

STATE OF GEORGIA
CITY OF LEXINGTON

Stopping, Standing and Parking of Motor Vehicles

An ordinance, amending the Code of the City of Lexington of 2012 by adding a new chapter, Chapter 12 – Stopping, Standing and Parking of Motor Vehicles, to govern the parking and storage of vehicles within city limits.

WHEREAS, the Code of the City of Lexington was adopted by the Mayor and Council of Lexington on the 8th day of March, 2012; and

WHEREAS , the Mayor and Council find that the following amendment promotes the public health, safety, and general welfare of Lexington, Georgia; and

WHEREAS, the governing authority of the City determines that the City’s ability to regulate the parking and storage of vehicles on public streets and parking areas would be a desirable contribution to the community.

NOW, THEREFORE, IT IS ORDAINED by the Mayor and Council that the Code of the City of Lexington is hereby amended by adding the Chapter attached hereto and made a part hereof by reference entitled “Chapter 12 – Stopping, Standing and Parking of Motor Vehicles.”

All code sections, ordinances, resolutions, or parts thereof in conflict with this Amendment are hereby repealed. This Amendment shall become effective as of the date written below.

This Amendment is deemed to be severable, and if any section, subsection, paragraph, clause or provision of this Amendment shall be adjudged invalid or held unconstitutional, such decision shall not affect the remaining portions of this Amendment.

Adopted at a regular meeting of the Mayor and Council, this the _____ day of _____, 2020.

Rick Berry, Mayor

Anne Meyer Threlkeld, City Clerk

Sec. 12-101. Definitions. For the purposes of this section, the following terms shall be defined as follows:

- (1) *Vehicle* means any vehicle that is self-propelled and designed to travel along the ground, including, but not limited to automobiles, buses, motorbikes, motorcycles, trucks, tractors, go-carts, golf carts, campers and trailers.
- (2) *Public Street* means any road or thoroughfare within the Lexington City limits that is available for use by the general public, is located on property owned by or under the control of the city, county or state government and is not under the dominion or control of any private individual or entity.
- (3) *Public Parking Area* means all areas within the city limits, other than those areas alongside a public street, specifically designated for public parking, including but not limited to the parking areas surrounding the Oglethorpe County Courthouse, Government Complex and Lexington City Hall.

Sec. 12-102. General Parking Regulations.

- (1) There shall be no parking in excess of one (1) hour in any area of the city so designated by the city council and marked with appropriate signs.
- (2) Parking in the roadways.
 - a. No person shall park upon the roadway in such manner as to hinder the free flow of traffic or obstruct the approach of any emergency vehicles.
 - b. No person shall park upon the roadway unless the vehicle so parked is facing in the direction of the flow of traffic on the side of the roadway where the car is parked.
 - c. No person shall park a vehicle in such manner that it obstructs any driveway, intersection or traffic sign within the city.
 - d. No person shall park a vehicle in any place where parking has been prohibited by the city council and where signs are posted designating the area as a "No Parking" area.
 - e. No person shall park in any alleyway or access road.

Sec. 12-103. - Continuous parking in same location. Any vehicle that shall remain parked continuously in the same location on any street in the city for the period of seventy-two (72) hours or more shall be presumed to be abandoned and may be impounded by the designated enforcement officer as provided by law. **State Law reference—** Authority to remove vehicles, O.C.G.A., § 40-6-206; abandoned vehicles, O.C.G.A. § 40-11-1 et seq.

Sec. 12-104. - Parking heavy vehicles at night. The parking of trucks or other vehicles weighing in excess of two thousand five hundred pounds (2,500 lbs.) on any street, between the hours of 6:00 p.m. and 6:00 a.m. for a period of more than one (1) hour, shall be prohibited, unless such truck is in the charge of an attendant awake during all hours and unless the parked truck shall be properly lighted so as to warn the operators of other vehicles of its presence.

Sec. 12-105. - Parking for certain purposes prohibited. No person shall park a vehicle upon any roadway for: (1) Displaying such vehicle for sale; (2) washing, greasing, or repairing such vehicle except repairs necessitated by a sudden emergency, and in such emergency such vehicle shall be moved or towed away with all due haste; and, (3) for displaying advertising.

Sec. 12-106. - City Hall Parking Lot. No person shall park in the city hall parking lot except employees and invitees of the city and then only in such places therein as designated by markings authorized by the mayor or the mayor's designee.

Sec. 12-107. - Court House Parking Lot. No person shall park in the Oglethorpe County Court House parking lot except employees and invitees of the court or city and then only in such places therein as designated by markings or authorized by the mayor or the mayor's designee.

Sec. 12-108. - Tractor-trailer parking. For the safety of motorists, it shall be unlawful to park a tractor-trailer or the cab of a tractor-trailer on any public street within the city except while conducting business for pickup or delivery.

Sec. 12-109. - Inoperable vehicles. Definitions. The following vehicles shall, prima facie, be deemed inoperable:

- (1) Any motor vehicle that does not display a valid, current license tag, registration sticker, or motor vehicle emissions sticker;
- (2) Any motor vehicle incapable of being driven or operated;
- (3) Any motor vehicle not covered by a valid, current insurance policy as required by state law;
- (4) Any motor vehicle with the wheels or tires removed; and
- (5) Any motor vehicle without a windshield.

Sec. 12-110. - Parking of inoperable vehicles.

- (a) It shall be unlawful for any person to store, retain, park or keep in the Lexington city limits, wrecked or junked vehicles for more than seventy-two (72) hours after being directed to remove such vehicle by the code enforcement officer or any police officer of the city. Notice from the city to remove such inoperative vehicle shall be affixed to the vehicle in the event the owner or the person storing or keeping such vehicle cannot be determined or found and personally served with the notice.
- (b) After expiration of the seventy-two-hour grace period described in subparagraph (a) above, each day in which the inoperative, wrecked or junked vehicle remains in the city shall be deemed a separate and distinct offense and a violation of this ordinance.

Sec. 12-111. - Vehicle repair and maintenance work. Within the city limits, no person, corporation or other business entity shall perform or allow any other person to perform repairs or maintenance work on any vehicle on any public street or in any public parking area, except repairs necessitated by a sudden emergency, and in such emergency such vehicle shall be moved or towed away with all due haste.

Sec. 12-112 - Storage of vehicles used for recreational purposes. No person shall park or permit any other person to park any unlicensed, unregistered, inoperable or junk vehicles which are used for recreation purpose including, but not limited to, boats, snowmobiles, personal watercraft, travel trailers, cargo trailers, campers, all-terrain vehicles and motor homes, on any public street or in any public parking area.

Sec. 12-113. - Storage of machinery, implements and equipment. No person shall park or permit any other person to park any machinery, implements or equipment designed for use in

agriculture, construction or other commercial enterprise, on any public street or in any public parking area for more than twenty-four (24) consecutive hours unless said machinery, implements or equipment is involved in permitted work or improvements in the immediate vicinity or otherwise granted permission by the Mayor and City Council.

Section 12-114. Violations and Penalties.

- (1) *City to notify violator(s).* Whenever it comes to the attention of the Mayor and City Council, or its designee, that any violation as defined in the previous subsection exists in the city, a notice in writing shall be served upon the owner of the vehicle or his agent, notifying of the existence of the violation and requesting removal in the time specified in the following paragraph.
- (2) *City to issue summons.* The owner or agent shall have 14 days after receipt of the written notice specified in subsection (a) above to come into compliance with this section. If compliance has not been completed within said 14 days, a summons shall be personally served upon the owner of the vehicle.
- (3) *Penalties.* Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not more than \$100.00. Each day such violation is committed, or permitted to continue, shall be deemed a separate offense.

Section 12-115. Purpose. This section is intended to eliminate the undesirable conditions caused by the presence of abandoned, dismantled, partially dismantled, wrecked, junked, inoperative or discarded motor vehicles within the city limits. Such undesirable conditions include impeding traffic in the streets; interfering with the enjoyment of property; reducing the value of private property; inviting plundering; creating fire hazards; extending and aggravating blight; or resulting in a hazard to the public health, safety, comfort, convenience, or welfare of the residents of the city.

Section 12-116. Enforcement. The rules and regulations set forth in this Chapter shall be enforced by the Oglethorpe County Sheriff's Department or any enforcement officer dually appointed by the Mayor and City Council.