

ORDINANCE NO. 2015-

AN ORDINANCE OF THE CITY COUNCIL OF THE OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 90, ARTICLE 3 OF THE SAN MARCOS CITY CODE GOVERNING TAXICABS BY MODIFYING INSPECTION AND APPLICATION REQUIREMENTS, REQUIRING CRIMINAL BACKGROUND CHECKS FOR DRIVERS, AND INCREASING RATES OF FARE; FURTHER AMENDING SAID CHAPTER 90 BY ADDING A NEW ARTICLE 6 THAT ESTABLISHES REGULATIONS FOR TRANSPORTATION NETWORK COMPANIES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Chapter 90, Vehicles for Hire, of the San Marcos City Code is hereby amended as set forth below. Added text is indicated by underlining. Deleted text is indicated by ~~striketroughs~~.

SECTION 2. Chapter 90, Article 3, Taxicabs and Pedicabs, Section 90.122 is hereby amended as follows:

Sec. 90.122. Vehicle standards inspection.

~~(a) — Before being allowed to operate upon the streets of the city, each taxicab shall be inspected and approved annually by the chief of police or his representative.~~

~~(a)~~ (a) No taxicab shall be driven or operated upon the streets of the city unless the same is in safe condition and free from mechanical defects, and it must further meet the following requirements:

- (1) Have a current valid state of Texas motor vehicle registration and inspection sticker and be in compliance with the safety requirements of the Texas Motor Vehicle Code as amended; and
- (2) Have a seat belt for each passenger; and
- (3) Have an operating heater and air conditioner; and
- (4) Have a fire extinguisher that is in good operating order; and
- (5) Have a taxi-top light.

(be) The vehicle identification number and license number of each taxicab must match the numbers listed for that taxicab on the permit application.

(cd) Insignia of taxicab must be the same as that indicated on the permit application.

SECTION 3. Chapter 90, Article 3, Taxicabs and Pedicabs, Section 90.125 is hereby amended as follows:

Sec. 90.125. Taximeter required.

(a) A person may not drive or allow another person to drive a taxicab unless the taxicab is equipped with an operational taximeter that displays an accuracy seal, certifying its accuracy in accordance with procedures determined by the chief of police. A taxicab in service is subject to inspection by any peace officer for purposes of determining compliance with this subsection.

(b) For purposes of determining a fare for taxicab service, a person may not use a device other than a taximeter for measuring distance or time.

(c) Except as provided by subsection 90.126(e), a person may not drive or allow another person to drive a taxicab unless an accurate taximeter is used to determine the fare to be charged.

(d) When using a taximeter to compute a fare, a driver shall place the taximeter in the revenue-earning position when a passenger enters a taxicab, or at the pre-arranged time, if any, after the customer is informed of the taxicab's presence.

(e) When using a taximeter to compute a fare, a driver shall call the attention of passengers to the amount registered on the taximeter before resetting the taximeter. The taximeter may not be reset to the "vacant" position until after the fare is paid.

~~(f) — This section shall become effective June 1, 2010.~~

SECTION 4. Chapter 90, Article 3, Taxicabs and Pedicabs, Section 90.126 is hereby amended as follows:

Sec. 90.126. Rates of fare; rate card required.

(a) This section establishes maximum fares that the owner or operator of a taxicab can charge.

(b) For four or fewer passengers, the owner or operator of a taxicab may charge a pickup fee of not to exceed \$5.00. For five or more passengers, the owner or operator of a taxicab may charge \$1.00 for each additional passenger.

(c) For trips wholly within the City of San Marcos, the fare shall be a maximum of ~~\$2.00~~ \$2.50 per mile, regardless of the number of passengers. The taximeter shall be calibrated to charge no more than ~~\$0.50~~ \$0.625 per one-fourth of a mile.

(d) For trips that originate in the City of San Marcos, but terminating outside the City of San Marcos, the fare shall be a maximum of ~~\$2.00~~ \$2.50 per mile, regardless of the number of passengers. The taximeter shall be calibrated to charge no more than ~~\$0.50~~ \$0.625 per quarter mile.

(e) A taximeter is not necessary to determine the maximum fare for a trip under a contract with a governmental agency, a nonprofit organization, or as otherwise reasonably necessary to provide a public service.

(f) The maximum fare for wait time will be ~~\$15.00~~ \$24.00 for each hour the driver must wait for a passenger. The taximeter shall be calibrated to charge a maximum of ~~\$0.25~~ \$0.40 per minute of wait time.

(g) A cab driver may charge a cleaning fee if a passenger soils a taxicab to the extent that the taxicab must be pulled from service for cleaning. The cleaning fee shall not exceed \$250.00.

(h) Every taxicab operated under this article shall have a rate card setting forth the rates of fare established by this section displayed in a place in view of all passengers. The rate card shall instruct customers to call the San Marcos Police Department at (512) 753-2110 or any successor non-emergency telephone number if they have questions or concerns about the rates.

(i) In January of each year, the chief of police shall review the rates of fare to determine whether the fares need to be reconsidered. The chief of police shall base such the determination on the consumer price index, the costs of gasoline, and other reasonable costs of operating a taxicab service. The chief of police shall report his findings each year to the city council.

(j) This section shall become effective June 1st, ~~2010~~ 2015.

SECTION 5. Chapter 90, Article 3, Taxicabs and Pedicabs, Section 90.162 is hereby amended as follows:

Sec. 90.162. Application.

An application for an operating permit required in section 90.161 shall be filed with the city clerk upon forms provided by the city. The application shall contain the following information:

- (1) The name and address of the applicant.
- (2) If the applicant is a ~~partnership, the information in subsection (1) of this section shall be provided for each partner.~~ a business entity, copies of the applicant's organizational documents, .e.g., certificate of organization, articles of incorporation, bylaws, operating agreement, partnership agreement or similar documents as applicable, together with evidence of authority from the Texas Secretary of State to conduct business in the state of Texas, and current franchise tax account status and information report from the Texas Comptroller.
- ~~(3) If the applicant is a corporation, the name and place of residence of all of the officers of the corporation, a duly certified copy of its charter and bylaws, the amount of capital stock, the character and value of its assets, its liabilities and the security therefor and, if the corporation is a foreign corporation, a duly certified copy of its certificate of authority to transact business in the state.~~
- ~~(34)~~ The experience of the applicant in the transportation of passengers.
- ~~(45)~~ Any facts the applicant believes tend to prove that public convenience and necessity require the granting of an operating permit.
- (6) The name, usual trade description, seating capacity, equipment, motor number, state license number, ~~rated horsepower and factory~~ vehicle identification number (VIN) of each motor vehicle to be operated or controlled by applicant, and the year in which each automobile was manufactured.
- (7) The location of any stand at which the taxicabs will remain when not in actual service.
- (8) The name and address of the person who will be in active charge and control of the taxicab business.

- (9) The proposed fares.
- (10) The color scheme or insignia to be used to designate the vehicles of the applicant.

SECTION 6. Chapter 90, Article 3, Taxicabs and Pedicabs, Section 90.163 is hereby amended as follows:

Sec. 90.163. Fees.

No operating permit required under this division shall be issued or continued in operation unless the holder thereof has paid an annual license fee of ~~\$200.00~~ \$400.00 and a twenty-dollar fee each year for each vehicle operated under an operating permit. The fees shall be paid to the city to compensate the city for its superintendence of the taxicab business operated ~~under~~ under this article and for the use of the city streets, alleys and public ways.

SECTION 7. Chapter 90, Article 3, Taxicabs and Pedicabs, Section 90.187 is hereby amended as follows:

Sec. 90.187. Application.

(a) ~~The holder of an operating permit shall file with the city secretary an application for a taxicab driver's permit for each driver employed by the holder. On the application the holder shall certify that there is currently in effect an insurance policy covering the driver while the driver is engaged in providing taxi service. Every individual proposing to drive a taxicab within the City shall submit an application to the City. The application shall include a sworn statement by the applicant that all information provided in the application is true and correct and shall further state that the City is authorized to require a copy of the applicant's driving record and criminal history - provided by the applicant, if any, of the applicant. The City shall investigate the facts stated in the application. A City taxi driver permit shall be issued to each driver fulfilling the requirements of this section. Every applicant shall furnish under oath the following information:~~

- (1) Name, local residence address, date of birth, and telephone number.
- (2) Texas driver's license number, expiration date and three-year driving record.
- (3) A statement that the applicant has not been finally convicted within the past seven (7) years of a felony or the following offenses involving moral turpitude which adversely affects the applicant's ability to provide safe and reliable passenger transportation:

- a. prostitution or related offenses;
- b. driving while intoxicated;
- c. driving while under the influence of drugs;
- d. violations of the Controlled Substance Act;
- e. rape, murder, attempted murder, aggravated assault;
- f. theft offenses of a Class B Misdemeanor or higher; or
- g. a felony or other offense involving moral turpitude which adversely affects the applicant's ability to provide safe and reliable passenger transportation.

(4) A statement certifying that there is currently in effect an insurance policy covering the driver while the driver is engaged in providing taxi service.

(5) That the applicant has read in full and understands the provisions of this section.

(f) It is the responsibility of the holder to immediately notify the city clerk if the insurance required by subsection (a) of this section is no longer in effect for a driver holding a driver's permit and employed by the holder.

SECTION 8. Chapter 90, Vehicles for Hire, of the San Marcos City Code is hereby amended by adding a new Article 6 to read as follows:

ARTICLE 6. TRANSPORTATION NETWORK COMPANIES

DIVISION 1. GENERALLY

Sec. 90.321. Definitions.

In this article:

Abnormal market disruptions are defined as any change in the ground transportation market, whether actual or imminently threatened, resulting from stress of weather, convulsion of nature, failure or shortage of electric power or other source of energy, strike, civil disorder, war, military action, national or local emergency, or other cause of an abnormal disruption of the market which results in the declaration of a state of emergency by the governor.

Operating permit means the permission granted by the city to operate a TNC inside the city for a period of one year, renewable under the provisions of this chapter.

Transportation Network Company (TNC) is defined as an organization whether a corporation, partnership, sole proprietor, or other form, that provides on-demand transportation services for compensation using an online-enabled application (app) or platform to connect passengers with drivers.

Transportation Network Company (TNC) Driver shall mean an individual who operates a motor vehicle that is:

- (1) owned, leased or otherwise authorized for use by the individual;
- (2) not a taxicab; and
- (3) used to provide Transportation Network Company services.

Transportation network company insurance is defined as commercial liability insurance coverage for each vehicle during all times the vehicle is operating under the authority of Transportation Network Company and is in furtherance of the Transportation Network Company's business.

"Transportation Network Company (TNC) Services" shall mean transportation of a passenger between points chosen by the passenger and prearranged with a TNC Driver through the use of a TNC digital network or software application. TNC Services shall begin when a TNC Driver accepts a request for transportation received through the TNC's digital network or software application service, continue while the TNC Driver transports the passenger in the TNC Driver's vehicle, and end when the passenger exits the TNC Driver's vehicle. TNC Service is not taxicab or street hail service.

Sec. 90.322. Fare charged for services.

(a) A TNC may charge a fare for the services provided to passengers; provided that, if a fare is charged, the TNC shall disclose to passengers the fare calculation method on its website or within the software application service. The TNC shall also provide passengers with the applicable rates being charged and the option to receive an estimated fare before the passenger enters the TNC Driver's vehicle.

(b) If a TNC utilizes dynamic pricing through its software application to incentivize drivers in an effort to maximize the supply of available vehicles on the network to match the demand for rides and increase reliability, the software application must:

- (1) provide clear and visible indication that dynamic pricing is in effect prior to requesting a ride;
- (2) include a feature that requires riders to confirm that they understand that dynamic pricing will be applied in order for the ride request to be completed; and
- (3) provide a fare estimator that enables the user to estimate the cost under dynamic pricing prior to requesting the ride;
- (4) during periods of abnormal market disruptions, dynamic pricing shall be prohibited;

Sec. 90.323. Agent Required.

The TNC must maintain an agent for service of process in the State of Texas.

Sec. 90.324. Identification of TNC Vehicles and Drivers.

Before a TNC ride is accepted, the TNC's software application or website shall display the driver's first name, an accurate picture of the TNC Driver, a picture or description of the vehicle, and the license plate number of the motor vehicle utilized for providing the TNC Service.

Sec. 90.325. Electronic Receipt Required.

Within a reasonable period of time following the completion of a trip, a TNC shall transmit an electronic receipt to the passenger that lists:

- (1) the origin and destination of the trip;
- (2) the total time and distance of the trip; and
- (3) an itemization of the total fare paid, if any.

Sec. 90.326. Zero Tolerance for Alcohol or Drug Use.

(a) The TNC shall implement a zero tolerance policy on the use of drugs or alcohol while a TNC Driver is providing TNC Services or is logged into the TNC's digital network but is not providing TNC Services, and shall provide notice of this policy on its website, as well as procedures to report a complaint about a driver with whom a passenger was matched and whom the passenger reasonably suspects was under the influence of drugs or alcohol during the course of the trip.

(b) Upon receipt of such passenger complaint alleging a violation of the zero tolerance policy, the TNC shall immediately suspend such TNC Driver's access to the TNC's digital platform, and shall conduct an investigation into the reported incident. The suspension shall last the duration of the investigation.

(c) The TNC shall maintain records relevant to the enforcement of this requirement for a period of at least two (2) years from the date that a passenger complaint is received by the TNC.

Sec. 90.327. No Street Hails

A TNC Driver shall exclusively accept rides booked through a TNC's digital network or software application service and shall not solicit or accept street hails.

Sec. 90.328. No Cash Rides

The TNC shall adopt a policy prohibiting solicitation or acceptance of cash payments from passengers and notify TNC Drivers of such policy. TNC Drivers shall not solicit or accept cash payments from passengers. Any payment for TNC Services shall be made only electronically using the TNC's digital network or software application.

Sec. 90.329. No Discrimination; Accessibility.

(a) The TNC shall adopt a policy of non-discrimination on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity with respect to passengers and potential passengers and notify TNC Drivers of such policy.

(b) TNC Drivers shall comply with all applicable laws regarding non-discrimination against passengers or potential passengers on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity.

(c) TNC Drivers shall comply with all applicable laws relating to accommodation of service animals.

(d) A TNC shall not impose additional charges for providing services to persons with physical disabilities because of those disabilities.

(e) A TNC shall provide passengers an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a TNC cannot arrange wheelchair-accessible TNC Service in any instance, it shall direct the passenger to an alternate provider of wheelchair-accessible service, if available.

Sec. 90.330. Records Required.

- (a) A TNC shall maintain:
 - (1) individual trip records which must include driver and passenger identity information for at least one (1) year from the date each trip was provided; and
 - (2) TNC Driver records at least until the one year anniversary of the date on which a TNC Driver's activation on the TNC digital network has ended.
- (b) Within 7 calendar days, a TNC shall furnish these records to the Chief of Police upon written request to aid in the investigation of complaints.

Sec. 90.331. Personal Identity Information.

A TNC shall not disclose a passenger's personal identity information to a third party unless: the passenger consents, disclosure is required by a legal obligation, or disclosure is required to protect or defend the terms of use of the service or to investigate violations of those terms. In addition to the foregoing, a TNC shall be permitted to share a passenger's name and/or telephone number with the TNC Driver providing TNC Services to such passenger in order to facilitate correct identification of the passenger by the TNC Driver, or to facilitate communication between the passenger and the TNC Driver.

Secs. 90.334--90.350. Reserved.

DIVISION 2. OPERATING PERMIT

Sec. 90.351. Required.

No TNC shall operate upon the city streets without having first obtained an operating permit from the city council.

Sec. 90.352. Application.

An application for an operating permit required under this division shall be filed with the city clerk upon forms provided by the city. The application shall contain the following information:

- (1) the name and business address of the applicant;

- (2) if a business entity, certified copies of the applicant's organizational documents, .e.g., certificate of organization, articles of incorporation, ~~bylaws, operating agreement, partnership agreement~~ or similar documents as applicable, together with evidence of authorization from the Texas Secretary of State to conduct business in the state of Texas, and current franchise tax account status ~~and information report from~~ ~~with~~ the Texas Comptroller;
- (3) the experience of the applicant in the transportation of passengers; and
- (4) any facts the applicant believes tend to prove that public convenience and necessity require the granting of an operating permit.

Sec. 90.353. Fees.

No operating permit required under this division shall be issued or continued in operation unless the holder thereof has paid an annual license fee of four hundred dollars (\$400.00). The fees shall be paid to the city to compensate the city for its superintendence of the TNC business operated under this article and for the use of the city streets, alleys and public ways.

Sec. 90.354. Public hearing.

(a) Upon the filing of an application for a permit under this division, a time and place shall be set for a public hearing thereon. Notice of the hearing shall be given to the applicant and to all persons to whom operating permits have been previously issued. Due notice shall also be given to the general public by publication of the notice, at least ten days prior to the date set for the hearing, in a newspaper of general circulation in the city.

(b) Any interested person may file with the city council a statement in support of or opposition to the issuance of an operating permit.

Sec. 90.355. Issuance.

If the city council, after the public hearing required by section 90.354, finds that TNC service or additional TNC service in the city is required by the public convenience and necessity and that the applicant is fit, willing and able to provide the public transportation and to conform to this article, the city council shall issue an operating permit stating the name and address of the applicant; otherwise the application shall be denied.

Sec. 90.356. Suspension and revocation.

(a) Upon complaint alleging a violation of any of the provisions of this article by a TNC driver or a TNC filed by any person with the chief of police, or upon the person's motion, the chief of police, after five (5) days' notice of the grounds of such complaint to the TNC driver or owner or operators of the TNC against whom complaint is made, shall hear evidence with reference to such complaint, and after such hearing, the chief of police may revoke or suspend the operating permit of such holder or require the TNC to remove said TNC driver from the system with good cause shown.

(b) Due cause for the suspension or revocation of an operating permit will include, but not be limited to, the following:

- (1) failure of the operating permit holder to maintain any and all of the general qualifications applicable to the initial issuance of the permit as set forth in this title;
- (2) obtaining an operating permit by providing false information;
- (3) discontinuing operations for more than ten days;
- (4) violating any ordinance of the city, the laws of the United States or of the state, the violation of which adversely affects the ability of holder to offer public transportation network services; or
- (5) violating any part of this article.

(c) The holder shall have the right to appeal the suspension or revocation to the city manager within ten (10) business days of the notice of suspension or revocation. Such appeal will be submitted by a letter addressed to the city manager stating that an appeal from the decision of the chief of police is desired to the city manager. Upon receiving such notice of appeal, the city manager, as soon as practical thereafter, shall conduct a hearing at which the appealing party will be given an opportunity to present evidence and make argument in the person's behalf. The formal rules of evidence do not apply to an appeal hearing under this section. The city manager shall make its ruling on the basis of a preponderance of the evidence at the hearing.

(d) The city manager will affirm, modify or reverse the decision of the chief of police. The decision of the city manager is final.

(e) If no appeal is taken from the ruling of the chief of police in the time and manner as provided in this title, the ruling of the chief of police shall be final.

(f) Any person who continues to operate a TNC under a permit that has been suspended or revoked for any reason while the suspension or revocation is in effect shall be considered guilty of a misdemeanor and upon conviction thereof, shall be assessed a penalty accordingly. Every day's violation shall be considered to be a separate offense.

Secs. 90.357--90.370. Reserved.

DIVISION 3. DRIVER AND VEHICLE REQUIREMENTS

Sec. 90.371. Driver background check required.

(a) Prior to permitting an individual to act as a TNC Driver on its digital platform, the TNC shall:

- (1) require the individual to submit an application to the TNC which includes information regarding his or her address, age, driver's license, driving history, motor vehicle registration, automobile liability insurance, and other information required by the TNC;
- (2) conduct, or have a third party conduct, a local and national criminal background check for each applicant that shall include:
 - a. Multi-State/Multi-Jurisdiction Criminal Records Locator or other similar commercial nationwide database with validation (primary source search); and
 - b. National Sex Offender Registry database; and
- (3) obtain and review a driving history research report for such individual.

(b) The TNC shall not permit an individual to act as a TNC Driver on its digital platform who:

- (1) has had more than three moving violations in the prior three-year period, or one major violation in the prior three-year period (including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license);
- (2) has been convicted, within the past seven years, of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, and/or class B misdemeanor or higher theft, acts of violence, or acts of terror;

- (3) is a match in the National Sex Offender Registry database;
- (4) does not possess a valid driver's license;
- (5) does not possess proof of registration for the motor vehicle(s) used to provide TNC Services;
- (6) does not possess proof of automobile liability insurance for the motor vehicle(s) used to provide TNC Services; or
- (7) is not at least 19 years of age.

(c.) Notification – in the event that a TNC becomes aware of a driver being involved in criminal conduct or driving violations or otherwise becomes ineligible to serve as a driver by virtue of no longer meeting the criteria listed above, the TNC shall immediately terminate the driver's ability to access the platform's application. ~~and shall also immediately notify the Chief of Police of this fact in writing.~~

Sec. 90.372. Vehicle safety and emissions.

The TNC shall require that any motor vehicle(s) that a TNC Driver will use to provide TNC Services meets the requirements set forth in Chapter 547 of the Texas Transportation Code for vehicle safety equipment and inspection.

Secs. 90.373--90.380. Reserved.

DIVISION 4. TNC AND TNC DRIVER INSURANCE REQUIREMENTS

Sec. 90.381. Insurance requirements.

(a) The following automobile liability insurance requirements shall apply during the time that a TNC Driver has logged into a TNC's digital network and is available to receive requests for transportation but not providing TNC Services:

- (1) Automobile liability insurance that meets at least the minimum coverage requirements per section 601.072 (a-1) of the Texas Motor Vehicle Safety Responsibility Act.
- (2) Automobile liability insurance in the amounts required in paragraph (1) of subsection (a) shall be maintained by a TNC and provide coverage in the event a participating driver's insurance policy under subsection (a)(1) excludes coverage according to its policy terms or does not provide coverage of at least the limits required in paragraph (1) of subsection (a).

(b) The following automobile liability insurance requirements shall apply while a TNC driver is providing TNC Services:

- (1) Provides primary automobile liability insurance that recognizes the TNC Driver's provision of TNC Services;
- (2) Provides primary automobile liability insurance coverage of at least one million dollars (\$1,000,000) for death, personal injury and property damage;
- (3) The coverage requirements of this subsection (b) may be satisfied by any of the following:
 - a. Automobile liability insurance maintained by the TNC Driver; or
 - b. Automobile liability insurance maintained by the TNC; or
 - c. Any combination of subparagraphs (a) and (b).

(c) In every instance where insurance maintained by a TNC Driver to fulfill the insurance requirements of this section has lapsed, failed to provide the required coverage, denied a claim for the required coverage or otherwise ceased to exist, insurance maintained by a TNC shall provide the coverage required by this section beginning with the first dollar of a claim.

(d) Insurance required by this section may be placed with satisfied by an insurer authorized to do business in the state or with a surplus lines insurer eligible under Chapter 981 of the Insurance Code.

Sec. 90.382. Disclosure requirements.

A TNC shall disclose in writing to TNC Drivers, as part of its agreement with those drivers, the insurance coverage and limits of liability that the TNC provides while the driver uses a personal vehicle in connection with a TNC's online-enabled digital network. A TNC shall also disclose in writing to participating drivers, as part of its agreement with those drivers, that the driver's own automobile insurance policy may might not provide coverage while the TNC driver uses a vehicle in connection with a TNC's digital network depending on its terms.

Secs. 90.383--90.400. Reserved.

SECTION 9. In codifying the changes authorized by this ordinance, paragraphs,

sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 10. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 11. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 12. This ordinance will take effect after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on April 7, 2015.

PASSED, APPROVED AND ADOPTED on second reading on April 21, 2015.

Daniel Guerrero
Mayor

Attest:

Approved:

Jamie Lee Pettijohn
City Clerk

Michael J. Cosentino
City Attorney