



CITY COUNCIL WORK SESSION  
OCTOBER 16, 2023

ALPHARETTA CITY HALL  
COUNCIL CHAMBERS  
2 PARK PLAZA  
5:30 PM

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **WORK SESSION ITEMS**
  - A. **Text Amendments: False Alarm**  
*Presentation and discussion of proposed text amendments to amend the code regarding false alarms within the City of Alpharetta.*
  - B. **AlphaLoop Alignment - Thompson Street**  
*Presentation and discussion regarding an alignment of the AlphaLoop along Thompson Street.*
  - C. **Pedicab Ordinance**  
*Presentation and discussion of proposed text amendments to permit pedicabs within the City of Alpharetta.*
4. **EXECUTIVE SESSION (IF NECESSARY)**
5. **ADJOURNMENT**



# STAFF REPORT

Department: Administration  
Submitted By: Molly Esswein  
Meeting Date: October 16, 2023

**AGENDA ITEM:**

**Text Amendments: False Alarm**

*Presentation and discussion of proposed text amendments to amend the code regarding false alarms within the City of Alpharetta.*

**STAFF RECOMMENDATION:**

This item is for Work Session presentation and discussion purposes only. No formal action is requested.

**BUDGET & PROCUREMENT:**

**BUDGETED ITEM:** NO

**FISCAL IMPACT:** NO

**INCLUDED IN CURRENT FY CPTL BUDGET:** NO

**INCLUDED IN CURRENT FY OPRT. BUDGET:** NO

**TOTAL PROJECT COST:**

**APPROPRIATIONS:**

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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**EXTERNAL FUNDING SOURCES:**

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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**ITEM DESCRIPTION:**

The City Attorney's Office has reviewed the City's current Code section on False Alarm, and proposes text amendments for Council discussion.

The proposed amendments would address the following:

- Amend purpose section to include companies and entities;
- Add, remove, and clarify terms within the definitions section;
- Registration of alarm systems;
- Text clean-up of section 16-22, 16-25
- Create a civil penalty for false alarms and provide appeal procedures for said penalty; and
- Discontinuance of law enforcement response for failure to make payment of civil penalty;

**ALTERNATIVES:**

**ATTACHMENTS:**

1. False Alarm - Proposed Code Text Amendments

## **ARTICLE II. ALARM SYSTEMS**

### **Sec. 16-19. Purpose.**

The purpose of this article is to regulate the responsibilities of those persons, companies, and/or entities who purchase, rent or use alarm systems, devices or services. This article is also intended to encourage the improvement in reliability of these systems, devices and services and to ensure that police and fire department personnel will not be unduly diverted from responding to actual criminal activity as a result of responding to false alarms. This article specifically encompasses "fire alarms," "burglar alarms," "robbery alarms," "holdup alarms," "medical alarms" and "panic alarms," both audible and inaudible (silent). The provisions of this article shall not apply to alarm systems which are owned or maintained by the city and installed on premises in which the city has a property interest.

(Code 1989, § 13-41; Ord. No. 374, § 1, 4-1-1996; Ord. No. 567, 5-23-2005)

### **Sec. 16-20. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm Company means any person, company, firm, or corporation engaged in selling, leasing, installing, servicing, or monitoring alarm systems; the alarm company shall be licensed in compliance with all applicable local and state laws.

Alarm or Alarm System means and includes any fire, robbery, burglary, holdup, medical or panic alarm that transmits any signal (audible, visual or silent) to the city, indicating a predetermined emergency condition exists, whether the alarm is received either:

- (1) By telephone line to a designated position on an alarm panel;
- (2) By a private alarm service company relayed to the city communications center telephone;
- (3) By an automated telephone alarm system, playing a recorded message when received on the city communications center telephone; or
- (4) By a signal relayed to the city communications center by a third party.

False alarm means any activation of an alarm system when, upon inspection by the Police or Fire Departments, there is no evidence of fire, unauthorized entry, robbery, or other such crime attempted in or on the premises which would have activated a properly functioning alarm system. where none of the emergencies for which the alarm system has been installed have in fact occurred.

Response means the dispatch of any police or fire unit to the premises where an alarm system has been activated or the arrival of an officer to the location by any means of notification.

~~Telephone alarm system means any alarm system which automatically transmits by telephone line a recorded electronic or mechanical signal to a telephone instrument at the city communications center.~~

(Code 1989, § 13-42; Ord. No. 374, § 2, 4-1-1996; Ord. No. 567, 5-23-2005)

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## Sec. 16-21. Registration required after false alarm.

Each person who receives a warning notice for a false alarm as provided in section 16-23(2) shall, within 30 days of the notice, apply for and obtain a registration certificate in accordance with the provisions of this article. ~~When registration is required under this section, the application fee shall be \$50.00. Any other person may, but is not required to voluntarily register, and there shall be no application fee for voluntary registration.~~

(Code 1989, § 13-43; Ord. No. 374, § 3, 4-1-1996; Ord. No. 567, 5-23-2005)

## Sec. 16-22. Contents of application; permit fee.

- (a) Each applicant for a registration certificate shall complete a registration form prescribed by the city containing the following information:
  - (1) The name and telephone number of the applicant, and the address of the premises where the alarm system is installed;
  - (2) The ~~person or business entity~~ name of the alarm company maintaining, monitoring or servicing the alarm system, along with a telephone number of the alarm dispatch center; and
  - (3) Names and telephone numbers of all persons who have access to the premises and have knowledge of the operation of the alarm, and who shall be responsible for resetting, disconnecting or disarming the alarm.
- (b) Registration applications, together with a fee of \$50.00 ~~(unless registration is voluntary, in which case no fee is required)~~, shall be filed with the finance department, which will disseminate registration application information to the inspections, fire, and police departments.
- (c) Persons owning or using alarm systems shall provide response to the alarm location, when requested, in order to reset, disconnect or disable the alarm system within 90 minutes of such request. Failure to provide such response shall result in a service fee of not less than \$25.00 for each such occurrence, subject to the provisions of sections 16-23 and 16-24, below. ~~The imposition of this service fee may be appealed to the city administrator by sending a letter of appeal to the city administrator within ten days after the fee is imposed. The city administrator may waive the fee if the appellant establishes to the satisfaction of the city administrator that the failure to respond was due to circumstances not within the reasonable control of the appellant.~~
- (d) Nothing in this article shall be deemed to impose any liability upon the city in connection with the regulation of alarm systems, or otherwise constitute a waiver of sovereign immunity.
- (e) All alarm systems installed after the effective date of the ordinance from which this article is derived having an audible or visual signal at the premises shall be equipped so as to automatically shut off the audible signal after no longer than ten minutes ~~for residential installations and 15 minutes for nonresidential installations~~, except those systems required by law to have a longer operation period, in which case, such system shall be equipped so as to automatically shut off the audible signal at the conclusion of the longer operating time.
- (f) Telephone alarm devices shall be construed or installed so as not to seize or otherwise hold or preempt the telephone lines of the city communications center. ~~Beginning 12 months after the effective date of the ordinance from which this article is derived, n~~No person shall use or cause to be used any telephone device or telephone attachment that automatically selects or dials a published emergency telephone number or any city telephone number and then reproduces any prerecorded message or signal, provided that this section shall not apply to a life safety alert system utilizing residential transmitting equipment designated for direct telephone access to dedicated control receiving equipment located in the city's public safety communications center.

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- (g) If, after a registration certificate is issued, any of the information contained within the application for which the registration certificate was issued changes, the certificate holder shall notify the ~~inspections~~ Public Safety Department in writing of each such change not later than 30 days after the change.

(Code 1989, § 13-44; Ord. No. 374, § 4, 4-1-1996; Ord. No. 567, 5-23-2005)

**Sec. 16-23. ~~Service fee~~Civil penalty for false alarms.**

For each police or fire response to a false alarm, the responding officer shall leave a false alarm notification slip at the premises. ~~Service fees~~Civil penalties for police or fire response to false alarms shall be imposed as follows:

- (1) False alarms occurring during the first 120 days of operation of a newly installed or reinstalled alarm system shall not be counted as "false alarms" for the purposes of subsections (2) through (4) of this section.
  - (2) For the first false alarm within a calendar year, no ~~service feecivil penalty~~ shall be charged, but a warning notice shall be issued and a registration certificate shall be applied for and obtained within 30 days of the notice.
  - (3) For the second, third and fourth false alarm within a calendar year, the property owner or lessee shall be charged a ~~service feecivil penalty~~ of \$50.00 per false alarm.
  - (4) For the fifth and each additional false alarm within a calendar year, the property owner or lessee shall be charged a ~~service feecivil penalty~~ of \$125.00 per false alarm.
  - (5) ~~Service fees~~Civil penalties shall be billed by the city finance department directly to the occupant where the false alarm occurred, and shall provide a due date for payment which is at least 30 days from the date of the notice of the service feecivil penalty, and shall contain a statement setting forth the appeal procedure of section 16-24. Such notice shall be sent to the alarm user vis USPS Registered Mail, Return Receipt Requested, or by Statutory Overnight Delivery. In the event the occupant fails to pay the service fees billed under this article, the city shall bill the owner of the property, if different than the occupant. The owner and the occupant shall be jointly responsible for the service fees billed under this article.
  - (6) The failure of an alarm user to make payment of any civil penalty assessed under this article within 30 days from the date of the invoice shall result in discontinuance of law enforcement response to alarm signals that may occur at the premises described in the alarm user's registration certificate until payment is received. However, response by law enforcement shall continue in the normal course in response to 911 calls to the emergency communications center, or upon verification by the alarm contractor or user that an alarm was set off as a result of criminal activity. Normal alarm responses will be restored under the following circumstances:
    - (a) Upon the filing of an appeal as provided in this article; or
    - (b) Upon the city's receipt of full payment from the alarm user who is 60 or more days delinquent on payment of any civil penalties.
- ~~Should the service fees go unpaid not be paid in full by the due date, the city shall withhold the issuance of a business license or occupational tax certificate or apply funds paid for other charges and services to service fees billed under this article.~~
- (7) In the event ~~fees~~civil penalties go unpaid after the due date, a one-time ten percent penalty will be charged based upon the amount due, and interest at the rate of one percent per month shall accrue until the fees are paid in full.

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(Code 1989, § 13-45; Ord. No. 374, § 5, 4-1-1996; Ord. No. 567, 5-23-2005)

**Sec. 16-24. Appeals.**

- (a) Assessments of civil penalties and other enforcement decisions made under this ordinance may be appealed by filing a written notice of appeal, setting forth the reasons for the appeal, with the public safety director or his or her designee within fourteen (14) days after the date of notification of the assessment of civil penalties or other enforcement decision.
- (b) The failure to file a notice of appeal within this period shall constitute a waiver of the right to contest the assessment of civil penalties or other enforcement decisions.
- (c) Appeals will be considered by the public safety director, or a hearing officer designated by the public safety director. Appeal hearings may be conducted in person, by telephone, by video conferencing or simply on the record submitted in the appeal by the applicant or alarm user. The party appealing shall indicate the preferred method of appeal in the submission of the written notice of appeal. Such appeal hearing shall be conducted within fourteen (14) days of the filing of the appeal, unless the parties mutually agree to extend the time for such a hearing. The public safety director or hearing officer shall review an appeal from the assessment of civil penalties or other enforcement decisions using a preponderance of the evidence standard. Notwithstanding a determination that the preponderance of the evidence supports the assessment of civil penalties or other enforcement decision, the public safety director or hearing officer shall have the discretion to dismiss or reduce civil penalties or reverse any other enforcement decision upon a finding of good cause or extenuating circumstances. The public safety director or hearing officer shall make a decision regarding the appeal within five (5) days of the hearing, and shall provide notice of same to the alarm user in writing.
- (d) The decision of the public safety director or designated hearing officer may be appealed to the city administrator. An appeal to the city administrator must be filed in writing within fourteen (14) days after the date of the notice of decision by the public safety director or hearing officer.

**Sec. 16-245. Duties of alarm ~~system company or business~~ companies.**

Each alarm ~~system~~ company or business selling, leasing and/or monitoring an alarm system installed within the city limits shall provide the user with a copy of this article and an application for a registration certificate, and shall instruct the user in the proper operation of the system. Each ~~business entity~~ alarm company monitoring or servicing an alarm system installed within the city limits shall file an annual registration with the city identifying the name, address and telephone number of the ~~entity~~ alarm company, the name of a contact person, and the location of each system in the city that is monitored or serviced by the ~~entity~~ alarm company. The registration is due no later than January 15 of each year.

(Code 1989, § 13-46; Ord. No. 374, § 6, 4-1-1996; Ord. No. 567, 5-23-2005)

**Sec. 16-256. Penalties.**

~~Any person who violates any provision of this article, shall be guilty of a misdemeanor punishable according to the penalties described in section 1-8. Each day that a violation occurs or continues shall constitute a separate offense. The punishment or conviction of any person under this section shall not relieve the person from paying any unpaid permit or service fee; nor shall payment of any unpaid permit or service fee bar criminal prosecution for any violation of this article.~~

~~(Code 1989, § 13-47; Ord. No. 374, § 7, 4-1-1996; Ord. No. 567, 5-23-2005)~~

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Secs. 16-2~~667~~—16-53. Reserved.



# STAFF REPORT

Department: Community & Economic Development

Submitted By: Kathi Cook

Meeting Date: October 16, 2023

**AGENDA ITEM: ALPHA LOOP THOMPSON STREET ALIGNMENT – DOWNTOWN TO AVALON**

*Presentation and discussion regarding an alignment of the Alpha Loop along Thompson Street.*

**STAFF RECOMMENDATION:**

This item is for informational purposes only. No formal vote is requested as this is a Work Session item.

**BUDGET & PROCUREMENT:**

**BUDGETED ITEM:** NO

**FISCAL IMPACT:** NO

**INCLUDED IN CURRENT FY CPTL BUDGET:** NO

**INCLUDED IN CURRENT FY OPRT. BUDGET:** NO

**TOTAL PROJECT COST:**

**APPROPRIATIONS:**

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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**EXTERNAL FUNDING SOURCES:**

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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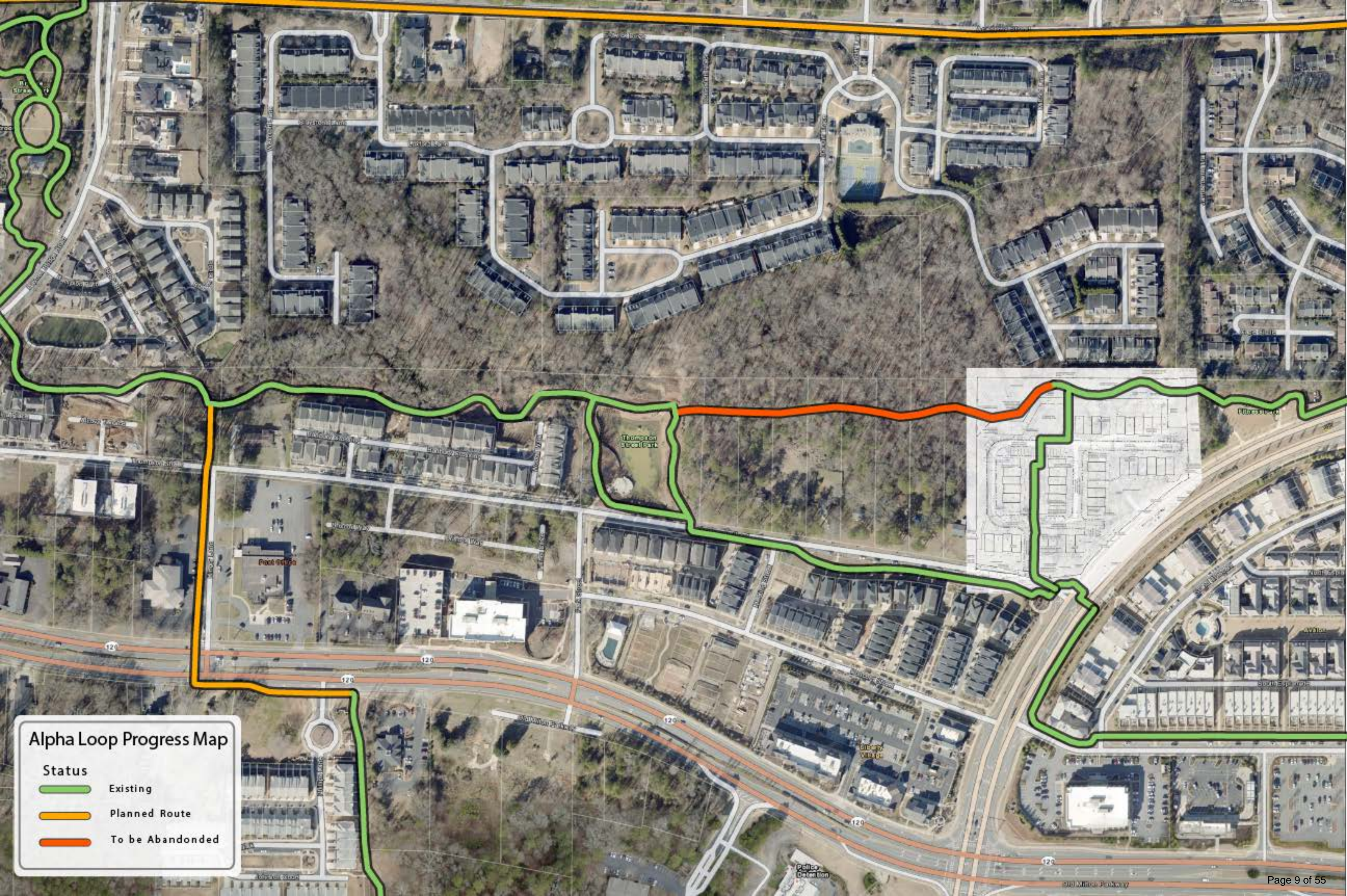
**ITEM DESCRIPTION:**

Chiswick (Z-17-03 Thompson Street/Burnett Circle) was approved in May of 2017. The approved site plan included the construction of the Alpha Loop along the north side of the property adjacent to Academy Park. The section was built to connect to the existing fitness park along Westside Parkway and to connect to a future planned extension to the west with the goal of connecting to the Foundry's stormwater park along Thompson Street. A condition of zoning was placed on the property requiring the land at the rear of the property to be dedicated to the city for a "park" which includes the construction of the Alpha Loop. The zoning condition further stated that although impact fees shall be given for any improvements to the property there would be no impact fee credits given for the value of the land. The developer has built a section of the Alpha Loop that connects to the fitness park but has not constructed the portion that is required to be an elevated bridge adjoining the property to the west. The elevated section, a 250' bridge, will cost approximately \$470,000 to construct and would be reimbursed with impact fees if the developer is instructed to move forward by Staff.

Community Development staff met with Parks and Public Works to review the built sections of the Alpha Loop from Downtown to Avalon. It was determined that the existing Alpha Loop route which traverses along the creek to the stormwater park and crosses Thompson Street at the Foundry is a sufficient route whereby developers have received over \$2 million in impact fee credits. Staff is recommending the proposed Alpha Loop section from Chiswick to the stormwater park be abandoned since an alternative route currently exists. Public access will be maintained by way of a public easement through Chiswick if that route is chosen. Academy Park HOA will continue to have direct access to the Alpha Loop trail.

**ATTACHMENTS:**

- Alpha Loop Thompson Street Map



**Alpha Loop Progress Map**

**Status**

-  Existing
-  Planned Route
-  To be Abandoned



# STAFF REPORT

Department: Community & Economic Development

Submitted By: Kathi Cook

Sponsored By: Councilmember Merkel

Meeting Date: October 16, 2023

**I. AGENDA ITEM TITLE: PEDICAB ORDINANCE**

**II. RECOMMENDATION:**

Staff is seeking direction from Mayor and Council in regards to preparing a Pedicab ordinance.

**III. BUDGET IMPLICATIONS:**

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: THIS DISCUSSION ITEM HAS NO CURRENT BUDGETARY IMPACT.

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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**IV. REPORT IN BRIEF:**

Staff has been approached a few occasions regarding whether the City allows pedicabs to operate on City streets and/or multi-use trails. Currently, the City has a vehicle-for-hire ordinance, which pertains to taxicabs (motorized vehicles).

**V. ALTERNATIVES:**

**VI. ATTACHMENTS:**

- Pedicab Ordinance Presentation
- Savannah Pedicab Ordinance & Application
- Franklin TN Pedicab Ordinance & Application
- Roswell Pedicab Ordinance & Application



# Pedicab Ordinance Discussion

## Alpharetta City Council

Work Session  
October 16, 2023

# Code Amendments

- Revise the Code of Ordinances to require a permit for pedicab operators, including operational requirements.
- Code of Ordinances Chapter 48 Vehicles for Hire – Specific to Taxicabs (motor vehicle)



# Pedicab Defined

A bicycle, or pedal vehicle, with three (3) or more wheels operated by one (1) person for the purpose of, or capable of, transporting passengers in seats or a platform made a part of the pedicab. This definition shall not include a bicycle built for two (2) where the operators are seated one (1) behind the other, nor shall it include a bicycle with trainer or beginner wheels affixed thereto, nor shall it include a wheelchair or other vehicle for the purpose of transporting a handicapped person, nor shall it include a tricycle built for a child or an adult with a seat for only one (1) operator and no passenger.

# Pedicab Ordinance

- Require an annual permit
- Establish qualifications for issuance of a permit
- Establish operation requirements
- Provide for appeals, violations, and penalties



# Ordinance – Permit Requirements

- Definitions
- Permit required/Fee
- Indemnity for benefit of city
- Insurance
- Driver's permit fee
- Application
- Physician's certificate
- Qualifications
- Permit display
- Permit duration
- Revocation of permit

# Ordinance – Operational Requirements

- Identification
- Safe mechanical condition/cleanliness
- Pedicab inspection
- Authority for removal of pedicabs from street
- Rates of fare
- Prohibitions (no solicitation/collecting fare in motion)
- Loading, unloading; stopping, parking
- Restriction on number of passengers
- Refusal to carry orderly passengers
- Safety equipment
- Area/time of operation
- Traffic regulations
- Impediment to traffic flow

# Questions?

**ARTICLE DD. - PEDICABS**

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**Contents:**

- Sec. 6-2501. - Short title.**
- Sec. 6-2502. - Definitions.**
- Sec. 6-2503. - Purpose of pedicabs.**
- Sec. 6-2504. - License required.**
- Sec. 6-2505. - Fixed place of business required.**
- Sec. 6-2506. - Indemnity for benefit of city.**
- Sec. 6-2507. - Insurance.**
- Sec. 6-2508. - Blanket policy**
- Sec. 6-2509. - Notice when canceled.**
- Sec. 6-2510. - Pedicab driver's permit.**
- Sec. 6-2511. - Application.**
- Sec. 6-2512. - Physician's certificate required.**
- Sec. 6-2513. - Qualifications of applicant.**
- Sec. 6-2514. - Pedicab driver's permit fee.**
- Sec. 6-2515. - Current state driver's license required.**
- Sec. 6-2516. - Driver's permit to be displayed on pedicab.**
- Sec. 6-2517. - Alteration of permits prohibited.**
- Sec. 6-2518. - Permit not transferable.**
- Sec. 6-2519. - Duration of permit.**
- Sec. 6-2520. - Suspension of pedicab driver's permit.**
- Sec. 6-2521. - Revocation of driver's permit.**
- Sec. 6-2522. - Operating after suspension or revocation.**
- Sec. 6-2523. - Administrative hearing and appeal.**
- Sec. 6-2524. - Identification and marking generally.**
- Sec. 6-2525. - Numbers generally.**
- Sec. 6-2526. - Registration of number and names of owner and operator.**
- Sec. 6-2527. - Safe mechanical condition of pedicab required.**
- Sec. 6-2528. - Cleanliness of pedicab required.**
- Sec. 6-2529. - Pedicab inspections required.**
- Sec. 6-2530. - Authority for removal of pedicabs from the streets.**
- Sec. 6-2531. - Rates of fare.**
- Sec. 6-2532. - Soliciting passengers prohibited.**
- Sec. 6-2533. - Use of designated stops or stands prohibited.**
- Sec. 6-2534. - Restriction on number of passengers.**
- Sec. 6-2535. - Refusal to carry orderly passengers prohibited.**
- Sec. 6-2536. - Prohibitions of pedicab drivers.**
- Sec. 6-2537. - Pedicab movement prohibited under certain circumstances.**
- Sec. 6-2538. - Property left in a pedicab by passenger.**

**Sec. 6-2539. - Safety equipment required.****Sec. 6-2540. - Area of operation.****Sec. 6-2541. - Traffic regulations.****Sec. 6-2542. - Impediment of traffic flow.****Sec. 6-2543. - Compliance required.****Secs. 6-2544—6-2560. - Reserved.****Sec. 6-2501. - Short title.**

This article shall be known and cited as "The Pedicab Ordinance of 1994."

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2502. - Definitions.**

**City.** The word "city" shall mean the mayor and aldermen of the City of Savannah, Georgia, a municipal corporation, the definition to include all area within the corporate limits of the City of Savannah.

**Pedicab.** A bicycle with three or more wheels operated by one person for the purpose of, or capable of, transporting passengers in seats or a platform made a part of the pedicab. This definition shall not include a bicycle built for two where the operators are seated one behind the other, nor shall it include a bicycle with trainer or beginner wheels affixed thereto, nor shall it include a wheelchair or other vehicle for the purpose of transporting a handicapped person, nor shall it include a tricycle built for a child or an adult with a seat for only one operator and no passenger.

**License.** The right and privilege granted by the City of Savannah for the operation of a business incorporating the use of one or more pedicabs within the corporate limits of the city.

**Company.** The holder of a license to operate a pedicab business under the provisions of this article whether a person, firm, partnership or corporation.

**Driver.** Any person who drives or operates a pedicab on the streets of Savannah for a licensed company.

**Driver's permit.** The written authority granted by the city for a person to operate a pedicab within the City of Savannah.

**Street.** The word "street" shall mean and include any street, alley, lane, avenue, court, or other public vehicular right-of-way within the City of Savannah.

**Tour services coordinator.** The individual employee or organizational unit of the city charged with the responsibility for administering and enforcing this article, except for specific responsibilities otherwise provided in this article.

**Passenger loading zone.** A public place alongside the curb of a street or elsewhere which has been designated by the mayor and aldermen as reserved for the loading and unloading of passengers.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2503. - Purpose of pedicabs.**

The primary purpose for the operation of pedicabs in the city shall be for the transportation of Passengers. Pedicabs may register as a tour service company as provided for in the Tour Service for Hire Ordinance, Article R of Part 6 of the City Code, as amended.

(Ord. of 6-9-1994(1), § 1; Ord. of 10-24-2019(46), § 2)

Effective on: 10/24/2019

**Sec. 6-2504. - License required.**

a. No person, firm or corporation shall operate a business involving the use of one or more pedicabs on the streets of the city unless a license for such business has first been granted by the city in accordance with the provisions of the annual

revenue ordinance. The license shall be effective only for the calendar year stated in the license, unless suspended or revoked sooner as provided by ordinance.

- b. Application for the license shall be made on forms provided by the revenue department and shall provide such information as is required for other business license applications and such additional information as may be necessary to define completely the business operation. Renewal of the license shall be as required by the annual revenue ordinance.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2505. - Fixed place of business required.**

Each pedicab company, as a condition for holding a license under the provisions of this article and the annual revenue ordinance, shall establish and maintain a fixed headquarters on private property for the operation of the company's business. The headquarters shall conform to ordinances of the city and shall provide adequate off-street parking space for all pedicabs not in service on the streets. The company headquarters shall not be moved except by the approved transfer of the company's license to another location.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2506. - Indemnity for benefit of city.**

Any pedicab company operating under this article shall hold the city harmless against any and all liability, loss, costs, damages, or expense which may accrue to the city by reason of the negligence, default, or misconduct of the company in connection with the rights granted to such company under this article. Nothing in this article shall be considered to make the city liable for damages because of any negligent act or omission or commission by any pedicab company, its owner, operator, servants, agents, drivers, or other employees, during the operation of a pedicab business or service, either with respect to injuries to persons or damage to property which may be sustained.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2507. - Insurance.**

Any pedicab company desiring a license to do business shall give and maintain a policy of comprehensive general liability insurance from an insurance company authorized to do business in the State of Georgia for each pedicab in use as a transportation vehicle, with minimum general liability coverage of \$1,000,000.00. Such insurance shall inure to the benefit of any person who shall be injured or shall sustain damage to property caused by the negligence or misconduct of a pedicab company, its servants or agents. Copies of such insurance policies shall be filed with the city revenue department and shall specifically provide that such policy shall not be cancelled without notice to the city.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2508. - Blanket policy**

Any pedicab company operating in the city shall give and maintain a separate policy of comprehensive general liability insurance for each separate pedicab for hire, except where such company or person actually owns or holds legal title to more than one pedicab, in which event such company or person may give one policy of comprehensive general liability insurance covering all the pedicabs actually owned. This latter provision, however, shall not apply to any group of persons separately owning pedicabs who may be jointly operating or doing business under a licensed pedicab company name.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2509. - Notice when canceled.**

Before any policy of insurance required by this article is canceled for any cause, nonpayment of premium or otherwise, notice thereof shall be given, in writing, to the revenue department at least ten days before the same shall take effect.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2510. - Pedicab driver's permit.**

No person shall operate a pedicab for hire upon the streets of the city, and no person who owns or operates a pedicab company shall permit a pedicab to be driven or operated under a pedicab company licensed by the city at any time for hire, unless the driver of the pedicab shall first have obtained and shall have then in force a pedicab driver's permit issued under the provisions of this article.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2511. - Application.**

Any person desiring a permit required by this article shall submit an application in writing to the tour services coordinator, on a form to be furnished by the tour services coordinator. The application shall be made under oath and shall state the age of the applicant, his or her address, and whether he or she 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.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2512. - Physician's certificate required.**

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

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2513. - Qualifications of applicant.**

An applicant for a pedicab driver's permit under this article may not be less than 16 years of age, with no physical infirmities which might make the applicant an unsafe or unsatisfactory pedicab 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 two or more times 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. Nor shall a permit be issued to any person who has within three years prior to the date of the application for such permit been convicted of any crime related to transporting persons for immoral purposes or has within three years prior to the date of the application for such permit been convicted of a felony.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2514. - Pedicab driver's permit fee.**

Before any permit is granted under this article, a pedicab driver's permit fee of \$5.00 shall be paid by the applicant.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2515. - Current state driver's license required.**

Any person applying for a pedicab 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.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2516. - Driver's permit to be displayed on pedicab.**

The pedicab driver's permit issued under the provisions of this article shall be displayed on the pedicab 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 pedicab is for hire.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2517.- Alteration of permits prohibited.**

It shall be unlawful for any person willfully to alter, deface, obliterate, or destroy a pedicab driver's permit, or cause or allow the same.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2518. - Permit not transferable.**

Any pedicab driver's permit issued under this article is not transferable, and is to be used solely by the person to whom it is issued.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2519. - Duration of permit.**

Any pedicab driver's permit shall be in effect for 12 months from the date of issue. Permits may be renewed, upon application and payment of the required fee, for each 12-month period thereafter, unless the permit for the preceding period has been revoked or is under suspension.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2520. - Suspension of pedicab driver's permit.**

Upon recommendation of the tour services coordinator, the parking services administrator shall have authority to suspend a driver's permit for the following reasons: (i) making any false statement in the application for the permit, (ii) operating a pedicab in violation of any provision of this article or state law. The suspension by the parking services administrator 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 administrative hearing panel, or at the expiration of 60 days from the date of suspension. From the decision of the parking services administrator to suspend a permit, the holder of such permit shall have the right to appeal to an administrative hearing panel, as provided in section 6-2523 of this article.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2521. - Revocation of driver's permit.**

In the event that any driver holding a permit under this article at any time ceases to meet the qualifications described in section 6-2513 or fails to correct satisfactorily any false statement made in the application for the permit, or fails to operate his pedicab in accordance with the provisions of this article, the city manager shall be empowered to revoke permanently the permit or to restore the same after a hearing as provided in section 6-2523 of this article.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2522. - Operating after suspension or revocation.**

It shall be unlawful for any person to operate a pedicab for hire for the transportation of passengers during any period in which his or her permit to do so is suspended or revoked in accordance with the provisions of this article.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2523. - Administrative hearing and appeal.**

- a. *Administration.* This article shall be administered by the tour services coordinator, who shall have authority to recommend to the parking services administrator the suspension of a pedicab driver's permit for violation of this article or state law. The parking services administrator shall have authority to suspend a pedicab driver's permit for violation of this article or state law.
- b. *Administrative hearing and appeal.* Any decision of the parking services administrator to suspend a pedicab driver's permit may be appealed within ten days. All appeals shall be made in writing to the parking services administrator. Such appeal shall be heard by an administrative hearing panel made up of (a) the revenue director, (b) a designee of

the revenue director, (c) the traffic engineer or his designee, (d) the Savannah police chief or his designee and (e) two members of the tourism advisory committee.

The administrative hearing shall be informal and shall be presided over by the revenue director or his designee. The majority decision of the administrative hearing panel shall be provided to the pedicab company or driver in writing within two days of the hearing. Decisions of the administrative hearing panel may, within ten days of notification, be appealed in writing to the city manager, whose ruling shall be final.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2524. - Identification and marking generally.**

Every pedicab shall have a sign plainly painted on each side of the vehicle, in letters not less than three inches high, containing the full name of the company operating the pedicab.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2525. - Numbers generally.**

There shall be painted on each side and on the rear of each pedicab a number at least four inches high, the number to be a separate and distinct number from that on any other public vehicle or taxicab in the city. The number shall be assigned to such pedicab and the owner thereof by the tour services coordinator and shall not be altered or changed without the consent of the tour services coordinator.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2526. - Registration of number and names of owner and operator.**

The number assigned a pedicab in accordance with this article together with the names of the owner and operator of the pedicab shall be registered with the tour services coordinator in a file to be kept for that purpose.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2527. - Safe mechanical condition of pedicab required.**

Every pedicab 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 pedicab is in service.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2528. - Cleanliness of pedicab 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.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2529. - Pedicab inspections required.**

Each pedicab shall be inspected by the tour services coordinator for compliance with the provisions of this article and shall pass the inspection before the vehicle may be used as a pedicab in the city. Each pedicab involved in an accident shall be inspected by the tour services coordinator before it may be returned to service transporting passengers for hire. Each pedicab shall be inspected by the tour services coordinator at least once in each six-month period to insure continued compliance with the provisions of this article.

(Ord. of 6-9-1994(1), § 1)

#### **Sec. 6-2530. - Authority for removal of pedicabs from the streets.**

The tour services coordinator shall have the authority to remove from operation on the streets of the city any pedicab which is in violation of this article, and to prohibit operation of the pedicab until all deficiencies have been corrected. An

order of the tour services coordinator to remove a pedicab from the streets may be appealed as provided in section 6-2523 of this article.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2531. - Rates of fare.**

a. *Rate card required.* No owner or driver of a pedicab shall charge a greater amount for the use of the pedicab than in accordance with the published and advertised rates which shall be displayed on each pedicab. Rates shall be displayed in such place as to be conspicuous and to be in clear view of all passengers.

b. *Published literature.* Any published literature provided by pedicab companies shall describe specifically all services offered and the rate to be charged.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2532. - Soliciting passengers prohibited.**

It shall be unlawful for any person to solicit passengers verbally or by gesture, directly or indirectly, upon the streets or other areas of the city.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2533. - Use of designated stops or stands prohibited.**

It shall be unlawful for any driver of a pedicab to park or stand at any bus stop, tour bus stop, tour bus zone, taxicab stand, or horse-drawn carriage stand. Pedicabs may stop for the purpose of loading and unloading passengers at any designated passenger loading zone within the permitted area of operation.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2534. - Restriction on number of passengers.**

No driver shall permit more persons to be carried in a pedicab as passengers than the rated seating capacity of the pedicab as determined by the tour services coordinator. A child in arms shall not be counted as a passenger.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2535. - Refusal to carry orderly passengers prohibited.**

No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this article to do so.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2536. - Prohibitions of pedicab drivers.**

It shall be unlawful for any driver of a pedicab to solicit business for any hotel or other business or to attempt to divert patronage from one hotel or business to another or to use a pedicab for any purpose other than transportation of passengers.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2537. - Pedicab movement prohibited under certain circumstances.**

No driver shall collect fares, make change, or take on or discharge passengers while his or her pedicab is in motion.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2538. - Property left in a pedicab by passenger.**

Any pedicab driver discovering in any pedicab under his or her control personal property which was lost or left therein by a passenger of such pedicab shall report the loss and deliver all the property to the office of the pedicab company within

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 60 days.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2539. - Safety equipment required.**

Each pedicab shall be equipped with electrically powered lights or lanterns and with 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 500 feet in any direction.

(Ord. of 6-9-1994(1), § 1)

**Sec. 6-2540. - Area of operation.**

- a. Pedicabs carrying passengers for hire shall be confined to streets in the area bounded on the north by the south curblines of River Street from Martin Luther King Boulevard to General McIntosh Boulevard; on the west by the west curblines of Martin Luther King Boulevard from River Street to Oglethorpe Avenue, then the east curblines of Martin Luther King Boulevard from Oglethorpe Avenue to Park Avenue; on the east by the north curblines of General McIntosh Boulevard from River Street to Randolph Street, then the east curblines of Randolph Street to Liberty Street, then the south curblines of Liberty Street to East Broad Street, then the west curblines of East Broad Street to Park Avenue; and on the south by the south curblines of Park Avenue from Martin Luther King Boulevard to East Broad Street.
- b. Pedicabs are prohibited on the following streets and street segments within the area defined above, except to cross from one side to the other: Bay Street, Broughton Street from Martin Luther King Boulevard to Lincoln Street between the hours of 9:00 a.m. and 5:00 p.m., Drayton Street, Whitaker Street, President Street from East Broad Street to Randolph Street, and Montgomery Street from Broughton Street to West Taylor Street.

(Ord. of 6-9-1994(1), § 1(6-2541))

**Sec. 6-2541. - Traffic regulations.**

- a. Pedicabs 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 driving a pedicab within the city limits of the City of Savannah shall be subject to the provisions of this article and shall operate pedicabs in accordance with the traffic laws of the State of Georgia and the City of Savannah.
- c. Considering the nature of operating pedicabs in areas of congestion and heavy traffic, pedicabs shall be operated with extra caution and due care for safety.

(Ord. of 6-9-1994(1), § 1(6-2542))

**Sec. 6-2542. - Impediment of traffic flow.**

It shall be unlawful for the operator of any pedicab to willfully impede the normal flow of traffic on any street at any time. Pedicabs shall 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.

The willful failure of any person to comply with this section shall constitute an offense which shall be punishable by a fine and/or suspension of the pedicab driver's permit pursuant to section 6-2520 for a period not to exceed 30 days for the first violation of this section. Second and subsequent violations shall be punishable by a fine and/or suspension of the pedicab driver's permit for not more than 60 days pursuant to section 6-2521 of this article.

(Ord. of 6-9-1994(1), § 1(6-2543))

**Sec. 6-2543. - Compliance required.**

Failure to comply with this article or any of the laws, ordinances, and regulations of the city can result in suspension or revocation of a pedicab driver's permit and shall be punishable as an offense as provided in this Code.

(Ord. of 6-9-1994(1), § 1(6-2544))

**Secs. 6-2544—6-2560. - Reserved.**





## Pedicab/Shuttle/Taxi/Wrecker/ Permit Application

Company: \_\_\_\_\_

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Driver's License Number: \_\_\_\_\_

State: \_\_\_\_\_ Date Of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Sex: \_\_\_\_\_ Race: \_\_\_\_\_ Age: \_\_\_\_\_ Weight: \_\_\_\_\_ Height: \_\_\_\_\_ Eyes: \_\_\_\_\_

Hair: \_\_\_\_\_ Email: \_\_\_\_\_

The undersigned acknowledges that he has received a copy of applicable City of Savannah ordinances related to this permit and is familiar with the requirements relating to this permit.

The undersigned understands that any false statements made on this application may be grounds for rejection of the application.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

Please complete the following:

This application is for which type of permit: taxi wrecker pedicab bus (shuttle, NEV)  
I have been a resident of Savannah for \_\_\_\_\_ years \_\_\_\_\_ months.

\_\_\_\_\_  
Previous address if less than three years: \_\_\_\_\_

Are you a citizen of the United States? Yes No

Have you been convicted of driving under the influence of drugs or alcohol within the past two years? Yes No. If yes, when?

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Have you been convicted of reckless driving within one year prior to the date of this application? Yes No

Have you been convicted three or more times of any of the above offenses within the past five years prior to the date of this application? Yes No. If yes, please list offense and date:

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Have you been convicted of any crime related to transporting persons for immoral purposes (prostitution, solicitation, or any sex related offense) within the past three years prior to this application? Yes No. If yes, explain:

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Have you at any time in the past three years prior to the date of this application been convicted of, been on probation for, paroled or served time for a felony? Yes No. If yes, explain:

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I, \_\_\_\_\_ do solemnly swear or affirm that I will cooperate in all matters related to the general safety and welfare of the public whom I serve. I understand that any infraction of the City ordinances pertaining to this permit will subject me to fines, suspension, and/or revocation of my permit. I understand that falsification or misrepresentation on this application shall result in revocation of my permit.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**OFFICIAL USE ONLY**

Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## CHAPTER 10.- PEDICABS

## Sec. 9-1001. - Definitions.

- (1) *Company*. The holder of a permit to operate a pedicab business under the provisions of this chapter whether a person, firm, partnership or corporation, whether for-profit, not-for-profit, or a free service.
- (2) *Driver*. Any person who drives or operates a pedicab on the streets of Franklin for a permitted company.
- (3) *Driver's permit*. The written authority granted by the city for a person to operate a pedicab within the City of Franklin.
- (4) *Pedicab*. A pedal vehicle with three or more wheels operated by one person for the purpose of, or capable of, transporting passengers in seats or a platform made a part of the pedicab. This definition shall not include a bicycle built for two where the operators are seated one behind the other, nor shall it include a bicycle with trainer or beginner wheels affixed thereto, nor shall it include a wheelchair or other vehicle for the purpose of transporting a handicapped person, nor shall it include a tricycle built for a child or an adult with a seat for only one operator and no passenger. Includes pedal carriages and rickshaws as defined by Tennessee Code Annotated, § 55-26-101.
- (5) *Street*. The word "street" shall mean and include any street, alley, lane, avenue, court, or other public vehicular right-of-way within the City of Franklin.

(Ord. No. 2006-24, 5- -2006)

## Sec. 9-1002. - Permit required; permit fee.

- (1) No person, firm or corporation shall operate a profit or not-for-profit business, or any free service, involving the use of one or more pedicabs on the streets of the city unless a pedicab permit has first been obtained. The permit shall be effective only for the calendar year stated, unless suspended or revoked sooner.
- (2) Application for the permit shall be provide such information as is required for other business license applications and such additional information as may be necessary to define completely the pedicab operation. Renewal of the permit shall be required annually.
- (3) No separate fee for the pedicab permit shall be required; however, businesses shall be required to obtain a business license pursuant to title 5, chapter 2 of this Code.

(Ord. No. 2006-24, 5- -2006)

## Sec. 9-1003. - Fixed headquarters required.

Each pedicab company, as a condition for holding a permit under the provisions of this chapter, shall establish and maintain a fixed headquarters on private property for the operation of the company's business. The headquarters shall conform to ordinances of the city and shall provide adequate off-street parking space for all pedicabs not in service on the streets. The company headquarters shall not be moved except by the approved transfer of the company's permit to another location.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1004. - Indemnity for benefit of city.

Any pedicab permittee operating under this chapter shall hold the city harmless against any and all liability, loss, costs, damages, or expense which may accrue to the city by reason of the negligence, default, or misconduct of the company in connection with the rights granted to such company under this chapter. Nothing in this chapter shall be considered to make the city liable for damages because of any negligent act or omission or commission by the company, its owner, operator, servants, agents, drivers, or other employees, during the operation of the business or service, either with respect to injuries to persons or damage to property which may be sustained.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1005. - Insurance.

Any pedicab company desiring a pedicab permit shall give and maintain a policy of comprehensive general liability insurance from an insurance company authorized to do business in the State of Tennessee for each pedicab in use as a transportation vehicle, with minimum general liability coverage as specified in appendix A, comprehensive fees and penalties. Such insurance shall insure to the benefit of any person who shall be injured or shall sustain damage to property caused by the negligence or misconduct of the company, its servants or agents. Copies of such insurance policies shall be filed with the city risk manager and shall specifically provide that such policy shall not be cancelled for any cause, nonpayment of premium or otherwise without ten days' notice to the city before the cancellation shall take effect.

(Ord. No. 2006-24, 5- -2006; Ord. No. 2009-39, § XIX, 7-28-2009)

Sec. 9-1006. - Driver's permit.

No person shall operate a pedicab upon the city streets, and no person who owns or operates a pedicab company shall permit a pedicab to be driven or operated under a permit, unless the driver shall first have obtained and shall have then in force a driver's permit issued under the provisions of this chapter.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1007. - Application.

Any person desiring a pedicab permit shall submit an application in writing to the business license department. The application shall be made under oath and shall state the age of the applicant, his or her address, and whether he or she has been convicted of or pled nolo contendere to 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.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1008. - Physician's certificate required of pedicab drivers.

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

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1009. - Qualifications of applicant.

An applicant for a driver's permit under this chapter may not be less than 16 years of age, with no physical infirmities which might make the applicant an unsafe or unsatisfactory 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. Nor shall a permit be issued to any person who has within three years prior to the date of the application for such permit been convicted of any crime related to transporting persons for immoral purposes or has within three years prior to the date of the application for such permit been convicted of a felony.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1010. - Driver's permit fee.

Before any permit is granted under this chapter, a driver's permit fee as specified in appendix A, comprehensive fees and penalties, shall be paid by the applicant.

(Ord. No. 2006-24, 5- -2006; Ord. No. 2009-39, § XX, 7-28-2009)

Sec. 9-1011. - Current state driver's license required.

Any person applying for a driver's permit under this chapter must show that he has a current motor vehicle operator's license issued or approved by the State of Tennessee, and that the license is not under suspension or revocation.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1012. - Driver's permit to be displayed on pedicab.

The pedicab driver's permit issued under the provisions of this chapter shall be worn by permittee or displayed on the pedicab, where the permit will be in clear view of the passengers at all times.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1013. - Alteration of permits prohibited.

It shall be unlawful for any person willfully to alter, deface, obliterate, or destroy a driver's permit, or cause or allow the same.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1014. - Duration of permit; permit not transferable.

Any driver's permit shall be in effect for 12 months from the date of issue. 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. Any driver's permit issued under this chapter is not transferable, and is to be used solely by the person to whom it is issued.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1015. - Suspension of driver's permit.

Upon recommendation of the chief of police, the city administrator shall have 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 pedicab in violation of any provision of this chapter or state law.

The suspension by the city administrator 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 chapter, upon ruling in favor of the driver in any hearing before the administrative hearing panel, or at the expiration of 60 days from the date of suspension. From the decision of the city administrator to suspend a permit, the holder of such permit shall have the right to appeal to an administrative hearing panel, as provided in this chapter.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1016. - Revocation of driver's permit.

In the event that any driver holding a permit under this chapter at any time ceases to meet the qualifications of a permit holder or fails to correct satisfactorily any false statement made in the application for the permit, or fails to operate a pedicab in accordance with the provisions of this chapter, the city administrator shall be empowered to revoke permanently the permit or to restore the same after a hearing as provided in this chapter.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1017. - Operating after suspension or revocation.

It shall be unlawful for any person to operate a pedicab for the transportation of passengers during any period in which the permit to do so is suspended or revoked in accordance with the provisions of this chapter.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1018. - Administrative hearing and appeal.

- (1) *Administration.* This chapter shall be administered by the business license administrator, who shall have authority to recommend to the city administrator the suspension of a pedicab driver's permit for violation of this chapter or state law. The city administrator shall have authority to suspend a driver's permit for violation of this chapter or state law.
- (2) *Administrative hearing and appeal.* Any decision of the city administrator to suspend a driver's permit may be appealed within ten business days. All appeals shall be made in writing to the city attorney. Such appeal shall be heard by an administrative hearing panel made up of:
  - (a) The assistant city administrator;
  - (b) The building and neighborhood services department director or his designee;
  - (c) The city engineer or his designee; and
  - (d) The police chief or his designee.

The administrative hearing shall be informal and shall be presided over by the city attorney or his designee. The majority decision of the administrative hearing panel shall be provided to the company or driver in writing within three business days of the hearing. Decisions of the administrative hearing panel may, within ten days of notification, be appealed in writing to the board of mayor and aldermen and placed on the board's next regular agenda, whose ruling shall be final.

(Ord. No. 2006-24, 5- -2006; Memo of 12-3-2013)

Sec. 9-1019. - Identification and marking generally.

Every pedicab shall have a sign plainly indicated on each side of the vehicle containing the full name of the permittee.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1020. - Safe mechanical condition required.

Every pedicab 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 pedicab is in service.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1021. - Cleanliness required.

Each vehicle operating under this chapter 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.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1022. - Authority for removal of pedicabs from the streets.

The chief of police and the building and neighborhood services department director shall each have the authority to immediately remove from operation on the streets of the city any pedicab which is in violation of this chapter, and to prohibit operation of the vehicle until all deficiencies have been corrected. An order to remove a pedicab from the streets may be appealed as provided in this chapter.

(Ord. No. 2006-24, 5- -2006; Memo of 12-3-2013)

Sec. 9-1023. - Rates of fare.

- (1) *Rate card required.* No owner or driver of a pedicab shall charge a greater amount for the use of the vehicle than in accordance with the published and advertised rates which shall be displayed on each vehicle. Rates shall be displayed in such place as to be conspicuous and to be in clear view of all passengers. If a permittee provides a free service or service for tips, a rate card stating "free service" shall be prominently displayed at all times.
- (2) *Published literature.* Any published literature provided by pedicab companies shall describe specifically all services offered and the rate to be charged.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1024. - Loading and unloading; stopping, standing and parking.

Pedicabs shall stop for the purpose of loading and unloading passengers only off the traveled lanes of the street. Pedicabs shall stop, stand or park only where motorized vehicles are permitted to park under all applicable laws.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1025. - Restriction on number of passengers.

No driver shall permit more persons to be carried in a pedicab as passengers than the rated seating capacity and weight of the vehicle. A child in arms shall not be counted as a passenger.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1026. - Refusal to carry orderly passengers prohibited.

No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this chapter to do so.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1027. - Prohibitions of pedicab drivers.

It shall be unlawful for any driver of a pedicab to solicit business for any business or to attempt to divert patronage from one business to another or to use a pedicab for any purpose other than transportation of passengers.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1028. - Movement prohibited under certain circumstances.

No driver shall collect fares, make change, or take on or discharge passengers while his or her pedicab is in motion.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1029. - Safety equipment required; sirens or whistles prohibited.

Each pedicab shall be equipped with electrically powered lights or lanterns and with 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 500 feet in any direction. A pedicab shall not be equipped with nor shall any person use upon a pedicab any siren or whistle.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1030. - Area and time of operation; loading/unloading.

Pedicabs carrying passengers shall be confined to streets within the area bounded on the north by N. Margin Street; on the west by 10th Avenue; on the east by 1st Avenue and on the south by S. Margin Street. Pedicabs are prohibited in the city at all times, except on the aforementioned streets and street segments within the area defined above between the hours of 9:00 A.M. and 9:00 P.M. daily.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1031. - Traffic regulations.

- (1) Pedicabs 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.
- (2) Every person driving a pedicab within the city limits of the City of Franklin shall be subject to the provisions of this chapter and shall operate pedicabs in accordance with the traffic laws of the State of Tennessee and the City of Franklin, except that u-turns shall be permitted where both lanes of traffic are clear.
- (3) Considering the nature of operating pedicabs in areas of congestion and heavy traffic, pedicabs shall be operated with extra caution and due care for safety.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1032. - Impediment of traffic flow.

It shall be unlawful for the operator of any pedicab to willfully impede the normal flow of traffic on any street at any time. Pedicab and carriage drivers shall be required to pull immediately to the nearest curb area when one or more motor vehicles are unable to safely pass or continue in normal traffic flow. The willful failure of any person to comply with this section shall constitute an offense which shall be punishable by a fine and/or suspension of the pedicab driver's permit for a period not to exceed 30 days for the first violation of this section. Second and subsequent violations shall be punishable by a fine and/or suspension of the driver's permit for not more than 60 days.

(Ord. No. 2006-24, 5- -2006)

Sec. 9-1033. - Compliance required; sunset provision.

Failure to comply with this chapter or any of the laws, ordinances, and regulations of the city can result in suspension or revocation of a pedicab driver's permit and shall be punishable by a fine as specified in appendix A, comprehensive fees and penalties, per violation.

(Ord. No. 2006-24, 5- -2006; Ord. No. 2006-96, 12- -2006; Ord. No. 2009-39, § XXI, 7-28-2009)





**TENNESSEE DEPARTMENT OF REVENUE**  
**Business Tax Registration Application**

RV-F1321001 (04/18)

**Answer all questions below completely. Incomplete and unsigned applications will delay processing.**

1. Business FEIN or SSN <i>(required)</i>	2. Start Date for Location in Jurisdiction	3. Fiscal Year End Date
---	--	-------------------------

4. Type of Ownership (choose only one box below):

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> <b>Sole Proprietorship</b>                                     | <input type="checkbox"/> <b>Partnership</b> <i>(all types)</i>                         | <input type="checkbox"/> <b>Corporation</b> <i>(all types)</i> |
| <input type="checkbox"/> <b>Marital Joint Ownership</b><br>Other Spouse's SSN:<br>_____ | <input type="checkbox"/> <b>Limited Liability Company</b><br><i>(choose one below)</i> |  |
| <input type="checkbox"/> <b>Estate or Trust</b>   | <input type="checkbox"/> Multi-Member LLC  | <input type="checkbox"/> Single Member LLC                     |

5. Legal Name of Business \_\_\_\_\_

6. Primary Address (physical address where records are located; no P.O. box) \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

7. Identify Owners, Officers, Members, or Partners (Attach additional names on separate sheet if needed. See Instructions.)

Title	Title
SSN of owner or FEIN of owning business, if available	SSN of owner or FEIN of owning business, if available
First and Last Name of Owner or Name of Owning Business	First and Last Name of Owner or Name of Owning Business
Telephone Number with Area Code	Telephone Number with Area Code
Email	Email
Address	Address
City State ZIP Code	City State ZIP Code

8. "Doing Business As" (DBA) Name (if different from #5 above) \_\_\_\_\_

9. Classification (select below or write in)  
 Classification: \_\_\_\_\_

10. License Type  
 Standard Business License     Minimal Activity License

11. Business Location Address (physical address only; no P.O. box) \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

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12. Business Activity at this Location

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13. Business Mailing Address City State Zip Code

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14. Business Telephone Number Business Fax Number Business Email Address

---

15. Contact Name Contact Telephone Number Contact Email Address

---

16. **Signatures Required! This application must be signed by an owner, officer, member or partner of the entity listed above. Do not print or use a stamp.**

**For Department Use Only**

The statements made on this application are true to the best of my knowledge and belief.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
*Owner, Officer, Member, or Partner*

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
*Owner, Officer, Member, or Partner*

---

**Electronic filing and payment of taxes is required for business tax.  
Please visit [www.TN.gov/revenue](http://www.TN.gov/revenue) for more information.**

## Instructions: Business Tax Registration Application

### General Information

The Business Tax Application is used to apply for tax registration for Tennessee's business tax. This application cannot be used to register for other Tennessee tax obligations. Businesses must register for sales tax, franchise and excise tax, and other taxes online at [www.TN.gov/revenue](http://www.TN.gov/revenue) or by paper application.

Registration for business tax using this application will not be complete until you have paid the business license fee and obtained your business license from the appropriate county clerk and, if applicable, your city business tax official.

You must submit a fully completed the application in a timely manner to ensure that you are properly registered for this tax or you may make your application online. For information on how to register your business online, visit the Tennessee Department of Revenue's website at [www.TN.gov/revenue](http://www.TN.gov/revenue) and click on E-file and Pay.

You must complete one application for each business location. Upon registration, your county clerk or city official will issue your business tax license. A \$15 fee is required for your initial license. Once registered, the local licensing official will send your record electronically to your city or county official based on your location. You must also pay the required \$15 fee for the initial license at the appropriate city/county official's office.

A standard business license is renewed by the annual payment of tax to the Tennessee Department of Revenue. Once this tax is paid each year, the county clerk or city official will provide a license for the next year. There is no charge for a renewal license.

Business tax minimal activity licenses are renewed each year by payment of an annual \$15 fee.

It is important that you notify the Tennessee Department of Revenue if:

- The business ownership changes in any manner including:
  - selling or closing of the business,
  - adding or changing partners,
  - any transfer or change in the ownership of the business,
  - any change in corporate structure requiring a new charter or certificate of authority; or
- The business location changes.

### Instructions

- 1) Enter the business' federal employer identification number (FEIN) or the owner's social security number (SSN).
- 2) Enter the starting date for this business location (month, date, and year).
- 3) Enter the business' fiscal year end date. This is the year end date the business uses for federal tax purposes.
- 4) Enter the type of ownership for the business. If the entity is a marital joint, enter the SSN for the other spouse.
- 5) Enter the business' legal name. This is the same name used for federal tax purposes or registered with the Tennessee Secretary of State's office.
- 6) Enter the physical address for the business. This cannot be a post office box or address for a mail facility.
- 7) Enter the owner information for one or more business contacts. Complete each item. A social security number is not required. If a business is owned by another business, enter the FEIN of the owning business here. This cannot be the same as the FEIN noted under #1 above.
- 8) Enter the "doing business as" (DBA) name, if any.
- 9) Enter the business tax classification for the business. If necessary, consult the Business Tax Guide at [www.TN.gov/revenue](http://www.TN.gov/revenue) for more information about determining the proper business tax classification.

- 10) Check the box to choose the license type of standard or minimal activity. Minimum activity licenses can only be issued to businesses having less than \$10,000 in annual gross income.
- 11) Enter the business' location address, ensuring that all the information is exact and complete.
- 12) Provide a detailed description of the principal business activity at this location, including the major products and/or services sold.
- 13) Provide the business' mailing address in the space provided. A P.O. box or mailing facility address is acceptable.
- 14) Provide the business' telephone number, fax number (if any), and email address in the space provided.
- 15) Provide the contact information for the business. This will be the person who the Tennessee Department of Revenue can reach for information regarding tax filings and payments.
- 16) Signatures are required. At least one owner, officer, member, or partner must sign and date this application.

## Article 22.8 - Pedicabs

### Section 22.8.1 - Definitions.

For the purpose of this article, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:

*Authorized route:* The city streets upon which a pedicab is allowed to operate, as established by resolution of mayor and council and maintained by the director of community development or his or her designee.

*City:* The City of Roswell, Georgia.

*Driver:* Any person who drives or operates a pedicab on city streets for a pedicab company.

*Driver's license:* That license issued by the State of Georgia pursuant to O.C.G.A. § 40-5-20 permitting an individual to operate a motor vehicle in the State of Georgia.

*Operator:* The holder of a permit to operate a pedicab business pursuant to this article, whether a person, partnership, corporation or other legal entity.

*Pedicab:* Any non-motorized or motor-assisted vehicle with three (3) or more wheels operated by one (1) person for transporting passengers in seats or on a platform made a part of the vehicle.

(2012-02-01, § 1, Added, 02/27/2012)

### Section 22.8.2 - Pedicabs Restricted to Authorized Route.

Pedicabs may only be operated or driven along a route, or in an area, authorized by mayor and council by resolution. a map of such authorized route or area shall be maintained by the director of community development or his or her designee and shall be made available to all applicants for a pedicab operator's permit. Mayor and council may change the authorized route by resolution at any time.

(2012-02-01, § 1, Added, 02/27/2012)

### Section 22.8.3 - Pedicab Permit Required Annually.

No person, partnership, corporation or other legal entity shall engage in the business of operating a pedicab within the city without first obtaining an annual pedicab operator's permit. The fee for such permit shall be established by mayor and council by resolution. A pedicab permit may be issued to an operator that does not maintain a fixed place of business within the city. Pedicab permits shall be issued by the director of community development or by his or her designee.

(2012-02-01, § 1, Added, 02/27/2012)

#### Section 22.8.4 - Requirements to Obtain Pedicab Operator's Permit.

In order to receive a pedicab operator's permit, an applicant must:

- (1) Be at least eighteen (18) years of age;
- (2) Be a citizen of the United States or an alien admitted for permanent residence or a person who has otherwise been granted employment by the United States Immigration and Naturalization Service;
- (3) Provide proof of insurance as required by this article;
- (4) Provide the name of a person associated with the applicant's business to receive correspondence or complaints regarding the pedicab operation, and a permanent address and phone number for the pedicab business; and
- (5) Pay the fee required for a pedicab operator's permit.

(2012-02-01, § 1, Added, 02/27/2012)

#### Section 22.8.5 - Required Insurance.

No pedicab operator shall operate or authorize any other person to operate a pedicab in the city unless it is covered by a liability insurance policy issued by an insurance company authorized to do business in Georgia, which provides the following minimum coverage:

\$25,000.00—For injury to or death of one (1) person in one (1) accident;

\$50,000.00—For injury to or death of two (2) or more persons in any one (1) accident; and

\$25,000.00—For injury to or destruction of property of others in any one (1) accident.

Each pedicab operated within the city shall be required to carry and maintain in effect this minimum insurance coverage. Proof of such insurance coverage, including the name of the issuing company, the amounts of coverage provided, and the policy number shall be provided to the city before a permit shall issue. Such insurance shall provide specific coverage for the pedicab used in the business of transporting passengers. Failure to maintain such coverage shall constitute cause for revocation of a city permit.

(2012-02-01, § 1, Added, 02/27/2012)

#### Section 22.8.6 - Requirements for Pedicab.

Each pedicab must:

- (1) Be no more than one hundred twenty (120) inches in length or fifty-five (55) inches in width;
- (2) Be equipped with reflectors and electrically powered lights, including turn signals;
- (3) Use electrically powered lights when operating during the hours of darkness and when raining;
- (4) Have lights and reflectors mounted so that they are visible from a distance of five hundred (500) feet in any direction;
- (5) Have the name of the pedicab operator displayed on each side of the pedicab;
- (6) Be equipped with a brake that will enable the driver to make the braked wheels skid on dry, level pavement; and
- (7) Be maintained in a safe mechanical condition and a clean and sanitary condition.

(2012-02-01, § 1, Added, 02/27/2012)

#### Section 22.8.7 - Prohibitions.

A pedicab operator or driver may not operate or drive a pedicab:

- (1) On any street with a posted speed limit of thirty-five (35) miles per hour or greater, except for the purpose of crossing that street;
- (2) For the purpose of advertising, as with a "billboard bike," or with advertising for any person or entity who is not the pedicab operator;
- (3) To obstruct the flow of pedestrian traffic by remaining stopped on a sidewalk, except for the time necessary to pick up or drop off passengers;
- (4) Without having rates displayed in clear view of all passengers, nor may a driver collect fares, make change, or allow passengers to board or exit the pedicab while it is in motion;
- (5) Carry more passengers than the rated seating capacity of the pedicab. For the purpose of this subsection, a child under age five shall not count as a passenger; or
- (6) Solely for transportation of cargo.

(2012-02-01, § 1, Added, 02/27/2012)

#### Section 22.8.8 - Requirements for Pedicab Driver.

Each driver of a pedicab operated within the city must be at least sixteen (16) years of age and possess a valid driver's license issued by the State of Georgia.

(2012-02-01, § 1, Added, 02/27/2012)

#### Section 22.8.9 - Pedicabs Must Obey Rules of Road for Bicycles.

Pedicabs shall be subject to traffic laws governing bicycles as provided by O.C.G.A. § 40-6-291. Violations of traffic laws shall be punishable as allowed by state law or city ordinance.

(2012-02-01, § 1, Added, 02/27/2012)

#### Section 22.8.10 - Violation of Ordinance May Result in Revocation of Pedicab Permit.

The director of community development, or his or her designee, may revoke a pedicab permit for any violation of any city ordinance or state law. In order to revoke a pedicab permit, the city must send written notice of the revocation to the person and address listed in the permit application by certified mail, return receipt requested, or by statutory overnight delivery. Such notice shall specify the violation by date and ordinance or state law section. Revocation shall become effective no sooner than fifteen (15) days after the date such notice is sent to the pedicab operator or his or her designee. Before the effective date of the revocation, a pedicab operator may file an appeal in writing with the director of community development. Such appeal will be heard by mayor and council at a regularly scheduled council meeting not later than forty five (45) days after such appeal is filed. The standard of review for mayor and council will be the "any evidence" standard.

(2012-02-01, § 1, Added, 02/27/2012)



## City of Roswell Commercial Business Application

Please fill out the business registration application and attach copies of all required documents. Originals must be presented at the time the application is filed and will be returned to you. **Any missing, incomplete or false information, or failure to present original documentation will result in denial of the application.**

Payment must be submitted with the application. Occupation taxes are renewable each calendar year. Businesses that show proof of non-profit status are exempt from the fee requirements but must submit a renewal form each year for reporting purposes.

### Required Documents:

- Completed application – all pages, all affidavits must be notarized (we provide this service free of charge)
- Proof of Roswell occupancy
  - Commercial Business: Copy of lease or deed for commercial property
  - Home Business: Copy of lease, deed, utility bill, or driver's license with current Roswell address
- Color photocopy of unexpired U.S. issued photo ID (O.C.G.A. § 50-36-2)
- Permanent Resident Card or Employment Authorization Document (Non U.S. citizens only)
- Proof of current Corporate Registration from Georgia Secretary of State, [www.sos.georgia.gov](http://www.sos.georgia.gov) (if applicable)
- If using a DBA, proof of registration with Fulton County Clerk of Superior Court, <http://fultonclerk.org/>
- Copy of Georgia Professional State License(s) (if applicable)
- NAICS code must be 6 digits, to find your code [www.census.gov/naics/](http://www.census.gov/naics/)

### Helpful Resources:

- **Alcohol License** – required to sell and/or serve alcohol. **Legal Dept: 770-594-6185**
- **Auto Broker / Dealer** – zoning confirmation letter. **Planning & Zoning: 770-817-6720**
- **Building Permit** – most projects will require a permit. **Community Development: 770-641-3780**
- **Cosmetologists and Barbers** – [www.sos.ga.gov/index.php/licensing/plb/16](http://www.sos.ga.gov/index.php/licensing/plb/16) O.C.G.A. 43-10-1 (2019 version)
- **Cottage Food Licensing** – home-based food sales, contact the GA Dept of Agriculture at [www.agr.georgia.gov](http://www.agr.georgia.gov)
- **Fingerprint/Background Checks** – required for some business applicants. **Roswell Police Dept: 770-640-4100**
- **Food Service Permit / Health Inspection** – Fulton County Health Dept, [www.fultoncountyga.gov](http://www.fultoncountyga.gov)
- **GA Tax ID Number** – contact GA Department of Revenue at [www.dor.ga.gov](http://www.dor.ga.gov)
- **Garbage Service** – establish or change service. **Financial Services: 770-641-3759**
- **Georgia Medical Composite Board** – <https://medicalboard.georgia.gov>
- **Internal Revenue Service** – [www.irs.gov](http://www.irs.gov)
- **Professional License Information** – contact the GA Secretary of State at [www.sos.georgia.gov](http://www.sos.georgia.gov)
- **Sign Permits** – all exterior signs (temporary & permanent) require a permit. **Planning & Zoning: 770-817-6720**
- **Zoning Questions** – verify your business type can operate in a zoning district. **Planning & Zoning: 770-817-6720**



# Commercial Business Application

Business Account ID # \_\_\_\_\_  
(Assigned by our office)

Please complete the application in detail. Any missing, incomplete or false information or failure to present original documentation will result in denial of application.

<b><u>Business Information</u></b>			
Business Location	City	State	Zip
Type of Business: <input type="checkbox"/> LLC <input type="checkbox"/> Domestic Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Non-Profit <input type="checkbox"/> Partnership			
*Corporation, LLC and partnerships must list the name of all officers or partners, their titles, resident addresses and phone numbers as a separate attachment.			
Square Footage of Business _____		Number of Employees _____	
Business Name		FEIN# (Or Social Security Number)	
DBA		Business Start Date (In City of Roswell)	
Web Address		6 Digit NAICS Code <a href="http://www.census.gov/naics/">www.census.gov/naics/</a>	

Give a detailed description of your business activity: \_\_\_\_\_

### **Business Owner's Information**

Name of Owner (Company or Individual – Please Print) \_\_\_\_\_ Date of Birth \_\_\_\_\_

Residence Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone # \_\_\_\_\_ Email Address \_\_\_\_\_

### **Business Mailing Address**

Business Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone # \_\_\_\_\_ Email Address \_\_\_\_\_

### **Circle Yes or No to answer the questions below:**

- |   |        |
|---|--------|
| 1) Does the State of Georgia regulate your business?<br>If yes, please attach a copy of your state professional license(s) or proof on non-profit status. | Yes/No |
| 2) Is your business an adult entertainment establishment or will it offer any form of adult entertainment?  | Yes/No |
| 3) Has the business ever been denied from operating or had rights to operate revoked or suspended in any state?   | Yes/No |
| 4) Have you or your partner, stockholder or local manager (if a corporation) ever been convicted of a felony?   | Yes/No |
| 5) Are hazardous or flammable materials stored on site?<br>If yes, list here: _____   | Yes/No |
| 6) Were you assisted by Roswell, Inc. regarding this business?  | Yes/No |

## Commercial Business Contacts

If the business is a sole proprietorship or a partnership, provide the name, home address, date of birth and driver's license information for each individual owner. If the business is a corporation, a limited liability corporation or a limited liability partnership, then list the name and business address of the registered agent for the business entity and the name and title of the president, CEO, or managing partner.

Name	Title	Date of Birth	
Home Address	City	State	Zip
Home Phone Number	Driver's License # / State		
Primary Phone #	Secondary Phone #	E-Mail	

Name	Title	Date of Birth	
Home Address	City	State	Zip
Home Phone Number	Driver's License # / State		
Primary Phone #	Secondary Phone #	E-Mail	

## Commercial Business Emergency Contacts

**Local Contact:** (Please Check One)

- Emergency Contact   
  Owner   
  Partner   
  Property Owner   
  Other \_\_\_\_\_

Name	Title or Association		
Home Address	City	State	Zip
Primary Phone #	Secondary Phone #	E-Mail	

**Second Contact:** (Please Check One)

- Emergency Contact   
  Owner   
  Partner   
  Property Owner   
  Other \_\_\_\_\_

Name	Title or Association		
Home Address	City	State	Zip
Primary Phone #	Secondary Phone #	E-Mail	



### 2023 Occupation Tax

The business occupation tax is based on the total gross receipts of the business in combination with the most current profitability ratios determined by NAICS (North American Industry Classification System) codes, administrative and regulatory fees.

- A **\$100,000 exemption** applies only to businesses reporting **\$100,000 or less** in gross receipts.
- A \$100 administrative fee will apply to all businesses. A **\$50 non-refundable** regulatory fee will apply to commercial businesses only. In addition, a fee of \$12 per employee will be assessed on all businesses with 100 or more full-time employees.
- Professional Practitioners may elect to pay a flat fee of \$400 per practitioner or elect to pay based on gross receipts. **If Practitioners choose to pay based on gross receipts, a \$100 administrative fee will be required.**
- **Occupation Tax is capped at \$85,000**

### Schedule of Rates\*

You will find your Tax Class and Tax Rate by locating the first two digits of your NAICS code.

NAICS starts with	BUSINESS TYPE	TAX CLASS	TAX RATE
11	AGRICULTURE, FORESTRY, HUNTING, AND FISHING	E	0.0016
21	MINING	E	0.0016
22	UTILITIES	A	0.0007
23	CONSTRUCTION	C	0.0011
31,32,33	MANUFACTURING	C	0.0011
42,44,45	WHOLESALE AND RETAIL TRADE	B	0.0009
48,49	TRANSPORTATION AND WAREHOUSING	C	0.0011
51	INFORMATION	E	0.0016
52	FINANCE AND INSURANCE	F	0.0018
53	REAL ESTATE AND RENTAL AND LEASING	G	0.0022
54	PROFESSIONAL, SCIENTIFIC, and TECHNICAL SERVICES	F	0.0018
55	MANAGEMENT OF COMPANIES (HOLDING COMPANIES)	G	0.0022
56	ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES	C	0.0011
61	EDUCATIONAL SERVICES	E	0.0016
62	HEALTH CARE AND SOCIAL ASSISTANCE	E	0.0016
71	ARTS, ENTERTAINMENT, AND RECREATION	F	0.0018
72	ACCOMMODATION, FOOD SERVICES, AND DRINKING PLACES	C	0.0011
81	OTHER SERVICES	E	0.0016

\* Rates effective January 1, 2023





**O.C.G.A. § 50-36-1(e) (2) Affidavit  
For City of Roswell Public Benefit Application**

**THIS FORM MUST BE FILLED OUT COMPLETELY AND NOTARIZED.**

By executing this affidavit under oath, as an applicant for an **Occupation Tax Certificate** as referenced in O.C.G.A. § 50-36-1, from the City of Roswell, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

I, \_\_\_\_\_ on behalf of  
NAME OF INDIVIDUAL TITLE  
\_\_\_\_\_ state that:  
BUSINESS NAME ACCOUNT NUMBER (Assigned by our office)

1) \_\_\_ I am a United States citizen.

**OR**

2) \_\_\_ I am a Legal permanent resident of the United States.

**OR**

3) \_\_\_ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the department of Homeland Security or other federal immigration agency is: \_\_\_\_\_.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

\_\_\_\_\_  
**Please attach a copy of the verifiable document to this Affidavit.**

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in \_\_\_\_\_ (city), \_\_\_\_\_ (state).

\_\_\_\_\_  
Signature of Applicant: Date

\_\_\_\_\_  
Printed Name of Applicant:

Subscribed and sworn before me this

\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



**Private Employer Affidavit of Compliance Pursuant to O.C.G.A. § 36-60-6(d)**

**THIS FORM MUST BE FILLED OUT AND NOTARIZED.**

**Business Name** \_\_\_\_\_

**Account No:** \_\_\_\_\_

(Assigned by our office)

**Private Employer Affidavit of Compliance Pursuant to O.C.G.A. § 36-60-6(d)**

By executing this affidavit, the undersigned private employer verifies its compliance with O.C.G.A. § 36-60-6(d), stating affirmatively that \_\_\_\_\_ (name of the individual, firm or corporation) employs as follows:

**1. Please select either (A) or (B) below:**

- A. \_\_\_ On January 1st of the below signed year the individual, firm, or corporation employed **more than ten (10) employees.**
- B. \_\_\_ On January 1st of the below signed year the individual, firm, or corporation employed **ten (10) or less employees.**

*If employer selected 1(A) please fill out Section 2 below.*

**2. The employer has registered with and utilizes the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6(a). The undersigned private employer also attests that its federal work authorization user identification number and date of authorization are as listed below:**

\_\_\_\_\_  
**E-verify number (Federal Work Authorization User Identification Number (6 to 5 Digits))**

\_\_\_\_\_  
**Date of Authorization**

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such statute.

Executed on the \_\_\_ date of \_\_\_\_\_, 20\_\_\_ in \_\_\_\_\_ (city), \_\_\_\_\_ (state).

\_\_\_\_\_  
Signature of Authorized Officer or Agent

\_\_\_\_\_  
Printed Name and Title of Authorized Officer or Agent

Subscribed and sworn before me on this  
\_\_\_\_\_ Day of \_\_\_\_\_ 20\_\_\_

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

## Secure and Verifiable Documents under O.C.G.A. § 50-36-2

- A United States passport or passport card [O.C.G.A. § 50-36-2(b) (3); 8 CFR § 274a.2]
- A United States military identification card [O.C.G.A. § 50-36-2(b) (3); 8 CFR § 274a.2]
- A driver's license issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- An identification card issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]
- A tribal identification card of a federally recognized Native American tribe, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. A listing of federally recognized Native American tribes may be found at [www.bia.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/index.htm](http://www.bia.gov/WhoWeAre/BIA/OIS/TribalGovernmentServices/TribalDirectory/index.htm). [O.C.G.A. § 50-36-2(b) (3); 8 CFR § 274a.2]
- A United States Permanent Resident Card or Alien Registration Receipt Card. [O.C.G.A. § 50-36-2(b) (3); 8 CFR § 274a.2]
- An Employment Authorization Document that contains a photograph of the bearer. [O.C.G.A. § 50-36-2(b) (3); 8CFR § 274a.2]
- A passport issued by a foreign government. [O.C.G.A. § 50-36-2(b) (3); 8 CFR § 274a.2]
- A Merchant Mariner Document or Merchant Mariner Credential issued by the United States Coast Guard. [O.C.G.A. § 50-36-2(b) (3); 8 CFR § 274a.2]
- A Free and Secure Trade (FAST) card. [O.C.G.A. § 50-36-2(b) (3); 22 CFR § 41.2]
- A NEXUS card. [O.C.G.A. § 50-36-2(b) (3); 22 CFR § 41.2]
- A Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card. [O.C.G.A. § 50-36-2(b) (3); 22CFR § 41.2]
- A driver's license issued by a Canadian government authority. [O.C.G.A. § 50-36-2(b) (3); 8 CFR § 274a.2]
- A Certificate of Citizenship issued by the United States Department of Citizenship and Immigration Services. (USCIS) (Form N-560 or Form N-561) [O.C.G.A. § 50-36-2(b) (3); 6 CFR § 37.11]
- A Certificate of Naturalization issued by the United States Department of Citizenship and Immigration Services. (USCIS) (Form N-550 or Form N-570) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]
- In addition to the documents listed herein, if, in administering a public benefit or program, an agency is required by federal law to accept a document for proof of or documentation of identity, that document will be deemed a secure and verifiable document solely for that particular program or administration of that particular public benefit.