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Section 22.5.1 Definition.

Article 22.5 Vehicles for hire—taxis.

Section 22.5.1 Definition.

*Taxicab* means a motor vehicle used in the business of transporting passengers for compensation in the City and not operated on a fixed route. The term "taxicab" shall not include limousines regulated by the State Public Service Commission.
Section 22.5.2 Permits required.

Article 22.5 Vehicles for hire—taxis.

Section 22.5.2 Permits required.

No person, firm, partnership, corporation or other entity shall engage in the business of operating or the operation of a taxicab in the City of Roswell without first having secured a taxicab permit.
Section 22.5.3 Classes of permits.

There shall be three classes of permits required under this Article:
(a) Company permit. This permit applies to persons, firms, partnerships, corporations or other entities engaged in the business of operating a taxicab in the City of Roswell and which are subject to an occupation tax under Article 10-3 of the Code of Ordinances of the City of Roswell.
(b) Resident Operator's permit. This permit applies to any person operating a taxicab on the streets of the City and who is operating under the auspices of a company permit.
(c) Non-resident Operator's permit. This permit applies to any person operating a taxicab on the streets of the City and who is not operating under the auspices of a company subject to an occupation tax in the City of Roswell.
Section 22.5.4 Company permit.

In order to secure a Company permit, an applicant must provide information showing its qualifications on a form provided by the City, and must submit to a background investigation and fingerprinting. An applicant must:
(a) be at least 21 years of age; and
(b) be a citizen of the United States or an alien admitted for permanent residence or a person who has otherwise been granted employment authorized by the United States Immigration and Naturalization Service; and
(c) hold an occupation tax certificate issued by the City; and
(d) maintain an office within the City staffed by company employees, including a dispatcher; and
(e) provide proof of insurance as required in this article.
Section 22.5.5 Convictions disqualifying applicant for a company permit.

No permit shall be issued if the applicant has been convicted of any of the following offenses:
(a) Manslaughter, or negligent homicide, resulting from the operation of a motor vehicle.
(b) Driving a motor vehicle while under the influence of intoxicating liquor or drugs, in the last five years.
(c) Any felony in the commission of which a motor vehicle is used.
(d) Failure to stop and render aid or leaving the scene of an accident, as required under the laws of the State of Georgia.
(e) Perjury or false swearing in making any statements under oath in connection with this "Application for Permit".
(f) Perjury or the making of a false affidavit or statements under oath relating to the ownership or operation of motor vehicles.
(g) Convictions or forfeiture of bail on three charges of a violation of the motor vehicle laws of the State of Georgia within a twelve month period.
(h) The violation of any law involving moral turpitude.
(i) Repeated violation of the city ordinances, county laws, or State laws, which affect the safety of human life or limb on the streets of the City of Roswell.
Article 22.5 Vehicles for hire—taxis.

Section 22.5.6 Insurance required.

No owner of a taxicab shall operate or authorize any other person to operate a taxicab in the City of Roswell unless it is covered by a liability insurance policy issued by an insurance company authorized to do business in this State, which provides the following minimum coverage:

$25,000 - for injury to or death of one person in one accident;
$50,000 - for injury to or death of two or more persons in any one accident; and
$15,000 - for injury to or destruction of property of others in any one accident.

Each taxicab operated within the city limits shall be required to carry and maintain in effect this minimum insurance coverage. Proof of such insurance coverage shall be provided to the City before a permit shall issue. Failure to maintain such coverage shall constitute cause for revocation of a City permit.
Section 22.5.7 Drivers qualifications.

Before operating a taxicab within the City of Roswell, a driver shall:
(a) possess a Class 1 driver's license; and
(b) be competent to operate a motor vehicle; and
(c) be familiar with the traffic laws and ordinances of the City of Roswell; and
(d) not have been convicted of a felony unless ten (10) years have elapsed since the date of completion of felony sentence; and
(e) not have been convicted of a crime of moral turpitude within past 10 years; and
(f) not have been classified as a habitual offender by the Department of Public Safety for the previous five (5) years; and
(g) not have had a driver's license revoked by the Department of Public Safety for violations for the previous five (5) years; and
(h) provide authorization and any information necessary to enable the Chief of Police or his designee to investigate the driver's background, criminal history, and traffic record; and
(i) be of good character as determined by the aforesaid investigation; and
(j) possess an operator's permit issued by the City.
Section 22.5.8 Taxicab equipment.

All taxicabs operating in the City of Roswell shall:
(a) Be equipped with a taximeter. Such taximeter shall be fastened in front of the passengers' seat and be visible to them at all times. After sundown, the face of the taximeter shall be illuminated. It shall be operated mechanically by a mechanism of standard design and construction, driven either from the transmission or from one of the front wheels by a flexible and permanently attached driving mechanism. It shall be sealed at all points and connections which, if manipulated, would affect its correct reading and recording.
(b) Be affixed with a vehicle permit sticker issued by the Chief of Police or his designee. Such stickers must at all times be displayed on the passenger rear side window. Each vehicle will be assigned a numbered sticker and that sticker shall not be used on any other vehicle.
(c) Be plainly and prominently marked with the name and telephone number of the company which holds the City-issued permit. Such markings shall be affixed only by means of permanent vinyl lettering or paint.
(d) Be marked with rates on the side of the vehicle so as to be plainly visible to persons seeking to use the taxicab.
(e) Be equipped with a roof light mounted on the roof of the vehicle.
(f) Be maintained in good, safe and serviceable mechanical condition as verified in a statement signed by a technician at a location properly licensed to do business, and be in compliance with all County and State licensing and emission standards.
(g) Be maintained in a clean condition, free from foreign matter and offensive odors.
(h) Transport as passengers only the number of persons specified by the vehicle manufacturer.
Section 22.5.9 Denial, suspension and revocation of permit.

(a) An application for a permit or a permit issued under this article may be denied, suspended or revoked for due cause as defined in subsection (c) hereof.

(b) The Mayor and Council shall furnish a permit holder a notice setting forth the time, place, and purpose of a meeting at which they intend to consider the revocation or suspension of a permit. After a hearing, if the Mayor and Council determine due cause exists, they may suspend, revoke or place on probation for a maximum of 12 months, with or without conditions, the permit.

(c) A permit may be denied, suspended or revoked for any of the following reasons:
   (1) Where the applicant furnishes fraudulent or untruthful information or omits information requested in the application for a permit.
   (2) For failure to pay all fees, taxes, penalties or other charges imposed by the provisions of this article, and of the City of Roswell Code of Ordinances.
   (3) For failure to maintain all of the general qualifications applicable to the initial issuance of a permit.
   (4) For violation of any part of this article by the permit holder, its agents, partners, officers, employees or contractors.
   (5) Allowing the required insurance coverage to lapse shall result in the automatic suspension of the permit.
   (d) An operator's permit may be suspended or revoked for having three or more moving traffic violations in any 12-month period.
   (e) Permit holders under this article are responsible for violations of this article by their vehicle operators whether such operators are direct employees or independent contractors.
   (f) Permits issued under this article are not transferrable.
Section 22.5.10 Regulatory fee required.

A regulatory fee of $200.00 shall be required annually for a Company permit and the resident operator's permits for drivers operating under the auspices of a Company permit. A regulatory fee of $25.00 shall be required annually for a Non-resident operator's permit.
Section 22.5.11 Notification of new drivers.

It shall be the duty of a Company permit holder to notify the Chief of Police whenever a new driver is hired or terminated from employment. Failure to so notify can result in revocation of the permit.
Section 22.5.12 Violations.

Repeated violations of traffic laws or ordinances, or of any ordinance provision regulating the conduct of taxicab drivers shall be cause for revocation of said permit to operate in Roswell.
Section 22.5.13 Enforcement and penalty.

(a) The police department and the code enforcement office shall enforce the regulations contained in this article.

(b) Violations of the provisions of this article shall be punished by the payment of fines up to $1,000.00 or imprisonment up to six months, or both. Each separate occurrence shall be deemed a separate offense.

(c) The violation of the provisions of this article by any person, corporation, partnership or other entity may be enjoined by instituting appropriate proceedings for injunction in the courts of competent jurisdiction in this State. Such actions may be maintained notwithstanding that other adequate remedies at law exist. Such actions may be instituted in the name of the City of Roswell.

(d) Violations of any provision of this article by any permit holder shall be due cause for revocation of any City permit or certificate, after notice and hearing before the Mayor and Council.