CHAPTER 3
Taxicabs

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Sec. 9-3-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(1) The term cab or taxicab means a motor vehicle operated for hire, the destination of which is under the direction of the passenger transported therein.

(2) The term driver and the term operator means any person in charge or driving or operating a cab as herein defined, whether as owner, agent, employee or otherwise.

(3) The term highway means any of the public streets, alleys, lanes, boulevards, avenues, drives, circles or roads in the city.

(4) The term owner means any person having control of the operation or maintenance and collection of the revenue derived from cabs.

(5) The term permit means the authority granted by the mayor and council to engage in the taxicab business within the city.

(6) The term taximeter means any meter, instrument or device attached to the cab and measuring the time or distance for which a customer must pay for the use of the cab.

(7) The term waiting time means the time when the cab is not in motion, beginning with the arrival of such cab at the point to which it has been called and the time consumed while standing at the direction of the passenger.

(Code 1959, § 21-1)

Sec. 9-3-2. Permit; application; contents.

(a) It shall be unlawful for any cabs to be operated on the highways of the city unless or until the owner and operator shall have complied with the provisions of this chapter, and no permit to operate within the city shall be granted except upon written application to the mayor and council, which application shall be filed with the city clerk and shall contain the full name and address of the person proposing to operate a cab or conduct a taxicab business within the city, the location from which the business is to be operated, and showing whether the operator of the taxicab business for which the permit is sought is a corporation, a partnership or an individual.

(b) If a corporation, the name and address of all of the officers therein, and the amount of capital stock thereof; and each application shall contain a full and complete statement of the business to be engaged in, the type of equipment to be used, the number and particular description of vehicles to be operated under the permit if granted, and the name and passenger capacity of each vehicle to be used.

(c) If the owner of the business to be conducted under the permit is a partnership, the application must disclose the full name and residence address of each of the partners interested in such partnership and the extent of such interest.

(d) The application shall show any other information requested by the mayor and council, and among other things shall affirmatively allege that any business conducted under the permit granted upon the application shall be in full and complete compliance with all national, state, county and municipal laws, rules and regulations with reference to wages, hours and conditions of employment and the protection by insurance of all persons whom the law imposes the duty on the operators of such a business to protect.

(e) The fee for such permit shall be five dollars ($5.00).

(Code 1959, § 21-2)

Sec. 9-3-3. Hearing; form of permit.

Upon the filing of such application, the mayor and council shall refer the same to the police com-
Sec. 9-3-3.  Renewal required.

All permits granted under section 9-3-2 of this chapter must be renewed within six (6) months from date of issuance, or date of last renewal, by representing the same at the city police station at least ten (10) days before the expiration date of such permit and by payment of such fee or fees, if any, as may from time to time be required by the mayor and council. Permits not so renewed as provided herein shall be deemed to have expired.

Sec. 9-3-7.  Insurance—Required.

No permit shall be granted to any person to conduct a taxicab business within the city limits of the City of Hapeville until the applicant for such permit shall have filed with the mayor and council satisfactory proof that the applicant carries public liability and property damage insurance. This insurance must be in amounts of not less than fifteen thousand dollars ($15,000.00) for bodily injury liability for each person, thirty thousand dollars ($30,000.00) for bodily injury liability for each accident, ten thousand dollars ($10,000.00) for property damage liability and ten thousand dollars ($10,000.00) for personal injury protection. The insurance must provide for indemnification of any person negligently or willfully injured or damaged on account of the operation of a cab by an applicant hereunder, or any person under the authority of or as agent for such applicant. In addition such insurance must be with a company qualified to do business in Georgia. Such insurance shall be kept in force and it shall be the duty of the police chief to check on this feature of the business and report to the mayor and council annually as of December 31 of each year. Such insurance shall be subject to approval by the mayor and council. Termination of insurance protection, without having been replaced prior to termination, shall automatically operate as a revocation of the permit to operate taxicabs within the city. Before an insurance policy will be approved by the mayor and council as provided herein, it must be demonstrated that such policy has a provision whereby the Mayor and Council shall be notified prior to fifteen (15) days before any termination thereunder.

(Code 1959, § 21-3)
city clerk a copy of liability insurance contracts carried to indemnify passengers on account of damages sustained, or such an abstract of such policies or contracts as will enable any person interested to determine the name of the carrier of the insurance, the policy number, the face value and the pertinent provisions of the policy contract.

(Code 1959, § 21-7)

Sec. 9-3-9. License tax for use of streets.

Every person engaged in the taxicab business in the city shall pay to the city an annual license tax for the privilege of using the streets for this business. The annual license tax for this privilege is hereby fixed at ten dollars ($10.00) per annum for each vehicle. This tax is in addition to all other taxes and fees.

(Code 1959, § 21-8)

Sec. 9-3-10. Driver's license—Required.

(a) No person shall operate a taxicab for hire upon the streets of the city, and no person who owns or controls a taxicab shall permit it to be so driven, and no taxicab licensed by the city shall be so driven at any time for hire, unless the driver of the taxicab shall have first obtained and shall have then in force a taxicab driver's license issued under the provisions of this section.

(b) An application for a taxicab driver's license shall be filed with the chief of police on forms provided by the city and the application shall be verified under oath and shall contain the following information:

(1) The names and address of three (3) residents of the city who have known the applicant for a period of five (5) years and who will vouch for the sobriety, honesty and general good character of the applicant;

(2) The experience of the applicant in the transportation of passengers;

(3) The educational background of the applicant;

(4) A concise history of his employment; and

(5) A full set of fingerprints taken and on forms provided by the chief of police.

(c) Each application shall be accompanied by a certificate from a reputable physician of the city, or the immediate area hereof, certifying that in his opinion the applicant is not afflicted with any disease or infirmity which might make him an unsafe or unsatisfactory driver. At the time the application is filed the applicant shall pay to the chief of police the sum of five dollars ($5.00).

(d) The police department shall conduct an investigation of each applicant for a taxicab driver's license and a report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application for the chief of police.

(e) The chief of police, upon consideration of the application and the reports and certificate required to be attached thereto, shall approve or reject the application. The chief of police may reject any applicant wherein the application discloses a previous felony conviction or a conviction of operating an automobile under the influence of any intoxicant or drug within the past five (5) years; or should the investigation by the police department reveal an undisclosed such conviction, or convictions, then said license shall be subject to suspension or revocation. If the application is rejected, the applicant may request a personal appearance before the mayor and council to offer evidence why his application should be reconsidered.

(f) Pending final approval, the chief of police, at his discretion, may issue a temporary permit for a period of sixty (60) days.

(g) Upon conviction in the municipal court of the holder of a driver's license of a violation of any provisions of this article, such permit may be revoked or suspended, in addition to any other penalty that may be imposed by the court.

(Code 1959, § 21-9; Ord. No. 91-2, 2-5-91)

Sec. 9-3-11. Same—Minimum age.

No person under eighteen (18) years of age may be employed as a driver of any taxicab, nor of any character of motor vehicle kept for hire.

(Code 1959, § 21-10)

Sec. 9-3-12. Safety of vehicles.

The police chief or the police committee may suspend from operation any cab found to be unsafe, and any vehicle when so suspended shall not be permitted to again operate until repaired and put in proper condition for use, and then only after its condition has been approved by the city marshal.

(Code 1959, Sec. 21-11)

§ 9-3-13. Identification markings on vehicle.

Every cab shall display on each side of such cab the correct name or trade name and telephone number of the owner of such cab and a cab number to distinguish such cab from other cabs operated in the city, such numbers to be prescribed by the police committee, and all such words, letters and figures to be of sufficient size and height to be readily distinguished by the public from at least fifty (50) yards in the daytime.

(Code 1959, § 21-12)

Sec. 9-3-14. Rates—Council to regulate.

The mayor and council reserves the right at any time, and from time to time, to regulate the rates and fares to be charged by owners of cabs in the city and to further regulate the taxicab business.

(Code 1959, § 21-13)

Sec. 9-3-15. Same—Refusal to pay by passenger.

It shall be unlawful for any person to refuse to pay the scheduled charges for transportation furnished by any authorized operator of a taxi or passenger carrying service when called upon therefor at the completion of a trip.

(Code 1959, § 21-14)

Sec. 9-3-16. Same—Receipts for payment.

At the completion of each trip, and at the time any fare is collected, drivers of passenger carrying vehicles for hire shall issue and deliver to the passengers paying such fare a receipt whereon shall be printed the name of the owner of the vehicle, the motor number of the vehicle and the date and the amount of fare collected.

(Code 1959, § 21-15)

Sec. 9-3-17. Posting information in cab.

There shall be displayed in each vehicle used to haul and transport passengers for hire a permit issued by proper authority of the city, and, in addition, the name and address of the owner of such vehicle, the name and photograph of the driver and a schedule of rates charges.

(Code 1959, § 21-16)

Sec. 9-3-18. Stands, parking.

All cabs shall be operated only from an established place of business and, before using the streets as parking places, a cab must secure a permit from the mayor and council to park at a particular place, which permit shall not be granted except by and with the consent of adjacent property owners. No space shall be allotted more than two (2) vehicles in one (1) particular locality, provided nothing herein shall prohibit the concentration of a larger number of cabs at places where the public is assembled in large groups, such as at baseball and football games, the city auditorium, churches and like gatherings. Space reserved for cab stands shall be designated or marked by clearly drawn yellow lines by the police department.

(Code 1959, § 21-17)

Sec. 9-3-19. Front seat riders; when permitted.

There shall be no front seat riders in a cab at any time, unless there are three (3) or more persons in the rear seat.

(Code 1959, § 21-18)

Sec. 9-3-20. Same—Penalties.

If section 9-3-19 is violated by anyone driving a taxicab in the city, the permit of the taxicab company or license of the operator, or both, upon conviction, shall be suspended; and the offender shall be subject to punishment as provided in section 1-1-8.

(Code 1959, § 21-19)

Sec. 9-3-21. Transporting intoxicant—Prohibited.

(a) It shall be unlawful for any taxicab driver, employee or owner to transfer or allow to be transferred in any taxicab, in the city, any beer, wine, liquor or any other intoxicant of any kind, acting as messenger or otherwise, unless the owner of the intoxicant is a passenger in the taxicab at the time.

(b) This section is intended to prevent and prohibit any taxicab driver or taxicab company employee from having on his person, or in his possession, or in the vehicle driven by him any intoxicant of any kind while he is operating a taxicab.

(Code 1959, § 21-20)

Sec. 9-3-22. Same—Penalties.

Any person violating any provisions of section 9-3-21 shall be tried in the municipal court and
upon conviction shall be subject to punishment as provided in section 1-1-8, and the driver's license and the business license and permit of the company for which he is an employee shall be subject to be revoked by the mayor and council.

(Code 1959, § 21-21)

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