ARTICLE 8-12-17 SOLICITING
8-12-16-070 Farm produce--Sale from temporary locations prohibited--Farmers and veterans

A. It is unlawful to sell, or offer to sell any fruits, produce or vegetables from trucks, tents or other similar temporary buildings or locations except as hereinafter provided.

B. Farmers or persons growing their own fruits, vegetables or produce within the State of Georgia may sell or offer to sell any produce, fruits or vegetables, as they may grow, from trucks, at locations approved by the council as farmers’ markets. Certified disabled veterans may be issued occupation tax certificates to sell produce, fruits or vegetables whether purchased for resale or otherwise, at locations approved in the manner hereinbefore stated.

C. Violations of this section shall be punishable by a fine not to exceed one hundred dollars ($100.00) and costs or by imprisonment, or by compulsory labor on the streets or other public works not to exceed fifty (50) days. Each day any violation of this section shall continue shall constitute a separate offense.

D. Nothing in this section shall be construed to prohibit farmers from delivering the produce, fruits or vegetables they may grow to customers within the city; provided orders are placed in advance. However, the peddling of the produce, fruits or vegetables in locations other than as approved by the council as farmers’ markets is prohibited.

(Code 1978, § 8-3147; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

ARTICLE 8-12-18 TAXICABS

8-12-18-010 Compliance with chapter--Application of other code provisions.

It is unlawful for any person to drive, use or operate on the streets of the city any taxicab, automobile, bus or other motor vehicle engaged in the business of conveying and transporting passengers for hire, unless that person shall have complied and continued to comply with the regulations, restrictions, rules and conditions set forth in this article; and further, it is expressly provided that it is not the intention of the city to establish and fix rules, regulations, restrictions or conditions upon the compliance with which the city will grant an occupation tax certificate to operate a taxicab business, but that the provisions of this code governing occupation taxes shall apply to the granting or denying of such an occupation tax certificate, and it is expressly provided that the city in all such cases, or such applications, retains the right, within its discretion to grant or refuse any application for any such occupation tax certificate or permit, for the privilege of engaging in the taxicab business.

(Code 1978, § 8-3161; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-18-020 Liability insurance.

It is unlawful for any person granted an occupation tax certificate to operate a taxicab business by the city to drive, use or operate on the streets of the city any taxicab, bus, automobile or any other motor vehicle for the carrying of passengers for hire unless the automobile, taxicab, bus or other motor vehicle is either.
1. Insured against liability for any injury to persons or property that may be caused by the operation or running of such vehicles, in the sums of twenty-five thousand dollars ($25,000.00) for the death or injury to any one person and fifty thousand dollars ($50,000.00) for the death or injury to more than one person resulting from any one accident, and ten thousand dollars ($10,000.00) for damage to personal property including baggage; the insurance shall be carried by some reputable and solvent insurance company authorized by the laws of Georgia to do business in this state, and a copy of the policy shall be filed with the business license manager, together with a receipted premium from the insurer, or its duly authorized agent, showing payment of the premium on the policy for and during a period covered by the life of the insured person’s occupation tax certificate to engage in the taxicab business. The insurance policy must provide and stipulate therein that the insurer will give notice to the city of at least thirty (30) days before its termination or cancellation, for any reason, of the policy on the person insured; or

2. Furnishes evidence of a current certificate of self-insurance as issued by the State of Georgia Department of Revenue in accordance with O.C.G.A. § 40-9-101, subsection (a)(2) to be filed with the business license manager.

(Code 1978, § 8-3162; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-18-030  Driver's permit required--Authority to issue.
CODE City of MARIETTA, GEORGIA Codified through Ordinance No. 6119, enacted April 21, 2000. (Su
PART 8 BUSINESS LICENSES, OCCUPATION TAXES AND REGULATIONS
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ARTICLE 8-12-18 TAXICABS
8-12-18-030 Driver's permit required--Authority to issue.

It is unlawful for any person to drive or operate, either for that person or for some other person, any taxicab or
vehicle carrying or transporting persons for hire in the city, unless and until the person has made application to
and secured a permit from the chief of police, and the chief of police is authorized to issue the permit.

(Code 1978, § 8-3163; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-18-040 Permit application.

Each application for a driver's permit as required by the preceding section shall contain the applicant's name,
address, driving experience, color, age, State of Georgia Class C license number, whether the applicant has
ever been convicted of any traffic law and if so, when and where, and his or her signature. Such application
shall contain such additional information as may be required by the chief of police. Any information set forth in
such application which was false at the time such application was signed by the applicant shall constitute a
basis for revocation of the applicant's driver's permit.

(Code 1978, § 8-3164; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-18-050 Permit fees.

Application for a driver's permit as required by this article shall be accompanied by a fee of thirty dollars
($30.00) to cover the cost of handling and servicing the application. The application shall be renewed on the
first day of January in each year by the chief of police and for each renewal a sum of thirty dollars ($30.00)
shall be paid.

(Code 1978, § 8-3165; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-18-060 Permit qualifications and investigation of applicant--Refusal to issue.

No person shall be qualified to receive a driver's permit as required by Section 8-12-18-030 unless he or she
has attained the age of eighteen (18) years and has been issued a Class C license by the state. No person
shall be qualified to receive a permit whose regular driver's license to drive a motor vehicle has at any time
been revoked or suspended within six months by the city, State of Georgia, or another state or has a currently
expired driver's license. It shall be the duty of the chief of police to make an investigation to determine the
moral character and fitness of the applicant and the knowledge of the applicant of the provisions of this article
and ordinances pertaining to the traffic regulations of the city. Should it appear that the applicant is qualified,
the chief of police shall issue a driver's permit to the applicant signed by the chief of police. Should the
applicant appear not to be qualified and the chief of police refuses to issue a driver's permit to the applicant,
the applicant shall have the right to appeal to the mayor and council and the decision of the mayor and council
shall be final.

(Code 1978, § 8-3166; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96; Ord. No. 5641, 1/8/97)

8-12-18-070 Permit revocation by chief of police--Appeal.

Should the holder of a driver's permit as required by this article be convicted of the violation of any traffic laws
while operating a taxicab, or should the holder of a driver's permit be convicted of the violation of any provision
of this article, the chief of police shall suspend the permit for a period of ten days, and the city council, after
affording the holder of the permit notice of the charges and an opportunity to be heard, may revoke the permit.
In addition, should the holder of a driver's permit violate any provision of this article, the city council, after
affording the holder of the permit notice of the charges and an opportunity to be heard, may revoke the permit.
8-12-18-080 Application for occupation tax certificate to contain certain information.
CODE City of MARIETTA, GEORGIA Codified through Ordinance No. 5119, enacted April 21, 2000. (Subchapter A)

PART 8 BUSINESS LICENSES, OCCUPATION TAXES AND REGULATIONS

CHAPTER 8-12 MISCELLANEOUS REGULATIONS

ARTICLE 8-12-18 TAXICABS

8-12-18-080 Application for occupation tax certificate to contain certain information.

Each person who is required to have a taxicab or vehicle for hire occupation tax certificate to operate or engage in the taxicab or vehicle for hire business, in filling out his application for an occupation tax certificate or permit as the case may be, shall be required to set forth the facts as are disclosed by registration forms for state automobile licenses, together with other pertinent facts as the official form for the occupation tax certificate may require. Upon filing of the application for a new or change of ownership occupation tax certificate, the city shall require the applicant to deposit a processing fee of one hundred dollars ($100.00) which is non-refundable.

(Code 1978, § 8-3168; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96; Ord. No. 5641, 1/8/97)

8-12-18-090 Display of permit number and authority of business license manager to issue permit number.

It is unlawful for any person to operate or carry on a taxicab business within the city without first having painted on the rear and both sides of each taxicab, as described in the application for an occupation tax certificate to operate such taxicab business, in legible letters of not less than four inches in height, the permit number assigned to such person by the business license manager who is authorized to issue the permit numbers only after an occupation tax certificate to operate or engage in a taxicab business has been first granted under lawful authority or approved by the city manager in accordance with Section 8-4-080(E) of this code.

(Code 1978, § 8-3169; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96; Ord. No. 5762, 10/8/97, § 17)

8-12-18-100 Display of owner's name.

No person shall operate a taxicab over and upon the streets of the city unless that person shall have first painted the name of the legal owner, corresponding with the name as is in the application for the occupation tax certificate to operate or engage in the taxicab business, on either side or the rear of each vehicle operated as a taxicab.

(Code 1978, § 8-3170; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-18-110 Place of operation.

No person to whom an occupation tax certificate to operate or engage in a taxicab business has been granted by lawful authority or in the discretion of the city manager shall operate or carry on the business from any place except the established place of business referred to and described in the application for an occupation tax certificate to operate or engage in the taxicab business.

(Code 1978, § 8-3171; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96; Ord. No. 5762, 10/8/97, § 18)

8-12-18-120 Posting of price schedule.

No person to whom an occupation tax certificate to operate or engage in a taxicab business has been granted by lawful authority or in the discretion of the city manager shall operate or carry on a taxicab business unless he or she at all times carries and maintains within the vehicle, a card or poster plainly marked and conspicuously posted stating the maximum price per trip per passenger, together with all other charges for hire.

(Code 1978, § 8-3172; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96; Ord. No. 5641, 1/8/97; Ord. No. 5762, 10/8/97, § 19)
8-12-18-130 Maintenance and inspection of vehicles.
Each person operating or engaging in the taxicab business shall maintain each vehicle thus operated in a good, safe and serviceable mechanical condition. Such condition shall be evidenced by a certificate executed by either (i) a dealership doing business in Georgia which is authorized by the manufacturer to sell, as new, the make of the subject vehicle, or (ii) by a mechanic holding a current occupation tax certificate and who has been a mechanic for a minimum of five years. Said certificate on a standard form provided by the city shall state that the subject vehicle is in a good, safe and serviceable mechanical condition after a careful examination and inspection thereof has been made. The certificate shall be delivered to the Marietta police department, and the subject vehicle shall then be inspected by the police department to determine its compliance with Section 8-12-18-090, 8-12-18-100 and 8-12-18-110 of this code. Upon the delivery of the aforementioned certificate and if, upon inspection of the vehicle by the police department, the vehicle is found to be in compliance with said code sections, then a decal shall be affixed to the exterior of the vehicle in order to indicate such vehicle’s compliance with this code section. Such decal shall be valid for a period of not more than six months and until the end of the calendar half year for which such decal was issued, except that any vehicles placed in service during the last half of any calendar half year may obtain a decal which shall not expire until the end of the following calendar half year. No vehicle shall be operated in the city without a current and valid decal issued pursuant to this code section thereon.

(Code 1978, § 8-3173; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-18-140 Felony conviction, issuance of taxi permit.

No taxicab driver permit shall be issued to any person who has been convicted of a felony within five years of the date of the application for the permit.

(Code 1978, § 8-3174; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-18-150 Owner’s compliance with chapter.

It is unlawful for any owner of any taxicab or taxicab business to authorize or knowingly allow another person to drive, use or operate on the streets of the city any taxicab, automobile, bus or other motor vehicle engaged in the business of conveying and transporting passengers for hire, unless that person shall have complied and continued to comply with the regulations, restrictions, rules and conditions set forth in this article and unless the vehicle being so operated complies with the regulations, restrictions, rules and conditions set forth in this article.

(Code 1978, § 8-3175; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

ARTICLE 8-12-20 HORSE-DRAWN CARRIAGES FOR HIRE

8-12-20-010 Definitions.

A. "City." Wherever the term "the city" or "this city" is used herein, such terms shall be construed to mean shall mean the City of Marietta, Georgia.

B. "Horse-drawn carriage" means any hack or carriage which is operated by being drawn by horse, mule or other beast of burden, for the transportation for hire of passengers.

C. "Occupation tax certificate" means the right and privilege granted by the City of Marietta for the operation of a business incorporating the use of one or more horse-drawn carriages within the corporate limits of the city.
D. "Company" means the holder of an occupation tax certificate to operate a horse-drawn carriage business under the provisions of this article whether a person, firm, partnership or corporation.

E. "Driver" means any person who drives or operates a horse-drawn carriage on the streets of Marietta for a regulated company.
CODE City of MARIETTA, GEORGIA Codified through Ordinance No. 6119, enacted April 21, 2000. (Su
PART 8 BUSINESS LICENSES, OCCUPATION TAXES AND REGULATIONS
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8-12-20-010 Definitions.

F. "Driver's permit" means the written authority granted by the city for an individual to drive or operate a
horse-drawn carriage within the City of Marietta.

G. "Street" shall mean and include any street, alley, lane, avenue, court or public place in the City of
Marietta.

H. "Business license manager" shall be the department head for the business license and revenue division
or his/her designee.

I. "Stand" means a public place alongside the curb of a street or elsewhere which has been designated by
the city manager for the use of horse-drawn carriages.

(Code 1978, § 8-3178.1; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-020 Regulation of horse-drawn carriage companies--Headquarters.

A. Occupation Tax Certificate Required.

1. No person, firm or corporation shall operate a business involving the use of one or more horse-
drawn carriages on the streets of the city unless an occupation tax certificate for such business has
first been granted by the city in accordance with the provisions of this article. The occupation tax
certificate shall be effective only for the calendar year stated in the occupation tax certificate, unless
suspended or revoked sooner as provided by ordinance.

2. Application for the occupation tax certificate shall be made on forms provided by the business
license manager and shall provide such information as is required for other occupation tax
applications, and any additional information as may be necessary to define completely the business
operation. Renewal of the occupation tax certificate shall be required on January 1st of each year.

B. Operating Regulations. In addition to the occupation tax requirements imposed herein, no occupation tax
certificate shall be permitted by any carriage operator unless the operator complies with the following
regulations:

1. A licensed veterinarian shall certify that the animal has had a complete examination including the
Coggin's test with negative results, as required by Georgia state law and the certificate shall also
indicate that the animal is fit for pulling horse-drawn carriages. An annual health inspection shall be
required for each animal and a copy provided to the business license and revenue supervisor.

2. No single animal shall pull a carriage holding more than ten people, including the driver and
children.

3. Unless written approval is given by a licensed veterinarian, no animal having open sores or
wounds or any disease or ailment shall be permitted to be in service on the streets of the city.

4. Each draft animal shall have its hooves properly trimmed and shod for street surfaces by an
experienced farrier.

5. Each animal shall be groomed daily and not have fungus, dandruff, or a dirty coat.
6. Harnesses shall be properly fitted, maintained, and oiled so that no irritating material will come in direct contact with the animal.

7. No driver may use more than a light touch of the whip upon any animal, and no driver or other person may forcefully strike an animal, or make movements or noise intended to frighten or harm an animal.

8. No driver shall permit an animal to pull a carriage at a speed faster than a slow trot, except in emergency situations.

9. No animal shall be subject to any condition or treatment, whether in service or out of service, which will impair the good health and physical condition of that animal.

10. Arrangements for water shall be provided at all times while any draft animal is present.

11. Ventilation adequate to ensure the health and comfort of animals shall be provided in stable and stall areas.

12. Bedding in stalls and stables shall be kept at least six inches deep and shall not show wetness under the pressure of any draft animal’s hooves.

13. Adequate and leak-free roofing is required for any stable or stall area in which animals are housed.

14. Each individual draft animal shall have a stall large enough for the animal to safely turn around; but in no case shall any individual animal be kept in a stall less than one hundred twenty square feet in area. Ceilings in stalls and stables must be at least nine feet from the bedding and flooring.

15. Food shall be kept free of contamination.

C. Reserved.

D. The business license manager shall be empowered to inspect all stables, stalls and operating facilities of any carriage company without notice, and to examine operating practices of any carriage company to ensure continuous compliance with this article.

E. Any applicant who refuses or fails to comply with the requirements of this article shall not be issued an occupation tax certificate until proof of compliance is presented by the applicant and certified by the business license and revenue supervisor. The foregoing requirements shall be ongoing as requirements for continuous operation.

F. The city manager may, upon recommendation of the business license manager, temporarily suspend any carriage company occupation tax certificate for violation of the provisions of this article, subject to the occupation tax certificate revocation action as provided by this article.

(Code 1978, § 8-3178.2; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)
CODE City of MARIETTA, GEORGIA Codified through Ordinance No. 6119, enacted April 21, 2000. (Su
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8-12-20-030 Insurance.

8-12-20-030 Insurance.

A. Indemnity for Benefit of City. Any horse-drawn carriage company operating under this article shall hold the city, its officers, agents, servants and employees, harmless against any and all liability, loss, damages or expense which may accrue to the city by reason of negligence, default or misconduct of the company in connection with the rights granted to each company hereunder. Nothing in this article shall be considered to make the city, its officers, agents, servants or employees liable for damages because of any negligent act or omission or commission by any horse-drawn carriage company, its servants, agents, drivers or other employees, during the service and operation by the company of a horse-drawn carriage business or either in respect to injury to persons or with respect to damage to property which may be sustained.

B. Insurance for Benefit of Passengers. Any horse-drawn carriage company desiring an occupation tax certificate to do business shall give and maintain a policy of indemnity from an insurance company authorized to do business in the state for each vehicle in use as a horse-drawn carriage. The minimum coverage shall be one hundred thousand dollars ($100,000.00) for bodily injury to any one person, three hundred thousand dollars ($300,000.00) for injury to more than one person when sustained in the same accident, and twenty-five thousand dollars ($25,000.00) for property damage resulting from one accident. The indemnity insurance shall inure to the benefit of any person who shall be injured or who shall sustain damage to property caused by the negligence of a horse-drawn carriage company, its servants or agents.

C. Blanket Policy. Any company or person operating a horse-drawn carriage in the city shall give a separate policy of indemnity insurance for each separate horse-drawn carriage for hire, except where such company or person actually owns or holds legal title to more than one horse-drawn carriage, in which event such company or person may give one policy of indemnity insurance covering all the horse-drawn carriages actually owned. This latter provision, however, shall not apply to any group of persons separately owning horse-drawn carriages who may be jointly operating or doing business under a regulated horse-drawn carriage name.

D. Comprehensive General Liability Insurance. Each carriage company shall maintain from a licensed insurance company comprehensive general liability insurance in the amount of one million dollars for its undertakings associated with designated horse-drawn carriage stands within the city.

E. Notice When Voided. Before any policy of insurance required by this article is voided for any cause, nonpayment of premium or otherwise, notice thereof shall be given, in writing, to the business license manager at least ten days before the same shall take effect.

(Code 1978, § 8-3178.3; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-040 Horse-drawn carriage driver's permit.

A. Permit Required. No person shall operate a horse-drawn carriage for hire upon the streets of the city, and no person who owns or operates a horse-drawn carriage company shall permit a horse-drawn carriage to be driven, and no horse-drawn carriage operating under a horse-drawn carriage company regulated by the city shall be driven at any time for hire, unless the driver of the horse drawn carriage shall first have obtained and shall have then in force a horse-drawn carriage driver's permit issued under the provisions of this article.

B. Application. Any person desiring a permit required by this article shall submit an application in writing to the business license manager, on a form that shall include but not to be limited to the age of the applicant, his address, and whether he has been convicted of a violation of any of the laws of the state or of this code or other ordinances of the city, and if so, when and of what offense, and the sentence of the court.

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C. Physician's Certificate Required. Each application for a driver's permit shall be accompanied by a certificate from a reputable physician certifying that, in his opinion, the applicant is not afflicted with any disease or infirmity which might make him an unsafe or unsatisfactory driver. In the case of renewal of a driver's permit, the certificate shall be updated every two years.

D. Qualifications of Applicant. An applicant for a driver's permit under this article must not be less than eighteen (18) years of age, with no physical infirmities which might make the applicant an unsafe or unsatisfactory horse-drawn carriage driver. No permit shall be issued to any person who has been convicted of operating a motor vehicle while under the influence of intoxicating beverages or drugs within one year prior to the date of the application for such permit, or who has been convicted of the offense three or more times within five years prior to the date of the application for the permit.

E. Driver's Permit Fee. Before any permit is granted under this article, a driver's permit fee shall be paid by the applicant as referenced in Section 8-12-18-050 of the Marietta City Code.

F. Current State Driver's License Required. Any person applying for a horse-drawn carriage driver's permit under this article must show that he has a current motor vehicle operator's license issued or approved by the State of Georgia, and that the license is not under suspension or revocation.

G. Examination of Applicant; Issuance or Denial of Permit. It shall be the duty of the chief of police to examine the applicant, his references, police and traffic record, and other vouchers, and thereafter to either grant or refuse the permit. In the event of a refusal to grant a permit, the applicant shall have the right to enter an appeal as provided in subsection (O) of this section.
H. Permit to be Displayed in Horse-drawn Carriage. The permit issued under the provisions of this article shall be placed on display in the horse-drawn carriage to be operated by the holder of the permit, where the permit will be in clear view of the passengers at all times when the horse-drawn carriage is for hire.

I. Alteration of Permits Prohibited. It shall be unlawful for any person wilfully to alter, deface, obliterate or destroy a horse-drawn carriage driver's permit, or cause or allow the same.

J. Permit Not Transferable. Any horse-drawn carriage driver's permit issued under this article is not Transferable, and is to be used solely by the person to whom it is issued.

K. Duration of Permit; Renewals. Any horse-drawn carriage permit shall be in effect for the calendar year. Permits may be renewed, upon application and payment of the required fee, for each twelve-month period thereafter, unless the permit for the preceding period has been revoked or is under suspension.

L. Suspension of the Driver's Permit. The chief of police shall have the authority to suspend a driver's permit for the following reasons:

1. Making any false statement in the application for the permit,

2. Operating a horse-drawn carriage in violation of any provision of this article or state law.

The driver shall have the right to drive until a final hearing on the suspension is held unless otherwise prohibited by state law.

The suspension by the chief of police shall be lifted upon dismissal or dropping of the charges described, upon satisfactory correction of any false statement in the application, upon correction of the violation of any provision of this article, upon ruling in favor of the driver in any hearing before the city manager, or at the expiration of sixty (60) days from the date of suspension. From the decision of the chief of police to suspend a permit, the holder of such permit shall have the right to appeal to the city manager, as approved in subsection (O) of this section.

M. Revocation of Driver's Permit. In the event that any driver holding a permit under this article at any time ceases to meet the qualification described in subsection (C) of this section or fails to correct satisfactorily any false statement made in the application for the permit, or fails to operate his horse-drawn carriage in accordance with the provisions of the article, the city manager shall be empowered to revoke permanently the permit or to restore the same.

N. Driving After Suspension or Revocation. It is unlawful for any person to operate a horse-drawn carriage for hire for the carriage of passengers during any period in which his permit to do so is suspended or revoked in accordance with the provisions of this article or if his Georgia driver's license has been suspended or revoked.

O. Appeals. An appeal to the city manager from a ruling of the business license manager or chief of police shall be made within thirty (30) days of the ruling. The appellant shall be informed within ten days of the ruling in writing of the reasons for the decision of the business license manager. The appellant shall have the right to present evidence, examine the evidence of the appellee, and to cross-examine. Appellant shall have the right to be represented by counsel.

(Code 1978, § 8-3178.4; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-050 Identification and marking generally.
Every horse-drawn carriage shall have a sign plainly painted on each side of the vehicle, in letters not less than four inches high, containing the full name of the horse-drawn carriage company operating the vehicle.
8-12-20-060 Numbers generally.

There shall be painted on each side and on the rear of each horse-drawn carriage a number at least six inches high, the number to be separate and distinct from that on any other public vehicle or taxicab in the city. The number shall be assigned to such horse-drawn carriage and the owner thereof by the business license manager and shall not be altered or changed without the consent of the business license manager.

(Code 1978, § 8-3178.5; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-070 Registration of number and names of owner and operator.

The number assigned a horse-drawn carriage in accordance with this article together with the names of the owner and operator of the horse-drawn carriage shall be registered with the business license manager in a book to be kept for that purpose.

(Code 1978, § 8-3178.6; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-080 Safe mechanical condition of horse-drawn carriage required.

Every horse-drawn carriage operated on the streets of the city shall be maintained in a safe mechanical condition, with all safety equipment remaining intact and operative at all times when the horse-drawn carriage is in service.

(Code 1978, § 8-3178.7; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-090 Cleanliness of horse-drawn carriage required.

Each vehicle operating under this article shall be kept painted, and in a clean and sanitary condition, free of litter and debris and at all times suitable for public transportation of passengers.

(Code 1978, § 8-3178.8; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-100 State license tag for horse-drawn carriage required.

Prior to the use and operation of any vehicle as a horse-drawn carriage under the provisions of this article, the owner of the vehicle shall secure and display on the vehicle a current Georgia license registration tag.
CODE City of MARIETTA, GEORGIA  Codified through Ordinance No. 6119, enacted April 21, 2000. (Sub)
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8-12-20-100 State license tag for horse-drawn carriage required.

(Code 1978, § 8-3178.10; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-110 Vehicle inspections required.
Each horse-drawn carriage shall be made available for inspection to the business license manager or his designee who is experienced and qualified in the field of carriage inspection for the compliance with the provisions of this article and shall pass the inspection before the vehicle may be used as a horse-drawn carriage in the city. Each horse-drawn carriage shall be inspected by the business license manager or his designee at least once in each six-month period to ensure continued compliance with the provisions of this article.

(Code 1978, § 8-3178.11; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-120 Authority for removal of horse-drawn carriages from the streets.
The business license manager shall have the authority to remove from operation on the streets of the city any vehicle used as a horse-drawn carriage which is in violation of this article, and to prohibit operation of the horse-drawn carriage until all deficiencies have been corrected. An order of the business license manager to remove a vehicle from the streets may be appealed to the city manager as set forth in Section 8-12-20-040(O).

(Code 1978, § 8-3178.12; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-130 Rates of fare--Rate card required.
No owner or driver of a horse-drawn carriage shall charge a greater sum for the use of the horse-drawn carriage than in accordance with the published and advertised rates which shall be displayed in each vehicle. Rates shall be displayed in such place as to be conspicuous and to be in clear view of all passengers. Rates for special occasions such as weddings shall also be displayed and published in conjunction with the regular advertised rates.

(Code 1978, § 8-3178.13; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-140 Stands generally.
A. No parking shall be permitted in the corporate limits of the city except at such stands as may be established by the city manager upon the recommendation of the public works director, which parking stands shall be designated by signs. Whenever any stand is established, the stand may be used by horse-drawn carriages upon a basis of first come-first serve. Fees for the use of stands shall be set by the mayor and council annually.

B. Drivers of horse-drawn vehicles operated under this article shall maintain stands in a sanitary condition at all times. Any failure on the part of the driver or drivers to conform to the requirements of this section shall be unlawful and shall subject the driver to the penalties provided herein.

C. Any person desiring to have a place designated as a regular stand for horse-drawn carriages in the city shall make application by written petition to the public works director for the establishment of the horse-drawn carriage stand, setting out where the stand is desired to be. The established stands shall be available for use by carriage companies as provided for in subsection (A) of this section.

(Code 1978, § 8-3178.14; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

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8-12-20-150  Driver not to leave vehicle while waiting to be hired.

It is unlawful for any driver of any horse-drawn carriage to leave the vehicle unattended at any time, while the vehicle is parked at a horse-drawn carriage stand and waiting to be hired. Said driver shall remain within fifteen (15) feet of the carriage's immediate premises at all times.

(Code 1978, § 8-3178.15; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-160  Use of designated bus stops or taxicab stands prohibited.

It is unlawful for any driver of any horse-drawn carriage to park or stand at any bus stop designated for use by the Cobb Community Transit.

(Code 1978, § 8-3178.16; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-170  Restriction on number of passengers.

No driver shall permit more persons to be carried in a horse-drawn carriage as passengers than the rated seating capacity of his horse-drawn carriage. For purposes of this section, a child under the age of five shall not be counted as a passenger.

(Code 1978, § 8-3178.17; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-180  Horse-drawn carriage movement prohibited under certain conditions.

No driver shall collect fares, make change, or take on or discharge passengers while his horse-drawn carriage is in motion.

(Code 1978, § 8-3178.18; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-190  Property left in horse-drawn carriage by passenger.

Any horse-drawn carriage driver or operator discovering in any horse-drawn carriage under his control, personal property left in the carriage, shall report the loss, and deliver all the property to the office of the horse-drawn carriage company within twelve (12) hours after the discovery of the property. The driver's report shall include brief particulars to enable the company to identify the owner of the property. The company shall retain the property on behalf of the owner for at least sixty (60) days.

(Code 1978, § 8-3178.19; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)
8-12-20-200  Safety equipment required.

Each horse-drawn carriage shall be equipped with electrically powered lights or lanterns and reflectors, which lights shall be in use when operating during the hours of darkness and when raining. The lights and reflectors shall be mounted so that they are visible from a distance of five hundred (500) feet in any direction. Each horse-drawn carriage shall have on board at all times a four pound all-purpose extinguisher and a first aid kit.

(Code 1978, § 8-3178.20; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-210  Hours of operation.

No carriage shall be operated between the hours of midnight through 6:00 a.m. Monday through Friday, except that such restriction shall not apply on legal holidays.

(Code 1978, § 8-3178.21; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-220  Area of operation.

Horse-drawn carriages carrying passengers for hire shall be confined to the area bounded on the north by the north curbline of North Park Square from East Park Square to West Park Square; on the west by the west curbline of West Park Square from North Park Square to South Park Square; on the east by the east curbline of East Park Square from North Park Square to South Park Square, and on the south by the south curbline from West Park Square to East Park Square. Horse-drawn carriages are permitted on Washington Avenue to Waddell Street, north on Waddell Street to Lemon Street, west on Lemon Street to Church Street. Further, horse-drawn carriages are permitted on Cherokee Street, north to Sessions Street, west on Sessions Street to Church Street and south on Church Street to the Square.

(Code 1978, § 8-3178.22; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-230  Sanitation requirements.

Manure and urine must be immediately treated with a chemical deodorizing solution, and manure must be removed immediately from the street by the carriage operator. Each carriage must be equipped with a suitable scoop shovel and airtight container. Horse diapers, which prevent excrement from being deposited on the street surface, may be used in lieu of a scoop shovel and an airtight container at the option of the operator. In the case of horse diapers, the diapers must be approved for efficiency by the business license manager.

(Code 1978, § 8-3178.23; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-240  Traffic violations.

A. Horse-drawn carriages shall be prohibited from stopping in traffic or delaying any on-street traffic for the purpose of loading or unloading passengers or for any other purposes.

B. Every person riding any animal upon a roadway and every person driving any animal-drawn vehicle within the city limits shall be subject to the provisions of this article and shall operate the vehicles in accordance with the traffic laws of the city.
CODE City of MARIETTA, GEORGIA Codified through Ordinance No. 6119, enacted April 21, 2000. (Sub.
PART 8 BUSINESS LICENSES, OCCUPATION TAXES AND REGULATIONS
CHAPTER 8-12 MISCELLANEOUS REGULATIONS
ARTICLE 8-12-20 HORSE-DRAWN CARRIAGES FOR HIRE
8-12-20-240 Traffic violations.
C. Due to the nature of operating animal-drawn vehicles in areas of congestion and heavy traffic within the
city, it is unlawful to operate the animal-drawn vehicles except when the animals are under complete control at
times and shall be operated with extra caution and due care for the safety of others.
(Code 1978, § 8-3178.24; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-250 Impediment of traffic flow.
A. It is unlawful for any horse-drawn carriage to willfully impede the normal flow of traffic on any city street,
alley, or thoroughfare, at any time. Horse-drawn carriages will be required to pull immediately to the nearest
curb area when one or more vehicles are unable to safely pass or continue in normal traffic flow.
B. The willful failure of any person to comply with this section shall constitute an offense which shall be
punishable as set forth in Section 8-12-20-290.
(Code 1978, § 8-3178.25; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-260 Horse-drawn carriage loading and spacing.
It is unlawful for any horse-drawn carriage company to load at any one time more than three horse-drawn
carriages from any approved stand for the purpose of conducting tours. When the carriages leave the stand
they shall either start out three minutes apart or take different routes. In any event, after leaving the stand the
carriages shall remain separated by a distance of not less than five hundred (500) feet.
(Code 1978, § 8-3178.26; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-270 Administrative hearing and appeal.
A. Administration.
1. This article shall be administered by the business license manager, who shall have authority to
   recommend in writing to the city manager that access to designated carriage tour stands be denied to
   a horse-drawn carriage tour company for violation of the horse-drawn carriage ordinance or state law.

2. The city manager, after hearing evidence from both the business license manager and the horse-
drawn carriage tour company owner or his representative, shall have authority to deny access to
designated carriage stands for a period of up to six months for violation of the horse-drawn carriage
ordinance or state law relating to carriage companies. The city manager will promptly notify the horse-
drawn carriage tour company owner in writing of such action, in which case the horse-drawn carriage
tour company owner shall have the immediate right to appeal in accordance with subsection (B) of this
section.

3. If a horse-drawn carriage tour company is denied access to designated carriage stands three
times within any three-year period, and if each appealed removal is upheld, the fourth such removal
within said three year period shall be for a period of one year.
B. Administrative Hearing and Appeal. Any decision of the city manager to deny a horse-drawn carriage tour
company access to designated carriage stands may be appealed within ten days by the horse-drawn carriage
tour company in writing to the mayor and city council.
CODE City of MARIETTA, GEORGIA Codified through Ordinance No. 6119, enacted April 21, 2000. (Sub)
PART 8 BUSINESS LICENSES, OCCUPATION TAXES AND REGULATIONS
CHAPTER 8-12 MISCELLANEOUS REGULATIONS
ARTICLE 8-12-20 HORSE-DRAWN CARRIAGES FOR HIRE
8-12-20-270 Administrative hearing and appeal.

(Code 1978, § 8-3178.27; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-280 Compliance required.

Failure to comply with this article or any of the laws, ordinances and regulations of this city can result in
revocation of the occupation tax certificate and punishment at municipal court. Any ordinance or laws of this
city, county, state or federal agency which governs the treatment of animals, including horses, oxen or other
animals of burden, must be complied with by the horse-drawn carriage operator, passengers or agents of the
horse-drawn carriage company.

(Code 1978, § 8-3178.28; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-20-290 Violation--Penalty.

Any person violating the provisions of this chapter shall be guilty of a misdemeanor, punishable by a fine not to
exceed five hundred dollars ($500.00) per violation or by imprisonment for a period not to exceed ninety (90)
days, or by both such fine and imprisonment. In addition to such fine or imprisonment, violation of this article
shall also be grounds for immediate suspension or revocation of the occupation tax certificate issued
hereunder.

(Code 1978, § 8-3178.29; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

ARTICLE 8-12-22 MISCELLANEOUS PROVISIONS

8-12-22-010 Appropriate zoning prerequisite to issuance of occupation tax certificate to operate
multifamily dwellings.

In addition to all other requirements of this code, no person, firm or corporation shall be granted an occupation
tax certificate to operate any multiple family dwelling or dwellings within the city limits until the property upon
which it is proposed to construct or operate said multiple family dwelling or dwelling shall have been duly and
regularly zoned for such purpose or purposes as provided by the ordinances now or hereafter in force and
effect in the city.

(Code 1978, § 8-3221; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-22-020 Selling or bartering in the public square.

It is unlawful for any person, vendor or organization to barter, sell or offer for sale any goods, wares or
merchandise on the public square or any sidewalks connected to such square known as Glover Park without
first having submitted an application to the city manager's office and obtained approval to sell on the square.
The city council shall establish rules and regulations for the use of Glover Park, and the person, vendor or
organization whose application has been approved must comply with these rules and regulations.

(Code 1978, § 8-3222; Ord. No. 5390, § 3, 12/20/94; Ord. No. 5575, 6/12/96)

8-12-22-030 Christmas tree vendors--Application--Deposit.

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