

AN ORDINANCE OF THE CITY OF CUMMING, GEORGIA TO REGULATE THE  
PARKING OF VEHICLES IN SPACES DESIGNATED FOR PERSONS WITH  
DISABILITIES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER  
PURPOSES.

WHEREAS, the City owns various parking lots, decks, and parking areas for and attendant to its real property and facilities;

WHEREAS, the public has an interest in using the City of Cumming's parking areas to gain access to public property, facilities, and public events;

WHEREAS, the use of parking areas is a matter of public concern;

WHEREAS the City is empowered by § 36 of its Charter to regulate public places and to remove nuisances from the same;

WHEREAS, it is the finding of the Mayor and Council that the proper regulation of parking in the City of Cumming can best be accomplished through time limitations, reservation for specific uses, and the prohibition on improper uses as authorized in this chapter; and

WHEREAS, it is within the power and authority of the City of Cumming to enact this ordinance for the regulation of parking pursuant § 36 and § 57, of the Charter of the City of Cumming, Georgia, as well as O.C.G.A. § 36-35-1 et. seq. and O.C.G.A. § 40-6-200, et. seq.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF CUMMING as follows:

SECTION ONE: PARKING FOR PERSONS WITH DISABILITIES

*A new Section 22-29 is hereby enacted, to state as follows:*

Sec. 22-29 Unauthorized Use of Parking Designated for Persons with Disabilities

It shall be unlawful for any person to park or stop a vehicle in any parking space or area designated by sign as a parking space for persons with disabilities, whether on the public streets of the City of Cumming, or upon streets, ways, and parking areas which are owned by public or quasi-public bodies regulated by the City of Cumming, or on privately owned streets, ways, and parking areas, without displaying on said vehicle on the driver's side of the dashboard or hung from the rearview mirror of the parked vehicle a valid unexpired parking permit for persons with disabilities, or unless there is attached to the vehicle a specially designated license plate for disabled veterans or other disabled persons authorized under state law, and unless such person is the person to whom such permit or license plate was issued, the person to whom such permit or license plate was issued is a passenger in the vehicle, or such vehicle is being used for the transportation of disabled passengers on behalf of the institution to which such permit was issued.

SECTION TWO: Severability.

If any section, provision or clause of any part of this ordinance shall be declared invalid or unconstitutional, or if the provisions of any part of this ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this ordinance not so held to be invalid, or the application of this ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent that this ordinance would have been adopted had such invalid portion not been included herein.

SECTION THREE: Incorporation and Repealer.

Except as modified herein, the remainder of the ordinance regulating parking is affirmed and incorporated herein. All laws and parts of laws in conflict with this enactment are hereby repealed.

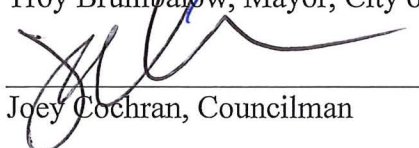
SECTION FOUR: Effective Date.

This ordinance shall be effective the day following its passage by the Council of the City of Cumming.

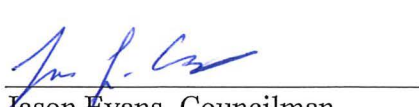
**SO ADOPTED AND ORDAINED** by the City Council of Cumming, Georgia, this 2nd day of February, 2021.

CITY OF CUMMING, GEORGIA

  
Troy Brumbalow, Mayor, City of Cumming

  
Joey Cochran, Councilman


  
Christopher Light, Councilman

  
Jason Evans, Councilman

  
Linda Ledbetter, Councilwoman

  
Chad Crane, Councilman

Attest:

  
Jeff Honea, Clerk, City of Cumming, Georgia

