

AN ORDINANCE 100552

**AMENDING CITY ORDINANCE NO. 89366, DATED MARCH 4, 1999,
AND SECTION 33-044 OF THE SAN ANTONIO CITY CODE TO
EXPAND THE ENFORCEMENT DUTIES OF THE SAN ANTONIO
POLICE DEPARTMENT PUBLIC SAFETY TEAM VOLUNTEERS TO
INCLUDE ADMINISTRATIVE VIOLATIONS OF THE VEHICLES-FOR-
HIRE REGULATIONS OF CHAPTER 33 OF THE CITY CODE.**

* * * * *

WHEREAS, pursuant to Ordinance 89366, passed on March 4, 1999, San Antonio Police Department (SAPD) Public Safety Team (PST) volunteers may be authorized by the Chief of Police to act as disabled-parking enforcement volunteers, with the authority to issue citations for the improper use of disabled parking spaces; and

WHEREAS, pursuant to Ordinance 99606, passed on August 19, 2004, SAPD PST volunteers may also be authorized by the Chief of Police to act as fire-lane enforcement volunteers, with the authority to issue citations for the improper use of fire lanes; and

WHEREAS, it has proved difficult to ensure full compliance with the provisions of Chapter 33 of the San Antonio City Code by the ground transportation industry; and

WHEREAS, it is believed that authorizing SAPD PST volunteers to act as ground-transportation enforcement volunteers, with the authority to issue citations for administrative violations of the provisions of Chapter 33 of the San Antonio City Code, would enhance enforcement of said provisions; and

WHEREAS, in order to fully effectuate the authority of SAPD PST volunteers to act as ground-transportation enforcement volunteers, it is necessary to amend both Ordinance 89366 and Section 33-044 of the San Antonio City Code; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Ordinance 89366, passed on March 4, 1999, is hereby amended to include, in addition to its original provisions and those provisions adopted by way of Ordinance 99606, passed on August 19, 2004, the following provisions:

SECTION 12. The chief of police of the San Antonio Police Department may appoint any qualified person as a ground-transportation enforcement volunteer to issue citations charging persons with administrative violations of the provisions of Chapter 33 of the San Antonio City Code. The chief of police may remove any person appointed as a ground-transportation enforcement volunteer. The chief of police may adopt rules to implement the appointment, use, and conduct of ground-transportation enforcement volunteers.

SECTION 13. To be eligible for appointment as a ground-transportation enforcement volunteer, a person must: (1) be a United States citizen of good moral character who has

not been convicted of a felony; (2) take and subscribe to an oath of office prescribed by the city; and (3) successfully complete a training program of at least four hours in length developed by the city.

SECTION 14. A person seeking appointment as a ground-transportation enforcement volunteer must submit an application that, at a minimum, demonstrates that he meets the qualifications set out in Section 13.

SECTION 15. A person appointed as a ground-transportation enforcement volunteer is hereby authorized to issue citations to any person committing administrative violations of the provisions of Chapter 33 of the San Antonio City Code, as adopted and amended.

SECTION 16. A person appointed as a ground-transportation enforcement volunteer (1) is not a peace officer; (2) has no authority other than the authority applicable to a citizen to enforce a law other than those set out in section 15 (appointment as a ground-transportation enforcement volunteer, however, does not preclude appointment as a disabled-parking or fire-lane enforcement volunteer); (3) may not carry a weapon while performing the duties of a ground-transportation enforcement volunteer; (4) is not entitled to any compensation for performing the duties of a ground-transportation enforcement volunteer; and (5) is not entitled to indemnification from the city for injury or property damage the person sustains or liability the person incurs in performing the duties of a ground-transportation enforcement volunteer.

SECTION 2. Section 33-044 of the San Antonio City Code is hereby amended in its entirety as follows:

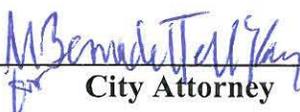
A vehicle for hire driver shall at all times keep a driver permit in the driver's possession and shall allow the director, a peace officer, or any other person authorized to enforce the provisions of this chapter to examine said permit upon request.

SECTION 3. This ordinance shall take effect ten days from the date of passage.

PASSED AND APPROVED this 10th day of March, 2005.


M A Y O R

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

Agenda Voting Results

Name: 36.

Date: 03/10/05

Time: 04:30:43 PM

Vote Type: Multiple selection

Description: An Ordinance amending City Ordinance No. 89366, dated March 4, 1999, and Section 33-044 of the San Antonio City Code to expand the enforcement duties of the San Antonio Police Department Public Safety Team volunteers to include administrative violations of the vehicles-for-hire regulations of Chapter 33 of the City Code. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8	Not present			
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		

**CITY OF SAN ANTONIO
POLICE DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council
FROM: Albert A. Ortiz, Chief of Police
SUBJECT: Amending City Ordinance No. 89366, dated March 4, 1999 relating to Vehicles for Hire
DATE: March 10, 2005

SUMMARY AND RECOMMENDATIONS

Amending City Ordinance No. 89366, dated March 4, 1999, to expand the enforcement duties of the San Antonio Police Department Public Safety Team Volunteers to include San Antonio City Code, Chapter 33, Administrative Violations.

Staff recommends approval.

BACKGROUND INFORMATION

On January 20, 2005, Council approved Ordinance No. 100329 which amended City Code Chapter 33 "Vehicles for Hire" by clarifying certain terms' definitions, removing certain terms and adding new language to promote efficient, reliable, and quality ground transportation services. The enforcement would be implemented by the San Antonio Police Department Public Safety Team (SAPD/PST) volunteers, Bicycle Patrol Officers, and Detectives from other units.

In order to accomplish this enforcement effort the SAPD/PST must be authorized to issue administrative citations. This ordinance will authorize the SAPD/PST's to act as ground transportation enforcement volunteers, with the authority to issue administrative citations. Examples of citations that may be issued are: overloading taxi stand or taxi, incomplete manifest, refusing to transport, unsafe driving/parking, not using meter, personal hygiene, parking in other areas other than a cab stand, expired, no or invalid TDL, expired City driver permit, driving for other than listed on City Permit, charter vehicle soliciting, incorrect or no permit, and no insurance.

The SAPD/PST is a group of non-paid volunteers who are uniformed, operate city vehicles, and have been operating within the SAPD for four years without incident. They are currently administered out of the Uniform Patrol Division and are under the supervision of a "PST Coordinator" out of each service area's San Antonio Fear Free Environment (SAFFE) Unit. Currently PST's enforce handicap and fire lane violations. These additional duties for the PST's

will help police officers allot their time for situations of higher need, as they continue to secure general public safety for the community.

POLICY ANALYSIS

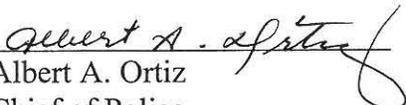
This action facilitates City Council's continuing policy of conducting comprehensive reviews and oversight of city operations.

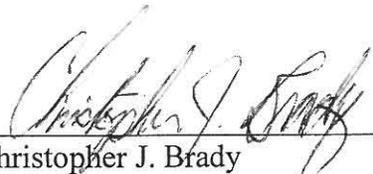
FISCAL IMPACT

This action does not impact the General Fund.

COORDINATION

This ordinance request has been coordinated with Finance, City Attorney's Office and the Office of Management & Budget.


Albert A. Ortiz
Chief of Police


Christopher J. Brady
Assistant City Manager


J. Rolando Bono
Interim City Manager



San Antonio Police Department

Public Safety Team Duties

Item # 36

March 10, 2005

1



SAPD Public Safety Team (PST)



- PST – A group of non-paid volunteers, who work in uniform, operate city vehicles and enforce Disabled Parking and Fire Lane Ordinances.
- Created on March 4, 1999 pursuant to Ordinance #89366.
- Assigned out of the Patrol Division/SAFFE Unit.
- Received 50 hours of specialized training.
- Exemplary service without any complaints.

2



Proposed Action



- Expand enforcement duties of the PST to include S.A. City Code Chapter 33 (Vehicles for Hire) administrative violations.
- Allows police officers to concentrate on more serious crime issues.
- No impact on budget.
- Continues an excellent community relations program.

3



Staff recommends approval



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PUBLIC NOTICE

AN ORDINANCE 100552

AMENDING CITY ORDINANCE NO. 89366, DATED MARCH 4, 1999, AND SECTION 33-044 OF THE SAN ANTONIO CITY CODE TO EXPAND THE ENFORCEMENT DUTIES OF THE SAN ANTONIO POLICE DEPARTMENT PUBLIC SAFETY TEAM VOLUNTEERS TO INCLUDE ADMINISTRATIVE VIOLATIONS OF THE VEHICLES-FOR-HIRE REGULATIONS OF CHAPTER 33 OF THE CITY CODE.

PASSED AND APPROVED THIS 10TH DAY OF MARCH, 2005.

/s/ EDWARD D. GARZA
Mayor

ATTEST:
/s/ LETICIA M. VACEK
City Clerk
3/22

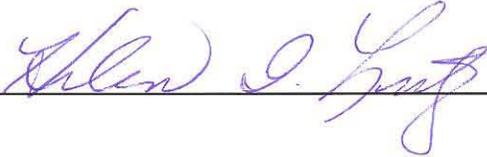
Affidavit of Publisher

STATE OF TEXAS,

COUNTY OF BEXAR

CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the City of San Antonio-City Clerk-Ordinance 100552 hereto attached has been published in every issue of said newspaper on the following days, to-wit: March 22, 2005.



Sworn to and subscribed before me this 22nd day of March, 2005.



Notary Public in and for Bexar County, Texas

