



Treasury Division  
Finance Department

February 12, 2014

[REDACTED]  
Tulsa, OK 74135

Dear Mr. [REDACTED]

This letter is to notify you of the decision made at the administrative hearing concerning the adverse action of suspension of your taxicab chauffeur license. On February 12, 2014 at 11:00 a.m., an administrative hearing was held for William Kalaani. The proposed action of the suspension of your taxi chauffeur license was upheld; **your chauffeur license will be suspended for a period of seven (7) days beginning Tuesday, February 25, 2014.**

Tulsa Revised Ordinances, Title 36, details specific requirements of taxicab chauffeur licensees. Your suspension is based on findings that you were in violation of the following:

**Section 123. Rules and regulations**

A. *It shall be unlawful and a misdemeanor offense for any chauffeur or certificate holder to fail to comply with the following rules and regulations.*

14. *A chauffeur shall not overcharge any passenger; nor shall he request, demand, or arrange for compensation in an amount greater than the taxicab or paratransit vehicle rate applicable to the service provided.*
16. *A chauffeur of a taxicab shall activate the taximeter at the beginning of each trip and deactivate the taximeter upon completion of the trip, providing the customer with the receipt printed by the taximeter, unless the trip is a fixed-rate trip approved as such pursuant to the provisions of this chapter. A chauffeur of a taxicab shall apply all fares in accordance with Section 134.F of this title.*

You may appeal this decision to the City Council by filing a written notice of appeal, specifying the grounds for the appeal, with the City Clerk and the Council Secretary within ten (10) working days of the date of this notice. You may direct questions concerning this decision or the filing of an appeal to me at (918) 596-7642.

Sincerely,

Chad Becker  
License and Collection Center Manager

cc: Mike Kier, Director of Finance  
Stan Jones, Treasury Division Manager  
Robert Edmiston, Assistant City Attorney  
Keri Fothergill, Constituent Services  
Yellow Cab Company



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\_\_\_\_\_, 2014.)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 36, TULSA REVISED ORDINANCES, ENTITLED "TAXICABS"; AMENDING SECTION 103 ENTITLED "ADMINISTRATION AND APPEALS," AUTHORIZING AN ORDER OF RESTITUTION UPON A FINDING OF AN OVERCHARGE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES.

BE IT ORDAINED BY THE CITY OF TULSA:

*Section 1. That Title 36, Chapter 1, Section 103, Tulsa Revised Ordinance, be and the same is hereby amended to read as follows:*

**"SECTION 103. ADMINISTRATION AND APPEALS.**

- A. The Mayor shall have the power and it shall be his duty to administer the provisions of this chapter and, when necessary, to adopt and implement rules and regulations consistent with the intent of this chapter. Such rules and regulations shall be approved by the Council and filed with the City Clerk.
- B. **Notice of adverse action.** If the Director or his authorized representative proposes to take any action adverse to an applicant, holder, chauffeur, licensee or permittee, he shall establish a time, date and place for an administrative hearing and shall notify such person (hereinafter "respondent") of the pending action at the respondent's address contained on his most recent application. If no address is included in the most recent application, notice shall be served in care of the certificate holder with which the respondent is associated. The notice shall be served on the respondent personally or by United States Mail, certified, return receipt requested. The notice shall be served or postmarked no later than seven (7) days preceding the date of the administrative hearing and shall:
1. Set forth in detail the proposed action and the reasons therefor;
  2. Designate any section of this chapter, any statute, ordinance or other authority which requires or supports the proposed action;
  3. Set forth the date, time and place of the administrative hearing;
  4. Advise the respondent that he may be present at such hearing to provide reasons why the proposed action should not be taken; and
  5. Advise the respondent that if he fails to appear at the administrative hearing, action may be taken in his absence.

Copies of such notice shall also be sent to the complaining party, if applicable, and to all certificate holders.

- C. **Administrative hearing.** An administrative hearing shall be held on the date and time and at the place contained in the notice described above.
1. If the respondent appears, he shall be afforded an opportunity to be heard. Following the hearing, the Director may take or refrain from taking the proposed action or may modify the same by placing reasonable conditions on the respondent, or otherwise, according to the provisions of this chapter.
  2. If the respondent fails to appear, notice of the decision made or action taken shall be given to all parties, and unless appealed to the City Council as hereinafter provided, such decision shall be final and binding ten (10) working days from and after the date of the decision.
  3. Notice of the action taken or decision made shall be given by Certified Mail, return receipt requested or by personal delivery to the respondent, at the address given in the respondent's most recent application, or if none, in care of the certificate holder with which the respondent is associated.
  4. The respondent shall be advised of his right to appeal the action or decision to the City Council.
- D. **Appeals to the Council.** Any person aggrieved by a decision of the Director may file an appeal to the Council by filing a written notice of appeal with the Council Secretary and the Director within ten (10) working days of the date of the decision complained of. Such notice shall specify the grounds for the appeal. A hearing on the appeal shall be heard by the Council not later than fifteen (15) days from the date of filing the notice of appeal. If an appeal is filed, the Director shall notify the complaining party, if applicable, and all certificate holders.
- E. **Enforcement stayed.** If an appeal of the Director's decision is made to the Council, enforcement of such decision shall be stayed until the Council has rendered its decision, unless the Director certifies to the Council that a stay would cause imminent danger to life or property.
- F. **Administrative Ceosts and Passenger Restitution.** Any determination by the Director regarding whether or not an applicant, holder, chauffeur, licensee or permittee has failed to comply with any of the provisions of this Chapter may also include the requirement that the applicant, holder, chauffeur, licensee or permittee pay a sum not to exceed Five Hundred Dollars (\$500.00) to defray administrative costs associated with the investigative and administrative hearing process. Should the Director's determination include a finding that an applicant, holder, chauffeur, licensee or permittee, pursuant to this Chapter, requested, demanded or arranged for compensation in an amount greater than the lawful taxicab or paratransit vehicle rate authorized for the service provided, the Director is authorized to require the applicant, holder, chauffeur, licensee or permittee to pay restitution to the passenger/customer equal to the amount of the overcharge.

(Ord. Nos. 18112, 20883)

Section 2. SEVERABILITY CLAUSE. *If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.*

Section 3. REPEAL OF CONFLICTING ORDINANCES. *That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.*

ADOPTED by the Council: \_\_\_\_\_  
Date

\_\_\_\_\_  
Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: \_\_\_\_\_, at \_\_\_\_\_  
Date Time

Dewey F. Bartlett, Jr., Mayor

By \_\_\_\_\_  
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: \_\_\_\_\_  
Date

at \_\_\_\_\_  
Time

\_\_\_\_\_  
Mayor

(Seal)

ATTEST:

\_\_\_\_\_  
Deputy City Clerk

APPROVED:

\_\_\_\_\_  
City Attorney *rre*