



CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

November 6, 2019

City Council President Linda Morad
Honorable Members of the City Council
City of New Bedford
133 William Street
New Bedford, MA 02740

Re: Veto of Amendment to Chapter 24, Section 24-16

Dear Council President Morad and Honorable Members of the City Council:

I write to veto the proposed amendment to Chapter 24, Section 24-16 (Relative to Vehicles for Hire), which was presented to me on October 28, 2019.

The proposed amendment would reduce the license fee for applicants who have met the suitability requirements for drivers for the Greater Attleboro Taunton Regional Transit Authority ("GATRA"). The reason for this veto is that I have not heard an explanation from any councillor why a discount for this particular group of livery license holders is appropriate, nor is a rationale evident to me. By law, fees are designed to compensate the government for providing certain services, and any such fees must be reasonable and proportional to the services provided. E.g., Silva v. City of Attleboro, 454 Mass. 165 (2009). Because there is no reason to believe that the City Clerk's Office performs less work to process the licenses of GATRA applicants, it does not make sense to reduce the licensing fees for those applicants.

Sincerely,

Jon Mitchell
Mayor

CITY CLERKS OFFICE
NEW BEDFORD, MA
2019 NOV -7 P 2:56
CITY CLERK



CITY OF NEW BEDFORD

In the Year Two Thousand and Nineteen

AN ORDINANCE

RELATIVE TO VEHICLES FOR HIRE

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

SECTION 1. Section 24-16 of Chapter 24 of the Code of Ordinances is hereby amended by inserting, in the first sentence after the word "\$50", the following words: -

"or upon payment of a fee as otherwise provided in this Section."

SECTION 2. Section 24-16 of Chapter 24 of the Code of Ordinances is hereby amended by inserting at the end thereof, the following paragraph: -

The City Clerk shall reduce the fee for the license from \$50 to \$25 if the applicant produces with the application, a letter from The Greater Attleboro Taunton Regional Transit Authority (GATRA) that is dated within 15 business days of the applicant filing the application detailing, to the satisfaction of the City Clerk, that the applicant has met all the suitability requirements for drivers set forth in a contract between GATRA and a company that employs the applicant.

SECTION 3. This Ordinance shall take effect in accordance with the provisions of Chapter 43 of the General Laws.

IN CITY COUNCIL, March 28, 2019

Referred to the Committee on Ordinances.

Dennis W. Farias, City Clerk

IN CITY COUNCIL, September 26, 2019

Passed to a Second Reading.

Dennis W. Farias, City Clerk

IN CITY COUNCIL, October 24, 2019

Passed to be Ordained – Yeas 10, Nays 0.

Dennis W. Farias, City Clerk

Presented to the Mayor for Approval October 28, 2019.

Dennis W. Farias, City Clerk

VETOED BY MAYOR MITCHELL ON NOVEMBER 07, 2019 @ 2:56 P.M.

a true copy attest:

City Clerk