

ORDINANCE _____

**ORDINANCE TO AMEND CHAPTER 14 OF THE CODE OF THE CITY OF LAWRENCEVILLE,
GEORGIA CONCERNING COURT TO UPDATE PROVISIONS RELATED TO SERVICE OF SUMMONS,
ARREST AND BOND, PROFESSIONAL BONDSMAN, AND FORFEITURE OF APPEARANCE BONDS**

The City Council of the City of Lawrenceville, Georgia hereby ordains that the Code of the City of Lawrenceville, Georgia shall be amended as follows:

Section 1:

That Sec. 14-4, relating to service of summons is hereby amended by deleting Sec. 14-4 in its entirety and replacing the language to read as follows:

Sec. 14-4. Service of summons.

Any person charged with violating any City ordinance shall receive notice by service of a summons or citation as provided in this section. Such summons or citation may be issued by the Court Administrator, a Code Enforcement Officer, and any police officer of the City or duly authorized member of the Lawrenceville Citizens and Police Partners (LCAPPS) program. The summons or citation shall be directed to the accused and shall distinctly state the offense charged, the time and place, as far as practicable, of the offense charged, and the day, hour, and place of trial, requiring the accused to appear before the Judge of the Municipal Court to answer the accusation made. Service of the summons or citation shall be made by a police officer or Code Enforcement Officer of the City either by serving the accused personally or by leaving a copy at his most notorious place of abode, except that in the case of a summons or citation issued for violation of laws or ordinances relating to the parking of motor vehicles, such summons or citation may be directed to an unknown person as owner of an automobile designated in the summons or citation and may be served upon such person by leaving a copy in or attached to such automobile.

Section 2:

That subsection (b) of Sec. 14-7, relating to professional bondsman is hereby amended by deleting subsection (b) in its entirety and replacing the language to read as follows:

(b) *Professional bondsman.*

Qualifications. In addition to the qualifications contained in O.C.G.A. § 17-6-50(b), professional bondsmen shall meet the following additional qualifications.

- a. Each bondsman shall provide the City with a current period financial statement, including a documented balance sheet.
- b. Each bondsman shall provide the City with a copy of his business license for Gwinnett County or the City of Lawrenceville.

- c. Each bondsman shall provide a written proposal outlining the steps it takes as a surety to identify and locate potential defendants after their bonds are forfeited.
- d. Each bondsman shall provide a written history of his experience in the bonding business, including a statement listing the principals, officers, directors, and shareholders of his corporation.
- e. Each bondsman shall provide to the Court Administrator with the business name, complete address, telephone number and email address of the chief operating officer or his designee.
- f. Each bondsman shall update this information annually.
- g. Each bondsman shall submit to and must pass a full investigation by the Gwinnett County Sheriff as provided in O.C.G.A. § 17-6-50. Any information which demonstrates any involvement in criminal activity shall be grounds for disqualification of the applicant.

Section 3:

That subsection (b) of Sec. 14-8, related to forfeiture of appearance bonds is hereby amended by deleting subsection (b) of Sec. 14-8 in its entirety and replacing the language to read as follows:

Sec. 14-8 Forfeiture of appearance bonds.

(b) Upon forfeiture of any bond, any cash deposited as security may be paid to the City Clerk by the Clerk of Court, and it shall become the property of the City.

Section 4:

Except as specifically amended as set forth above, all other subsections of Sections 14-4, 14-7, and 14-8 shall remain in full force and affect. Further, all other sections of Chapter 14 shall remain materially unchanged and in full force and affect.

Section 5:

All ordinances, regulations, or parts of the same in conflict with this Ordinance are hereby rescinded to the extent of said conflict and only to the extent of said conflict.

Section 6:

If any section, article, paragraph, sentence, clause, phrase, or word in this ordinance, or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining

portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 7:

This ordinance shall become effective upon its adoption by the City Council.

IT IS SO ORDAINED this _____ day of April, 2024.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk