ORDINANCE NO. 5406

AN ORDINANCE TO AMEND CHAPTER 39 – VEHICLES FOR HIRE, SECTION 48, RATES - OF THE CODE OF ORDINANCES OF MEMPHIS, TENNESSEE

WHEREAS, the Memphis City Council established criteria for the taxi industry to impose a fuel surcharge to help operators deal with high fuel cost without raising taxicab rates; and

WHEREAS, the Memphis City Council strives to ensure this benefit is flexible, as fuel costs fluctuate throughout the year.

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS,

That Chapter 39 – Vehicles for Hire, Section 48 Rates, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 39-48. Rates.

(c) (7) A two-dollar ($2.00) fuel surcharge per trip is to be added to all taxicab rates and fares and shall remain at two dollars ($2.00) unless one of the following two conditions exists, as currently reported at www.fuelgaugereport.com:

a. The fuel surcharge shall increase to three dollars ($3.00) when the average price of unleaded regular gasoline in the City of Memphis reaches or exceeds five dollars ($5.00) per gallon for a minimum period of sixty (60) consecutive days; or

b. The fuel surcharge shall decrease to one dollar ($1.00) when the average price of unleaded regular gasoline in the City of Memphis reaches or remains below three dollars ($3.00) per gallon for a minimum period of sixty (60) consecutive days.

SECTION 2. BE IT FURTHER ORDAINED, that the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases, or parts is held unconstitutional or void, the remained of this Ordinance shall continue in full force and effect.

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SECTION 3. BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, that this ordinance shall take effect on the later of: after it is passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller and become effective as otherwise provided by law.

HAROLD COLLINS
Memphis City Council

MYRON LOWERY
Council Chairman

Attest:
Patrice Thomas, Comptroller

THE FOREGOING ORDINANCE
5406 PASSED
1st Reading 6-7-11
2nd Reading 6-21-11
3rd Reading 7-5-11
Approved Myron Lowery
Chairman of Council
Date Signed: 7/19/2011

Approved:
Mayor, City of Memphis MBS

Date Signed: 07-21-2011

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.
Valerie C. Snipes
Comptroller