

Chapter 17

PROFESSIONAL BONDSMEN*

- Art. I. In General, §§ 17-1—17-20
Art. II. Permit, §§ 17-21—17-26

ARTICLE I. IN GENERAL

Sec. 17-1. Definition.

Any person who shall, for compensation, sign any bond for the appearance of any accused person in the recorder's court or any other court of the city or of Monroe County, 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.

(Code 1967, § 13-25)

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 penalty imposed for such violation.

(Code 1967, § 13-26)

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 of 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 recorder's court or any other court of the city for so long as such insolvency or inability exists.

(b) Any professional bondsman who shall fail to furnish schedules pursuant to this section, within five (5) days after demand, or who shall give a false schedule shall thereafter be barred from sign-

ing bonds in connection with any cases before any court of the city.

(Code 1967, § 13-30)

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

Any professional bondsman who fails to pay the full sum of any bond within thirty (30) 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.

(Code 1967, § 13-26)

Cross reference—Forfeiture of bonds generally, § 19-6.

State law reference—Authority of city to provide for forfeiture of bonds and collection of same from sureties, OCGA § 36-32-4.

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 so to do 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 and no such person shall accept a professional bondsman who does not have such permit.

(Code 1967, §§ 13-27, 13-31)

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:

*Cross references—License fee for professional bondsmen, § 12-21; recorder's court, Ch. 19.
State law reference—Professional bondsmen, OCGA § 17-6-50 et seq.

- (1) A description of all real property in the county owned, 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 subschedule of all bonds upon which the applicant, at that time, appears as surety, which have been forfeited and not paid.

(b) All schedules and subschedules 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 (2) principal officers thereof, authorized by the corporation's bylaws, shall sign the same and the corporate seal shall be affixed.
(Code 1967, § 13-28)

Sec. 17-23. Action by police committee on application.

Each application filed pursuant to this article shall be referred to the police committee of the

city council for its recommendation as to issuance or denial of the permit. The police committee shall investigate such application thoroughly and verify all schedules contained therein. The committee 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 of 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.
(Code 1967, § 13-29)

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 police committee.

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.
(Code 1967, § 13-28)