



3.3

OFFICE OF THE  
CITY CLERK

CITY OF SACRAMENTO  
CALIFORNIA

INTERIM CITY HALL  
ROOM 211  
730 I STREET  
SACRAMENTO, CA  
95814-2671

PH 916-808-5427  
FAX 916-808-7672

[www.cityofsacramento.org](http://www.cityofsacramento.org)

March 15, 2004

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Appeal of Chan Pir Shah regarding the Denial of Application for Renewal of Taxi Vehicle Permit by the Revenue Division

LOCATION AND COUNCIL DISTRICT:

The subject address is **5421 14<sup>th</sup> Avenue, Sacramento CA 95820 (District 6)**

STAFF RECOMMENDATION: This report is for information only.

CONTACT PERSON: Carolyn E. Hoover, 808-7605  
Shirley Concolino, 808-5442

FOR COUNCIL MEETING OF: March 23, 2004

SUMMARY:

On March 3, 2004 the City Clerk determined that the appeal may involve a lengthy fact finding process which would be more appropriately accommodated by a formal hearing before a hearing officer. The hearing for this appeal has been scheduled to be held at **9:00 a.m. on Wednesday, April 7, 2004, at the McGeorge School of Law, 3455 Fifth Avenue, Sacramento CA, 95817, in Rooms S-9 and S-10.**

COMMITTEE/COMMISSION ACTION: None

BACKGROUND INFORMATION:

Pursuant to Chapter 5.136.140(B) of the Sacramento City Code, attached is the appeal of Mr. Chan Pir Shah of the action taken by Brad Wasson, Revenue Manager, as set forth in his letter dated February 18, 2004, attached to this report. Mr. Shah's appeal contends that his vehicle has

been repaired and he inadvertently brought the wrong document to the internal hearing. (Appeal attached.)

**FINANCIAL CONSIDERATIONS:**

The estimated cost is \$2,200. The funds are available from the Finance Department, Revenue Division budget.

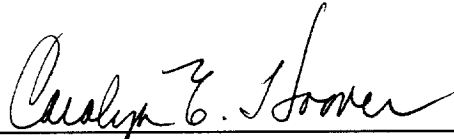
**POLICY CONSIDERATIONS:**

The current policy regarding administrative appeals is consistent with procedures specified in the Sacramento City Code.

**ESBD CONSIDERATIONS:**

Not applicable.

Respectfully submitted,



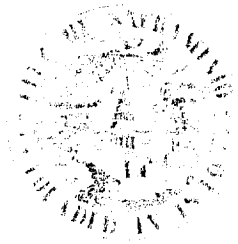
Carolyn E. Hoover, Deputy City Clerk



Shirley Concolino, City Clerk

Attachments: Denial of Application Letter from Revenue Manager, dated February 18, 2004  
Appeal of Chan Pir Shah, dated March 3, 2004

cc: Hearing Officer, McGeorge School of Law  
Deputy City Attorney Sheri Buzard  
Revenue Manager Brad Wasson  
File



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March 16, 2004

Chan Pir Shah  
5421 14<sup>th</sup> Avenue  
Sacramento CA 95820

SUBJECT: NOTICE OF ADMINISTRATIVE APPEAL HEARING

Dear Mr. Shah:

In accordance with Chapter 5.136.140(B) of the Sacramento City Code, it has been determined that your appeal regarding the Revenue Manager's denial of your application to Renew your Taxi Vehicle Permit will involve a lengthy fact finding process.

Your appeal has been scheduled for a formal hearing before a hearing officer on **Wednesday, April 7, 2004 at 9:00 a.m., McGeorge School of Law, 3455 Fifth Avenue, Sacramento, CA 95817, in Rooms S-9 and S-10.** You have the right to bring an attorney or other representative to assist you at the hearing.

Under Chapter 1.24.090 of the Sacramento City Code, the decision of the Hearing Officer is final and no appeal may be taken to the City Council. If you have any other questions concerning this matter, you may call me at (916) 808-7605.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn E. Hoover".

Carolyn E. Hoover  
Deputy City Clerk

cc: Hearing Officer, McGeorge School of Law  
Sheri Buzard, Deputy City Attorney  
Brad Wasson, Revenue Manager  
File



DEPARTMENT OF  
FINANCE

REVENUE DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

February 18, 2004

CITY HALL  
ROOM 104  
915 I STREET  
SACRAMENTO, CA  
95814-2696

REVENUE  
ADMINISTRATION  
916-264-5724

Frontier Cab  
Chan Pir Shah  
5421-14th Avenue  
Sacramento, CA 95820

CERTIFIED MAIL #7003 1680 004 1950 4758

Mohammed Iqbal  
5815 - 41<sup>st</sup> Street  
Sacramento, CA 95824

CERTIFIED MAIL #7003 1680 004 1950 4765

Mohammed Sadiq  
798 Greenwood Avenue  
West Sacramento, CA 95605

CERTIFIED MAIL #7003 1680 004 1950 4772

Asif Mehmood  
1053 Carrie Street  
West Sacramento, CA 95605

CERTIFIED MAIL #7003 1680 004 1950 4789

RE: NOTICE OF DECISION OF HEARING OFFICER RE:  
DENIAL OF APPLICATION FOR RENEWAL OF TAXI VEHICLE PERMIT  
Frontier Taxicab No. 3  
City of Sacramento Taxicab Vehicle Permit  
Vehicle License No. 6K66346  
VIN: 2FALP71W5TX174341

A hearing was held pursuant to Sacramento City Code Section 5.136.140 regarding the denial of the taxicab vehicle permit renewal for the above referenced taxicab on February 25, 2004 at 2:30 p.m. at Interim City, 730 I Street, Sacramento.

Your application for renewal of the taxicab vehicle permit was denied by Revenue Division staff based on the fact that the state certificate of compliance for brake adjustment and lamp adjustment

RD:BS20040227001

you submitted as part of the renewal application (certificate numbers BA1444606 and LA1774706 respectively) had been altered to reflect a date of issuance other than the true date of issuance written by a state certified brake and lamp examiner.

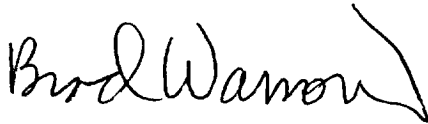
One of the requirements of the taxicab vehicle permit application is a "state certificate of compliance or other writing, dated not more than twelve (12) months preceding the application date, issued by a state-certified examiner or examiners, and evidencing that the taxicab complies with prevailing state lamp and brake equipment standards." [SCC §5.136.060(F)]

Sacramento City Code states a taxicab vehicular permit may be denied if "[t]he applicant knowingly made a false statement of fact required to be revealed in the permit application." [SCC §5.136.070(D)]

After consideration of the evidence and information provided by Revenue Division staff and by Chan Shah (appearing on behalf of Frontier Taxi), the denial of the renewal of the taxicab vehicle permit for the taxi referenced herein is upheld.

Pursuant to Sacramento City Code Section 5.136.140(B), you may appeal the decision to the City Clerk by filing a notice of appeal with ten (10) days after the receipt of this letter; a copy of the city code is attached. A non-refundable fee of \$250.00 is required for the appeal and must be paid at the time the appeal application is filed. If you have any questions regarding the appeal process, call the City Clerk's office at (916)808-7200.

If you have any other questions, please contact Revenue Services, Revenue Division at (916)808-8500.



Brad Wasson  
Revenue Manager

Encl.

cc: City Clerk's Office

## Title 5 BUSINESS LICENSES AND REGULATIONS

### Chapter 5.136 TAXICABS

#### 5.136.140 Procedure for permit denial, revocation or suspension.

A. Except as provided in Section 5.136.150(B) of this chapter, director may deny, revoke or suspend a taxicab vehicular permit only after a hearing granted upon three days' written notice to those persons specified in Section 5.136.060(A) and (C) of this chapter. Such notice shall specify the specific grounds for the proposed action. At the hearing, to be held by the city manager, the persons noticed pursuant to this section shall be given the opportunity to present witnesses and documentary evidence, to be represented by counsel and to examine all witnesses presented. Issuance of a written notice of cancellation, expiration or change in coverage by an insurance company shall be conclusive proof at the hearing of the change in the policy so indicated. The city manager shall mail or otherwise furnish to persons noticed pursuant to this section a written decision, stating the grounds for the decision. The taking or pendency of an appeal under subsection B of this section shall not stay the effectiveness of such decision.

B. If any person specified in Section 5.136.060(A) and (C) of this chapter is dissatisfied with the decision of the city manager in ordering the denial, revocation or suspension of the permit, such person may appeal to the city council by filing a notice of appeal in writing with the city clerk within ten (10) days of the date of the written decision of the city manager. The city council or a hearing examiner, designated pursuant to Section 1-24-050 of this code, shall hold a hearing within thirty (30) days of the receipt of the notice of appeal. The appellant shall be accorded the same hearing rights provided in subsection A of this section. The city council or designated hearing examiner may sustain, reverse or modify the order of the city manager. The decision of the city council or designated hearing examiner shall be final. (Prior code § 42-02-014)



OFFICE OF THE CITY CLERK  
CITY OF SACRAMENTO

2004 MAR -3 P 4: 51

**NOTICE OF APPEAL**  
**PLEASE PRINT**

DATE: 3-3-04

Pursuant to Section 2.320, City Code, I wish to appeal the decision of Brad Wasson  
made on FEB 9 5-4 regarding dmultaxi cab VEHICLE <sup>permit</sup> as required  
by 5.136.140 City Code.

MY REASON FOR APPEALING IS AS FOLLOWS:

I have a Read certificate for Brack and lamp new one I went home for Breakfast because I was very tired I work all night long when go home for Breakfast I leave the new one in home I thought I have in envelope when I came to city sector I was <sup>in</sup> line when my number is came I open the envelope there was old one I think I have already now on I spend money to fix it

NAME: \_\_\_\_\_

ADDRESS: CHAN PIR SHAH  
5421 14TH AVE

CITY: Sacto STATE: CA ZIP: 95820

TELEPHONE NUMBER: (916) 870-4278

SIGNATURE: [Signature]