



# Ordinance

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

## ORDINANCE NO. 310

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING ARTICLE 10-5 THE TRANSPORTATION BUSINESS REGULATIONS OF THE CITY CODE OF THE CITY OF SAN LUIS, ARIZONA; PROVIDING FOR PENALTIES; REPEALING ANY CONFLICTING PROVISIONS, AND PROVIDING FOR SEVERABILITY

Whereas Senate Bill 1375 as passed and adopted at Fiftieth Legislature, First Regular Session amended A.R.S. §§28-142 and 41-2052 to declare that regulation of livery vehicles, taxis, and limousines were a matter of statewide concern and prohibit municipalities from adopting further regulation of such vehicles; and

Whereas the aforementioned law went into effect on July 20, 2011; and

Whereas the City of San Luis desires to have its transportation business regulations conform to state law:

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of San Luis, Arizona, as follows:

Section 1: Subsections E, F, G and H of Section 10-5-3 of the City Code of the City of San Luis, as adopted by Ordinance 172 of the City of San Luis, Arizona, are hereby repealed in their entirety.

Section 2: Section 10-5-4 of the City Code of the City of San Luis, as adopted by Ordinance 172 of the City of San Luis, Arizona, is hereby amended to read as follows:

### TRANSPORTATION BUSINESS VEHICLE PERMIT

Each motor vehicle used to provide transportation for hire must have a current transportation business vehicle permit and comply fully with state law. The permit covers the designated vehicle and cannot be transferred to another vehicle. To obtain a transportation business vehicle permit, an applicant must submit to

the city, on a form provided by the city, a sworn statement stating the age, make, model, description, vehicle identification number, and license plate number of the vehicle for which the permit is sought, a photograph showing the identification insignia or other plates or permits required by the State of Arizona, together with such other lettering or markings as may be required by the State of Arizona, and a copy of such other documentation as may be needed or necessary to show compliance with state regulation.

Section 3: Section 10-5-5 of the City Code of the City of San Luis, as adopted by Ordinance 172 of the City of San Luis, Arizona, and as amended by Ordinance No. 265 of the City of San Luis, Arizona, is hereby amended to read as follows:

#### INDIVIDUAL OPERATOR'S BUSINESS PERMIT

No person shall engage in the business of operating a vehicle in the transportation business within the city without first obtaining an individual operator's business permit and complying fully with state law. Each applicant for an individual operator's business permit shall submit a verified form to be provided by the city and a copy of his or her valid state driver's license with such endorsements as may be required by State for the operation of such bus, taxi, livery vehicle, or limousine as proposed to be operated by the applicant, together with proof of background check as well as any other documentation as may be needed or necessary to show compliance with state regulation. The applicant must also provide a three inch by four inch picture of himself or herself and it shall be affixed to the individual operator's business permit.

Section 4: Section 10-5-6 of the City Code of the City of San Luis, Arizona, as adopted by Ordinance 172 and as amended by Ordinance Nos. 183, 261, and 282 of the City of San Luis, Arizona, is hereby amended to repeal subsection B (3) in its entirety.

Section 5: Sections 10-5-7, 10-5-8, 10-5-9, 10-5-10, and 10-5-13 of the City Code of the City of San Luis, as adopted by Ordinance 172, and as amended by Ordinance Nos. 183, 266, and 267 of the City of San Luis, Arizona, are hereby repealed in their entirety.

Section 6: Subsection D of Section 10-5-11 of the City Code of the City of San Luis, as adopted by Ordinance 172 of the City of San Luis, Arizona, is hereby repealed and subsection E of Section 10-5-11 is hereby renumbered to become subsection D. Section 10-5-11 of the City Code of the City of San Luis as so amended is hereby renumbered to Section 10-5-7.

Section 7: Section 10-5-12 of the City Code of the City of San Luis, as adopted by Ordinance 172 of the City of San Luis, Arizona, is hereby renumbered to Section 10-5-8.

Section 8: Section 10-5-14 of the City Code of the City of San Luis, as adopted by Ordinance 172 of the City of San Luis, Arizona, is hereby renumbered to Section 10-5-9 and amended to read as follows:

PENALTIES FOR VIOLATION

A person who violates any section of this Article is responsible for a civil sanction punishable pursuant to the provisions of Article 1-8 of the City Code. Each day a violation continues shall be a separate offense punishable as heretofore described.

Section 9: In the event of a conflict between the provisions of this ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superceded, and replaced, and the provisions of this ordinance shall govern.

Section 10: If any section, subsection, sentence, phrase, clause or portion of this ordinance, or any part of the code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

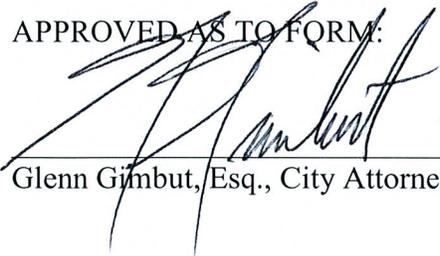
PASSED AND ADOPTED by the Mayor and City Council of the City of San Luis, Arizona, this 22nd day of November, 2011.

  
Juan Carlos Escamilla, Mayor

ATTEST:

  
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Sonia Cuello, City Clerk

APPROVED AS TO FORM:

  
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Glenn Gimbut, Esq., City Attorney