

**AN ORDINANCE AMENDING CHAPTER 237 OF THE
CODE OF THE CITY OF MOUNT VERNON,
ENTITLED “TAXICABS,” TO ADD A NEW SECTION
REGARDING TAXI-TOP ADVERTISING**

WHEREAS the City of Mount Vernon (the “City”) seeks to improve the quality of taxicab services operating within the City; and

WHEREAS, the City Council finds that additional regulation of taxicab operations, including the installation and operation of taxi-top advertising devices, is necessary to address the concerns of taxicab owners and support the taxicab industry; and

WHEREAS, the City Council further finds that establishing standards for taxi-top advertising devices, together with a registration requirement and related enforcement provisions, is in the best interests of the City, the riding public, and the taxicab industry;

NOW, THEREFORE, the City of Mount Vernon, in City Council convened, does hereby ordain and enact as follows:

Section 1. Addition of New § 237-43.

Chapter 237 of the Code of the City of Mount Vernon is hereby amended by adding a new section, § 237-43, to read as follows:

“§ 237-43 Taxi-Top Advertising.

A. Registration required.

No taxicab licensed pursuant to this chapter shall display or operate any rooftop advertising sign, digital advertising display, or other taxi-top advertising device unless the owner of the taxicab has first registered such device with the Commissioner of Public Safety, or such other officer or department as may be designated by the City.

B. Registration fee.

The annual registration fee for each taxi-top advertising device shall be fifty dollars (\$50.00), to be paid by the owner of the licensed taxicab at the time of registration or renewal.

C. Advertising revenue.

Any and all revenue generated from taxi-top advertising displayed on a licensed taxicab shall belong solely to the owner of the taxicab operating the vehicle.

D. Conditions of registration.

As a condition of approval, any taxi-top advertising device shall:

1. Be securely affixed to the vehicle in a manner that does not interfere with the safe operation of the taxicab;
2. Comply with all applicable provisions of the Vehicle and Traffic Law and any other applicable federal, state, or local law, rule, or regulation;
3. Not obstruct the driver's vision or otherwise create a hazard to passengers, pedestrians, or other motorists;
4. Be maintained in good working order and safe condition at all times;
and
5. Display only lawful advertising content.

E. Prohibited advertising content.

No taxi-top advertising shall contain obscene material or advertise unlawful activity. The Commissioner of Public Safety may require removal of any taxi-top advertising that violates this chapter or any other applicable law.

F. Suspension or revocation of registration.

The registration for a taxi-top advertising device may be suspended or revoked by the Commissioner of Public Safety upon notice to the taxicab owner for failure to comply with this section or any applicable law, rule, or regulation.

G. No City endorsement.

Registration of a taxi-top advertising device by the City shall not constitute approval or endorsement of the content of any advertisement displayed thereon.

H. Rules and regulations.

The Commissioner of Public Safety may promulgate such rules and regulations as are reasonably necessary to implement and enforce the provisions of this section.”

Section 2. Severability. If any clause, sentence, paragraph, subdivision, section or part of this Ordinance or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Ordinance, or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 3. Effective Date. This Ordinance shall take effect immediately upon adoption by the City Council and filing as required by law.

New Matter Underlined

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