

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **PARKING FINES**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 3-3-33 entitled “*Same – Deposit of additional coins to extend times beyond legal parking limit*” of the Code of Athens-Clarke County, Georgia is hereby amended by deleting section (e) in its entirety so that Section 3-3-33 is:

“Sec. 3-3-33. - Same—Deposit of additional coins to extend time beyond legal parking limit.

- (a) *Extending lawful parking period prohibited.* It shall be unlawful and a separate offense for any person to use multiple pay-and-display parking tickets, or to deposit or cause to be deposited in a parking meter any coins, for the purpose of extending the parking meter time beyond the total lawful parking period fixed for such parking space. Appropriate notice that such would be a violation shall be posted on the individual meters or at conspicuous locations in close proximity to the meters where all users of the meters and parking spaces may view the same.
- (b) *Notice.* If any vehicle shall remain in any parking space beyond the time fixed for that parking space, notice, as provided in this section, that such is in violation of law will be presumed to the user where the appropriate notice is posted on the individual meter or in close proximity to the same, although the meter may indicate time remaining thereon where the legal parking time period specified for the space has been exceeded.
- (c) *Marking system.* An appropriate marking system for identifying cars shall be adopted by the police department in order that this section may be enforced adequately by the employees of Athens-Clarke County.
- (d) *Determination of illegal parking; punishment.* Where the meter itself does not indicate illegal parking, but the legal time period specified for that space has been exceeded, and where the notice provided for in this section has been posted and such vehicle has been accurately marked and identified as being in violation of this chapter by exceeding the time limit specified for the parking space, such vehicle shall be considered as illegally parked in any part of the street where the same is located, and each offense may be punished as a separate violation as the same accrues.”

SECTION 2. Section 3-3-44 entitled “*Legal parking zone violations*” of the Code of Athens-Clarke County, Georgia, is hereby amended by deleting sections (d), (e), and (f), and inserting in lieu thereof a new section (d):

“Sec. 3-3-44. - Legal parking zone violations.

- (a) *Generally.* The owner of a motor vehicle shall be subject to the following civil fines for the violations enumerated herein. Except as otherwise specified, all other violations under this chapter shall be within the limits permitted under section 1-1-5. Any violations enumerated herein that are not otherwise punishable by section 1-1-5 shall be deemed non-criminal, shall be determined by a showing of preponderance of the evidence, and shall not be deemed to be a conviction. Such civil violations are inapplicable to a person's motor vehicle driving record for insurance purposes in the provision of motor vehicle insurance coverage.

(b) *Legal parking zone violations.* The civil fine for the following legal parking zone violations shall be as follows:

- (1) Expired meter or expired pay-and-display parking ticket \$20.00
- (2) Overtime parking 25.00
- (3) Loading zones 50.00

(c) *Nonmoving violations.* The civil fine for the following nonmoving violations shall be as follows:

- (1) Yellow curb \$50.00
- (2) Sidewalk 30.00
- (3) Fire hydrant 100.00
- (4) Parking on wrong side of street 10.00
- (5) Double parking 50.00
- (6) Blocking driveway 50.00
- (7) Parking during restricted times in Central Business District 20.00
- (8) Parking too far from curb or shoulder in residential section 20.00
- (9) No parking zone 50.00
- (10) Parking illegally in space for persons with disabilities 200.00
- (11) Parking in fire lane 100.00
- (12) Parking in violation of posted signs in Athens-Clarke County owned deck, lot or garage 50.00
- (13) Parking outside the lines of a designated parking space 50.00

(d) *Double fine.* Any civil fine imposed pursuant to this section shall automatically double upon:

- (1) failure of the registered owner of a vehicle or other responsible person who receives a parking violation notice for a parking violation to pay the civil fine indicated thereon or to appear personally in Municipal Court to contest such alleged violation on the date and time specified on the parking violation notice, or
- (2) failure of the registered owner of a vehicle or other responsible person who, after contesting a parking violation in Municipal Court and being found liable therefor, to pay a civil fine found to be due by the court within thirty days after final adjudication of such violation, or sooner upon order of the Court.

The Commission may, from time to time, declare by resolution defined periods of time during which said doubling shall be waived.”

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.