

AN ORDINANCE TO AMEND CHAPTER 60 TRAFFIC AND MOTOR VEHICLES OF THE MUNICIPAL CODE OF THE CITY OF PEACHTREE CORNERS, GEORGIA TO AMEND ARTICLE I TO ADD RESERVED SECTIONS, TO ADD A NEW ARTICLE II TO REGULATE THE STOPPING, STANDING, AND PARKING OF VEHICLES ON PUBLIC STREETS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Peachtree Corners is charged with providing for the health, safety, and welfare of its residents; and

WHEREAS, pursuant to Article IX, Section II, Paragraph II of the Constitution of the State of Georgia and O.C.G.A. § 36-35-3, the governing authority of the City of Peachtree Corners may adopt clearly reasonable ordinances, resolutions, and regulations; and

WHEREAS, pursuant to its charter and general law, the governing authority of the City of Peachtree Corners may exercise its police powers and enact ordinances regulating and controlling public streets including the regulation and control of traffic thereon; and

WHEREAS, the duly elected governing authority of the City of Peachtree Corners is the Mayor and Council thereof.

NOW THEREFORE, IT IS HEREBY ORDAINED by the governing authority of the City of Peachtree Corners, Georgia as follows:

Section 1: The City of Peachtree Corners Code shall be amended by adding (underlined words) and deleting (~~struck through words~~) to Chapter 60, Article I, as follows:

CHAPTER 60- TRAFFIC AND MOTOR VEHICLES

ARTICLE I. – IN GENERAL

Sec. 60-1. Penalty.

Unless another penalty is expressly provided by law, every person convicted of a violation of this chapter shall be punished as provided in section 1-7.

Sec. 60-2. Adoption of state law by reference.

Pursuant to Chapter 6 of Title 40 of the Official Code of Georgia Annotated, Code Sections 40-6-372 through 40-6-376, Code Sections to 40-6-1 through 40-6-397 of that chapter known as the Uniform Rules of the Road, as amended or repealed from time to time, and the definitions

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contained in Code Section 40-1-1 are hereby adopted as and for the traffic regulations of this city with like effect as if recited herein.

Sec. 60-3 — 60-34. – Reserved.

Section 2: The City of Peachtree Corners Code, Chapter 60, shall be amended by adding a new Article “II – Stopping, Standing, and Parking” as follows:

ARTICLE II. – STOPPING, STANDING, AND PARKING

Sec. 60-35. Authority of the director of public works.

When not inconsistent with this article or any other ordinance, the director of public works is authorized to prohibit, restrict, or limit the stopping, standing, or parking of vehicles on any street or portion of a street when traffic and engineering surveys indicate this stopping, standing, or parking may impede the free flow of traffic on such street.

Sec. 60-36. Signs required.

When by this article or any other ordinance or order of the director of public works the stopping, standing, or parking of vehicles is prohibited, restricted, or limited, the public works director shall cause to be installed official signs or pavement markings giving notice thereof, and no regulation shall be effective unless such signs or marking are installed at the time of any alleged violation thereof. All such signs and markings shall be designed and installed in conformance with the latest edition of the Manual on Uniform Traffic Control Devices.

Sec. 60-37. Temporary regulations.

During an emergency or public assemblage where large numbers of vehicles are assembled upon the roads of the city, the chief marshal or chief marshal’s designee has the authority to temporarily prohibit the stopping, standing, or parking of vehicles on any street or portion of a street or to close a street to traffic. Any person who, after being warned of the temporary regulations, violates such regulations shall be liable as for any other violations of this article.

Sec. 60-38. Parking prohibited in certain places.

- (a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer, city marshal, or

traffic control device, at any place prohibited by ordinance and indicated by official signs or markings.

- (b) No person shall move a vehicle not lawfully under his or her control into any prohibited area or move and leave this vehicle away from a curb such distance as is prohibited by this section or other ordinance.
- (c) No person shall stop, stand, or park a vehicle at any location specifically designated by the city manager as indicated by official signage or markings.

Sec. 60-39. Parking not to obstruct traffic.

No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free passage of other vehicles, and a clear view of the stopped vehicle shall be available from a distance of 200 feet in each direction upon the street.

Sec. 60-40. Parking prohibited for certain purposes.

No person shall park a vehicle upon any street for the purpose of:

- (1) Displaying the vehicle for sale;
- (2) Washing, greasing or repairing the vehicle except repairs necessitated by sudden emergency; in this emergency the vehicle shall be moved or towed with all due haste;
- (3) For displaying advertising.

Sec. 60-41. Parking prohibited on narrow streets.

- (a) The director of public works is authorized to install signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 30 feet.
- (b) When official signs prohibiting parking are installed upon narrow streets, as authorized by this section, no person shall park a vehicle upon the street in violation thereof.

Sec. 60-42. Use of parking facilities on city property.

Parking facilities on city property designated for this use by the city manager shall be used only in accordance with regulations for this use established by the city manager. The city manager may designate curtained spaces or areas as reserved for elected officials, administrative officials whose responsibilities require provision of reserved parking spaces for efficient discharge of those responsibilities and for other purposes such court and visitor parking. Occupancy of designated space by persons other than those assigned shall be deemed a violation of this section. The director of public works shall be responsible for posting signs to ensure effective notice to parking facility users as to the regulations governing and limitations on the use thereof. No person shall park any private vehicle in any city parking facility for more than 12 hours in any one day or to park a

commercial or freight carrying vehicle or trailer in any city parking facility except by written permission of the city manager.

Sec. 60-43. Parking restricted in business districts, residential districts, and other areas.

- (a) No person shall park any bus, truck, or trailer with three or more axles upon any public street or highway for a period longer than one hour at any time during the day or night.
- (b) No person shall park any truck or bus with a body more than eight feet or 2.4384m wide or ten feet or 3.048m high on any street or public place without the driver being present and in charge thereof.
- (c) No person shall park any truck camper, camper trailer, motor home, boat, boat trailer, or other recreational vehicle on any residential street or public place for a period longer than one hour at any time during the day or night.
- (d) No person shall park a vehicle on the roadway side of any vehicle already parked at the edge or curb of a residential street or within 50 feet of that vehicle.
- (e) No person shall park a vehicle upon any residential cul-de-sac for a period longer than one hour at any time during the day or night.
- (f) Any vehicle parked in violation of this section and that remains in violation for a period of 24 hours or more shall be subject to immobilization or towing and impoundment.

Sec. 60-44. Parking prohibited during certain hours.

When prohibited by this article or any other ordinance or by order of the director of public works, no person shall park a vehicle during the hours prohibited on designated streets as indicated by official signs.

Sec. 60-45. Parking for more than 48 hours in one place.

In addition to and cumulative of any provision this article, no person shall park a vehicle in one place for period longer than 48 hours on any public street, highway or alley, or in any city parking deck, lot or garage, or on any other facility or property owned or leased by the city.

Sec. 60-46. Multiple violations in one space in a single day.

Each violation of this article or other ordinance regulating the parking of vehicles committed by the same person in the same parking space during the same day shall constitute a separate punishable offense against this article or other ordinance and may be treated as such, though there may be multiple violations by the same person in the same parking space during the same day.

Sec. 60-47. Enforcement by towing and impoundment or immobilization; procedures.

- (a) *Designated officer defined.* As used in this section, “designated officer” shall mean any city marshal, any authorized representative of a governmental entity performing parking

management services pursuant to a contract with the city, or any city employee authorized by the city manager or city manager’s designee.

- (b) Towing and impoundment directed by designated officer.
 - (1) Any vehicle parked on any public street, highway or alley, or in any city parking deck, lot or garage, or on any other facility or property owned or leased by the city in violation of this article or other ordinance regulating the parking of vehicles, or when a designated officer determines that such vehicle is an impediment to traffic, is a hazard to public safety, or is an impediment to the operation of city facilities, such designated officer shall have the authority to direct the towing and impoundment or immobilization by wheel lock device of the vehicle at the expense of the registered owner or other person responsible for such vehicle.
 - (2) Vehicles towed and impounded or immobilized under sub-paragraph (1) shall be released only upon payment in full of all towing and impoundment or immobilization fees. After paying such fees, a registered owner or other person responsible may contest the validity of the towing and impoundment or immobilization by submitting in writing a hearing request for fee reimbursement to the clerk of municipal court on a form made available by the city. Such request shall be filed in person at the office of the clerk of municipal court, or sent by certified mail, return receipt requested, in either case no later than 30 days following the release of the impounded or immobilized vehicle.
 - (3) If the hearing request meets the requirements of this section, then the clerk of municipal court shall, within ten business days of receipt of such request, send notice to the petitioner indicating the date, time, and place of hearing. The hearing shall be conducted not less than ten days nor more than 60 days after issuance of the hearing notice. If the hearing officer finds that the towing and impoundment or immobilization was not authorized by this chapter or other ordinance regulating the parking of vehicles, the hearing officer shall issue an order for reimbursement. Such reimbursement shall be limited to the fees actually paid for release of the subject vehicle from impoundment or immobilization, plus certified mailing fees, if any.

Sec. 60-48 – 60-79. – Reserved.

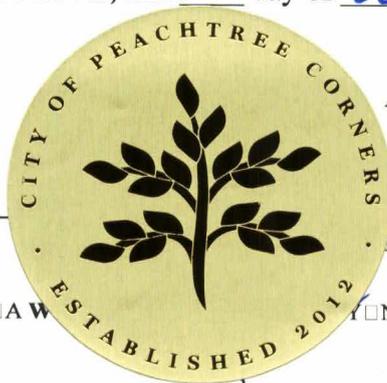
Section 3: If any section, subsection, provision, or clause of this Ordinance is declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not declared invalid or unconstitutional. It is the intent of the Mayor and City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional portions contained therein.

SO ORDAINED AND EFFECTIVE, this 22nd day of OCTOBER, 2024.

ATTEST:

Kym Chereck

Kym Chereck, City Clerk



APPROVED:

Mike Mason

Mike Mason, Mayor

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