ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 20 OF THE CODE OF ORDINANCES FOR THE CITY OF CLARKSTON REGARDING VEHICLES FOR HIRE.

WHEREAS, City Charter § 1.03(t) authorizes the City to regulate vehicles for hire and to require the operators thereof to be licensed; and

WHEREAS, the Mayor and City Council have determined that the existing City regulations of vehicles for hire are too onerous and have the effect of limiting transportation options for the City's citizens; and

WHEREAS, the City desires to facilitate the availability of vehicles for hire within the City by recognizing permits and licenses issued by certain other jurisdictions; and

WHEREAS, the City desires to ensure that vehicles for hire are safe and that operators of such vehicles are qualified.

NOW THEREFORE, BE IT ORDAINED BY the City of Clarkston City Council as follows:

SECTION 1. Existing Chapter 20 of the City Code is hereby repealed.

SECTION 2. New Chapter 20 of the City Code, consisting of sections 20-1 through 20-9 as reflected on the two-page document entitled "City of Clarkston, Georgia Vehicles for Hire Ordinance" attached hereto, is hereby adopted.

SECTION 3. This Ordinance shall become effective immediately upon its adoption. This Ordinance is intended to be severable; if any portion or subsection is deemed invalid then the remaining provisions shall remain in effect.

ADOPTED this _____ day of _____, 2015.

ATTEST:

CITY COUNCIL OF
CITY OF CLARKSTON, GEORGIA

_____ _____

Tracy Ashby, City Clerk Mayor Ted Terry

(SEAL)

Approved as to form:

SG Quinn 4-2-15

Stephen G. Quinn, City Attorney

CITY OF CLARKSTON, GEORGIA
VEHICLES FOR HIRE ORDINANCE

Sec. 20-1. Definitions.

Company means any person, association, corporation or other organization operating or intending to engage in the business of operating vehicles for hire.

Driver means an individual that drives a vehicle for hire.

Vehicle for hire means any motor vehicle, animal-drawn vehicle or other vehicle or device designed or used for the transportation of passengers for hire, the charges for the use of which are determined by agreement, mileage or by the length of time for which the vehicles is engaged. Excluded from this definition are intraurban buses and vehicles exclusively regulated by the state public service commission.

Sec. 20-2. Compliance with chapter.

It shall be unlawful for any company or driver to transport any person from any place within the city to any other place (within or without the city) in a vehicle for hire without first having complied with this chapter.

Sec. 20-3. Permit from DeKalb County, Gwinnett County, City of Decatur or the City of Atlanta required.

The privilege of operating a vehicle for hire for transporting any person from any place within the city to any other place shall be limited to those companies and those drivers holding a valid permit or license to operate vehicles for hire issued by DeKalb County, Gwinnett County, the City of Decatur or the City of Atlanta.

Sec. 20-4. Revocation of company's privilege to operate vehicles for hire.

Upon citation, due process and a proper showing by the police that any company engaged in the operation of vehicles for hire within the city is conducting such business in violation of any of the provisions of this chapter or other ordinance of the city or the law of the state, or is being operated for an illegal or immoral purpose, the judge of the municipal court may revoke the privilege to operate vehicles for hire within the city for such time as the judge may deem proper. Such penalty may be imposed in addition to any other authorized penalty for violation of city ordinance or law.

Sec. 20-5. Revocation of driver's privilege to operate vehicles for hire.

Upon citation, due process and a proper showing by the police or by the records of other courts that a driver is not physically, mentally or morally fit to operate a vehicle for hire upon the streets of the city, the judge of the municipal court may revoke any driver's privilege to operate a vehicle for hire within the city for such period as such

judge may deem proper. Such penalty may be imposed in addition to any other authorized penalty for violation of city ordinance or law.

Sec. 20-6. Mechanical condition and inspection of motor vehicles.

All motor vehicles for hire operating within the city shall be kept in good mechanical condition, shall comply with the state motor vehicle inspection law, and shall while being used for such purposes, be subject or a periodic inspection by the chief of police or the chief's representative. If, upon inspection, any such motor vehicle shall be found unfit for safe use, such motor vehicle shall not be used as a vehicle for hire within the city until it is put in proper mechanical condition and approved by such officer for further use.

Sec. 20-7. Exceeding passengers capacity of motor vehicles.

The number of persons to be transported in any motor vehicle for hire in the city at any one time shall not exceed the number of seats or seatbelts in such vehicle.

Sec. 20-8. Identification of vehicles for hire and drivers.

(a) Every vehicle for hire operating within the city shall have plainly printed on each side thereof the name of the company operating such vehicle for hire.

(b) Every driver operating a motor vehicle for hire shall display within the vehicle his driver's permit in a place plainly visible to passengers.

Sec. 20-9. Schedule of rates to be posted.

Every vehicle for hire operating within the city shall have posted therein in a place plainly visible to passengers hiring such vehicle a schedule of rates charged to passengers in exchange for transportation within such vehicle.