

1 STATE OF GEORGIA

2 CITY OF COLLEGE PARK

3 ORDINANCE 2016- 15

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5 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF COLLEGE PARK,
6 GEORGIA, BY REPEALING CHAPTER 20, VEHICLES FOR HIRE, IN ITS ENTIRETY
7 AND ADOPTING A NEW CHAPTER 20, TAXICAB SERVICES; TO PROVIDE FOR
8 SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN
9 EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

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

13 WHEREAS, the City has the power to adopt regulations promoting the public health,
14 safety, and general welfare of its citizenry pursuant to Article IX, Section II, Paragraph II of the
15 1983 Constitution of the State of Georgia; the Municipal Home Rule Act (O.C.G.A. § 36-35-1 *et*
16 *seq.*); and Section 1.13(11) of the City’s Charter; and

17 WHEREAS, on May 6, 2015, the General Assembly passed House Bill 225, wherein
18 most aspects of regulation of vehicles for hire, including Taxicabs, are preempted by state law;
19 and

20 WHEREAS, the effective date of House Bill 225 was July 1, 2015; and

21 WHEREAS, due to such preemption, several provisions within the Code of Ordinances
22 of the City of College Park (the “Code”) conflict with state law; and

23 WHEREAS, the City desires to repeal, in its entirety, Chapter 20, Vehicles for Hire, of
24 the Code, and to adopt a new Chapter 20 to be entitled Taxicab Services; and

25 **WHEREAS**, the regulation of Taxicab Services is for a public purpose and provides for
26 the public health, safety, and general welfare; and
27 **WHEREAS**, the public health, safety, and general welfare of the citizens of the City will
28 be positively impacted by the adoption of this Ordinance.

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

31 **Section 1.** Chapter 20, Vehicles for Hire, of the Code of Ordinances of the City of
32 College Park, Georgia is hereby repealed in its entirety and a new Chapter 20, Taxicab Services,
33 which is more particularly set forth in Exhibit “A” attached hereto and made a part hereof by
34 reference, is hereby inserted in lieu thereof.

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

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

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

47 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance
48 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
49 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the
50 express intent of the Mayor and Council that such invalidity, unconstitutionality or
51 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional
52 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or
53 sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases,
54 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,
55 enforceable, and of full force and effect.

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

58 **Section 5.** This Ordinance shall be codified in a manner consistent with the laws of the
59 State of Georgia and the City.

60 **Section 6.** The effective date of this Ordinance shall be the date of adoption unless
61 otherwise specified herein.

62 **ORDAINED** this 2nd day of May, 2016.

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[SIGNATURES CONTINUED ON NEXT PAGE]

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CITY OF COLLEGE PARK, GEORGIA


Jack P. Longino, Mayor

ATTEST:


Melissa Brooks, City Clerk

APPROVED BY:


Steven M. Fincher, City Attorney