

**ORDINANCE NO. 2025-005**

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 42, ARTICLE III –  
PARKING OF CITY OF WOODSTOCK CODE OF ORDINANCES**

**WHEREAS**, the City of Woodstock, Georgia (hereinafter sometimes referred to as the "City") is a municipality duly formed and existing pursuant to Georgia law; and

**WHEREAS**, the 1983 Constitution of the State of Georgia provides for the self-government of municipalities without the necessity of action by the General Assembly;<sup>1</sup>

**WHEREAS**, the City of Woodstock, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto;<sup>2</sup> and

**WHEREAS**, the City of Woodstock, Georgia has the legislative power to similarly repeal these ordinances, resolutions, or regulations relating to its property, affairs, and local government if they no longer serve the public health, safety, or welfare of the city or local government; and

**WHEREAS**, the City of Woodstock wishes to make significant revisions to the parking regulations located in Chapter 42 Article III in order to establish parking control officers to enforce parking in established parking districts, allow for paid parking in established districts, allow for establishment of residential permit parking and establish the parking citation enforcement process; and

**WHEREAS**, these changes require a wholesale change to Chapter 42 Article III of the City of Woodstock Code of Ordinances.

**NOW THEREFORE BE IT RESOLVED, THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA HEREBY ORDAINS:**

1. Ordinance No. 5448-2018 titled "Parking" shall be considered repealed.

<sup>1</sup>Ga. Const., 1983, Article IX, Section II, Paragraph II provides in pertinent part as follows:

"The General Assembly may provide by law for the self-government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to the municipalities may be dealt with without the necessity of action by the General Assembly."

<sup>2</sup>O.C.G.A. §36-35-3(a) provides the following:

"(a) The governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereof. Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code section. This Code section, however, shall not restrict the authority of the General Assembly, by general law, to define this home rule power further or to broaden, limit, or otherwise regulate the exercise thereof. The General Assembly shall not pass any local law to appeal, modify or supersede any action taken by a municipal authority under this Code section, except as authorized under Code Section 36-35-6".

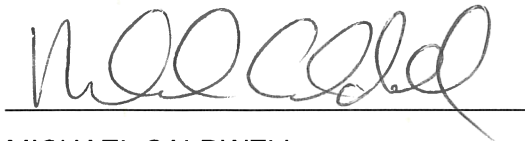
2. The City Clerk shall be directed to replace Ordinance No 5448-2108 with 2025-005 attached and incorporated hereto.
3. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared illegal or void by the valid judgment or decree of any court of competent jurisdiction, such declaration shall not affect any of the remaining phrases, clauses, paragraphs, and sections of this ordinance.
4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Effective Date. This Ordinance shall take effect immediately upon its adoption after its second reading.

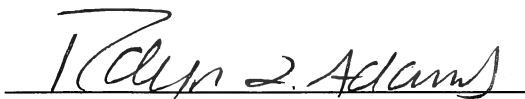
PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS 24th DAY OF MARCH 2025.

**1<sup>st</sup> Reading: March 10, 2025**


**2<sup>nd</sup> Reading: March 24, 2025**



MICHAEL CALDWELL  
MAYOR OF WOODSTOCK



ROBYN ADAMS  
CITY CLERK



Approved as to form.

## **ARTICLE III. – PARKING**

### **Sec. 42-55. – Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Paid Parking space* means any space within a paid parking zone which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the surface of the street which is in an area clearly marked by signs indicating the space is in a paid parking zone and indicating that payment may be made using paid parking technology.

*Paid Parking technology* means any technology that allows payment for parking in paid parking zones without the use of mechanical parking meters, including but not limited to telephone, smartphone applications, website, single or multi space meters, or any other technology as deemed appropriate by the City to pay for parking. Parking meter technology may utilize parking space numbers, license plates, sticker numbers, or any other means designated by the specific parking meter technology to process parking payment.

*Paid Parking zone* means any area designated by resolution as a paid parking zone.

#### *Parking control officer (PCO)*

(a) The position of parking control officer (PCO) shall be filled by individuals whose qualifications, both physical and educational, will permit the performance of the duties of PCO hereinafter defined, and in accordance with such requirements as may be established from time to time by the City Council. All PCOs shall be employed by or shall otherwise be under the control of the City of Woodstock or its designated parking management company. They shall not be members of the division of police, nor entitled to share in the policemen's and firemen's retirement fund.

(b) The duties of a PCO shall be the following:

- (1) Issuance of citations for violations of the following sections of this Code.
- (2) Issuance of citations to motor vehicles illegally parked in designated fire

lanes.

(c) This section shall not be construed as granting to said PCOs the powers or authority of a police officer, and such PCOs shall be strictly prohibited and limited to the exercise and performance of the duties herein provided.

(d) The provisions of this section shall not be construed to restrict or prohibit any member of the police force from enforcing parking violations in the City of Woodstock but shall be cumulative in the provisions of other ordinances of the City of Woodstock.

*Parking ordinance* means an ordinance regulating parking, standing, or stopping upon the public streets or ways within the City of Woodstock.

*Vehicle* means a registered motor vehicle or motorcycle, modified golf cart, personal transportation vehicle, or an electric personal assistive mobility device.

### **Sec. 42-56. - General prohibitions.**

In addition to the violation of posted signs upon the City streets and public parking areas, the following shall be prohibited:

- (a) Parking of a vehicle in a designated space with the front of the vehicle facing the opposite direction from the flow of traffic in the adjacent travel lane.
- (b) Double parking or parking in traffic lanes.
- (c) Parking so as to obstruct or intrude into any portion of a crosswalk or driveway.
- (d) Parking within or obstructing any portion of a designated fire lane or within fifteen (15) feet of a fire hydrant.
- (e) Parking in such a manner that a vehicle is not completely within a parking space designated by painted lines, whether upon City streets or City parking lots.
- (f) Parking for any time in excess of the posted time limitation for a parking space. A vehicle shall be construed to have remained stationary (continuously parked in a space) if said vehicle has not been moved for a distance of more than one block, or 300 feet, whichever is less, from the space and shall be subject to a ticket for violation of the parking time restriction as if still parked in the original parking space.
- (g) Parking upon sidewalks intended for pedestrian travel, or streetscapes and landscaped areas not intended for vehicles.
- (h) Parking within spaces designated as health services parking or loading zones by unauthorized vehicles and for purposes not intended by this article.
- (i) Parking adjacent to yellow curbs.
- (j) At any place where official signs or marking prohibit stopping, standing or parking.
- (k) Within twenty (20) feet of a crosswalk at an intersection.
- (l) Unauthorized parking within disabled spaces. Disabled spaces may be marked by the recognized symbol for such spaces, blue painted lines or posted signs. Parking within disabled spaces shall be governed by the provisions of State law as to authorized vehicles, limitations as to use, if any, and penalties for violations.

**Sec. 42-57. - Compliance with no parking or restricted parking markings or signs.**

No person shall park a motor vehicle, including a motorcycle, modified golf cart, personal transportation vehicle, or an electric personal assistive mobility device on any sidewalk or street within the City in any zone or area posted by a sign as prohibited parking, or in violation of any sign posted within the City that sets forth parking prohibitions or restrictions as listed in Section 42-55.

**Sec. 42-58. – Paid Parking Zones**

- (a) The City is hereby authorized to establish, by resolution of the City Council, certain sections of the City public right-of-way to be designated as paid parking zones. These

zones shall be depicted on a map adopted by resolution and kept on file by the City Clerk.

- (b) The cost of parking or standing a vehicle in a parking space located in a paid parking zone shall be established by resolution of the City Council and the parking fee shall not exceed a cost of two dollars (\$2.00) per hour for paid parking spaces, not including additional fees.
- (c) Paid parking zone days and hours of operation shall be established by resolution of the City Council.
- (d) Each paid parking zone shall provide signage to notify drivers of the required payment for that paid parking zone and the maximum length of allowable parking time.
- (e) For any parking space in a paid parking zone, the City shall install signage in the area and visible from the space indicating that payment of the paid parking technology rates for that space shall be made by using paid parking technology and indicating the procedure for using said technology.
- (f) When parking meter technology is in use, it shall notify the user and the parking control officer of the legal parking time for which payment has been made and the balance of legal parking time.
- (g) Nothing in this section shall be construed as prohibiting the City Manager, or his or her designee, from temporarily restricting parking or allowing parking at no charge at spaces within paid parking zones based on special circumstances, including but not limited to emergencies, special events, construction, change in building uses, and actual usage of parking spaces in the zones.
- (h) No person shall move and repark a vehicle on either side of a street within the same block in order to avoid exceeding the paid parking technology time limits specified for either side of the street in that particular block.
- (i) Short term complementary spaces may be designated by the City Manager, or his or her designee, within an established paid parking zone. The time limit in each short term complementary space shall be indicated on signage within the designated space. If the vehicle shall remain parked in any short term complementary space beyond the parking time limit set for that parking space, and if paid parking technology shall indicate illegal parking, then, and in that event, the vehicle shall be considered as parking overtime and beyond the period of legal parking time, and parking shall be deemed a violation of this subchapter.
- (j) Time limit restrictions shall be designated by signs posted by the City and enforced by the Woodstock Police Department or parking control officers.
- (k) Persons in violation of this section will be fined according to the approved Municipal Court bond/fee schedule.

**Sec. 42-59. - Parking in residential parking permit area; permit required.**

- (a) When signs are erected or placed giving notice that a residential parking permit area has been established pursuant to resolution of the City Council, no person shall park a

vehicle in any such space so designated for more than the time period specified on such signs, unless the vehicle displays a parking permit authorized by that resolution.

- (b) Any vehicle parked in violation of subsection (1) above is declared to be a public nuisance, and any police officer or any parking control officer is authorized to cause the same to be removed to and impounded in accordance with Section 42-79.
- (c) No person shall fail to surrender a residential parking permit when directed to do so.
- (d) No person shall represent in any fashion that a vehicle is entitled to a residential parking permit authorized by resolution of the City Council when it is not so entitled. The display of a residential parking permit on a vehicle not entitled to such a residential parking permit shall constitute such a representation.
- (e) No person shall duplicate, or attempt to duplicate, by any means, a residential parking permit authorized by resolution of the City Council. The display of such a duplicate residential parking permit on a vehicle shall constitute such a duplication.

**Sec. 42-60. - Loading zone established; time limit for loading.**

- (a) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a loading zone during hours when the provisions applicable to such zones are in effect. In no case shall there be a lapse in the loading or unloading of materials except when so marked by appropriate signs. This permitted lapse in loading and unloading operations is for the sole purpose of accumulating loads, signing of material receipts and incidental necessary activities.
- (b) The driver of a passenger motor vehicle may stop temporarily at the place marked as a loading zone for the purpose of and while actually engaged in loading or unloading.

**Sec. 42-61. - Parking of heavy vehicles.**

- (a) For the purpose of this section, the term "heavy vehicle" means any large vehicle with a gross vehicle weight of more than 10,000 pounds as shown on the vehicle or manufacturer's specifications or exceeding 24 feet in length (including load), or exceeding 96 inches in height (including racks, and excluding antennas), or semi-truck trailers. Large private recreational vehicles shall only be parked in side or rear yards and shall not exceed 10,000 pounds gross vehicle weight. Commercial recreational vehicles shall not be stored on residential parcels.
- (b) It shall be unlawful for any person to permit or cause any heavy vehicle to be pulled, pushed or in any way moved across any curb in the City without prior permission from the Director of Public Works or his or her designee.
- (c) It shall be unlawful for any person to permit or cause any heavy vehicle to be parked or stored on public property or (except as noted in Subsection (a) of this section) in a residential area, office and institutional, commercial or agricultural district not zoned for warehousing for a period longer than one hour during the day or night; provided that the

one-hour limitation shall not apply to any vehicle actually engaged in loading or unloading activity where the driver is present and in charge thereof. It shall further be unlawful for parts of these vehicles, and their accessories, including materials hauled by the vehicles, to be stored on residential property or to be serviced on residential property, except emergency service may be rendered upon permission of the Chief of Police.

**Sec. 42-62. - Enforcement; fine, impoundment of vehicle.**

Every person convicted of a violation of any provision of this article shall be punished by a fine to be determined by the City Council from time to time. All parking control officers and police officers shall enforce the provisions of this article and shall be empowered to issue written citations requiring the accused to appear to answer the charge. In addition, where any vehicle has been left unattended in a restricted zone for 24 hours or more, the parking control officer or police officer is authorized to cause the same to be removed to and impounded in accordance with Section 42-79.

**Sec. 42-63. – Parking Citation Enforcement.**

(a) The City of Woodstock hereby elects to enforce its parking ordinances as civil violations, pursuant to the provisions of OCGA 32-6-2.

(b) The City of Woodstock's parking ordinances shall be enforced pursuant to the procedures set forth in OCGA 40-6-226.

**Sec. 42-64. - Establishment of hearing board.**

There is established the City of Woodstock Parking Citation Enforcement Hearing Board; said board shall be composed of one (1) or more persons who shall serve a term of two (2) years and shall be appointed by a majority of the City Council.

**Sec. 42-65. - Citation procedure.**

If any motor vehicle is found parked, standing or stopped in violation of parking ordinances enacted by the City of Woodstock, the vehicle may be cited for the appropriate parking violation. The citing officer shall note the vehicle's information as listed below and, if the driver is not present, shall conspicuously affix to the vehicle a notice of the parking violation or a citation may be mailed to the address of the registered owner of the vehicle.

**Sec. 42-66. - Information to be included in notice of parking violation.**

(a) The form of the notice of the parking violation shall be designated by the City of Woodstock, but shall contain in substance the following information:

1. A statement that the notice represents a determination that a parking violation has been committed by the owner of the vehicle and that the determination shall be final unless contested as provided herein;
2. A statement that a parking violation may result in impoundment or immobilization of the vehicle for which the owner may be liable for a fine and towing, handling and storage charges or fees;
3. A statement of the specific parking violation for which the citation was issued;
4. A statement of the monetary penalty established for the parking violation; and

5. A statement of the options provided herein for responding to the notice and the procedures necessary to exercise these options.
- (b) The notice of parking violation represents a determination that a parking violation has been committed, and such determination shall be final unless contested as provided herein.

**Sec. 42-67. - Responsibilities of person who receives notice; liability of vehicle owner.**

- (a) Any person who receives notice of a parking violation shall respond to such notice as provided in this section within fourteen (14) days of the date of the notice, by either paying the fine set forth in the notice or requesting a hearing pursuant to these procedures.
- (b) If the owner of a vehicle cited for a parking violation has not responded to the notice within seven (7) days as provided in subsection (a) of this section, the owner shall be deemed to have waived his or her right to a hearing and the determination that a violation was committed shall be considered final. Any person who fails to request a hearing or pay the fine within the fourteen (14) days shall be deemed to have refused to pay the fine levied by the citation.
- (c) The registered owner of a vehicle at the time the violation occurred shall be liable for all fines, fees and penalties which he has refused to pay.

**Sec. 42-68. - Hearing.**

- (a) Any person cited for a parking violation may contest the determination that a violation occurred by requesting in writing a hearing before the City of Woodstock Parking Citation Enforcement Hearing Board. Such hearing shall be held no later than thirty (30) days from the date of receipt of the request, unless prior to the hearing the person requesting such a hearing requests an extension of time not to exceed fourteen (14) days. No less than seven (7) days prior to the date set for the hearing, the Parking Citation Enforcement Hearing Board shall notify the registered owner of the vehicle of the date, time and place of the hearing. Any person requesting a hearing who fails to appear at the time and place set for the hearing shall be deemed to have refused to pay the fine levied by the citation.
- (b) The Parking Citation Enforcement Hearing Board may consider the parking citation and any other written report made by the officer or PCO who issued the citation in lieu of the officer or PCO's personal appearance at the hearing.
- (c) At the hearing, after consideration of the evidence, the Parking Citation Enforcement Hearing Board shall determine whether a violation was committed. Where it has not been established that the violation was committed, an order dismissing the citation shall be entered. Where it has been established that a violation was committed, the Parking Citation Enforcement Hearing Board shall uphold the citation and order the owner to pay the citation within seven (7) days. A copy of such order shall be furnished the owner. Any person ordered to pay the fine who fails to do so within seven (7) days shall be deemed to have refused to pay the fine levied by the citation.



**Sec. 42-69. - Appeal.**

An appeal from the City of Woodstock Parking Citation Enforcement Hearing Board's determination may be made to the City of Woodstock Municipal Court within seven (7) days of the board's determination. The appeal shall be initiated by the filing of a notice of appeal and a copy of the board's order. The action shall be tried de novo and the burden shall be upon the City of Woodstock to establish that a violation occurred. If the court finds that a violation has occurred, the owner shall be ordered to pay all fines, fees and penalties occurring as of the date of the judgment. If the court finds that a violation did not occur, the parking citation shall be dismissed and the plaintiff shall be authorized to recover his or her costs.