

ARTICLE 3. - BAIL BONDSMAN

Sec. 11-3-1. - Licensing.

No one shall be licensed as a bail bondsman nor shall a bail bondsman's license be renewed, unless or until a written application for such license or renewal thereof has been filed with the city clerk.

(Code 1959, § 13-52; Code 1981, § 9-4-21)

Sec. 11-3-2. - Application.

The contents of an application for a bondsman license shall contain the following:

- (1) Name and home address of the applicant if an individual;
- (2) Place where the proposed business is to be located;
- (3) Kind of business to be carried on;
- (4) Names and home addresses of the partners, if a partnership;
- (5) Names and home addresses of the officers and directors; and
- (6) A complete record of all arrests and convictions against the applicant and every partner, officer or director for violations of any and all laws of the city, state or federal government.

(Code 1959, § 13-53; Code 1981, § 9-4-22)

Sec. 11-3-3. - Fee established.

The annual business license for each bondsman doing business in the city shall be \$100.00.

(Code 1959, § 13-54; Code 1981, § 9-4-23)

Sec. 11-3-4. - Police investigation of applicant.

Each bail bondsman must be approved by the sheriff of the county before the application is sent to the chief of police, except provided that any bail bondsman, licensed and doing business in the city for a period of at least one year prior to the adoption of this article, may, upon the approval of the chief of police, renew such license without approval of the sheriff of the county. The chief of police shall then require an investigation of each applicant for a bondsman license. Such investigation shall be made to

determine the moral character and financial condition of the applicant. A report of such investigation and a copy of the traffic and police record of the applicant, if, any, shall be attached to the application and forwarded to the mayor and council. Applicants, by filing for license for bondsman, agree to furnish the data, information and records as called for herein and also agree to investigation by the police department and the city attorney. All information furnished or secured under this authority shall be kept in strict confidence and shall not be subject to public inspection, and shall be utilized solely by the officers of the city responsible for administering the provisions of the city regarding licensing businesses.

(Code 1959, § 13-57; Code 1981, § 9-4-24)

Sec. 11-3-5. - Posting of security by authority bondsmen.

All bondsmen and/or bonding companies shall be required to post security with the city prior to the authorization of such bondsmen and/or bonding companies to post bonds for the release of prisoners from the jails of the city, in one of the following manners:

- (1) The security may be in the form of cash deposits in a joint checking account between the bondsmen and/or bonding company and the treasurer of the city in an amount equal to 20 percent of the total face amount of all bonds that any bondsmen and/or bonding company shall be allowed to write in the city;
- (2) By execution of a deed of trust in favor of the city to certain real estate having a value as shall be substantiated by the report of an appraiser who shall be approved by the city prior to the submission of his report, the value to be at least the total amount of bonds upon which a bondsman and/or bonding company has pledged as security, and upon such terms and conditions as may be specified in the deed or trust, a copy of which is attached hereto and which may be from time to time amended. The bondsmen and/or bonding company posting the deed of trust shall accompany the deed of trust with a title certificate indicating that the parcel or parcels of land so deeded to the city are free and clear of all encumbrances and liens of any kind;
- (3) The bondsmen and/or bonding company shall file with the city clerk a surety bond running to the city in the amount of \$50,000, with surety acceptable to and approved by the mayor and council and the chief of police; or
- (4)

A liability insurance policy issued by an insurance company authorized to do business in the state with a face amount at least equal to the amount of bonds the bondsmen and/or bonding company is allowed to write may be permitted in lieu of bond, if approved by the mayor and council and the chief of police.

(Code 1959, § 13-56; Code 1981, § 9-4-25)

Sec. 11-3-6. - Procedure for issuance of bail bondsman license.

The city clerk shall forward all applications for bondsmen licenses to the chief of police within 48 hours of the time of receipt of the application and all necessary information. The police chief shall review the application and make his investigation. He shall make a recommendation thereon, favorable or otherwise, and shall return such recommendation to the city clerk within 30 days after receiving a copy of the application. The city clerk shall then forward the application and recommendation to the mayor and council for consideration and action at its next regularly scheduled public meeting.

(Code 1959, § 13-57; Code 1981, § 9-4-26)

Sec. 11-3-7. - Procedure for forfeiture of bail bond licenses.

- (a) If any person holding a license under the provisions of this article should:
 - (1) Violate any ordinance or regulation lawfully adopted by the city; or
 - (2) Allow a bond forfeiture to remain outstanding and unpaid for a period of 90 days or longer his license is subject to revocation.
- (b) Upon written notice by the city clerk that such licensee is in violation of any ordinance or regulation, his license shall be revoked 15 days thereafter unless the licensee shall indicate a desire for a hearing before the mayor and council concerning the revocation. The mayor and council may revoke, suspend or in anyway restrict the license of any person found in violation of any ordinance or regulation lawfully adopted by the city.

(Code 1981, § 9-4-27; Ord. No. 80-6, 7-10-1980)