

CHAPTER 5.70.

FORTUNE-TELLING AND RELATED PRACTICES

5.70.010 Occupation Tax Certificate Required, Application

(A) All persons, firms or corporations desiring to engage in the business, trade or profession of fortune-telling, astrology, phrenology, palmistry, clairvoyance, or related practices where a charge is made, or a donation is accepted for services; shall, before engaging in such business, trade or profession, make application for business license in the form and manner prescribed by the Hall County Business License Director.

(B) The application shall include but shall not be limited to the information required on all business license applications

5.70.020 Criminal Background Investigation Required

Prior to the issuance of business license, and for all renewal licenses, a criminal background investigation shall be required for the owner(s), manager(s) and employee(s).

5.70.030 General Operating Provisions

(A) It shall be the duty of all persons holding a business license under this section to annually file, along with the renewal application for the business license, the names of all employees, their home address, home telephone number and any other places of employment. The holder of business license issued under the provisions of this Article must additionally report changes in the list of employees with the names and required supplemental information for new employees to be filed with the Business License Director within ten (10) days from the date of such change.

(B) It shall be the duty of any person granted a license under this section to maintain correct and accurate records of the name and address of the persons receiving services at such establishment; the type of services administered; and the name of the person at the establishment administering the services. The records shall be subject to inspection at any time by the Business License Director, or designee, or the Hall County Sheriff or designee.

(C) It shall be unlawful for any person under the age of eighteen (18) to patronize any fortune-telling or related establishment unless such person carries with him at the time of such patronage, written permission of the underage person's parent or guardian. It shall be the duty of the holder of the business license to determine the age of the person attempting to patronize an establishment and to prohibit such patronage by an underage person.

(D) Records required to be maintained under this Article shall be kept for a minimum of two (2) years beyond the expiration date of the business license. Records shall be made available to the Business License Director, at a location in Hall County, within ten (10) business days of any such request.

5.70.040 Inspection Of Registered Establishments

Sworn officers of the Hall County Sheriff's Department shall have the authority to inspect establishments registered under this Article during the hours in which the premises are open for business. Such inspection shall be made for the purpose of verifying compliance with the requirements of this Article. This section is not intended to limit the authority of the Business License Director or any other county officer to conduct inspections authorized by other provisions of the Code.

5.70.050 Applicant Disqualification

No business license shall be granted to any person under the age of eighteen (18) or who has been convicted, pled guilty or entered a plea of nolo-contendere under any federal, state or local law of any crime involving moral turpitude, illegal gambling, any felony, criminal trespass, public indecency, misdemeanor involving any type of sexual related crime, any theft or violence against person or property, any crime of possession, sale, or distribution of illegal drugs, distribution of material depicting nudity or sexual conduct as defined under state law, criminal solicitation to commit any of these listed offenses, attempts to commit any of these listed offenses, for a period of ten (10) years prior to the date of application for such certificate and has been released from parole or probation.

5.70.055 Zones Where Establishments Permitted.

No fortune-telling, astrology, phrenology, palmistry, clairvoyance, or related business shall be located on any premises unless the location has been zoned highway business district (HB), light industrial district (I-I) or heavy industrial district (I-II) under the zoning laws of Hall County.

5.70.060. Violations; penalty; additional remedies.

(A) Any person, firm, corporation, association or partnership violating any provision of this Chapter as the same exists or as it may hereinafter be amended, or shall fail to do anything required by this Chapter as the same exists or as it may hereafter be amended, shall be guilty of a misdemeanor, amenable to the process of the Magistrate or State Court of Hall County, and upon conviction, shall be punished as provided in the Official Code of Hall County, Georgia § 1.50.020 for each violation in the discretion of the Court.

(B) The County is hereby authorized to punish violations of this Chapter under the provisions of the Official Code of Hall County, Chapter 1.50.

(C) Any fortune-telling, astrology, phrenology, palmistry, clairvoyance, or related business operated, conducted, or maintained contrary to the provisions of this Chapter shall be and is hereby declared to be unlawful and a public nuisance. In addition to or in lieu of any other penalties or remedies, the County may commence an action or actions to enjoin, abate, or remove any violations of the provisions of this Chapter.

(D) Any violation of the provisions of this Chapter shall be considered due cause for the suspension or revocation of any licenses issued by the County to the offending party. Such revocation or suspension shall occur by way of a hearing before the Board of Commissioners as provided by this Chapter.