

Subject Matter: Vehicle Size Restrictions
Date First Presented and Read by Council at
Public Meeting: 9-8-03
Date of Adoption and Second Reading at a
Public Meeting: 10-6-03

**TOWN OF SHARPSBURG
COUNTY OF COWETA
STATE OF GEORGIA**

ORDINANCE NUMBER 03-04

TOWN OF SHARPSBURG, GEORGIA

PREAMBLE & FINDINGS

WHEREAS, the Mayor and Town Council of the Town of Sharpsburg find that vehicles with ten (10) or more wheels are large, noisy, difficult to maneuver, cause damage to roads and create visual obstacles for other drivers on residential streets; and

WHEREAS, the Mayor and Town Council find that the presence of vehicles with ten (10) or more wheels detract from the Town of Sharpsburg citizens' safety and cause the deterioration of the Town of Sharpsburg's environmental quality on its residential streets; and

WHEREAS, the Mayor and Town Council desire to enhance the safety and environmental quality of the Town of Sharpsburg; and

WHEREAS, the Mayor and Town Council desire to protect the health, safety, morals, and welfare of the citizens of the Town of Sharpsburg and all those who travel on the Town's streets.

NOW, THEREFORE, BE IT ORDAINED ENACTED AS FOLLOWS:

SECTION ONE

Chapter 84 is hereby created and shall be entitled, "Traffic and Vehicles." Chapter 84 Section 1 of the Town of Sharpsburg Code of Ordinances is hereby created by inserting therein the following:

Sec. 84-1 Vehicles with ten or more wheels restricted.

- a) All vehicles with ten (10) or more wheels are prohibited from traveling upon any part of Main Street, Church Street, Stovall Street and Terrentine Street. As used in this ordinance Terrentine Street shall begin at Highway 54 and shall end at the corner of Sharpsburg-McCollum Road.
- b) Vehicles with ten (10) or more wheels shall include vehicles pulling trailers, in which case the wheels of the vehicle and the trailer shall be included.
- c) Exceptions to said prohibited vehicles shall be recreational vehicles, vehicles pulling recreational trailers and vehicles pulling boat trailers. School buses, emergency vehicles, vehicles used for relocation of personal property and solid waste collection vehicles performing the particular purposes for which the vehicles are designed are also exempt.
- d) Prohibited vehicles may travel on Main Street, Church Street, Stovall Street and Terrentine Street for the purpose of making active deliveries and/or making active pickups of goods or the active provision of services at locations on Main Street, Church Street, Stovall Street and Terrentine Street. Prohibited vehicles may also travel on Main Street, Church Street, Stovall Street and Terrentine Street for the purpose of making active deliveries and/or making active pickups of goods or the active provision of services at locations which can only be accessed by Main Street, Church Street, Stovall Street and Terrentine Street; however, there shall be no through traffic of vehicles with ten (10) or more wheels.
- e) Prohibited vehicles not involved in active deliveries, active pickups, or the active provision of services may not be parked on or along Main Street, Church Street, Stovall Street or Terrentine Street, or on lots or parcels contiguous to, and accessed by Main Street, Church Street, Stovall Street or Terrentine Street.
- f) Prohibited vehicles include all vehicles designed to be operated on ten (10) wheels or more, regardless of whether or not all such wheels are actually in use.
- g) Violations of this article may be enforced and citations issued thereon by code violation officers of the Town of Sharpsburg, and said citation shall be returnable to the municipal court of the Town of Sharpsburg and shall be tried in said court.
- h) Any person, corporation, partnership or other entity violating this section shall be tried before the municipal court of the Town of Sharpsburg and shall, upon conviction, be subject to up to the maximum fine and/or the maximum term of imprisonment by the Town's Charter.

SECTION TWO

This Ordinance shall become immediately effective upon its second reading and adoption by the Town Council.

SECTION THREE

The Preamble of this Ordinance shall be construed to be, and is hereby incorporated by reference as is fully set out herein.

SECTION FOUR

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, sentence, paragraph, or section of this Ordinance shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such an illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION FIVE

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION SIX

This Ordinance shall be Codified at Chapter 84, Section 1 of the Town’s Code of Ordinances entitled: “Traffic and Vehicles.”

Ordained by the Mayor and Council of the Town of Sharpsburg, this the 6th day of October, 2003 by the following voting for adoption.

Mayor Pro Tem, Wendell Staley

Council Member, J. Clay Cole

Council Member, Larry W. Hyde

Council Member Derrick McElwaney

Council Member Standly D. Parten

Attest:

Robin Spradlin, Town Clerk