Yeas Ald. Slauson, Jocelyn Haarer, Graf, Lucas, Donnelly, White, Freeman, Gram, Norris, Pres. Sugden—11. Nays—none.

Sewer Committee Report

To the Honorable, the Common Council:

Gentlemen: Your Sewer Committee respectfully recommends that the Board of Public Works be authorized to construct a storm sewer on West Davis ave from the west line of South Main st. 250 feet west according to the plans on file in City Engineer's office.

Respectfully submitted, E. E. Lucas C. C. Freeman, L. P. Jocelyn, Robert Norris, Geo. L. Haarer, Sewer Committee.

Ald. Lucis moved the adoption of report which was adopted by following vote: Yeas, Ald. Slauson, Jocelyn, Haarer, Graf, Lucas, Donnelly, White, Freeman, Gram, Norris, Pres Sugden—11. Nays—none.

Sidewalk Committee Report

To the Honorable, the Common Council—Gentlemen:: Your Sidewalk Committee respectfully recommends that the following sidewalks be ordered built and the following resolution adopted:

Resolved that the grading and construction of the sidewalks hereinafter mentioned is deemed and declared to be necessary public improvement.

Therefore it is hereby ordered that Portland cement concrete sidewalks be graded, built and constructed in the city of Ann Arbor on and along the following property; width of walk to be five feet unless otherwise stated:

North side of Woodlawn avenue between Packard-st. and Tappan ave. Lots 38, 42, 44, 45, 46, 48 and 49, Assessor's Plat No. 5.

South side of Woodlawn ave. between Packard st. and Tappan ave: Lots 20, 21, 22, 26, 28, 29, 30 and 31, Assessor's Plat No. 5, south 55 and 66.01 feet of lot 4, block 5. Hamilton, Rose and Sheehan addition.

East side of Tappan ave. between Granger ave. and Woodlawn ave.: Lot 5 and the south 55 and 66.01 feet of lot 4, block 5. Hamilton, Rose & Sheehan addition.

North side of Morton ave., between Packard st. and Lincoln ave: Lots 1, 2, 3, 4, 5 and 6, W. H. Morton's First addition.

South side of Day st.:

Lots 86, 89, 90, 91 and 92, College Hills.

Along the Cambridge road and Day street frontage of the following described property: Beginning at the northwest corner of lot 86, College Hills; thence swly along the west line of lots 86 and 85, College Hills, 186.01 feet; thence deflecting to the right 96 deg., 18' 30" 199 and 93.01 feet; thence Wly to a point on the southeast side of Cambridge road, 245.8 feet Nely from the northeast side of Washtenaw ave.; thence along the Sly sde of Cambridge road and Day street to the place of beginning

Respectfully submitted.

H. M. SLAUSON,
C. C. FREEMAN,
L. M. GRAM,
BENJ. H. GRAF,
Sidewalk Committee.

Ald. Slauson moved adoption of report which was adopted by following vote: Yeas, Ald. Slauson,

Jocelyn, Haarer, Graf, Lucas, Donnelly, White, Freeman, Gram, Norris, Pres. Sugden—11. Nays—none.

Bond Committee Report

To the Honorable, the Common Council:

Gentlemen: Your Bond Committee has had the following bond under consideration and respectfully recommends approval of same.

Plumber bond—

Raymond K. Gurney, principal: Detroit Fidelity & Surety Co., surety.

Respectfully submitted, Benj. H. Graf, E. E. Lucas, Chris. T. Donnelly, Bond Committee.

Ald Graf moved the adoption of report, providing no license is issued for restricted district.

Adopted by following vote: Yeas, Ald. Slauson, Jocelyn, Haarer, Graf,

Lucas, Donnelly, White, Freeman, Gram, Norris, Pres. Sugden—11. Nays—none.

From Police Commisisoners

June 23, 1924.

To the Honorable, the Common Council:

Your Police Commissioners request they be allowed to add an additional patrolman during vacation period. Respectfully,

C. R. Snyder, Chairman.

Moved by Ald. Haarer, that request be granted.

Adopted by following vote: Yeas, Ald Slauson, Jocelyn, Haarer, Graf, Lucas, Donnelly, White, Freeman, Gram, Norris, Pres. Sugden—11. Nays—none.

On motion of Ald. Donnelly, Council adjourned.

FRED C. PERRY.

Deputy City Clerk.