

AN ORDINANCE

BY COUNCILMEMBER DUSTIN HILLIS

AN ORDINANCE TO AMEND CHAPTER 150, (TRAFFIC AND VEHICLES), ARTICLE VI, (VEHICLE SIZE, WEIGHT, AND LOAD), SECTIONS 150-237, (RESTRICTED VEHICLES REQUIRED TO USE TRUCK ROUTES; EXCEPTIONS), AND 150-240, (CERTAIN TRUCKS PROHIBITED ON CERTAIN STREETS), TO ALLEVIATE DIFFICULTIES IN ENFORCEMENT OF THESE PROVISIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, pursuant to OCGA § 32-4-92, a municipality may regulate and control the use of the public roads on its municipal street system and on portions of the county road systems extending within the corporate limits of the municipality; and

WHEREAS, in exercise of this power, and pursuant to Section 150-237 and 150-240 of the City of Atlanta Code of Ordinances, the City of Atlanta has required certain vehicles to use truck routes and prohibited certain trucks on certain streets; and

WHEREAS, these ordinances apply to certain vehicles and trucks based upon their length and weight; and

WHEREAS, the inclusion of references to length and weight in the description of the prohibited vehicles have made these prohibitions difficult to enforce; and

WHEREAS, to alleviate this difficulty in enforcement, the Atlanta City Council passed Ordinance 17-O-1775 which amended Sections 150-243 and 150-244 of the City of Atlanta Code of Ordinances which prohibit commercial cut through truck traffic on certain portions of Joseph E. Lowery Boulevard and Moores Mill Road to apply to vehicles having more than six wheels (excluding buses), rather than to vehicles of any length and weight; and


WHEREAS, in order to further alleviate difficulties in enforcement, it is the desire of the Atlanta City Council to remove the references to length and weight of the prohibited vehicles in the language of Sections 150-237 and 150-240, replacing these references with language applying the ordinances to vehicles having more than six wheels (excluding buses).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

SECTION 1: That Chapter 150, Article VI, Section 150-237, (Restricted Vehicles Required to Use Truck Routes), be amended such that it shall read as follows, with permanent additions in underline font and permanent deletions in strikethrough font:

Sec. 150-237. - Restricted vehicles required to use truck routes; exceptions.

All motor vehicles having more than six wheels (excluding buses) ~~having a gross weight in excess of 36,000 pounds, including the load, or having an overall length in excess of 30 feet, except~~



vehicles designed to carry passengers, are prohibited from using any street within the city, except those streets authorized by ordinance and designated 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, 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 and not within the area bounded by Baker Street on the north, Courtland Street and Washington Street on the east, Memorial Drive and Garnett Street on the south and Spring Street on the west, exclusive of the boundary streets, 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; and
- (3) A delivery or pickup is to be made by a truck tractor, road tractor, combination truck tractor semitrailer or combination road tractor-trailer at a location which is within the area of the city bounded on the north by Baker Street, on the east by Courtland Street and Washington Street, on the south by Memorial Drive and Garnett Street and on the west by Spring Street, exclusive of the boundary streets, the delivery or pickup shall not be made between the hours of 7:00 a.m. and 7:00 p.m.

SECTION 2: That Chapter 150, Article VI, Section 150-240, (Certain Trucks Prohibited on Certain Streets), be amended such that it shall read as follows, with permanent additions in underline font and permanent deletions in strikethrough font:

Sec. 150-240. - Certain trucks prohibited on certain streets.

- (a) Any truck or truck tractor operated separately or in combination with any trailer or semitrailer which has either two axles with six tires or three or more axles shall be designated for the purpose of this section as a small truck. No such truck shall be operated on any street or portion of a street where signs are posted prohibiting the trucks, except as provided in subsections (b) and (c) of this section. Signs may be posted to prohibit the trucks from operation on a single street or a group of streets so as to form a closed area.
- (b) A vehicle described in subsection (a) of this section may be operated on a street or in an area where prohibited by signs, if the vehicle has more than six wheels (excluding buses) ~~has a gross weight in excess of 36,000 pounds and/or has an overall length in excess of 30 feet~~ and is being operated off an established truck route as provided for in section 150-237.
- (c) A vehicle described in subsection (a) of this section which has more than six wheels (excluding buses) ~~has a gross weight of 36,000 pounds or less and has a length of 30 feet or less~~ may be operated on a street or in an area where prohibited by signs, under the following conditions:
 - (1) When making a delivery of cargo, when proceeding to a location to pick up a load or to perform a service and the location of the delivery, loading or service is on a prohibited street or in a prohibited area.

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(2) Ingress and egress from the location is made by traveling the most direct route between the locations and the nearest: a. Street segment on which the vehicle is not prohibited; or b. Designated truck route.

(d) The driver of any truck as defined in subsection (a) of this section shall be prepared to present to police officers for inspection the driver's log books, delivery slips and other written evidence of the driver's destination and the point of origin to justify, under subsection (c) of this section, the presence of the truck on a section of street from which the truck would otherwise be prohibited under subsection (a) of this section.

SECTION 3: That the amendments reflected in this Ordinance shall become effective immediately upon approval.

SECTION 4: That all ordinances or parts thereof in conflict with this ordinance are hereby repealed to the extent of the conflict.

SECTION 5: That the Municipal Clerk is instructed to retain all legislative history references in the codified version of Chapter 150, including Editor's notes, and shall not delete any such references, but shall amend them to include this ordinance.

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A true copy

Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED per City Charter Section 2-403

NOV 05, 2018
NOV 14, 2018

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