



Mayor & City Council

Workshop Session

~ Agenda ~

City of College Park
3667 Main Street
College Park, GA 30337

<http://www.collegeparkga.com>
404-669-3756 (Main)

Experience College Park
Georgia's Global City

Monday, October 4, 2021

6:00 PM

Council Chambers

1. Public Hearing to receive comments on the adoption of the proposed Millage Rate for Fiscal Year 2021-2022. This is the first of three public hearings scheduled to receive public comments. See memorandum dated September 29, 2021 from Director of Finance & Accounting Althea Philord-Bradley. Also, see attached background information.
2. Review of a proposed Ordinance for Pedicabs. See attached memorandum dated September 24, 2021, from City Planner Nikki Washington. Also, see attached supporting documentation.



CITY OF COLLEGE PARK

P.O. BOX 87137 · COLLEGE PARK, GA 30337 · 404.767.1537

WORKSHOP AGENDA ITEM

DOC ID: 9145

DATE: September 29, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Mercedes Miller, Interim City Manager

FROM: Althea Philord-Bradley, Director of Finance & Accounting

RE: Millage Rate Hearing

PURPOSE: First Public Hearing to discuss the Millage Rate with the general public.

REASON: To provide the first of three Public Hearings on Monday, October 4, 2021 at 6:00pm, for public comment concerning the adoption of the current year millage rate of 12.619 mills. The City of College Park has received the complete Tax Digests from the Tax Assessors of Fulton and Clayton County.

Pursuant to Georgia Code, Section 48-5-32, the city needs to advertise 3 times in the local South Fulton Neighbor newspaper that the Millage Rate will be set by the Mayor and City Council on October 18th, 2021 at 7:30 pm at the College Park City Hall Council Chambers via remote video conference, Zoom platform. The public hearing dates are October 4th, October 18th and November 1, 2021 respectively. Georgia Code requires three advertisements when the City's proposed Millage Rate of 12.619 mills exceeds the County's rollback Millage Rate of 11.869 mills.

RECOMMENDATION: Pursuant to Georgia Code, Section 48-5-32 the City of College Park is recommended to schedule a public hearing for the final adoption at the convenient time of 7:30 p.m. and the convenient place of the College Park City Hall Council Chambers to afford the public an opportunity to respond to the notice of change in the millage rate to 12.619 mills. The City began advertising in the local South Fulton Neighbor newspaper on September 8, 2021 that the millage rate will be set by the Mayor and City Council on November 1, 2021 at 7:30 p.m. via remote video conference, Zoom platform. Instructions on how to participate will be available on the College Park website at www.collegeparkga.com <<http://www.collegeparkga.com>>. The City is advertising the five (5) year history of the City's Tax Digest, along with the digest for 2021, per Georgia Code, Section 48-5-32. The City of College Park's proposed millage rate of 12.619 is .75 mils above the current rollback millage rate. Likewise, the proposed Special District Tax rate of 20.00 mills and GICC Special District Tax rate of 20.00 mills as well.

BACKGROUND: Pursuant to Georgia Code, Section 48-5-32 the City needs to advertise in the

local South Fulton Neighbor newspaper on September 8, 2021 that the millage rate will be set by the Mayor and City Council on November 1, 2021 at 7:30 p.m. via remote video conference, Zoom platform. The millage rate of 12.619 mills is .75 mills above rollback rate of 11.869 mills.

COST TO CITY: \$1,000 - \$2,000

BUDGETED ITEM: Yes.

REVENUE TO CITY: \$14,696,616 General Fund, \$3,028,630 Special District, \$515,838 GICC Special District

CITY COUNCIL HEARING DATE: October 4, 2021

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: None.

AFFECTED AGENCIES: Finance and Accounting

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None.

REQUIRED CHANGES TO WORK PROGRAMS: None.

STAFF: Finance and Accounting staff.

ATTACHMENTS:

- NOTICE OF PUBLIC HEARINGS 2021 (PDF)
- NOTICE OF PROPERTY TAX INCREASE 2021 (PDF)
- 2021 Five Year History (PDF)
- 2021 Press Release (PDF)

ATTACHMENTS:

- 2021 Five Year History - Revised (PDF)
- 2021-22 MILLAGE RATE PRESS RELEASE (PDF)
- REVISED NOTICE OF PROPERTY TAX INCREASE 2021 (PDF)
- REVISED NOTICE OF PUBLIC HEARINGS (PDF)

Review:

- Althea Philord-Bradley Completed 09/27/2021 11:32 AM
- Sonya Harold Completed 09/27/2021 11:58 AM

- Mercedes Miller Completed 09/28/2021 4:48 PM
- Mayor & City Council Pending 10/04/2021 6:00 PM

NOTICE

The Mayor and City Council of the City of College Park announce the millage rate will be set at a Mayor and City Council meeting on **Monday, November 1, 2021, at 7:30pm via video conferencing, Zoom platform.** Instructions on how to participate are on the College Park website at www.collegeparkga.com and pursuant to the requirements of O.C.G.A 48-5-32 do hereby publish the following presentation of the current year's tax digest and levy, along with the history of the tax digest and levy for the past five years.

City of College Park 2021 Tax Digest and Five Year History of Levy

	2016	2017	2018	2019	2020	2021
Real and Personal	702,030,774	745,220,327	782,496,082	873,393,070	916,512,932	1,006,819,408
Motor Vehicles	10,706,900	7,851,790	5,782,330	4,615,690	3,651,500	4,227,650
Public Utility	123,798,843	130,482,253	159,758,023	212,994,332	222,114,207	227,196,422
Gross Digest	836,536,517	883,554,370	948,036,435	1,091,003,092	1,142,278,639	1,238,243,480
Less : M & O Exemptions	56,377,048	38,096,203	71,745,882	70,545,514	53,456,656	73,601,558
Net M & O Digest	\$780,159,469	\$845,458,167	\$876,290,553	\$1,020,457,578	\$1,088,821,983	\$1,164,641,922
Gross M & O Millage	17.264	17.128	17.124	16.645	16.102	15.857
Less : Rollbacks	4.645	4.509	4.505	4.026	3.483	3.238
Net M & O Millage	12.619	12.619	12.619	12.619	12.619	12.619
Net Taxes Levied	9,844,832	10,668,837	11,057,910	12,877,154	13,739,845	14,696,616
Net Tax Dollar Increase/(Decrease)	(240,960)	824,004	389,074	1,819,244	862,690	956,772
Net Tax Percent Increase/(Decrease)	-2.39%	8.37%	3.65%	16.45%	6.70%	6.96%
Special District Tax						
Special District Digest	108,166,382	118,514,547	117,342,091	140,231,528	151,402,138	151,431,509
Special District Millage Rate	14.50	14.50	14.50	14.50	20.00	20.00
Net Taxes Levied	1,568,413	1,718,461	1,701,460	2,033,357	3,028,043	3,028,630
Net Tax Dollar Increase/(Decrease)	125,618	150,048	(17,001)	331,897	994,686	587
Net Tax Dollar Increase/(Decrease)	8.71%	9.57%	-0.99%	19.51%	48.92%	0.02%
GICC Special District Tax						
GICC District Digest	13,150,771	17,749,495	15,728,775	15,440,061	20,634,955	25,791,916
GICC District Millage Rate	7.50	7.50	7.50	7.50	20.00	20.00
Net Taxes Levied	98,631	133,121	117,966	115,800	412,699	515,838
Net Tax Dollar Increase/(Decrease)	(571)	34,490	(15,155)	(2,165)	296,899	103,139
Net Tax Dollar Increase/(Decrease)	-0.58%	34.97%	-11.38%	-1.84%	256.39%	24.99%

Net Levy reflects the total amount billed, not collected.



PRESS RELEASE CITY OF COLLEGE PARK

P.O. Box 87137  COLLEGE PARK, GA 30337

WWW.COLLEGEPAKGA.COM

FOR IMMEDIATE RELEASE
Contact: Phase 3 Media, LLC.
Phone: (404) 767-1537 x1703

September 8, 2021

College Park to Maintain Same Property Tax Millage Rate for 2021

College Park – The Mayor and Council of the City of College Park announced today its intention to maintain the same ad valorem property tax millage rate of 12.619 mills. From 2012-2020 College Park has maintained this rate – 12.619. This represents a 0.75 mils above the most recent rollback rate of 11.869.

The proposal by the Mayor and City Council is to continue with the 2012-2020 millage rate. Furthermore, the *Net Tax Digest* (equal to the millage rate, multiplied by the taxable assessed value of property, minus deductions) for calendar year 2021 is \$75.8 million more, when compared to the Net Tax Digest for calendar year 2020. Additionally, the net tax levied for FY 2021-2022 is \$956,772 greater than the previous year.

The Mayor and City Council invite all concerned citizens to three public hearings regarding the setting of the 2021 millage rate - to be held Monday, September 20, 2021 at 6:00pm; Monday, October 4, 2020 at 6:00pm; and Monday, October 18, 2021 at 7:30pm. Each meeting will be held virtually via remote video conferencing, Zoom Platform.

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Find out what's happening in College Park by logging onto the City's streaming web, @ <http://collegeparkga.pegstream.com/> or like us on Facebook @ www.facebook.com/cityofcollegepark

NOTICE OF PROPERTY TAX INCREASE

The **Mayor and Council of the City of College Park** has tentatively adopted a General Fund millage rate which will require an increase in property taxes by **6.32 percent**.

The **Mayor and Council of the City of College Park** has tentatively adopted a Special District Property Tax millage rate of 20.00 mills, which represents a **0.02** percent increase in property taxes over the previous year.

The **Mayor and Council of the City of College Park** has tentatively adopted a Georgia International Convention Center Tax millage rate of 20.00 mills, which represents a **24.99** percent increase in property taxes over the previous year.

All concerned citizens are invited to the public hearing on this tax increase to be held remotely via video conferencing (the Zoom Platform) on **October 4, 2021 at 6:00 pm**. Instructions on how to participate will be available on the College Park website at www.collegeparkga.com

Times and places of additional public hearings on this tax increase will remain as virtual meetings via video conferencing (Zoom Platform) on **October 18th, 2021 at 6:00 pm and November 1, 2021 at 7:30pm**.

This tentative increase will result in a General Fund millage rate of **12.619 mills**, an increase of **0.75 mills**. Without this tentative tax increase, the millage rate will be no more than **11.869 mills**. The proposed tax increase for a home with a fair market value of **\$200,000** is approximately **\$30.00** and the proposed tax increase for non-homestead property with a fair market value of **\$200,000** is approximately **\$60.00**.

NOTICE OF PUBLIC HEARINGS

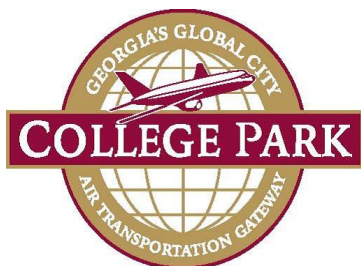
The Mayor and Council of the City of College Park will hold three (3) Public Hearings to discuss the proposed FY22 Tax Millage of 12.619.

The Public Hearings will be held remotely via video conferencing (Zoom Platform) on the following dates and times: Instructions on how to participate will be available on the College Park website at www.collegeparkga.com.

Monday, October 4, 2021 at 6:00p.m.

Monday, October 18, 2021 at 6:00p.m.

Monday, November 1, 2021 at 7:30p.m.



CITY OF COLLEGE PARK

P.O. BOX 87137 · COLLEGE PARK, GA 30337 · 404.767.1537

WORKSHOP AGENDA ITEM

DOC ID: 9119

DATE: September 27, 2021

TO: The Honorable Mayor and Members of City Council

THROUGH: Mercedes Miller, Interim City Manager

FROM: Nikki Washington, City Planner

RE: Review of a Proposed Ordinance for Pedi-Cabs

PURPOSE: Review of a Proposed Ordinance for Pedicabs

REASON: Review of a Proposed Ordinance for Pedicabs

BACKGROUND: This is a continuation of a presentation from the August 16th Workshop meeting on pedi-cabs. Attached is a proposed ordinance for review by the Council.

At the August 16th meeting the Council was asked to consider the following items:

- Mayor and City Council create a College Park Pedicab Ordinance, including areas of pedicab operation (designated streets attached)
- Create a Pedicab Ambassador Operator's Business License - for pedicab Ambassador operators/drivers.
- Require Pedicab Ambassador Operators training to be certified by United Action For Advancement of Humanity, Inc.
- United Action for Advancement of Humanity, Inc. is authorized to promote and educate pedicab operators and passengers about College Park, for example, commerce, local venues, special events, benefits, the unity and diversity of citizens residing in College Park, and so forth.

The attached ordinance addresses the first two requests, but request 3 and 4 were determined to be inappropriate for the ordinance. However, the ordinance does allow for the operation of any pedicab company including United Action For Advancement of Humanity, Inc.

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: The attached ordinance would regulate pedi-cabs in the City.

STAFF: Jackson Myers, Renee Coakley, Nikki Washington

ATTACHMENTS:

- PediCabsPresentation (PPTX)
- College Park Pedicab Ordinance (PDF)

Review:

- Nikki Washington Completed 09/21/2021 10:02 AM
- Sonya Harold Completed 09/27/2021 11:28 AM
- Shavala Moore Pending
- Jackson Myers Pending
- Renee Coakley Completed 09/24/2021 12:05 PM
- City Attorney's Office Pending
- Mayor & City Council Pending 10/04/2021 6:00 PM
- Mercedes Miller Completed 09/29/2021 1:00 PM

Pedicab Proposed Ordinance



- City Attorney's Office based the attached ordinance on Savannah's pedicab policies as well as the information provided by Dr. Chisulo at the August 16th workshop meeting.
- Regulations are proposed to be added to Chapter 16 - STREETS AND SIDEWALKS
- Dr. Chisulo did request that training be conducted by United Action For Advancement of Humanity, Inc. however it was determined to be inappropriate to designate one user.



Highlights of the Ordinance

- Pedicab companies that operate in the City will be required to have a College Park business license
- Individual pedicab operators will be required to have an Operator's Permit issued by the City Clerk's office
 - Each operator must be associated with a company that holds a College Park business license
- Pedicabs will be restricted to operate on designated streets in the City as proposed by Jackson Myers

**STATE OF GEORGIA
CITY OF COLLEGE PARK**

ORDINANCE NO. 2021- _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF COLLEGE PARK, GEORGIA, BY ADOPTING AND ADDING A NEW ARTICLE TO CHAPTER 16 (STREETS AND SIDEWALKS) REGULATING PEDICABS; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of College Park, Georgia (the “City”) is the Mayor and Council thereof; and

WHEREAS, the City of College Park is authorized by O.C.G.A. §36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

WHEREAS, the City desires to implement transportation initiatives for its residents and visitors that allow them to experience the City and its amenities in a fun, memorable and historical manner; and

WHEREAS, pedicabs provide a clean, quiet, alternative form of short distance transportation; and

WHEREAS, the Mayor and City Council desire to regulate pedicabs to provide for their safe and enjoyable use; and

WHEREAS, the City’s Code of Ordinances should be amended and updated in order to provide for and comply with current Georgia law, and

WHEREAS, the Mayor and City Council have determined that it is appropriate to amend the Code of Ordinances of the City of College Park to be consistent with state law and to further protect the public health, safety, and welfare of the citizens of the City.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, GEORGIA and by the authority thereof:

Section 1. The City of College Park's Code of Ordinances is hereby amended by adopting and adding a new Article, Article III(PEDICABS) to Chapter 16(Street and Sidewalks) and inserting the provisions set forth in Exhibit A attached hereto and made a part by reference.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. (a) It is hereby declared to be the intent of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intent of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intent of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional, or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinance and that,

to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

Section 6. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of College Park.

Section 7. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of College Park, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

SO ORDAINED this _____ day of _____, 2021.

{SIGNATURES ON FOLLOWING PAGE}

CITY OF COLLEGE PARK, GEORGIA

Bianca Motley Broom, Mayor

ATTEST:

Shavala Moore, City Clerk

APPROVED AS TO FORM BY:

City Attorney

EXHIBIT A
SEE ATTACHED

Chapter 16 - STREETS AND SIDEWALKS

ARTICLE III – PEDICABS

DIVISION 1. – GENERAL

Sec. 16-56. - Short title.

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

Sec. 16-57. - Definitions.

(a) *City* means the City of College Park, Georgia, a municipal corporation, and shall include all areas within the corporate limits of the City of College Park.

(b) *Pedicab* means a three-wheeled vehicle designed to be operated by one person for the purpose of transporting passengers in seats or a platform made a part of the vehicle while being propelled exclusively by the manual strength of the driver. This definition shall not include any of the following: (1) a bicycle built for two where the cyclists are seated one behind the other; (2) a bicycle with trainer or beginner wheels affixed thereto; (3) a wheelchair or other vehicle transporting a physically disabled person; (4) a tricycle built for a child or an adult with a seat for only one operator and no passenger.

(c) *Company permit* means the privilege granted by the City of College Park to engage in the operation of one or more pedicabs within the corporate limits of the city.

(d) *Operator*. means any natural person who drives or operates a pedicab on the streets of College Park for a permitted company.

(e) *Operator's permit* means the written authority granted by the city for a person to operate a pedicab within the City of College Park.

(f) *Code enforcement officer* means the individual employee or organizational unit of the city charged with the responsibility for administering and enforcing this article.

(g) *Passenger loading zone* means a public place alongside the curb of a street or elsewhere which has been designated by the city as reserved for the loading and unloading of passengers.

(h) *City Clerk* means the individual employee or organizational unit of the city charged with the responsibility for permitting.

(i) *Director of Infrastructure* means the individual employee or organizational unit of the city charged with the responsibility for inspecting pedicabs.

Sec. 16-58. - Purpose of pedicabs.

The primary purpose for the operation of pedicabs in the city shall be for the transportation of Passengers.

DIVISION 2. - INDEMNITY AND INSURANCE

Sec. 16-59. - 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 which, for the purposes of this section shall include the negligence, default or misconduct of a company's drivers in connection with the privileges 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, with respect to injuries to persons or damage to property which may be sustained.

Sec. 16-60. - Insurance.

Any pedicab company desiring a company permit to conduct 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 employees, servants or agents. Copies of such insurance policies shall be filed with the City Clerk and shall specifically provide that such policy shall not be cancelled without notice to the City.

Sec. 16-61. - 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.

DIVISION 3. PERMITS

Sec. 16-62 - Pedicab operator'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 permitted by the City at any time for hire, unless the operator of the pedicab shall first have obtained and shall have then in force a pedicab operator's permit issued under the provisions of this Article.

Sec. 16-63. - Application.

Any person desiring a pedicab operator's permit required by this Article shall submit an application in writing to the City Clerk, on a form to be furnished by the City Clerk.

Sec. 16-64. - Qualifications of applicant.

An applicant for a pedicab operator'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 felony crimes committed against persons.

Sec. 16-65. - Pedicab operator's permit fee.

Before any pedicab operator's permit is granted under this Article, a pedicab operator's permit fee of \$25.00 shall be paid by the applicant. All outstanding citations must be paid or resolved prior to the issuance of a pedicab operator's permit.

Sec. 16-66. - Current state driver's license required.

Any person applying for an operator driver's permit under this Article must provide a valid motor vehicle operator's license issued by the State of Georgia, or any other U.S. state. An applicant must provide a seven-year motor vehicle report, if applicable, from the state issuing the applicant's driver's license. The City Clerk shall accept an unofficial electronic copy of motor vehicle record from the issuing state on a temporary basis until a certified copy is received. The state-issued certified copy of motor vehicle record must be presented to the City Clerk within 30 days of submitting an application. No third-party motor vehicle record shall be accepted. The motor vehicle record must be dated within 90 days of the application date. A three-year motor vehicle record shall be sufficient for a valid permit renewal.

Sec. 16-67. - Operator's permit to be displayed on pedicab.

The pedicab operator's permit issued under the provisions of this Article shall be conspicuously displayed when operating on city streets.

Sec. 16-68. - 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.

Sec. 16-69. - 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.

Sec. 16-70. - Duration of permit.

Any pedicab operator'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.

Sec. 16-71. - Suspension of pedicab operator's permit.

The code enforcement officer shall have the authority to suspend a pedicab operator's permit for no less than 30 days and no more than 90 days only after:

- a) a prior 5 day written notice to the holder of the permit; and
- b) a hearing of evidence from the pedicab operator.

A pedicab operator's permit can be suspended for the following reasons:

- (a) The driver is convicted of operating a motor vehicle while under the influence of intoxicating beverages or drugs, or reckless driving as defined in O.C.G.A §40-6-390, as amended;
- (b) Making any false statements in the application for the pedicab operator's permit;
- (c) Operating a pedicab in violation of any provisions of this Article or applicable state law;
- (d) Conviction for driving on a suspended license; or
- (e) Conviction of a crime involving physical violence to another person under either state or federal law.

If a pedicab permit is suspended two times within any rolling two-year period, the third suspension within said two-year period shall result in a permanent revocation of the operator's permit.

The code enforcement officer shall notify within 10 business days the pedicab operator and pedicab company in writing of any suspension, in which case the pedicab operator or pedicab company shall have the right to appeal as provided in Sec. 16-80. Sec. 16-78. - 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. Once a company is notified by the Director of Infrastructure of an operator's status and found to have allowed the driver to operate with a suspended or revoked pedicab operator's permit, the company owner and operator shall be issued a citation for each infraction.

Sec. 16-72. – Suspension or revocation appeal.

Any decision of the Director of Infrastructure to suspend a pedicab operator's permit or to disallow a pedicab from operating on city streets as outlined in Sec. 16-76 and Sec. 16.89 may be appealed within ten (10) business days of transmittal of notification of such decision to the Recorder's Court by submitting a written appeal setting forth the factual and legal basis for the appeal to the Director of Infrastructure.

Sec. 16-73. - Occupational tax certificate 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 an occupational tax certificate for such business has first been granted by the city in accordance with the provisions of the Chapter 11 - Occupational Licenses, Taxes and Regulations Ordinance. The certificate shall be effective only for the calendar year stated in the certificate.

(b) Application for the occupational tax certificate shall be made on forms provided by the revenue department and shall provide such information as is required for other occupational tax certificate applications and such additional information as may be necessary to define completely the business operation. Renewal of the certificate shall be as required by provisions of the Chapter 11 - Occupational Licenses, Taxes and Regulations Ordinance

Sec. 16-74. - Fixed place of business required.

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

DIVISION 4. PEDICAB MAINTENANCE

Sec. 16-75. – Identification, markings, distinctive color schemes and advertising.

(a) Every pedicab shall have a sign plainly marked on each side of the vehicle, in letters not less than three inches high, containing the full name of the company operating the pedicab. Color schemes shall be recorded by the Director of Infrastructure on an annual basis.

(b) Third-party advertising shall be permitted on the surface of the pedicab provided it does not block the bumper or interfere with or impede the visibility of any safety equipment. No part of the advertising may obscure the visibility of the pedicab number nor may it emit light or noise.

Sec. 16-76. – Assigned numbers generally.

There shall be painted on each side and on the rear of each pedicab a number at least three inches high, the number to be a separate and distinct number from that of any other pedicab in the City. The number shall be assigned to such pedicab and the owner thereof by Director of Infrastructure and shall not be altered or changed without the consent of the Director of Infrastructure.

Sec. 16-77. - 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 Director of Infrastructure in a file to be kept for that purpose.

Sec. 16-78. - 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.

Sec. 16-79. - 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.

Sec. 16-80. - Pedicab inspections required.

(a) Each pedicab shall be inspected by the Director of Infrastructure 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.

(b) Once the pedicab has passed inspection, the City shall issue a commercial decal for the pedicab. The commercial decal shall be effective for the calendar year and shall be affixed to the pedicab in a visible location. All outstanding citations issued to the company must be paid or resolved prior to the issuance of the commercial decal.

(c) Each pedicab involved in an accident shall be reported by the pedicab company and inspected by the Director of Infrastructure before it may be returned to service transporting passengers for hire.

(d) Each pedicab shall be inspected by the Director of Infrastructure at least once in each calendar year to ensure continued compliance with the provisions of this Article.

Sec. 16-81. - Authority for removal of pedicabs from the streets.

The code enforcement officer 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 code enforcement officer to remove a pedicab from the streets may be appealed as provided in Sec. 16-77 of this Article.

DIVISION 5. - RATES AND PASSENGERS.

Sec. 16-82. - Rates of fare.

Rate card required. No owner or operator 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.

Sec. 16-83. - 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.

Sec. 16-84. - Use of designated stops or stands prohibited.

(a) It shall be unlawful for any operator of a pedicab to park or stand at any bus stop, taxicab stand, or horse-drawn carriage stand.

(b) Pedicabs may stop for the purpose of loading and unloading passengers at any designated passenger loading zone within the permitted area of operation.

Sec. 16-85. - Restriction on number of passengers.

The number of passengers carried by a pedicab shall be limited to the seating capacity of the pedicab as specified by the manufacturer. A child under the age of three in arms shall not be counted as a passenger. All passengers must be seated securely in the designated seating area.

Sec. 16-86. - Refusal to carry orderly passengers prohibited.

No operator 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.

Sec. 16-87. - Pedicab movement prohibited under certain circumstances.

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

Sec. 16-88. - Property left in a pedicab by passenger.

Any pedicab operator 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 information 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 and surrender such property to the lawful owner upon demand and evidence of identity. The company shall maintain a log of each such transaction for six months, which shall be subject to review by the code enforcement officer. The company shall not charge a fee for maintaining the property. The company must maintain a record describing the disposition of abandoned property.

Sec. 16-89. - 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. A slow-moving vehicle triangle must be affixed to the rear of each pedicab.

DIVISION 6. PERMITTED AREAS OF OPERATION.

Sec. 16-90. - Area of operation - generally.

(a) Pedicabs shall be confined to streets within the outlined boundaries:

North and South East Main Street

College Street

Conley Street
 West Point Avenue
 Best Road
 St. Lesley Drive
 Convention Center Concourse
 Gateway Center
 Gateway Boulevard.
 Harrison Road
 Cambridge Ave
 Hardin Avenue
 Virginia Avenue and Bobby
 Brown Parkway
 Norman Berry Drive
 Princeton Avenue
 John Calvin on Main Street

(b) Areas prohibited at all times.

Pedicabs are prohibited on the following streets:

Main Street

(c) Pedicabs are prohibited on the following streets and street segments within the area defined above, except to cross from one side to the other:

Main Street

(d) Area of operation - lane restricted.

Pedicabs shall utilize all bike lanes designated by the City, within the area of operation.

(h) Area of operation - special conditions.

i. Dropoff - Harrison Street

ii. Dropoff - Norman Berry Drive.

iii. John Wesley

iv. Rugby Avenue

iii. Parking, standing or staging for passengers in the street is prohibited at all times.

DIVISION 7. TRAFFIC AND PENALTIES.

Sec. 16-91. - 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 College Park 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 College Park.
- (c) When multiple pedicabs are traveling together, they shall travel one behind the other.

Sec. 16-92. - 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 operator's permit pursuant to Sec. 16.76 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 operator's permit for not more than 60 days.

Sec. 16-93. Code of Conduct.

- (a) Pedicab operators shall not act in a violent manner [Cross reference—Disorderly conduct, Sec. 12-12.].
- (b) Pedicab operators shall be prohibited from having non-service animals with them while on duty.
- (c) Audible music emanating from the driver or pedicab shall be prohibited [Cross reference—Noise control, Sec. 8-21.].
- (d) Pedicab operators shall remain awake and alert at all times.

Sec. 16-94. Pedicab special event restrictions.

It shall be unlawful to operate a pedicab within the perimeter of a permitted special event except where specifically authorized by the Director of Infrastructure A special event is defined as an event or festival where the City restricts streets for pedestrian traffic only.

Sec. 16-95. Stationary pedicabs.

Except when specifically authorized by the Director of Infrastructure, operators shall park pedicabs with at least one wheel against a curb. Pedicabs may not be parked in such a manner as to obstruct vehicular or pedestrian traffic flow.

Sec. 16-96. Sidewalks.

Pedicabs shall not be operated on any sidewalk within the City.

Sec. 16-97. Traffic control devices.

Neither pedicab operators nor pedicab employees may move, adjust or request any traffic control device or barricade to make passage possible.

Sec. 16-98. Failure to pay fine.

When any pedicab company owner or pedicab operator fails to pay a fine as specified by this Article within ten (10) calendar days after the notice was issued, a late payment penalty shall be added to the violation fine amount as specified by this Ordinance.

Sec. 16-99. Penalties for violation, issuance of citations, suspension and appeal.

(a) Failure to comply with this Article or any of the laws, ordinances, and regulations of the City may result in violation and shall be punishable as provided in for by Section 1-8 of the City Code.

(b) Any citation issued for violation of this Article shall be issued to the pedicab operator at the time of the violation or later by the police or code enforcement officer issuing the citation. The pedicab company shall receive the citation by 10:00 a.m. on the business day following the day of infraction.

(c) A code enforcement officer, in his or her discretion and taking into account factors such as time of day, congestion, and safety, may delay no more than 1 business day in delivering a citation to a pedicab driver or pedicab company in person at the address on record. Any citation delivered in this manner shall be fully valid, and shall be considered sufficient notice of the charges. A pedicab operator or pedicab company who believes a citation to be issued based on a misapplication of an ordinance to the facts may contest the citation in writing within seven (7) business days to the code enforcement officer.