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Zoning Restrictions For Bail Bondsmen Becoming More Popular

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In my recent article, [Bail Bonds Akin To Porn?](#), I raised concerns about a San Jose City Council's attempt to levy prohibitive zoning restrictions on bail bonds businesses located in the neighborhood near the city court house. Since that article was published, there has been an outpouring of concern, in addition to startling revelations about the level to which discrimination is being perpetrated against bail bonds agencies. While the San Jose City Council's actions were worrisome, they were not isolated by any means.

Readers, bloggers and concerned citizens from across the country have been inundating me with examples of other situations where bail bondsmen are being singled out with prejudicial zoning and deed restrictions.

On August 28th, the blogosphere noted another incident in the article [Real Estate Deal To Permanently Bar Bail Bond Businesses](#). The post focused on the efforts of Martinez CA real estate developers, Kirsten and David Fischer, to purchase a building from the city and county respectively.



The Fischers, while representing the Southport Land and Commercial Company, offered a redevelopment proposal that would incorporate a deed restriction that prevents any bail bond businesses from ever becoming lessees of the buildings' available commercial or retail space. This provision would remain intact perpetually, regardless of who owned the building after the Fischers or their development company.

David Fischer was quoted in a local publication, The Martinez News-Gazette, as saying “we live in the downtown and we want the best for it. That does not include another bail bonds shop”. While developers are offering to include deed restrictions preventing bail bond businesses in Martinez, other parts of the country are seeing opposition from different sources.

In Maryland, Katia Hamilton, is fighting to keep an occupancy permit for her First Response Bail Bonds business. The permit essentially authorizes her bail bonds agency to legally operate in a specific storefront or space within the Waverly community. City council members and other business owners are appealing to the local Planning and Zoning Commission to have her permit rescinded.

Waverly does have a local redevelopment plan which explicitly names business types which can not be located in specific redevelopment areas. For example, massage parlors, bars and even certain types of butchery operations can not, as part of the local plan, locate a business within the redevelopment zone. Even though bail bond agencies are not an expressly prohibited business, opponents of First Response argue that they are a de facto part of the plan's list because they are sufficiently undesirable. In other words, bail bond businesses are so bad for the area that it is inconceivable that the spirit of the plan would ever allow one to locate within the redevelopment zone.

While the Waverly zoning commission reviews and deliberates the First Response case, the fight over bail bond businesses continues across the country. If citizens, municipalities and other businesses rally against bail agencies in their respective areas, what does that say about the reputation of your local bail bondsman?

The zoning regulations, deed restrictions and local critics are indicative of a greater problem for the bail bonds industry. While opposition to a bail bonds business in a certain area is alarming, it is just the canary in the coal mine for a larger macro issue. Communities view the local bail bondsman as a nuisance and personification of blight that invokes the strongest of "NIMBY" (Not In My Back Yard) sentiment.

The bail bonds industry must recognize and come to grips with the fact that communities prefer neighborhoods without bail agencies. Most won't argue the legality of a bail bondsman's role in our legal system, but many are seemingly motivated to fight bondsmen from ever locating near them.

If the bail bonds industry can educate the public on the value a bail bondsman brings to a community, a neighborhood or a local family, the fight over zoning will be a moot point. Until then, the problem will only get worse.

Read more: <http://technorati.com/business/article/zoning-restrictions-for-bail-bondsmen-becoming/page-2/#ixzz1XU3TmSqm>