

**AN ORDINANCE**

**AMENDING:** Marietta City Code Section 8-28-010 Professional bondsmen.

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**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:**

**Section 1:** Section 8-28-010, Professional bondsmen, shall read:

**C. Conditions.**

1. Applicants seeking permission to act as professional bondsmen in the city must qualify as follows:
  - a. Escrow Accounts. Applicants must sign an agreement with the city providing for an escrow account in any one or more financial institutions designated as city depositories. Provided the applicant or bonding company has had 18-months of continuous operation in full compliance with all codes and ordinances of the City of Marietta, then escrow shall be five percent of that company's bonding capacity and shall not be less than \$5,000.00. Otherwise, the bond shall be 10%. If this escrow is encroached upon for any reason or if the city's director of finance otherwise determines that additional escrow is required to insure the solvency or reliability of the professional bonding business, the city's director of finance may amend the escrow through written notice to the professional bonding business as provided in these regulations and this agreement.
  - b. The president of a corporation operating a professional bonding business in the City of Marietta shall provide the chief of police with the names of all partners, officers, stockholders, and any other person(s) or corporation(s) having an interest in or involved with the business of the corporation. This information shall be provided prior to the bonding company initiating business. The bonding company shall immediately notify the chief of police of any changes of ownership or direction. Failure of the corporation to comply with these provisions shall result in the immediate suspension of bonding privileges.
  - c. All employees and/or owners of a professional bonding company must be fingerprinted and photographed by the identification division of the Marietta police department.
  - d. Each employee of a bonding company must file a properly executed power of attorney from that bonding company.

- e. Professional bonding companies must receive the approval of the chief of police prior to posting a bond or any combination of bonds which total \$25,000.00 or more for any one individual.
- D. No professional bonding company may sign a bond in which another bonding company or third party receives compensation to arrange the release of an inmate from the City of Marietta jail.
- E. Reports. All bonding companies shall file with the chief of police a monthly report. All reports shall be submitted on the form designed by the chief. These reports will include the following information and shall be filed in the form of an affidavit:
  1. List by name, in alphabetical order, amount, and date of bonds signed during each month.
  2. List by name, in alphabetical order, case or indictment number and date of all bonds officially settled during each month.
  3. List by name, amount, and date of bond, all judgments rendered by the city, state and/or Superior Court of Cobb County and/or any other counties, subject to collection in the City of Marietta.
  4. List by name, amount, and date of bond all forfeitures pending in Marietta and/or other cities or counties, subject to collection in the City of Marietta.
  5. List personnel in the employment of submitting bonding company.

The report shall be filed with the chief of police of Marietta on or before the tenth calendar day of each month for the preceding month.

**Section 2:** It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

**Section 3:** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**Section 4:** This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

DATE: April 9, 2025

APPROVED: \_\_\_\_\_

R. Steve Tumlin  
R. Steve Tumlin, Mayor

ATTEST: \_\_\_\_\_

Stephanie Guy  
Stephanie Guy, City Clerk

Approved as to form: \_\_\_\_\_

Douglas R. Haynie  
Douglas R. Haynie, City Attorney