

## 20\_\_ Taxi Cabs Occupation Tax Application

Business Information	Business Name:		DBA Name:		Account #:	
	Dominant Business Activity:				NAICS Code: <b>485310</b>	
	Address/Location:				Telephone Number:	
	Bill To/Mailing Address:					
	City:		State:		Zip:	
	Ownership Type: <input type="checkbox"/> Association <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Single Owner <input type="checkbox"/> LLC					
	Applicant's Name:			Owner/Agent's Name:		
	Owner/Agent's Address:					
	City:		State/Zip:		Email:	
	Contact Information	<b>***Applicant must provide copies of driver's license or other governmental issued photographic Identification with application.</b>				
Will this be based out of your home? (yes/no) ***If "yes" you must attach a "Home Based Supplemental Form" to this application.						
Will your business be an adult entertainment establishment (sexually oriented business) as defined by the Dunwoody City Code or does (will) it offer any form of adult entertainment? (yes/no)						
Has the owner, applicant, the stated business, or any legally or organizationally related entity had a business occupation tax certificate denied, suspended, or revoked within the past twelve (12) months? (yes/no) ***If yes, attach written explanation.						
<b>Georgia Open Records Act prohibits public viewing of gross receipts. The public may view other information on this form.</b>						
201_ Projected Actual Dunwoody and Georgia Gross Receipts		\$ _____	- \$50,000 X	<u>0.00062</u>	\$ _____	
Employee Fee (at least one, includes owner/operator)		# _____	X	<u>\$12.00</u>	\$ _____	
Base Fee of \$125.00.					<u>\$125.00</u>	
Background Check Fee (no refund)		# _____	X	<u>\$50.00</u>	\$ _____	
<b>Total Amount Due</b>					\$ _____	

This application must be executed under oath and notarized. I, \_\_\_\_\_, do solemnly swear that the information on this application is true, correct to the best of the applicant's knowledge, training, and ability, and that no false or misleading statement is made herein to obtain a business occupation tax certificate. I understand that if I provide false or misleading information in this application I may be subject to criminal prosecution and/or immediate revocation of my business occupation tax certificate issued as a result of this application. I understand that I must comply with all city ordinances and regulations. I hereby agree to provide clearance(s) and/or inspection report(s) required prior to issuance of a business occupation tax certificate. All tax certificates expire December 31 and must be renewed annually.

Signature \_\_\_\_\_ Position \_\_\_\_\_ Date \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Notary Public Signature/Seal \_\_\_\_\_

<b>OFFICE USE ONLY:</b>	Class ___	Type _____	H.O.P. _____	District _____	Lot _____	Block _____	Parcel _____	
<b>Zoning:</b>	Approved by _____	Denied by _____	Date _____	Denial Reason _____				
<b>Pending Items:</b>	C.O. ___	Fire ___	Health ___	Sanitation Service ___	State License ___	Insurance ___	Police ___	Other ___
<b>Business License Items:</b>	Primary ID# _____	Owner's ID# _____	Bill to ID# _____					



**O.C.G.A. § 50-36-1(e)(2) SAVE Affidavit  
Verifying Status for City Public Benefit**

**\*\*This form is required for ALL LICENSES/PERMITS by State Law\*\***

By executing this affidavit under oath, as an applicant for a business license, as referenced in O.C.G.A. § 50-36-1, from the City of Dunwoody, Georgia, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) \_\_\_\_\_ I am a United States citizen  
(Must include copy of either current State Driver's License, Passport, or Military ID)
- 2) \_\_\_\_\_ I am a legal permanent resident of the United States\*\*  
(Must include a copy of your current State Driver's License and either a copy of your Permanent Resident Card or Employment Authorization Card)
- 3) \_\_\_\_\_ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.\*\*  
(Must include a copy of your current State Driver's License and either a copy of your Permanent Resident Card or Employment Authorization Card)

\*\*My alien number issued by the Department of Homeland Security or other federal immigration agency is: \_\_\_\_\_.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

\_\_\_\_\_  
In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in \_\_\_\_\_ (city), \_\_\_\_\_ (state).

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Applicant

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC/SEAL



### Background Check Consent Form

**\*\*Do Not Issue Permit\*\***

**\*\*\*PLEASE NOTE: Background Checks are only performed between the hours of 9AM-10:45AM and 1PM-2:45PM on Tuesdays and Thursdays.**

I authorize the **Dunwoody Police Department** to receive any background record information pertaining to me, which may be in the files of any federal, state, and/or city criminal justice agency in Georgia. I also acknowledge that I received a copy of my privacy rights in accordance to both Federal and State regulations.

Print Full Name: \_\_\_\_\_

Maiden Name/Previous Name/Alias Info: \_\_\_\_\_

Date: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Driver's License No: \_\_\_\_\_ DL State: \_\_\_\_\_

**Are you a U.S. Citizen?** Yes \_\_\_\_\_ No \_\_\_\_\_

**If no, you will need to have your Green Card available.** Country of Birth: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Social Sec#: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

**Signature of Applicant:** \_\_\_\_\_

**For Finance Dept Use Only:**

- Background Check & Fingerprints Needed
- Return Results to Finance Department
- Taxicab Driver Permit-Issue to Applicant (Expiration June 30 of each year)

*Deny permit if within the past five years, been convicted of or has pled guilty or nolo contendere to any sexual offense as set out in O.C.G.A. § 16-6-1 et seq., or to the offense of driving under the influence of drugs and/or alcohol, or to any open container violations, or to any offense involving the lottery, illegal possession or sale of narcotics or alcoholic beverages or possession or receiving of stolen property, violence, or the violation of a spirituous, vinous, or malt beverage statute or if the driver has been convicted of an offense of causing death by vehicle. No driver can be issued a taxi driver's permit if the driver has received three or more moving violations in the preceding 12-month period.*

Employee Completing: \_\_\_\_\_ Date Complete: \_\_\_\_\_

Record Attached: \_\_\_\_\_ No Record: \_\_\_\_\_

## **APPLICANT PRIVACY RIGHTS**

As an applicant that is the subject of a Georgia only or a Georgia and Federal Bureau of Investigation (FBI) national fingerprint/biometric-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, immigration or naturalization, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification that your fingerprints/biometrics will be used to check the criminal history records maintained by the Georgia Crime Information Center (GCIC) and the FBI, when a federal record check is so authorized.
- If your fingerprints/biometrics are used to conduct a FBI national criminal history check, you are provided a copy of the Privacy Act Statement that would normally appear on the FBI fingerprint card.
- If you have a criminal history record, the agency making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The agency must advise you of the procedures for changing, correcting, or updating your criminal history record as set forth in Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a Georgia or FBI criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the agency denies you the job, license or other benefit based on information in the criminal history record.
- In the event an adverse employment or licensing decision is made, you must be informed of all information pertinent to that decision to include the contents of the record and the effect the record had upon the decision. Failure to provide all such information to the person subject to the adverse decision shall be a misdemeanor [O.C.G.A. § 35-3-34(b) and §35-335(b)].

You have the right to expect the agency receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of state and/or federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.

If the employment/licensing agency policy permits, the agency may provide you with a copy of your Georgia or FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, information regarding how to obtain a copy of your Georgia, FBI or other state criminal history may be obtained at the GBI website (<http://gbi.georgia.gov/obtaining-criminal-history-record-information>).

If you decide to challenge the accuracy or completeness of your Georgia or FBI criminal history record, you should send your challenge to the agency that contributed the questioned information. Alternatively, you may send your challenge directly to GCIC provided the disputed arrest occurred in Georgia. Instructions to dispute the accuracy of your criminal history can be obtained at the GBI website (<http://gbi.georgia.gov/obtaining-criminal-history-recordinformation>).

## **PRIVACY ACT STATEMENT**

**Authority:** The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

**Principal Purpose:** Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

**Routine Uses:** During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine Uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

2018-05 Attachment B

## Taxi Cabs Acknowledgement

Pursuant to the Chapter 10 Business and Occupation Taxes, Licenses, and Regulations Ordinance, all taxicab businesses must adhere to the regulations below and consent to a background check by the Dunwoody Police Department. Below is an excerpt of Article 5 Taxicabs from the Chapter 10 Business and Occupation Taxes, Licenses, and Regulations Ordinance.

### **Sec. 10-137. - Operation of taxicab to be in compliance with article.**

No person, firm, or corporation shall operate a taxicab in the city except in accordance with the terms and provisions of this article.

### **Sec. 10-138. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Line jumping:* Taxicabs shall be placed on stands only from the rear and shall be moved forward and to the front of the stand immediately as space becomes available by the departure or movement of preceding taxicabs. Violation of this rule constitutes line jumping and shall be grounds for suspension of a taxi driver's permit.

Operator means any person, firm, or corporation in the business of transporting passengers in taxicabs.

*Taxicab* means any passenger-carrying vehicle used in the business of transporting passengers for hire which does not have fixed termini, including but not limited to, any unmarked automobiles used in the business of transporting passengers for hire by contract or requested special services that do not have fixed termini.

*Taximeter* means a device that automatically calculates, at a predetermined rate, and indicates the charge for hire of a vehicle. Taxicabs operating with non-electronic taximeters shall be furnished with a sign, approved by the city code enforcement, immediately adjacent to the taximeter which explains the way the fare shall be calculated if the taximeter reaches its highest fare before the passenger's destination is reached. This sign shall be pointed out to the passenger by the driver at the beginning of the trip.

### **Sec. 10-139. - Operations deemed to be doing business in the city.**

A taxicab shall be deemed to be doing business in the city when its original terminus, that is to say, the place from which it operated and is subject to calls, shall be located in the city.

### **Sec. 10-140. - License fees for annual operation and driver's permit.**

License fees are hereby levied per annum for each taxicab maintained or operated, and per annum for each driver's permit. The license fees are established from time to time by resolution of the mayor and city council. The business occupation tax shall be in accordance with the current business occupation tax ordinance. The following criteria must be met to maintain a taxicab license:

- (1) Establishment and maintenance of an office in a commercially zoned area of the corporate boundaries of the city;
- (2) Submission of a copy of current lease or proof of ownership of office space;
- (3) Establishment and maintenance of a publicly listed telephone number;
- (4) Maintain the name and home address of each driver affiliated with the company;
- (5) Maintain an off-street parking lot capable of accommodating all company vehicles;

(6) Maintain a file for each vehicle containing proof of current instruments;

(7) Possess a valid six-month auto insurance policy.

**Sec. 10-141. - Permits for operation.**

(a) *Required.*

(1) No person shall operate a taxicab or conduct the business of operating taxicabs in the city until the person, firm, or corporation has first applied for and obtained an occupation tax certificate and a taxicab license. The applications for the occupation tax certificate and license shall be made to the city upon forms provided for that purpose. The license for vehicles shall be issued by the city. Permits for drivers will be issued by the city police department, or its designee.

(2) No person shall operate a taxicab in the corporate boundaries of the city until the person has first applied for and obtained a driver's permit. Permits for drivers will be issued by the city police department, or its designee.

(b) *Description of business.* The application shall contain, among other things, a detailed description of the equipment to be used in the business and the name of the operators thereof, the point of original terminus of the business, and the address and telephone number of the office or call station from which the business is operated.

(c) *Indemnity insurance.* No taxicab license to operate taxicabs shall be issued or continued in operation unless the holder thereof shall file with the business tax division a policy of indemnity insurance in some indemnity insurance company authorized to do business in this state, which policy shall have limits equal to or in excess of the following sums for each taxicab operated:

(1) For bodily injury to each person, \$50,000.00;

(2) For bodily injury to all persons sustained in any one accident, \$50,000.00; and

(3) For property damage and liability for baggage of passengers, \$25,000.00.

The policy shall be conditioned to protect the public against injury or damage proximately caused by the negligence of the holder of such permit. Additional drivers or new drivers hired after issuance of the occupation tax certificate shall be covered by a rider to the policy prior to the issuance of a driver's permit.

(d) *Ages of vehicles.* The operator is responsible for ensuring that each taxicab used in active business is no more than six years old. By December of each year, automobiles of a model year seven years prior to that year must be replaced.

(e) *Annual renewal.* All fees for taxicab licenses and taxi drivers' permits are due no later than June 30 of each year.

**Sec. 10-142. - Certificate of inspection.**

(a) A certificate of inspection completed on forms provided by the city and issued by an ASE certified mechanic shall be located inside the taxicab at all times certifying that the taxicab and equipment therein are safe and in compliance with applicable law. This certificate must be renewed every 90 days, and the operator of any taxicab business shall be required to keep his taxicab and equipment therein in safe condition conforming to all laws under penalty of having his permit to conduct a taxicab business suspended or revoked.

(b) Each taxicab must produce proof of taximeter inspection and calibration for issuance and renewal of taxi decal.

(c) The city police department, or its designee, may conduct random inspections to ensure the safety and welfare of the public.

**Sec. 10-143. - Additional equipment.**

The operator of a taxi business shall register with the city each additional piece of equipment put in use, and same shall be subject to inspection and registration as herein provided.

**Sec. 10-144. - Operators' duty to file with city; drivers' qualifications.**

It shall be the duty of all operators to file with the city the names and addresses, age and physical description of the persons employed as drivers. All drivers shall hold licenses from the state department of public safety as drivers of vehicles for hire, and drivers' permits issued by the city police department. No person shall be employed or shall drive a taxicab who has, within the past five years, been convicted of or has pled guilty or nolo contendere to any sexual offense as set out in O.C.G.A. § 16-6-1 et seq., or to the offense of driving under the influence of drugs and/or alcohol, or to any open container violations, or to any offense involving the lottery, illegal possession or sale of narcotics or alcoholic beverages or possession or receiving of stolen property, violence, or the violation of a spirituous, vinous, or malt beverage statute or if the driver has been convicted of an offense of causing death by vehicle. No driver can be issued a taxi driver's permit if the driver has received three or more moving violations in the preceding 12-month period.

**Sec. 10-145. - Taxi stands; parking.**

Operators and drivers of taxicabs shall not park taxicabs in any congested area as defined by the regulations of the city council at any place other than the place or places designated as "taxi stand." The parking of taxicabs shall be subject at all times to the direction of police officers should such direction be necessary or desirable for the relief of an emergency traffic condition.

**Sec. 10-146. - Information to be displayed.**

(a) *Information to be displayed inside the taxicab at all times.* The operator is responsible for ensuring that each taxicab used in active business shall have posted in a conspicuous place, on the inside thereof, a map or street guide of the city, the name and photograph of the driver of the taxicab, and a schedule of fares. Each taxicab used in active business shall also bear on the outside thereof a numbered decal to be furnished by the city.

(b) *Information to be displayed outside the taxicab at all times.* The operator is responsible for ensuring that each taxicab used in active business bears on the outside thereof a numbered decal to be furnished by the city, the name of the company and business telephone number which must be permanently affixed to the taxicab, a dome light on the roof which must be at least six inches in height permanently affixed to the roof and bear the term "taxi" or the company name.

**Sec. 10-147. - Operators responsible for violations by drivers.**

To the extent provided by law, operators are responsible for violations of this article by their taxicab drivers whether such drivers are direct employees or independent contractors.

**Sec. 10-148. - Notice of denial of license.**

In the event that an application is denied, the city shall provide the applicant with written notice of the denial of the taxicab license. The notice of denial shall include the grounds for denial.

**Sec. 10-149. - Suspension or revocation of license.**

(a) No license issued hereunder may be transferred.



(b) Each license granted hereunder shall be subject to suspension or revocation for violation of any rule or regulation of the city now in force or hereafter adopted.

(c) Whenever the city manager determines there is cause to suspend or revoke the license issued hereunder, the city manager's office shall give the licensee a ten-day written notice of intention to suspend or revoke the license. A hearing will be scheduled wherein the licensee may present a defense to the suspension or revocation before the city council or such board as the city council may designate. The ten-day written notice shall include the time, place, and purpose of such hearing, and a statement of the charges upon which such hearing will be held. After the hearing, the council or designated board may suspend or revoke the license issued hereunder if any of the grounds set forth below exist. A license issued under this article may be suspended or revoked by the city council or their designee and a driver's permit may be suspended or revoked by the city police department upon one or more of the following grounds:

(1) The original application contains materially false information, or the applicant has deliberately sought to falsify information contained therein;

(2) For failure to pay all fees, taxes or other charges imposed by the provisions of this article;

(3) For failure to maintain all of the general qualifications applicable to the initial issuance of a license or permit under this article;

(4) Having four or more moving traffic violations in any 12-month period;

(5) Refusing to accept a client solely on the basis of race, color, national origin, religious belief, or sex. Operators and drivers shall not refuse to accept a client unless the client is obviously intoxicated or dangerous;

(6) Allowing the required insurance coverage to lapse or allowing a driver to operate in the city in violation of the provisions of this article;

(7) The establishment or driver is a threat or nuisance to public health, safety or welfare;

(8) Not taking the most direct route; or

(9) For violation of any part of this article.

(d) After the city manager makes a recommendation to the mayor and city council to suspend or revoke a license issued hereunder, the mayor and city council, or such board as the mayor and city council may designate, will conduct a hearing to hear evidence relevant to the alleged violation.

(1) At the hearing, the city manager or his designate proceeds first and shall have ten minutes to present all evidence and argument in support of the recommendation to suspend or revoke the license issued hereunder.

(2) The mayor and the city council members or their designates will have the right to ask questions at any time.

(3) After the city manager makes his presentation, the licensee or the licensee's legal counsel shall have ten minutes to present evidence and argument as to why the license issued hereunder should not be suspended or revoked. The mayor and city council members or their designate will have the right to ask questions at any time.



(4) After hearing all of the evidence and arguments of the parties, the mayor and city council will render a decision. The suspension or revocation of a taxicab license is final unless the licensee files a petition for writ of certiorari to the county superior court within 30 days of the date of the decision.

**Sec. 10-150. - No proration of license fee.**

No license fees shall be prorated. Taxi driver's permit fees shall not be prorated.

**Sec. 10-151. - Repealer; exceptions.**

All resolutions providing for taxicab license fees and driver's permits in conflict with this article are hereby repealed; provided, however, that nothing herein shall affect any resolution providing for occupation or business taxes.

**Sec. 10-152. - Intent of article; severability.**

It is the intent of this article to regulate the operation of taxicab businesses as set forth in this article upon all businesses operating in the corporate boundaries of the city consistent with the requirements of the constitution and laws of the state. In the event that the regulations and/or fees imposed hereby shall not be authorized on any business and practitioner or regulation and/or fee shall be in excess of the maximum amount authorized by law, such regulation and/or fee shall be imposed only to the extent authorized by law. The invalidity of any part of this article shall not affect the validity of the remaining portion hereof. In the event that this article may not be enforced against any class of business mentioned herein, such inability to enforce the same shall not affect its validity against the other business specified herein.

Please sign and date below acknowledging that you understand your responsibilities to the City of Dunwoody as a taxicab business and will adhere to the provisions pursuant to the Chapter 10 Business and Occupation Taxes, Licenses, and Regulations Ordinance.

**Contact for Taxicabs**  
Finance & Administration Dept.  
P: 678.382.6700  
F: 678.382.6701  
[businesstax@dunwoodyga.gov](mailto:businesstax@dunwoodyga.gov)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Phone: \_\_\_\_\_

Business Name: \_\_\_\_\_ Applicant Name: \_\_\_\_\_

**\*\*Please make a copy for your records\*\***

**\*\*Inspection reports must be emailed, faxed or sent by U.S. mail to the Finance Department.**