

ORDINANCE # 6 OF 2015

AMENDING CHAPTER 268 OF THE AUBURN CITY CODE REGULATING TAXICABS

By Councilor Ruzicka

August 20, 2015

WHEREAS, Chapter 268 of the Auburn City Code is entitled “City of Auburn Taxicab Ordinance”; and

WHEREAS, the Ordinance requires that no person shall drive a taxicab within the City without a taxicab license and the Ordinance sets forth all qualifications in order to obtain a license and among the qualifications is a requirement that the applicant be fingerprinted and that the fingerprints be forwarded to the Division of Criminal Justice Services; and

WHEREAS, it is desirous that Section 268-6 entitled “Fingerprints and photo of taxicab driver” be amended to conform the fingerprinting requirements to applicable current State Law as follows:

- A. Required. Each applicant for a taxicab driver's license shall **[file with his or her application a photo and impressions of the fingers of his or her right and left hands placed upon forms furnished by the Chief of Police, and such impressions and photo are to be taken under the supervision of the Chief at such place and by such person as the Chief may designate]**contact the Auburn Police Department Identification Bureau for the purpose of scheduling an appointment for submission of civilian fingerprints.
- B. The applicant’s fingerprints and any applicable fees shall be forwarded to the Division of Criminal Justice Services (DCJS) in the form and manner as prescribed by DCJS for a complete criminal background check. Applicants are responsible for all fees associated with the fingerprint submission. Applicants may contact the Auburn Police Department I.D. Bureau for a fee schedule.
- C. The Chief of Police or Captain of Detectives shall review all information provided by DCJS in connection with the applicant’s criminal background check.
- D. Grounds for denial of license. No license shall be granted to a person who has been convicted of a felony. **[subject to the provisions of Article 23-A of the Correction Law.]** Where the felony conviction is a crime against property, at the discretion of the Chief of Police, a probationary license may be issued. In addition, at the discretion of the Chief of Police, persons convicted of misdemeanors involving crimes against persons and/or crimes which are alcohol or drug-related may be denied a license. Any denial of license is subject to Article 23 and 23-A of the New York State Correction Law.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Auburn, New York does hereby amend Section 268-6 of the Taxicab Ordinance for the City of Auburn as follows:

- A. Required. Each applicant for a taxicab driver's license shall **[file with his or her application a photo and impressions of the fingers of his or her right and left hands placed upon forms furnished by the Chief of Police, and such impressions and photo are to be taken under the supervision of the Chief at such place and by such person as the Chief may designate]**contact the Auburn Police Department Identification Bureau for the purpose of scheduling an appointment for submission of civilian fingerprints.
- B. The applicant's fingerprints and any applicable fees shall be forwarded to the Division of Criminal Justice Services (DCJS) in the form and manner as prescribed by DCJS for a complete criminal background check. Applicants are responsible for all fees associated with the fingerprint submission. Applicants may contact the Auburn Police Department I.D. Bureau for a fee schedule.
- C. The Chief of Police or Captain of Detectives shall review all information provided by DCJS in connection with the applicant's criminal background check.
- D. Grounds for denial of license. No license shall be granted to a person who has been convicted of a felony. **[subject to the provisions of Article 23-A of the Correction Law.]** Where the felony conviction is a crime against property, at the discretion of the Chief of Police, a probationary license may be issued. In addition, at the discretion of the Chief of Police, persons convicted of misdemeanors involving crimes against persons and/or crimes which are alcohol or drug-related may be denied a license. Any denial of license is subject to Article 23 and 23-A of the New York State Correction Law.; and

BE IT FURTHER ORDAINED that said Ordinance shall become effective upon publication.

Seconded by Councilor McCormick

	Ayes	Noes
Councilor McCormick	X	
Councilor Camardo	X	
Councilor Cuddy	X	
Councilor Ruzicka	X	
Mayor Quill	X	
Carried and Adopted	X	

City of Auburn, New York

I do hereby certify that the foregoing is a correct copy of the vote for Ordinance # 6 of 2015 of the City Council of the City of Auburn, N.Y., at a regular meeting thereof, held in the Council Chambers, Memorial City Hall, in said city, on the 20th day of August, 2015 and that the City Council approved such by the vote listed above.

Charles Mason, City Clerk Date: August 21, 2015

Additions indicated by underlining. Deletions by **bold** and in **brackets**. [].