

CHAPTER 17: PROFESSIONAL BONDSMEN

ARTICLE I. IN GENERAL

Sec. 17-1. Definition.

Any person who shall sign any bond for the appearance of any accused person in any court of the city, or who shall procure bond for such person, or who shall deposit collateral for such person in lieu of bond, shall, for the purposes of this chapter, be deemed a professional bondsman and engaged in business as such.

Sec. 17-2. Violations of chapter.

Any professional bondsman convicted of any violation of this chapter shall automatically be barred from signing bonds in the city, in addition to any other penalty imposed for such violation.

Sec. 17-3. Submission of schedules of property and bonds; effect of insolvency or excessive liability.

(a) The City Council shall have the right and authority, at all times, to require professional bondsmen to submit schedules of property and bonds upon which they appear as surety. In the event such schedules disclose the insolvency or inability of a bondsman to sign bonds because of an excess of liability over assets, the council may bar such bondsman from signing further bonds in the Municipal Court or any other court of the city for so long as such insolvency or inability exists.

(b) Any professional bondsman who fails to furnish schedules pursuant to this section, within five days after demand, or who gives a false schedule shall thereafter be barred from signing bonds in connection with any cases before any court of the city.

Sec. 17-4. Failure to pay forfeited bond.

Any professional bondsman who fails to pay the full sum of any bond within 30 calendar days after forfeiture shall thereafter be barred from signing bonds in any court of the city for so long as any part of such bond or cost remains unpaid.

Secs. 17-5-17-20. Reserved.

ARTICLE II. PERMIT

Sec. 17-21. Required.

(a) No person shall carry on or engage in the business of a professional bondsman until authorized by a current permit granted by the City Council and no business license shall be issued under chapter 12 of this Code to a professional bondsman until such permit has been granted.

(b) The persons authorized to approve bonds for the city shall be furnished a list of bondsmen who hold a permit required by this section. No such person shall accept a professional bondsman who does not have such permit.

Sec. 17-22. Filing and contents of application.

(a) Application for a permit required by this article shall be filed with the City Council and shall contain:

- (1) A description of all real property owned in the county, in fee simple, by the applicant, together with the fair market value of each parcel of such property.
- (2) A description of all mortgages, liens or other encumbrances affecting such real property, showing the maturity date and amount thereof.
- (3) A schedule of all bonds of every description upon which the applicant, at that time, appears as surety, showing the date and penal sum of each bond separately.
- (4) A sub-schedule of all bonds upon which the applicant, at that time, appears as surety, which have been forfeited and not paid.

(b) All schedules and sub-schedules required by this section shall be made under oath by the applicant. If the applicant is a firm, each member of the firm shall sign the same, and if a corporation, two principal officers thereof, authorized by the corporation's bylaws, shall sign the same and the corporate seal shall be affixed.

Sec. 17-23. Action by city manager on application.

Each application filed pursuant to this article shall be referred to the City Manager for his or her recommendation as to issuance or denial of the permit. The City Manager shall investigate such application thoroughly and verify all schedules contained therein. The City Manager shall not recommend the issuance of the permit, unless the application and the accompanying schedules shall clearly show that the applicant is the owner of real property in the county with a fair market value, in excess of encumbrances, equal to the total of all bonds upon which the applicant, at that time, appears as surety, plus the amount allowed as exemption under the homestead laws of the state,

Sec. 17-24. Issuance.

A permit applied for under this article shall be issued by the City Council, if such issuance is recommended by the City Manager.

Sec. 17-25. Expiration and renewal.

A permit issued under this article shall expire at the end of the calendar year in which issued. To renew such permit, application shall be filed with the City Council on or before the date of its first meeting of the following calendar year. Such application shall contain the same information, and shall be acted on in the same manner, as the original application submitted under this article.