

ARTICLE DD. - PEDICABS

Sec. 6-2501. - Short title.

This article shall be known and cited as "The Pedicab Ordinance."
(Ord. of 6-9-1994(1), § 1)

Sec. 6-2502. - Definitions.

- (a) *City*. The word "city" shall mean the Mayor and Aldermen of the City of Savannah, Georgia, a municipal corporation, the definition to include all area within the corporate limits of the City of Savannah.
- (b) *Pedicab*. 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*. The privilege granted by the City of Savannah to engage in the operation of one or more pedicabs within the corporate limits of the city.
- (d) *Driver*. Any natural person who drives or operates a pedicab on the streets of Savannah for a permitted company.
- (e) *Driver's permit*. The written authority granted by the city for a person to operate a pedicab within the City of Savannah.
- (f) *Code compliance director*. The individual employee or organizational unit of the city charged with the responsibility for administering and enforcing this article.
- (g) *Passenger loading zone*. 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) *Tour guide*. Any person who drives or operates a tour service vehicle on the streets of Savannah or who acts or offers to act as a guide for hire through any part of the city or who serves as an actor during a tour for hire. "Tour guide" as used in this article does not include any person acting or offering to act as a guide for hire, or an actor during a tour for hire, when the tour is to be conducted solely on private real property.
- (i) *Mobility and Parking Services Director*. The individual employee or organizational unit of the city charged with the responsibility for permitting and inspecting pedicabs.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2503. - Purpose of pedicabs.

The purpose for the operation of pedicabs in the city is for transportation of passengers. No pedicab company may conduct sightseeing tours within the city unless registered and conducted as a tour company in accordance with Article R, Tour Service for Hire.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2504. - Business 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 a business tax certificate for such business has first been granted by the city in accordance with the provisions of the annual revenue ordinance. The certificate shall be effective only for the calendar year stated in the certificate.

(b) Application for the business tax certificate shall be made on forms provided by the revenue department and shall provide such information as is required for other business 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 the annual revenue ordinance.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2505. - 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 annual revenue 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2506. - 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2507. - 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 mobility and parking services director and shall specifically provide that such policy shall not be cancelled without notice to the city.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2508. - 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2509. Reserved.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2510. - Pedicab driver'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 driver of the pedicab shall first have obtained and shall have then in force a pedicab driver's permit issued under the provisions of this article.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2511. - Application.

Any person desiring a pedicab driver's permit required by this article shall submit an application in writing to the mobility and parking services director, on a form to be furnished by the mobility and parking services director.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2512. Reserved.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2513. - Qualifications of applicant.

An applicant for a pedicab driver's permit under this article may not be less than 18 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2514. - Pedicab driver's permit fee.

Before any pedicab driver's permit is granted under this article, a pedicab driver'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 driver's permit.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2515. - Current state driver's license required.

Any person applying for a pedicab driver's permit under this article must provide a current motor vehicle operator's license issued or approved by the State of Georgia, or any other U.S. state. An applicant must provide a seven year motor vehicle report from the state issuing the applicant's driver's license. The mobility and parking services director 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 mobility and parking services director 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. (Ord. of 6-9-1994(1), § 1)

Sec. 6-2516. - Driver's permit to be displayed on pedicab.

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

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2517. - 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2518. - 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2519. - Duration of permit.

Any pedicab driver'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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2520. - Suspension of pedicab driver's permit.

The code compliance director, after hearing evidence from the pedicab driver or pedicab company, shall have the authority to suspend a pedicab driver's permit for no less than 30 days and no more than 90 days 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 driver'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 driver's permit.

The code compliance director shall notify within 10 business days the pedicab driver and pedicab company in writing of any suspension, in which case the pedicab driver or pedicab company shall have the right to appeal as provided in Section 6-2523.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2521. Reserved.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2522. - 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 code compliance director of a driver's status and found to have allowed the driver to operate with a suspended or revoked pedicab driver's permit, the company owner and driver shall be issued a citation for each infraction.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2523. – Suspension or revocation appeal.

Any decision of the code compliance director to suspend a pedicab driver's permit or to disallow a pedicab from operating on city streets as outlined in Sec. 6-2520 and 6-2530 may be appealed within ten 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 code compliance director.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2524. – 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 mobility and parking services director on an annual basis.
- (b) Third-party advertising shall be permitted on the rear surface only of the pedicab and 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2525. – 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 the mobility and parking services director and shall not be altered or changed without the consent of the mobility and parking services director.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2526. - 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 mobility and parking services director in a file to be kept for that purpose.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2527. - 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. (Ord. of 6-9-1994(1), § 1)

Sec. 6-2528. - 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. (Ord. of 6-9-1994(1), § 1)

Sec. 6-2529. - Pedicab inspections required.

- (a) Each pedicab shall be inspected by the mobility and parking services director 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 mobility and parking services director before it may be returned to service transporting passengers for hire.
- (d) Each pedicab shall be inspected by the mobility and parking services director at least once in each calendar year to ensure continued compliance with the provisions of this article.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2530. - Authority for removal of pedicabs from the streets.

The code compliance director 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 compliance director to remove a pedicab from the streets may be appealed as provided in section 6-2523 of this article.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2531. - Rates of fare.

- (a) *Rate card required.* No owner or driver 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2532. - 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2533. - Use of designated stops or stands prohibited.

- (a) It shall be unlawful for any driver of a pedicab to park or stand at any bus stop, tour bus stop, tour bus zone, taxicab stand, or horse-drawn carriage stand. The mobility and parking services

director shall keep a list of designated stops or zones where pedicabs may stage for hire between 11:00 p.m. to 4:00 a.m. The list shall be maintained and updated on an annual basis.

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

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2534. - 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2535. - Refusal to carry orderly passengers prohibited.

No driver 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2536. Reserved.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2537. - 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2538. - Property left in a pedicab by passenger.

Any pedicab driver 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 compliance director. The company shall not charge a fee for maintaining the property. The company must maintain a record describing the disposition of abandoned property.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2539. - 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.

(Ord. of 6-9-1994(1), § 1)

Sec. 6-2540. - Area of operation - generally.

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

North	The south curbline of River Street
South	The north curbline of 37 th Street
East	The west curbline of East Broad Street
West	The east curbline of Martin Luther King, Jr. Boulevard

(b) Area of operation - exceptions.

Outside of the area prescribed in Sec. 6-2540(a), pedicabs are permitted to travel on the following streets:

38 th Street	From Barnard Street to Bull Street
39 th Street	From Barnard Street to Bull Street
40 th Street	From Barnard Street to Bull Street
41 st Street	From Barnard Street to Bull Street
42 nd Street	From Barnard Street to Bull Street
43 rd Street	From Barnard Street to Bull Street
Alton Street	From Laurel Street to Ann Street
Ann Street	From West Bryan Street to West Oglethorpe Avenue
East Broughton Street	East Broad Street to Barr Street
Indian Street	From Martin Luther King, Jr. Boulevard to Warner Street
Laurel Street	From Zubley Street to Alton Street
Liberty Street	From Martin Luther King, Jr. Boulevard to Houston Street
Martin Luther King, Jr. Boulevard	From West River Street to Indian Street
McGuire Street	From West River Street to Indian Street
North Fahm Street	From West River Street to Indian Street
Oglethorpe Avenue	From Jefferson Street to Houston Street
Orange Street	From Martin Luther King, Jr. Boulevard to Ann Street
Warner Street	From West River Street to Indian Street
West Bryan Street	From Martin Luther King, Jr. Boulevard to Ann Street
West River Street	From Martin Luther King, Jr. Boulevard to Warner Street
Zubley Street	From Martin Luther King, Jr. Boulevard to Ann Street

(c) Area of operation - prohibited at all times.

Pedicabs are prohibited on the following streets:

37 th Street	All
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West Boundary Street	All
East Strand/Lincoln Street Loop	From Abercorn Street to the Lincoln Ramp

(d) Area of operation - permitted only to cross.

37 th Street	Only at Barnard Street and Bull Street
Drayton Street	Bay to 36 th Street
East Strand/Lincoln Street Loop	From Abercorn Street to the Lincoln Ramp
Whitaker Street	From Congress Street to 43 rd Street

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

Anderson Street	East Broad Street to Martin Luther King, Jr. Boulevard
Bay Street	East Broad Street to Martin Luther King, Jr. Boulevard
Drayton Street	East Bay Street to East 37 th Street
Henry Street	East Broad Street to Martin Luther King, Jr. Boulevard
Martin Luther King, Jr. Boulevard	West Bay Street to West 37 th Street
Montgomery Street	Broughton Street to West Taylor Street
Whitaker Street	South curbline of Congress Street to 43 rd Street

(f) Area of operation - time restricted.

During the prescribed times set forth, pedicabs are prohibited on the following street(s) and street segment(s) within the area defined above, except to cross from one side to the other:

9:00 am to 5:00 pm	Broughton Street	Lincoln Street to Martin Luther King, Jr. Boulevard
9:00 a.m. to 6:00 p.m.	Fahm Street	Ann Street to the Tri-Centennial Park Visitor Center

(g) 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.

a. Forsyth Park band shell parking lot:

- i. Pedicabs may use the Forsyth Park band shell parking lot only to pick up scheduled passengers or drop off current fares.
- ii. Ingress and egress is permitted only from East Hall Street.
- iii. Parking, standing or staging for passengers in the band shell parking lot is prohibited at all times.

- iv. Pedicabs are prohibited from traveling south of the southernmost parking space in the band shell parking lot. No more than one pedicab for hire from each company shall be permitted on the 100 block of East St. Julian Street (Ord. of 6-9-1994(1), § 1(6-2541))

Sec. 6-2541. - 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 Savannah 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 Savannah.
- (c) When multiple pedicabs are traveling together, they shall travel one behind the other. (Ord. of 6-9-1994(1), § 1(6-2542))

Sec. 6-2542. - 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 driver's permit pursuant to section 6-2520 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 driver's permit for not more than 60 days.

(Ord. of 6-9-1994(1), § 1(6-2543))

Sec. 6-2543. Code of Conduct.

- (a) Pedicab drivers shall not act in a violent manner [Cross reference—Disorderly conduct, Sec. 9-1002].
- (b) Pedicab drivers 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. 9-2031].
- (d) Pedicab drivers shall remain awake and alert at all times.

Sec. 6-2544. 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 mobility and parking services director. A special event is defined as an event or festival where the city restricts streets for pedestrian traffic only.

Sec. 6-2545. Stationary pedicabs.

Except when specifically authorized by the mobility and parking services director, drivers shall park pedicabs with at least one rear wheel against a curb. Pedicabs may not be parked in such a manner as to obstruct vehicular or pedestrian traffic flow.

Sec. 6-2546. Sidewalks.

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

Sec. 6-2547. Traffic control devices.

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

Sec. 6-2548. Citation for violation of pedicab ordinance.

The code compliance director or his or her designee shall have the authority to cite or summon a pedicab driver or pedicab company owner for violations of this article.

Sec. 6-2549. Failure to pay fine.

When any pedicab company owner or pedicab driver fails to pay a fine as specified by ordinance within ten calendar days after the notice was issued, a late payment penalty shall be added to the violation fine amount as specified by ordinance and published in the annual revenue ordinance.

Sec. 6-2550. 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 Section 1-1013 of this Code.
- (b) Any citation issued for violation of this article shall be issued to the pedicab driver at the time of the violation when deemed appropriate by the 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. Any citation delivered in this manner shall be fully valid, and shall be considered sufficient notice of the charges. A pedicab driver 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 business days to the code compliance director.

(Ord. of 6-9-1994(1), § 1(6-2544))

Secs. 6-2551—6-2560. - Reserved.