

**AN ORDINANCE**

**AN ORDINANCE AMENDING THE CODE OF SENOIA, GEORGIA AT CHAPTER 66, TRAFFIC AND VEHICLES, BY ENACTING NEW ARTICLE VI. – TRUCK ROUTES, SECTION 66-120 - PURPOSE; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; TO RESTATE AND REAFFIRM THE CODE OF SENOIA, GEORGIA, AS MODIFIED HEREBY; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SENOIA, GEORGIA, AND IT IS ESTABLISHED AS FOLLOWS:**

Chapter 66, Traffic and Vehicles. The Code of Senoia, Georgia is hereby amended at Chapter 66, by adding Article VI.-Truck Routes, Section 66-120 Purpose, to read as follows:

**“Chapter 66. Traffic and Vehicles**

**ARTICLE VI.-TRUCK ROUTES**

**Sec. 66-120 - Purpose.**

- (a) The mayor and council is authorized to adopt ordinances for the governing and policing of areas within the city limits for the purpose of protecting the public health, safety and welfare.
- (b) Specifically, the mayor and council may:
  - (1) Provide for the regulation and control of motorized vehicles on the city's streets;
  - (2) Plan, designate, improve, manage, control and maintain an adequate city street system; and
  - (3) Determine the maximum load, weight and vehicle dimensions which can be safely transported over each bridge on the city street system.
- (c) Accordingly, the mayor and council hereby enact the following provisions in an effort to regulate and control motorized vehicles within the city limits for the purpose of protecting and preserving the public health, safety, and welfare of the citizens; to thereby curb the usage of certain residential streets in the city by trucks as cut through routes; and to discourage the parking of such vehicles on these streets and adjoining public rights-of-way.

Sec. 66-121. - Restricted vehicles required to use truck routes; exceptions.

All vehicles with a total gross weight in excess of 36,000 pounds or having an overall length in excess of 30 feet, except vehicles designed to primarily carry passengers are prohibited from using streets on the city street system, except those specific streets authorized by this article as truck routes, including any amendments hereof, or as may be further designated by the mayor and council as truck routes, except when:

- (1) The terminal, parking lot, repair garage, or headquarters of the restricted motor vehicle is not on a designated truck route, in which case ingress to and egress from those places shall be made by the most direct route available between the terminal, parking lot, repair garage or headquarters and nearest designated truck route;
- (2) A delivery or pickup is to be made at a location which is not on a designated truck route; ingress to and egress from that location shall be made by the most direct route available between that location and the nearest designated truck route;
- (3) A delivery or pickup is to be made by a truck, road tractor, or combination road tractor-trailer within any area which is not on a designated truck route; such delivery or pickup shall only be made between the hours of 7:00 a.m. and 7:00 p.m.; or
- (4) The vehicle is travelling on a street, road, or highway classified on the State Highway System or Coweta County Road System, by the Georgia Department of Transportation.

Sec. 66-122. - Truck routes; posted regulatory signs.

A list and map of the approved truck routes shall be kept on file, for public inspection and copying, at the Senoia Police Department and at City Hall with the City Clerk. The list of truck routes may be revised as deemed necessary by the city police department with the approval of the mayor and council, with the entire list requiring renewal by the mayor and council every two years. All listed routes will be further identified by posted regulatory signs.

- (1) The following routes are designated as truck routes:
  - a. Broad Street to Barnes Street
  - b. Barnes Street to Johnson Street
  - c. Johnson Street- Baggarly Street
  - d. Baggarly Street – Travis Street
  - e. Travis Street –Broad Street

Sec. 66-123. - Use of temporary truck routes by restricted vehicles.

If a designated truck route, or any portion thereof, shall be under repair or otherwise temporarily out of use, restricted vehicles shall use other temporary truck routes as may

be designated by the Chief of Police and further identified by the posting of a regulatory traffic control signage.

Sec. 66-124. - Evidence required for restricted vehicle to be off truck route.

When upon streets other than those designated as truck routes, any person driving or in charge or control of any of the motor vehicles restricted by this article shall be prepared to present for inspection of police officers his or her log book, weight slips, delivery slips or other written evidence of his or her destination and point of origin to justify the presence of the restricted vehicle on a roadway other than a designated truck route.

Sec. 66-125. - Vehicle weights and loads.

No vehicle shall be operated on any roadway within the city's jurisdiction, including any city street designated as a truck route with a total gross weight in excess of 36,000 pounds unless the vehicle is making a pickup or delivery on such road. The maximum gross weight of any vehicle, or the maximum gross load weight per axle of any vehicle operating on any street, road, or highway within the city limits, shall not exceed the limitations of O.C.G.A. §32-6-26.

Sec. 66-126. - Weight limitations on streets, bridges and culverts.

- (a) It shall be unlawful to operate any motor vehicle on any street within the city limits, where the weight of such motor vehicle, with or without load, is in excess of the weight as limited by this article and where signs indicating such limitations are posted. Further, it shall be unlawful to drive any motor vehicle over a bridge or culvert within the city limits, over the weight capacity shown on said bridge or culvert.
- (b) The driver and owner shall be liable to the city for any and all damages caused by driving an overweight motor vehicle over any street, bridge or culvert with a posted sign. These damages are in addition to any fine or punishment that may be assessed for violation of this article.

Sec. 66-127. - Enforcement of weight and load limitations.

- (a) Any person who violates the load limitations provisions of this article shall be conclusively presumed to have damaged the public roads, including bridges within the city limits by reason of such overloading and shall, in addition to any other penalty at law, recompensed the city for such damages in accordance with O.C.G.A. § 32-6-27.
- (b) Any owner or operator of a vehicle which is operated on the public roads within the city limits in violation of the weight limits provided in this article shall be required, in addition to paying the monies provided in subsection (a) of this section, to unload all gross weight in excess of 6,000 pounds over the legal weight limit before being allowed to move the vehicle.
- (c) Any person authorized by state law and this article to enforce this article may seize the offending vehicle of an owner who fails or whose operator has failed to pay the monies prescribed in O.C.G.A. § 32-6-27(a), and hold such vehicle until the prescribed monies are paid. Any authorized person seizing such vehicle under this subsection or subsection (b) of this section may, when necessary, store the vehicle,

and the owner thereof shall be responsible for all reasonable storage charges thereon. When any vehicle is seized, held, unloaded or partially unloaded under this section, the load or any part thereof shall be removed or cared for by the owner or operator of the vehicle without any liability on the part of the authorized person or the city because of damage to or loss of such load or any part thereof.”

Section 2. All ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed.

Section 3. Should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the municipal governing authority.

Section 4. Except as modified herein, The Code of Senoia, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter. The city attorney is directed and authorized to direct the codifier to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of a corrective ordinance or other action of the Mayor and Council. The city clerk shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in his or her office as necessary to effect similar non-substantive changes or revisions and ensure that such public records are correct, complete and accurate.

Section 5. This ordinance shall become effective immediately upon adoption on second and final reading.

First Reading:        September 20, 2021

Second Reading:    October 4, 2021