

ORDINANCE TO AMEND ARTICLE IV, SECTION 56-92 ET SEQ. OF THE CODE OF ORDINANCES OF THE CITY OF FAIRBURN, GEORGIA, RELATING TO THE ESTABLISHMENT AND REGULATION OF TRUCK ROUTES WITHIN THE CITY OF FAIRBURN, TO PROVIDE FOR CERTAIN EXCEPTIONS FOR TRUCK TRAVEL ON OTHER THAN DESIGNATED TRUCK ROUTES; TO PROVIDE FOR MINIMUM FINES FOR VIOLATIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, pursuant to the authority of the Mayor and City Council of the City of Fairburn, Georgia, to enact necessary and reasonable laws and ordinances to promote and preserve the public's health, safety and welfare, said Mayor and City Council desires to provide by ordinance for the regulation of truck traffic upon the City roadways in the manner as set forth below; and

WHEREAS, the Mayor and City Council finds that the below amendments, revisions and additions to the City's Code of Ordinances are both necessary and reasonable for the public's health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Fairburn, Georgia, and it is hereby ordained by the authority of same, as follows:

Section 1.

Section 56-92 of the City of Fairburn Code of Ordinances is hereby repealed in its entirety and the following new Section 56-92 is hereby substituted:

Sec. 56-92. - Truck defined; exceptions.

For purposes of this article, the term "truck" means any motor vehicle having more than two axles; provided, however, the restrictions contained in this article shall not apply to the following motor vehicles, which may have more than two axles: two (2) rear axle pickup trucks; recreational vehicles; municipal emergency vehicles; municipal service vehicles; vehicles being used pursuant to a contract with the city for the provision of municipal services; and buses.

Section 2.

Section 56-93 of the City of Fairburn Code of Ordinances is hereby repealed in its entirety and the following new Section 56-93 is hereby substituted:

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1 **Sec. 56-93. - Truck routes designated.**

2 The following streets, roads, drives, and avenues, or portions thereof, as designated below,
3 shall constitute the exclusive truck routes in the city:

- 4 (1) Interstate 85.
- 5 (2) US 29/Roosevelt Hwy/State Route 14/W. Broad Street.
- 6 (3) State Route 74/Senoia Road (Fairburn Industrial Boulevard to Fayette County Line)
- 7 (4) Fairburn Industrial Boulevard.
- 8 (5) State Route 92/Campbellton-Fairburn Road.
- 9 (6) State Route 138 / Bev Engram Parkway.
- 10 (7) Spence Road/State Route 92 (I-85 south to the city limits).
- 11 (8) Oakley Industrial Boulevard.
- 12 (9) Bohannon Road (McLarin to Oakley Industrial Boulevard).
- 13 (10) Fayetteville Road (I-85 South to the city limits).
- 14 (11) McLarin Road.
- 15 (12) Laser Industrial.
- 16 (13) East Broad Street (Word Street south to McLarin).
- 17 (14) Impreglon Way.
- 18 (15) Howell Avenue.
- 19 (16) Roberts Street.
- 20 (17) Gullatt Road (US29 to Cleckler).
- 21 (18) Terminus Drive.
- 22 (19) Coates Drive.
- 23 (20) Graham Road.
- 24 (21) Stalwart Drive.
- 25 (22) Whitewater Place.
- 26 (23) Word Street (from E. Broad to Green).

27 **Section 3.**

28 Section 56-94 of the City of Fairburn Code of Ordinances is hereby repealed in its entirety and
29 the following new Section 56-94 is hereby substituted:

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1 **Sec. 56-94. - Truck travel restricted to truck routes; exceptions.**

2 It shall be unlawful for a person or business entity to operate or park a truck on any city
3 street, road, drive, or avenue which is not designated as a truck route pursuant to section
4 56-93 of this article, except under the following circumstances:

5 (1) Any truck may travel via the most direct route possible from a designated truck route
6 to a location in the city not on a designated truck route for the exclusive purpose of local
7 pick up, delivery, repair, or other necessary business, subject to verification of such
8 purpose by written invoices, orders, delivery instructions, or such other written documents
9 in possession of the truck operator; provided, however, this exception shall not apply in the
10 case of a business located in a zoning district designated for residential use.

11 (2) Travel within the city pursuant to a permit issued under section 56-95.

12 (3) Truck travel authorized by a contract with the city for municipal services, including,
13 without being limited to, solid waste and yard waste pick up.

14 **Section 4.**

15 Section 56-98 of the City of Fairburn Code of Ordinances is hereby repealed in its entirety and
16 the following new Section 56-98 is hereby substituted:

17 **Sec. 56-98. - Penalties.**

18 The operator, owner or lessee of any truck in violation of section 56-94 of this article shall
19 be subject to a minimum fine of \$350.00 for the first (1st) offense and a minimum fine of
20 \$450.00 for any second (2nd) or subsequent violation; provided, further, that all violations
21 of any provision of this article shall be subject to a fine not to exceed \$1,000.00, or up to
22 60 days in jail, or both.

23 **Section 5.**

24 This ordinance shall become effective upon its approval. Any ordinances or parts of ordinances
25 in conflict with this ordinance are repealed to the extent of the conflict.

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30 **[Signatures at Next Page]**

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1 This 22nd day of April, 2019.

2 City of Fairburn, Georgia

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4 *Elizabeth Carr-Hurst*
5 Elizabeth Carr-Hurst, Mayor

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7 ATTEST:

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9 *Shana T. Moss*
10 Shana T. Moss, Interim City Clerk

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12 Approved as to Form:

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14 *William R. Turner*
15 William R. Turner, City Attorney

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