


MEMORANDUM

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TO: The Honorable Mayor & City Council

FROM: Lacey G. Simpson, Assistant City Manager Initials: 

DATE: March 29, 2023 File #: MGR23-157

RE: **Ordinance No. 23-1969, Amending Ketchikan Municipal Code Section 5.40.010 Entitled, "Definitions" To Add The Term "Shuttle" And Amend The Definition Of Taxicab; Amending Ketchikan Municipal Code Section 5.40.030 Entitled, "Certificate-Application;" Adding A New Section 5.40.065 Entitled, "Shuttle Operations" to the Ketchikan Municipal Code; And Establishing An Effective Date**

The attached ordinance amending the Ketchikan Municipal Code (KMC) was prepared by City Attorney Mitch Seaver at the request of Councilmember Gass at the meeting of March 16, 2023. If adopted in first reading, Ordinance No. 23-1969 will amend the KMC to add the term "shuttle" and will allow for such operations following the submittal of certain information to the City Clerk's office for certificate endorsement. The attached ordinance was prepared in response to public comment at the March 16, 2023 meeting concerning the ability of a business to charge for shuttle services from the downtown area to Walmart.

The City Attorney will be attending the City Council meeting of April 6, 2023, in order to address any questions and/or concerns that Councilors may have.

A motion has been prepared for City Council consideration.

Recommended Motion: I move that the City Council approve Ordinance No. 23-1969 in first reading, amending section 5.40.010 of the Ketchikan Municipal Code entitled, "Definitions" to add the term "Shuttle" and amend the definition of taxicab; amending Ketchikan Municipal Code section 5.40.030 entitled, "Certificate-Application;" adding a new section 5.40.065 entitled, "Shuttle Operations" to the Ketchikan Municipal Code; and establishing an effective date.

THE CITY OF KETCHIKAN, ALASKA

ORDINANCE NO. 23-1969

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KETCHIKAN, ALASKA; AMENDING KETCHIKAN MUNICIPAL CODE SECTION 5.40.010 ENTITLED, "DEFINITIONS" TO ADD THE TERM "SHUTTLE" AND AMEND THE DEFINITION OF TAXICAB; AMENDING KETCHIKAN MUNICIPAL CODE SECTION 5.40.030 ENTITLED, "CERTIFICATE-APPLICATION;" ADDING A NEW SECTION 5.40.065 ENTITLED, "SHUTTLE OPERATIONS" TO THE KETCHIKAN MUNICIPAL CODE; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KETCHIKAN, ALASKA, AS FOLLOWS:

Section 1: Amendment. Section 5.40.010 of the Ketchikan Municipal Code, entitled "Definitions," is hereby amended to provide as follows:

"Shuttle" means a public vehicle that transports passengers on a specified route with specified stops.

"Taxicab" means a public vehicle which provides any commercial passenger service beyond that described in the definition of an airporter, child transport vehicle, handicapped transport vehicle, limousine, **shuttle**, or sightseeing vehicle. A vehicle for which a taxicab certificate has been issued may operate as an airporter, limousine, child transport vehicle, handicapped transport vehicle, **shuttle**, or sightseeing vehicle. A public vehicle which is not a limousine, airporter, handicapped transportation vehicle, or child transportation vehicle, but which operates on call or hail to provide point to point transportation to any destination determined by the passenger is a taxicab;

Section 2: Amendment. Section 5.40.030 of the Ketchikan Municipal Code, entitled "Certificate - Application," is hereby amended to add a new subsection (a)(11) as set forth below and existing subsection (a)(11) of that section is hereby renumbered as subsection (a)(12) :

(11) For shuttle operations, a map of the shuttle service route and stops.

Section 3: Amendment. Section 5.40.055 of the Ketchikan Municipal Code, entitled "Certificate - Type," is hereby amended to provide as follows:

[(a)] A certificate shall be endorsed for taxicab service only or for any one or

combination of the following types of operation as defined in KMC 5.40.010:

- (1) Certificate for airporter service;
- (2) Certificate for sightseeing vehicle service;
- (3) Certificate for limousine service;
- (4) Certificate for handicapped service;
- (5) Certificate for child transport;
- (6) Certificate for taxicab service with accessible taxicab endorsement.
- (7) Certificate for shuttle service.**

Section 4: New Section. A New Section 5.40.065 of the Ketchikan Municipal Code, entitled, "Shuttle Operations," is hereby added to the Ketchikan Municipal Code to provide as follows:

5.40.065 Shuttle Operations.

Operators of a shuttle service shall:

(a) Submit a map of their current route and stops to the city clerk and carry and follow that map.

(b) Not stop for passengers on any location not depicted as a stop on the map submitted to the city clerk."

Section 5: Effective Date. This ordinance is effective one (1) month after its final passage and publication.

PASSED ON FIRST READING _____.

FINAL PASSAGE _____.

Dave Kiffer, Mayor

ATTEST:

Kim L. Stanker
City Clerk

FYI: Bracketed language is intended to be removed from the existing ordinance, and underlined language in bold type is intended as an addition to the existing Ketchikan Municipal Code.

EFFECTIVE		DATE:	
ROLL CALL	YEA	NAY	ABSENT
BRADBERRY			
FINNEGAN			
FLORA			
GAGE			
GASS			
KISTLER			
MAHTANI			
MAYOR			