

ORDINANCE _____

ORDINANCE TO AMEND CHAPTER 36 OF THE CODE OF THE CITY OF LAWRENCEVILLE, GEORGIA RELATED TO TRAFFIC AND MOTOR VEHICLES TO UPDATE PROVISIONS RELATED TO TRAFFIC AND MOTOR VEHICLE PROVISIONS AND FOR OTHER PURPOSES

The City Council of the City of Lawrenceville, Georgia hereby ordains that the Code of the City of Lawrenceville, Georgia shall be amended as follows:

Section 1:

That Sec. 36-1, related to Uniform rules of the road, is hereby amended by deleting it in its entirety and replacing the language to read as follows:

Sec. 36-1. Uniform Rules of the Road.

- (a) *Adoption by reference.* Pursuant to Chapter 6 of Title 40 of the Official Code of Georgia Annotated, Code Sections 40-6-370 through 40-6-376, Code Sections 40-6-1 through 40-6-397 of that chapter known as the Uniform Rules of the Road and the definitions 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 in full in this chapter.
- (b) *Penalties.* Unless another penalty is expressly provided by law, any person convicted of a violation of any provision of this chapter shall be punished by a fine of not more than \$1,000.00 or imprisonment for not more than 12 months, or by both such fine and imprisonment.

Section 2:

That Sec. 36-2, related to Two-hour parking district, is hereby amended by deleting it in its entirety and replacing the language to read as follows:

Sec. 36-2. Two-Hour Parking District.

(a) Designated two-hour parking district.

- (1) The following geographical area is deemed to be a district where, due to limited access and congestion, a two-hour parking time limit shall apply. This time limit shall be in effect between the hours of 8:30 a.m. and 5:30 p.m. every day except Saturday, Sunday and designated national holidays.
- (2) The geographical area is described as follows:
 - a. Clayton Street in its entirety between the intersection of Church Street and the intersection of Oak Street.
 - b. Crogan Street in its entirety between the intersection of Perry Street and the intersection of Chestnut Street.

- c. Perry Street in its entirety between the intersection of Luckie Street and the intersection of Born Street.
- d. Pike Street in its entirety between the intersection of Perry Street and the intersection of Chestnut Street.
- e. Culver Street in its entirety between the intersection of Crogan Street and the intersection of Lucky Street.
- f. Lucky Street in its entirety between the intersection of Culver Street and the intersection of Clayton Street.
- g. Chestnut Street in its entirety between the intersection of Lucky Street and the intersection of Crogan Street.

(b) *Limitation on commercial use of parking spaces.*

- (1) No commercial vehicle shall remain parked in a designated two-hour parking space for commercial purposes for more than ten minutes.
- (2) Any commercial vehicle remaining in such a space for more than ten minutes shall be in violation of this chapter. Such violation shall be subject to the enforcement provisions of this chapter.
- (3) For purposes of this subsection, the term "commercial vehicles" shall include, but is not limited to, any taxi or bus service, any pickup or delivery service, and any other vehicle which occupies a parking space for the purpose of transacting business by virtue of its occupation of that space.

(c) *Definition of parking violation.* For the purpose of this section, the term "parking violation" means any vehicle left parked in a designated two-hour parking area for a period of more than two hours.

(d) *Notice.* The geographical area designated in subsection (a) of this section shall be prominently and visibly marked so as to afford notice to the public that they are in a two-hour parking district and a parking violation shall subject them to fine or vehicle impoundment, or both.

(e) *Assessment of fines.* Violations of this section will be assessed according to the following schedule:

- (1) A parking summons or citation issued under this section will be assessed a fine not to exceed \$250.00 (not including surcharges). Additionally, a vehicle may be impounded in the discretion of the Police Department. All outstanding parking summons or citations issued to the impounded vehicle must be cleared, either by appearance or appropriate cash bond being posted, before an impound release is given by the Police Department. The registered owner of the vehicle shall be responsible for all impound costs.

- (2) The fifth or subsequent summons or citations issued to the same vehicle with the same registered owner as the prior parking summons or citations will be assessed a fine of not less than \$250.00 and the vehicle impounded immediately. All outstanding issued parking summons must be cleared, either by appearance or appropriate cash bond being posted, before an impound release is given by the Police Department. The registered owner of the vehicle shall be responsible for all impound costs.

(f) Enforcement.

- (1) Violation of the two-hour parking limit shall result in the issuance of a parking summons or citation by the Lawrenceville Police Department. Such summons or citation shall direct the registered owner or the person violating the two-hour parking limit to appear in the Municipal Court at the time and date designated on the summons or citation. The summons or citation shall further inform the registered owner or the violator of the two-hour parking limit that the fine for said violation may be paid prior to the hearing date, in which event there shall be no further need to appear. In the event that there is no prepayment or appearance on the scheduled hearing date, the City shall mail the registered owner of the vehicle involved a notice advising the registered owner of a second hearing date before the Municipal Court, such notice will be by certified mail adding to the fines and cost an administrative fee of \$15.00. This notice will further advise the registered owner that the parking summons or citation fine may be paid in lieu of the court appearance.
- (2) In the event the registered owner fails to appear on the court date as specified in the certified letter or fails to cause the parking summons or citation fine to be paid, then a subpoena will be issued by the Municipal Court requiring the registered owner of the vehicle involved to appear before the Municipal Court. This subpoena will require personal service.
- (3) In the event the registered owner fails to appear or to cause the violations to be paid on or before the court date specified on the subpoena, a bench warrant shall be issued and the vehicle registered to the same owner impounded and a hold placed on the vehicle by the Lawrenceville Police Department until which time the registered owner appears before the Municipal Court.
- (4) For the purpose of this section, the nearest authorized impound facility shall be that lot designated by the Police Chief.

Section 3:

That Sec. 36-3, related to Limited truck access on certain streets, is hereby amended by deleting it in its entirety and replacing the language to read as follows:

Sec. 36-3. Limited truck access on certain streets.

Designated truck routes shall be defined by the Gwinnett County designated truck route map. Refer to Article II of Chapter 102 of the Code of Gwinnett County, Georgia to determine the types of trucks to be allowed.

Section 4:

That Sec. 36-4, related to No parking in designated fire lanes, is hereby amended by deleting it in its entirety and replacing the language to read as follows:

Sec. 36-4. No parking in designated fire lanes.

- (a) *Designated fire lanes.* There will be no parking in any designated fire lane in the City of Lawrenceville except to load or unload, not to exceed a period of three minutes. Fire lanes will be designated by curbing painted traffic red or yellow, or by a 20-foot wide, cross-hatched, traffic red or yellow way of access free of obstructions, or by the placement of fire lane signs.
- (b) *Enforcement.* Citations for parking in a fire lane can be issued by a member of the Lawrenceville Police Department. A fine not to exceed \$250.00 (not including surcharges) may be imposed by the Municipal Court.

Section 5:

That Sec. 36-5, related to No parking rules, is hereby amended by deleting it in its entirety and replacing the language to read as follows:

Sec. 36-5. No parking rules.

It shall be unlawful at any time to permit any vehicle to stand, stop, or park in any of the following places except in compliance with the directions of a law enforcement official or traffic control device:

- (1) In any intersection;
- (2) In a crosswalk or on a sidewalk;
- (3) Within 20 feet of any intersection or crosswalk;
- (4) At any place where the vehicle would block the use of the driveway;
- (5) At any place where the standing, stopping, or parking of a vehicle will reduce the useable width of the roadway for moving traffic to less than 20 feet;
- (6) At any place in the area of Nash Street from Neal Boulevard to Clayton Street next to the Lawrenceville City Hall;

(7) Overnight (10:00 p.m. - 6:00 a.m.) parking shall be prohibited in all public right-of-way. Nothing shall prohibit parking in designated parking spaces, unless such vehicle shall be deemed abandoned as outlined in Section 36-10.

(8) Within 15 feet of a fire hydrant.

Section 6:

That Sec. 36-6, related to Parking rules for specific zoning classifications, is hereby amended by deleting it in its entirety and replacing the language to read as follows:

Sec. 36-6. Parking rules for specific zoning classifications.

(a) Parking in residential districts shall, in addition to the requirements of the Zoning Ordinance and section 10-31 of the City of Lawrenceville Property Maintenance Ordinance, meet the following requirements:

- (1) No more than four vehicles, including watercraft and trailers, per dwelling unit shall be parked, stopped, standing or stored on any parcel of land. Vehicles parked inside of a carport or enclosed garage shall not be counted towards the maximum number of allowed vehicles. A waiver from the requirements of this provision may be requested, at no charge, when an applicant can show that the number of vehicles does not exceed the total number of licensed drivers in the home and that all vehicles are in operable condition. Waivers are subject to review and approval by the Director of Planning and Zoning.
- (2) All vehicles must be parked on a driveway or parking area constructed of concrete, asphalt, grasscrete, or other impervious surface, including, but not limited to, pavers. Any parking area shall be directly adjacent to a paved driveway.
- (3) Under no circumstances shall more than 35 percent of the front yard or rear yard consist of a driveway or parking area, and the remaining percentage shall be grass or landscaped areas.
- (4) It shall be unlawful for any automobile, truck, vehicle, RV, camper, watercraft or trailer of any kind or type to be parked, stopped, standing or stored in any residential district without a valid license plate attached thereto.
- (5) No person shall stop or stand any truck or bus with a body more than eight feet or 2.4384m wide or ten feet or 3.048m high on any public street or public property including any parking lot for use by the general public without the driver or chauffeur being actually present and in charge thereof.
- (6) No person shall park or stand any truck camper, camper trailer, motor home, boat, boat trailer or other recreational vehicle or watercraft on any public street or public property for more than one hour at any time during the day or night.

(b) All public parking in office, business and commercial zoning classifications shall be subject to the following use restrictions:

- (1) No delivery/service vehicles and vehicles, including, but not limited to, 18-wheel tractor trailers and vehicles displaying advertising, shall be parked in the front yard of the property except vehicles parked temporarily while making a delivery, providing a service, or purchasing goods or services.
 - (2) No person shall park or stand any bus, truck or other freight- or passenger-carrying vehicle in excess of one-half ton capacity upon any public street or highway for a period longer than one hour at any time during the day or night.
 - (3) No person shall stop or stand any truck or bus with a body more than eight feet (2.4384 meters) wide or 13 feet six inches (4.145 meters) high on any street or public property, including any parking lot for use by the general public without the driver or chauffeur being actually present and in charge thereof.
 - (4) No person shall park or stand any truck camper, camper trailer, motor home, boat, boat trailer or other recreational vehicle on any street or public property for more than one hour at any time during the day or night.
 - (5) Parking of a vehicle for sale or for private sale of the vehicle is prohibited except in accordance with the provisions of O.C.G.A. § 40-2-39.1(a), or at a dealership or lot specifically approved in the zoning ordinance as a car lot or dealership for the sale of vehicles. The term "private sale" means a sale by an entity or individual that is not a licensed new or used vehicle dealer.
- (c) Any vehicle in violation of this section and which remains in violation for a period of 5 days or more shall be presumed to be abandoned and may be impounded by the Police Department.

Section 7:

That subsection (c) of Sec. 36-7, related to Enforcement of Speed zones, is hereby amended by deleting it in its entirety and replacing the language to read as follows:

Sec. 36-7. Speed zones.

- (c) *Enforcement.* The Lawrenceville Police Department, Georgia Gwinnett College Police Department, Gwinnett County Sheriff, Gwinnett County Police Department, and the Georgia Department of Public Safety are authorized to use any appropriate and approved speed detection devices, whether handheld or attached to a motor vehicle, to enforce the duly adopted speed zones.

Section 8:

That Sec. 36-8, related to Speed limits in work zones, is hereby amended by deleting it in its entirety and replacing the language to read as follows:

Sec. 36-8. Speed limits in work zones.

- (a) *Purpose.* The purpose of this section is to reduce the speed limits in construction and maintenance work zones located on or adjacent to any street or highway in accordance with Department of Transportation (the "Department") policy and Georgia law. Generally, temporary speed limit reductions in work zones should be implemented only for areas where workers are present, or where roadway or roadside conditions are of concern due to construction or maintenance activities. To reduce the speed limit in any temporary traffic control zone and be in compliance with O.C.G.A. § 40-6-188, the following guidelines and procedures shall be followed:
- (b) *Responsibility.*
- (1) The City shall be responsible for determining the appropriate speed limit reduction for all roadways under its supervision. For a construction project let to contract, the contractor may request a reduction of the existing speed limit; however, the City shall make the final determination.
 - (2) Any reduction in the established speed limit shall have written approval of the City Engineer of the City of Lawrenceville. A copy of this written approval shall be kept in the appropriate project or maintenance file and the district speed zone file for that particular roadway section, and a copy sent to the General Office Traffic Operations section for their files.
 - (3) The City Engineer responsible for the construction project or the Maintenance Foreman/Superintendent responsible for the maintenance activity requiring the reduced speed zone will be responsible for reviewing and determining the appropriate reduction in the speed limit, its duration, and the length of the work zone. A temporary speed reduction zone will be established for a section of roadway according to an identified need. A speed reduction will not be put in place for the entire length of the project unless conditions warranting the speed reduction are present for the entire project length. When establishing a reduced speed zone, the minimum reduction of the posted speed limit shall be no less than ten miles per hour and the maximum reduction shall be no greater than 20 miles per hour.
- (c) *Documentation.* The appropriate City Engineer or Maintenance Foreman/Superintendent shall record in a diary the date and time that each temporary speed reduction zone is installed and removed, the limits of the zone, and, if applicable, the traffic direction.
- (d) *Signing requirements.* To temporarily reduce the speed limit in any construction or maintenance area and be in compliance with O.C.G.A. § 40-6-188, the following sequence of signs shall be required:
- (1) At a minimum of 600 feet in advance of the beginning of the reduced speed zone, a standard R2-5a (REDUCED SPEED AHEAD) sign shall be erected.
 - (2) If the speed limit is to be reduced a total of 20 miles per hour, a standard R2-1 (SPEED LIMIT XX) sign shall be erected at a minimum of 600 feet in advance of the beginning of the reduced speed zone in order to reduce the speed in ten miles per hour increments.

- (3) A black on white regulatory R2-Special (WORK ZONE/SPEED LIMIT XX/MINIMUM FINE \$100.00) sign shall be erected 600 feet past the previous sign erected in subsection (d)(1) or (2) of this section.
- (4) Intermediate R2-1 (SPEED LIMIT XX) signs shall be erected at intervals not to exceed one mile within the reduced speed zone.
- (5) A standard R2-1 (SPEED LIMIT XX) shall be erected 600 feet past the work zone. This sign shall post the normal speed limit for the roadway.

All existing speed limit signs shall be covered or removed while the temporary reduction in the speed limit is in effect. All signs shall be erected to comply with the minimum requirements of the MUTCD.

Section 9:

That Sec. 36-9, related to Concrete trucks; required equipment, is hereby amended by deleting it in its entirety and replacing the language to read as follows:

Sec. 36-9. Concrete trucks; required equipment.

It shall be unlawful for any cement truck to operate on the streets of Lawrenceville or the County roads or State highways within the corporate limits of the City of Lawrenceville without having a device in place at the terminus of their chute designed to deter the spillage of cement onto the streets, roads, or highways.

Section 10:

That Sec. 36-10, related to Abandonment of motor vehicles, is hereby amended by deleting it in its entirety and replacing the language to read as follows:

Sec. 36-10. Abandonment of motor vehicles.

It shall be unlawful for any person to abandon or to leave unattended, for a period in excess of five days, any motor vehicle on any street, road, alley, or other public way in the Municipality. Nor shall any entity use public right of way or public parking decks for the storage of short-term rental vehicles.

Section 11:

That Sec. 36-11, related to Operating a motor vehicle without insurance, is hereby deleted it in its entirety. With the deletion of said section, existing Sec. 36-12, related to Halting or impeding the flow of traffic, shall be renumbered to be Sec. 36.11. – Halting or impeding the flow of traffic.

Section 12:

Except as specifically amended as set forth above, all other sections, subsections, sub-subsections, etc. of Chapter 36 shall remain materially unchanged and in full force and effect.

Section 13:

All ordinances, regulations, or parts of the same in conflict with this Ordinance are hereby rescinded to the extent of said conflict and only to the extent of said conflict.

Section 14:

If any section, article, paragraph, sentence, clause, phrase, or word in this ordinance, or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 15:

This ordinance shall become effective upon its adoption by the City Council.

IT IS SO ORDAINED this _____ day of February, 2025.

David R. Still, Mayor

Attest:

Karen Pierce, City Clerk