

## CHAPTER 10

### MOTOR VEHICLES AND TRAFFIC

- Art. I. In General, {{10-1 - 10-20
- Art. II. Vehicle Equipment, {{10-21 - 10-35
- Art. III. Operation of Vehicles Generally, {{10-36 -10-60
- Art. IV. Speed, {{10-61 - 10-80
- Art. V. Parking, {{10-81 - 10-100
- Art. VI. Impounding Vehicles, {{10-101 - 10-120
- Art. VII. Accidents, {{10-121 - 10-139
- Art. VIII. Taxicabs, {{10-140 - 10-190
- Art. IX. Moving Buildings, {{ 10-191 - 10-19

#### ARTICLE I.

#### IN GENERAL

##### **Sec. 10-1. State law adopted.**

Pursuant to the Official Code of Georgia, Sections 40-1-1 through 40-6-376, all of that Title known as the Uniform Rules of the Road is hereby adopted as and for the traffic regulations of this city with like effect as if recited in this section.  
(Ord. of 12-11-72, Ch. I, {3).

##### **Sec. 10-2. Temporary traffic regulations.**

In areas where traffic upon the streets has become congested or, in the judgment of the police officer directing traffic, it will become congested unless vehicular traffic is diverted from said areas, said police officer may make temporary rules regulating traffic and the route and direction thereof in such areas, and any person who after being apprised by such police officer of such temporary traffic rules shall persist in violating the same or in failing or refusing to obey the direction or instruction of such police officer with respect thereto be guilty of a violation of this Code. (Ord. of 12-11-72, Ch. I, {3)

##### **Sec. 10-3. Skating.**

It shall be unlawful for any person to skate or use roller skates in or upon any public street, sidewalk or alley of the city.(Ord. of 12-11-72, Ch. I, {15)

##### **Sec. 10-4. Coasting in street.**

It shall be unlawful for any person riding in or by means of any coaster, toy vehicle or similar device to go upon any roadway except while crossing the street on a crosswalk. (Ord. of 12-11-72, Ch. I, {12)

##### **Sec. 10-5. Boarding moving vehicles.**

It shall be unlawful for any person to board or alight from any vehicle while such vehicle is in motion. (Ord. of 12-11-72, Ch.11, {3})

**Sec. 10-6. Processions.**

Funerals, corteges, processions, parades and convoys shall not be cut by vehicles except by permission of a police officer. (Ord. of 12-11-72, Ch. II, {26})

**Sec. 10-7. Passenger space.**

It shall be unlawful for any person to ride on any vehicle upon any portion thereof not designed or intended for the use of passengers when the vehicle is in motion. This provision shall not apply to an employee engaged in the necessary discharge of his duty, or within truck bodies in space intended for merchandise. (Ord. of 12-11-72, Ch. I, )

**Secs. 10-8 - 10-20. Reserved.**

**ARTICLE II.**

**VEHICLE EQUIPMENT**

**Sec. 10-21. Brakes.**

It shall be unlawful for any person to drive any vehicle upon the streets of this city unless said vehicle is equipped with efficient and serviceable brakes under the provisions of the Official Code of Georgia. {40-8-50 thru 40-8-54. (Ord. of 12-11-72, Ch. III, {1})

**Sec. 10-22. Windshields.**

Motor Vehicle windshields must be unobstructed and equipped with wipers as required in the Official Code of Georgia. {40-8-73.(Ord. of 12-11-72, Ch. III, {2})

**Sec. 10-23. Lamps.**

Lamps on vehicles shall be provided and used in accordance with the Official Code of Georgia. {40-8-20, et seq. (Ord. of 12-11-72, Ch. III, {3})

**Sec. 10-24. Mufflers, prevention of noise.**

Motor vehicles shall be equipped with mufflers as provided in the Official Code of Georgia. {40-8-71. (Ord. of 12-11-72, Ch. II, {23})

**Sec. 10-26. Horns and warning devices.**

Horns and warning devices shall be provided and used on motor vehicles as required in the Official Code of Georgia. {40-8-70 and 40-8-94. (Ord. of 12-11-72, Ch. II, {{ 5, 7, 23)

**Secs. 10-27 - 10-35. Reserved.**

### **ARTICLE III.**

#### **OPERATION OF VEHICLES GENERALLY**

**Sec. 10-36. Age of Drivers - Generally.**

Except as provided in the following section, it shall be unlawful for any person under the age of sixteen (16) years at the time, to propel or operate any automobile, motorcycle or any other motor vehicle upon the streets of this city. (Ord. of 12-11-72, Ch. I, {10)

**Sec. 10-37. Same - Instruction permit.**

Any person who is at least fifteen (15) years of age and has a Class 1 instruction permit from the state department of public safety in his immediate possession may drive a Class 1 vehicle upon the public highways for a period of twelve (12) months when accompanied by a person at least eighteen (18) years of age who is licensed as a driver for a Class 1 vehicle, who is fit and capable of exercising control over the vehicle and who is occupying a seat beside the driver. This subsection does not apply to instruction permits for the operation of motorcycles. (Ord. of 12-11-72, Ch. I, {10)

**Sec. 10-38. Emerging from alleys and driveways.**

The operator of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across an alley. (Ord. of 12-11-72, Ch. II, {20)

**Sec. 10-39. Truck routes.**

On all public streets, public right-of-ways and public property in the City of East Dublin, no person shall park, store, drive, operate or convey any vehicle over 26,000 pounds gross vehicle weight rating (GVWR) except for the exceptions stated in Section 10-39A. No truck body, trailer or tractor trailers, or part thereof shall be parked or stored within the City of East Dublin except on property that is zoned Agricultural, Commercial or Industrial. (Amended by Ord. of 8-08-2005)

**Sec. 10-39A. Exceptions – The provision of this section shall not apply to the following.**

(1) CITY STREETS: Bank Street, Broad Street, Buckeye Road, Cullens Street, Johnson

Street, Manning Street, Nathaniel Drive, Oakwood Drive, Perry Street, Railroad Avenue, South Drive and Cook Street.

- (2) **PERSONAL VEHICLES:** Personal vehicles such as campers, motor homes, boat trailers and similar vehicles used solely for personal recreation and non-commercial, if such vehicle is parked or stored within a garage or enclosed area, or within the rear yard of the lot.
- (3) **LOADING AND UNLOADING:** The parking or standing of the above-described vehicles for the purposes of expeditiously loading and unloading freight or merchandise, provided that such loading and unloading does not exceed a period of two (2) hours.
- (4) **EMERGENCY REPAIRS:** Any vehicle which suffers mechanical failure after such vehicle has commenced to operate en route, making it unsafe to proceed further, provided that such vehicle is removed from the public street or right-of-way within three (3) hours from the time of parking.
- (5) **GOVERNMENT VEHICLES:** The parking or standing of vehicles owned or operated by federal, state, county or municipal governments which are used for law enforcement, medical or fire safety purposes, and carry identifying emblems, insignia and/or emergency lights.
- (6) **PUBLIC SERVICE UTILITIES:** Truck, equipment, trailers and other vehicles used by public service utilities engaged in maintaining, repairing or extending public service utilities.
- (7) **BUSES:** Motor buses when taking on or discharging passengers at designated loading zones and other customary bus stops.
- (8) **STREET CONSTRUCTION AND MAINTENANCE:** Truck, equipment, trailers, and other vehicles and implements while used in the construction, maintenance or repair of public streets.

(Ord. of 8-08-2005) (Amended by Council: 1/13/2020)

**Sec. 10-39B.**

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.  
(Ord. of 8-08-2005)

**Sec. 10-39C.**

Violation of the code section will be prosecuted as a misdemeanor. (Ord. of 8-08-2005)

**Sec. 10-40. Driving under the influence of intoxicants or drugs.**

Any person charged with driving under the influence of alcohol or drugs shall be brought before the recorder's court for trial, and the forfeiture of any bond or collateral posted by any such

person shall not be accepted in satisfaction of said offense. (Ord. 12-11-72, Ch. I, {7})

**Sec. 10-41. Permitting another to drive vehicle while under the influence of intoxicants or drugs.**

It shall be unlawful for any person who is the owner of any vehicle or who is in possession of any vehicle, whether lawfully or not, to permit or procure any other person to drive or operate any such vehicle within the city limits while said other persons under the influence of intoxicating liquor or other alcoholic or malt beverages or liquids of any kind or while under the influence of intoxicating drugs.

(Ord. of 12-11-72, Ch. I, {9})

**Sec. 10-42. Operating vehicle without consent of owner.**

It shall be unlawful for any person to propel or operate an automobile, motorcycle or any other motor vehicle upon the streets of this city without the consent and authority of the owner thereof.

(Ord. of 12-11-72, Ch. I, {11})

**Sec. 10-43. Crossing into traffic lanes.**

Operators of vehicles within any traffic lane shall have the right-of-way over operators of vehicles crossing into that lane from an adjacent lane.

(Ord. of 12-11-72, Ch. II, {18})

**Sec. 10-44. U-Turns.**

The operator of a vehicle shall not reverse the direction in which said vehicle is proceeding by making a turn, commonly known in traffic parlance as a U-turn, upon any street of the city, whether at or between intersections; provided, however, that this section shall not be construed to prohibit reversing direction by turning through parkways and around monuments where such turns are permitted. (Ord. of 12-11-72, Ch. II, {15})

**Sec. 10-45. Nuisance driving.**

It shall be unlawful for any person to operate or drive a motor vehicle upon the streets of the city in a noisy or disorderly manner, such as the turning of corners at such a rate of speed as to cause loud and screeching sounds to be emitted, and/or starting a vehicle off at too rapid a speed causing the tires to spin on the pavement or road and emitting loud, screeching and grating noises, and/or the failing to prepare to stop when meeting or overtaking a school bus which has stopped on the highway for the purpose of receiving or discharging school children.

(Ord. No. 108, 5-26-55)

**Sec. 10-46. No passing zone.**

That portion of the Woolen Mill Road in the city, commencing at its intersection with Broad Street and extending westerly to the corporate limits of the city is hereby designated as a no-passing zone. It shall be unlawful for any driver or operator of a motor vehicle to pass another motor vehicle where such other motor vehicle is moving, at any time in this area that has been

designated as a no-passing zone. (Ord. No. 113, 10-23-55)

**Secs. 10-47 - 10-60. Reserved.**

#### **ARTICLE IV.**

#### **SPEED**

**Sec. 10-61. State speed laws applicable.**

The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within this City, except as this article, as authorized by state law, hereby declares and determines upon the basis of engineering and traffic investigations that certain speed regulations shall be applicable upon specified streets or in certain areas, in which event it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this article when signs are in place giving notice thereof. (Ord. of 12-11-72, Ch. I, {6})

**Sec. 10-62. Regulation of speed by traffic signals.**

The traffic engineer or chief of police is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from speeds otherwise applicable within the district or at intersections and shall erect appropriate signs giving notice thereof. (Ord. of 12-11-72, Ch. I {6})

**Sec. 10-63. Persons working on streets.**

The maximum rate of speed shall be no higher than reasonable and safe when approaching or driving past persons working in the street who are City employees, public utility employees or those granted permission by the City, provided such workers have erected a sign reading: "Slow - Men Working" and such sign as is in accordance with the specifications of the traffic engineer or the chief of police. (Ord. of 12-11-72, Ch. I {6})

**Sec. 10-64. State routes; other streets.**

**State Route 26 - Savannah Avenue State Route System**

40 m.p.h. From west City limit (Oconee River mile post 18.58 to Carroll Street (mile post 20.58)

45 m.p.h. From Carroll Street (mile post 20.58) to east City limit (mile post 20.74)

**State Route 29 - Soperton Avenue**

40 m.p.h. From State Route 26 (mile post 14.90) to State Route 199-Coleman Avenue (mile post 15.24)

45 m.p.h. From State route 199-Coleman Avenue (mile post 15.24) to east City limit (mile post 16.11)

50 m.p.h. Virginia Street to city limit

### **State Route 31 Wrightsville Avenue**

40 m.p.h. From State Route 26-Savannah Avenue (mile post 27.70) to end of four-lane (mile post 28.00)

40 m.p.h. From end of four-lane (mile post 28.00) to Gateway Drive (mile post 28.55)

45 m.p.h. From Gateway Drive (mile post 28.55) to Crestview Drive (mile post 28.88)

50 m.p.h. From Crestview Drive (mile post 28.88) to east city limit (mile post 29.51)

### **State Route 199 - Old River Road**

50 m.p.h. From south city limit (mile post 13.61) to Rice Street (mile post 13.96)

45 m.p.h. From Rice Street to Oakwood Drive

40 m.p.h. From Oakwood Drive (mile post 13.96) to State Route 29 (mile post 14.35)

### **Nathaniel Drive**

45 m.p.h. From State Routes 26, 29, and 31 on Nathaniel Drive to City limit

**Off-System Streets 30 m.p.h.** Includes all City streets unless posted otherwise and approved by the state department of public safety and the state department of transportation for speed detection devices. (Ord. No. 101, 5-12-55; Ord. of 12-11-72, Ch. I, §§6, 8; Ord. of 11-8-76; Ord. of 12-4-78)

### **Sec. 10-65. School zones - Definition.**

School areas and school crossings are defined as those sections of streets between signs or markers designating the same as school areas or school crossings, placed in the center of the streets, painted thereon or erected at the side of the streets. Said signs or markers shall clearly indicate the existence of such school areas and school crossings and shall be plainly visible to vehicle operators during applicable hours. During all hours and upon all days other than those specified in the following section, vehicular travel at the maximum applicable legal speed shall be permitted in school areas or school crossings. (Ord. of 12-11-72, Ch. I, §6)

### **Sec. 10-66. Same - Speed limits.**

No vehicle shall be operated at a rate of speed in excess of twenty (20) miles per hour upon entering and traversing school areas and school crossings between the hours of 8:00 a.m. and 9:15 a.m., and between the hours of 2:00 p.m. and 3:30 p.m. and at such other times as children are assembling at and departing from the schools, on the days the schools are in session. The special speed limit here established for school areas and school crossings shall apply to all school

areas and school crossings in the city except where a different speed limit for school areas and school crossings has been determined on the basis of an engineering and traffic investigation and included in this chapter, in which case, such different speed limit shall be applicable.  
(Ord. of 12-11-72, Ch. I, {6})

**Sec. 10-67. Railroad trains.**

A maximum speed limit of twenty-five (25) miles per hour is hereby fixed for trains and other locomotives crossing grade crossings within the limits of this city. The maximum speed at other times shall be such a speed that the trains or other locomotives approaching said grade crossings can comply with the maximum speed limit established in this section, and at no time shall a train or locomotive travel at a speed which is not safe and reasonable under the conditions existing at the time, and place of operation. (Ord. of 12-11-72, Ch. I, {6})

**Secs. 10-68 - 10-80. Reserved**

**ARTICLE V.**

**PARKING**

**Sec. 10-81. Maximum time.**

No vehicle shall remain parked on any street within the city for a longer period than twelve (12) hours. This is not to conflict with time-limit parking-restricted zones.  
(Ord. of 12-11-72, Ch. V, {2})

**Sec. 10-82. Owner or operator responsible.**

In all cases where a vehicle is illegally parked by an agent or the representative of the owner or person having at the time actual or constructive possession and control of such vehicle, the owner or person having such possession and control shall be deemed to be guilty of such violation. (Ord. of 12-11-72, Ch. V, {3})

**Sec. 10-83. To display advertising.**

It shall be unlawful for any person to operate or to park on any street any vehicle for the primary purpose of displaying advertising. (Ord. of 12-11-72, Ch. V, {9})

**Sec. 10-84. Use of parking space for business.**

Garages, filling stations, repair shops, transit lines or other such places of business shall not use the streets for parking vehicles for more than sixty (60) minutes, day or night; all work done on same must be carried on inside the premises, and no vehicle shall be kept on the sidewalk.  
(Ord. of 12-11-72, Ch. V, {11})

**Sec. 10-85. Relative rights of vehicles to single parallel parking spaces.**

- (a) Whenever the operator of a vehicle is desirous of occupying a parallel parking space which is about to be vacated, he shall place his vehicle in a position in the lane nearest to the space he wishes to occupy with the front of his vehicle to the rear of the vehicle

vacating the parking space. He shall hold this position until the parking space is vacated, after which, remaining in the same lane, the driver of such vehicle shall pull forward a sufficient distance to enable him to occupy the parking space by backing into the same. While backing in the process of parking, the driver of such vehicle shall have the right-of-way over the operator of any other vehicle attempting to enter such parking space.

- (b) The right-of-way and procedure for occupying a single space which is already vacant shall be the same as that prescribed in subsection (a) except that it shall not be necessary for an operator to bring his vehicle to a halt in the rear of the space to be occupied.
- (c) This section shall not apply to parking spaces immediately adjacent to street or alley intersections. (Ord. of 12-11-72, Ch. V, {{ 10, 13})

**Sec. 10-86. Blocking another vehicle.**

No vehicle shall be parked or stopped in such a position as to prevent convenient movement of another vehicle already stopped.(Ord. of 12-11-72, Ch. V, { 5)

**Secs. 10-87 - 10-100. Reserved.**

**ARTICLE VI.**

**IMPOUNDING VEHICLES**

**Sec. 10-101. When vehicles may be impounded.**

Whenever any vehicle shall be found parked in any place within the city where parking is not permitted at that time, or whenever any vehicle shall be found parked in violation of the terms of this Code, such vehicle may be removed from the place of parking at the instance of any police officer observing the same and impounded. (Ord. of 12-11-72, Ch. VII, {1)

**Sec. 10-102. Record of impounding.**

It shall be the duty of the chief of police or his designee to keep a permanent record of all vehicles impounded by the police department, together with the names and addresses of the owners of the vehicles, where available, the number of their state license tags, description of the vehicle including motor numbers and the circumstances surrounding the impounding of such vehicles. (Ord. of 12-11-72, Ch. VII, {2)

**Sec. 10-103. Release of impounded vehicles.**

Any person claiming a vehicle impounded under this article shall produce evidence of his identity and ownership or right of possession to the chief of police or his designee. Upon payment of towing and storage charges and costs of two dollars (\$2.00) per day and the execution of a release and receipt to the City for said vehicle, the chief of police or his designee shall give an order authorizing release of said vehicle to the claimant.(Ord. of 12-11-72, Ch. VII, {3)

**Sec. 10-104. Protest and bond.**

In case protest is made against the payment of any towing charge or storage costs, the chief of police or his designee may authorize the discharge of a vehicle impounding under this article upon the following terms and conditions:

Such protestant shall be charged with a violation of the traffic ordinance and shall be required to make bond for his appearance and trial before the recorder. Whereupon the chief of police or his designee shall authorize the release of said vehicle to the protestant. If such person is convicted of violating the traffic ordinance by the recorder, in addition to other costs and towing charges, the recorder shall assess as costs the storage costs and towing charges which have accumulated in connection with the impounding of said vehicle. (Ord. of 12-11-72, Ch. VII, {4})

**Sec. 10-105. Disposition of unclaimed vehicles.**

- (a) In the event that any impounded vehicle is not claimed within thirty (30) days from the date it is impounded, the chief of police shall dispose of the property.
- (b) Notwithstanding other provisions of this Code, whenever the vehicles to be sold cannot be moved under their own power, or whenever the chief of police shall find as a fact that the sale of such vehicles can be more expeditiously had by conducting the same where said vehicles are stored, such sale may be had at such place of storage, provided that the advertisement of said sale shall give notice that said vehicles are to be sold at the place of storage. (Ord. of 12-11-72, Ch. VII, {5})

**Sec. 10-106. Other prosecution.**

The impounding of a vehicle shall not prevent or preclude other prosecution for violation of the penal provisions of this Code.(Ord. of 12-11-72, Ch. VII, {6})

**Secs. 10-107 - 10-120. Reserved.**

**ARTICLE VII.**

**ACCIDENTS**

**Sec. 10-121. Death or personal injuries.**

The driver of any vehicle involved in an accident within the city limits resulting in injury or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of section 10-123 of this article. Every such stop shall be made without obstructing traffic more than is necessary. (Ord. of 12-11-72, Ch. I, {16})

**Sec. 10-122. Damage to vehicle.**

The driver of any vehicle involved in an accident within the city limits resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident, or as close thereto as possible, but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of the following section of this article. Every such stop shall be made without obstruction traffic more than is necessary. (Ord. of 12-11-72, Ch. I, {16})

**Sec. 10-123. Duty to give information and render aid.**

The driver of any vehicle involved in an accident within the corporate limits of the city resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address and the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person. (Ord. of 12-11-72, Ch. I, {16})

**Sec. 10-124. Duty upon striking unattended vehicle.**

The driver of any vehicle which collides within the city limits with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and of the owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck written notice giving the name and address of the driver and of the owner of the vehicle doing the striking. (Ord. of 12-11-72, Ch. I, {16})

**Sec. 10-125. Duty upon striking fixtures.**

The driver of any vehicle involved in an accident within the city limits resulting only in damage to fixtures legally upon or adjacent to a public street, highway or alley, shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's or chauffeur's license. (Ord. of 12-11-72, Ch. I, {16})

**Sec. 10-126. Immediate reports.**

The driver of a vehicle involved in an accident within the city limits resulting in injury to or death of any person, or property damage to an apparent extent of two hundred fifty dollars (\$250.00) or more, shall immediately by the quickest means of communication give notice of such accident to the police department. The above notice shall be in addition to the written report required by the Official Code of Georgia, {40-9-30. (Ord. of 12-11-72, Ch. I, {16})

**Secs. 10-127 - 10-140. Reserved.**

**ARTICLE VIII.**

## **TAXICABS.**

### **DIVISION I - IN GENERAL**

#### **Sec. 10-140. Definition.**

For the purpose of this chapter, the word "taxicab" shall mean an automobile hauling passengers for fare or hire, and shall include conveyances commonly known as taxis, jitneys, cabs and hacks.

#### **Sec. 10-141. License required.**

All taxicabs operating in the City of East Dublin, either picking up or discharging passengers, or both, within the city limits, shall purchase a license from the City. The Annual License Fee pursuant to this section shall be \$75.00 for the first car and \$50.00 for each additional car. There shall be a \$25.00 fee assessed for the transfer of a license from a licensed taxicab to a previously unlicensed taxicab.

#### **Sec. 10-142. Chapters applicable despite license fee exemption.**

Any person operating a taxicab who is or may be exempt for any cause from the payment of a license fee shall nevertheless be subject to each and every provision of this chapter.

#### **Sec. 10-143. Rates to be displayed.**

It shall be unlawful for any person to operate any taxicab within the city without having displayed in such vehicle a card showing the rates to be charged for transportation. Said card shall show the rates to be charged for each number of passengers from one passenger to and including the maximum number of passengers to be hauled in said vehicle at one time, and shall show the rates to be charged for different distances or zones in the city. Said card shall first be approved by the chief of police, who shall not approve it unless and until it contains the information required herein and has such information plainly printed thereon in type of such size and clarity as to be easily read by anyone with normal vision. Said card shall at all times remain conspicuously posted in the vehicle so as to be visible to the passengers therein.

#### **Sec. 10-144. Designation of taxicabs.**

- (a) Each taxicab shall bear on the outside of each rear door and on the rear of the vehicle, in painted letters not less than three (3) inches high, the name of the company or individual owning or operating the vehicle and the word "taxicab", and, in addition, may bear an identifying design approved by the chief of police.
- (b) There shall also be painted on each side and on the rear of every taxicab a number, such number to be a separate and distinct number from that on any other taxicab in the municipality. The number shall be assigned to the taxicab and the user thereof by the chief of police and shall not be altered or changed without the consent of such officer.
- (c) A register of the name of each person owning or operating a taxi cab in the city shall be kept by the City Clerk, and such register shall contain for each owner or operator the

description, make of car, and number assigned to the vehicle by the chief of police.

**Sec. 10-145. Prohibitions of drivers.**

It shall be unlawful for any driver of a taxicab to solicit business for any hotel or to attempt to divert patronage from one hotel to another. Neither shall such driver engage in selling intoxicating liquors or solicit business for any house of ill repute or use his vehicle for any purpose other than the transporting of passengers.

**Sec. 10-146. Prohibited solicitation.**

No driver shall solicit patronage in a loud or annoying tone of voice, or by sign, or in any manner annoy any person or obstruct the movement of any person, or follow any person for the purpose of soliciting patronage.

**Sec. 10-147. Receipt, discharge of passengers.**

Drivers of taxicabs shall not receive or discharge passengers in the roadway but shall pull up to the right-hand sidewalk as nearly as possible or, in the absence of a sidewalk, to the extreme right-hand side of the road and there receive or discharge passengers, except upon one-way streets where passengers may be discharged at either the right or left-hand sidewalk or side of the roadway in the absence of a sidewalk.

**Sec. 10-148. Cruising.**

No driver shall cruise in search of passengers except in such areas and at such times as shall be designated by the chief of police. Such areas and times shall only be designated when said officer finds that taxicab cruising would not congest traffic or be dangerous to pedestrians and other vehicles.

**Sec. 10-149. Solicitation of other common carrier passengers prohibited.**

No driver, owner, or operator shall solicit passengers at the terminal of any other common carrier, nor at any intermediate points along any established route of any other common carrier.

**Sec. 10-150. Restrictions on number of passengers.**

No driver shall permit more persons to be carried in a taxicab as passengers than the seating capacity of his vehicle as stated in the inspection certificate issued by the police department. A child in arms shall not be counted as a passenger.

**Sec. 10-151. Refusal to carry orderly passengers.**

No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged.

**Sec. 10-160. Financial Responsibility.**

- (a) Before any license shall be issued for engaging in the taxicab business, the applicant for such license shall file with the City Clerk an indemnity bond for each vehicle authorized in the amount of ten thousand dollars (\$10,000.00) for bodily injury to any one person; in the amount of twenty thousand dollars (\$20,000.00) for injuries to more than one person which are sustained in the same accident and in the amount of five thousand dollars (\$5,000.00) for property damages resulting from any one accident. Said bond or bonds shall be executed by the applicant, as principal, and two (2) sureties upon which service of process may be made in the state, and shall inure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of the applicant, his servants, or agents.
- (b) The City Council may in its discretion allow the applicant to file, in lieu of a bond or bonds, a liability insurance policy issued by an insurance company authorized to do business in the state, provided that such policy conforms to the provisions of this section relating to bonds.

**Sec. 10-161. License to show business name.**

Each license taken out for the operation of a taxicab business shall be in the name of a firm or company, or if in the name of an individual it shall have the trade name shown on the receipt.

**DIVISION III. DRIVER'S PERMIT**

**Sec. 10-170. Required.**

No person shall operate a taxicab for hire upon the streets of this municipality, and no person who owns or controls a taxicab shall permit it to be so driven, and no taxicab shall be driven at any time for hire, unless the driver of said taxicab shall have first obtained and shall have then in force a valid motor vehicle driver's license, issued by the state, and a valid taxicab drivers permit issued by the City.

**Sec. 10-171. Application.**

- (a) An application for a taxicab drivers' permit shall be in writing, addressed to the chief of police, and filed with the City clerk. Such application shall be verified under oath and shall contain the following information:
  - (1) The names and addresses of four (4) residents of the city who have known the applicant and who will vouch for the sobriety, honesty, and general good character of the applicant;
  - (2) The experience of the applicant in the transportation of passengers;
  - (3) The educational background of the applicant; and
  - (4) A concise history of his employment.
- (b) Each application 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 an unsafe or unsatisfactory driver.

**Sec. 10-172. Police investigation of applicant.**

The chief of police shall require an investigation of each applicant for a taxicab drivers' permit. Such investigation shall be made to determine the moral character and fitness of the applicant, as well as the applicants' knowledge of the city and all traffic regulations therein. A report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application and forwarded to the mayor and council.

**Sec. 10-173. Fingerprinting required.**

Each and every driver of a taxicab shall, before driving such vehicle, report to the chief of police for the purpose of fingerprinting and shall permit the chief of police to obtain a complete set of his fingerprints.

**Sec. 10-174. Issuance.**

Upon approval of an application for a taxicab drivers' permit, the chief of police shall issue a permit to the applicant which shall be signed by said chief of police, bear the corporate seal of the City, and set forth the name, address, age, and signature of the applicant. The chief of police shall procure or cause to be procured two (2) photographs of such applicant, one of such photographs to be retained by the chief of police in the files of the police department and the other to be attached to the taxicab drivers' permit.

**Sec. 10-175. Display.**

Every taxicab driver who obtains a permit under the provisions of this article shall post his taxicab drivers permit in such a place as to be in full view of all passengers while such driver is operating a taxicab.

**Sec. 10-176. Compliance with law.**

Every driver who obtains a permit under the provisions of this article shall comply with all City, state and federal laws.

**Sec. 10-177. Operators changing employment.**

Upon any driver being discharged or separated from the service of the owner or operator that registered him, the owner or operator shall immediately report same to the chief of police, upon said driver being re-employed by another person engaged in the same type of business in the city, said person, whether owner or operator, shall report the same to the chief of police. In such case, the chief of police shall make a transfer on the card issued to the driver showing his present employment, and for such transfer a charge of fifty cents (\$0.50) shall be made. All sums collected in such manner shall be delivered to the City clerk and credited to the general fund of the City.

**Sec. 10-178. Suspension, revocation.**

Any permit issued under the provisions of this article may be revoked or suspended by the mayor and city council for the violation by the permittee of any applicable provision of this code, state law or city ordinance, rule or regulation.

**Secs. 10-179 - 10-190. Reserved.**

## **ARTICLE IX.**

### **MOVING BUILDINGS**

**Sec. 10-191. Permit - Generally.**

No person shall move any house or building not dismantled and place same on any property within the corporate limits of the city without first obtaining a permit from the City.

**Sec. 10-192. Same - Placing building on property.**

No property owner shall knowingly permit the placing of any building or house that has been moved from without or from within the corporate limits of the city on any property owned by him or her or in his or her custody or control, without first obtaining a permit from the City.

**Secs. 10-193 - 10-199. Reserved.**

## **CHAPTER 10.1**

### **MUNICIPAL COURT**

**Sec. 10.1-1. Bonds - Generally.**

The chief of police is hereby authorized to accept cash appearance bonds and/or surety bonds from offenders for their appearance before the municipal court. In the event such offender fails to appear at the session of the municipal court to which said bond is made returnable, the judge may forfeit said cash bond, making an entry of such forfeiture and the amount upon the court docket. In the event a surety bond has been posted and the offender fails to appear at the session of the municipal court to which said bond is made returnable, the judge may summarily take a judgment against said principal and surety for the full amount of said bond, making an entry of said action upon the court docket and may issue an execution based on said judgment, directing the chief of police to levy upon sufficient real and personal property of the principal and/or surety to satisfy such judgment. In the event a levy is made as aforesaid, said property shall be advertised and sold as now provided by law with reference to the sale of property under tax execution issued for taxes. (Ord. No. 107, 5-12-55)

**Sec. 10.1-2. Same - Persons acting as surety.**

No person shall be a surety under the provisions of this chapter unless he owns property in the city of a sufficient value to cover the amount of the bond.