

**CITY OF GROVETOWN
ORDINANCE TO AMEND CHAPTER 15, ARTICLE XV
OF THE CITY CODE
ORDINANCE NO. 2018-10-02**

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GROVETOWN, GEORGIA, CHAPTER 15 (TRAFFIC AND MOTOR VEHICLES), TO ADD ARTICLE XV (PARKING CERTAIN VEHICLES ON RESIDENTIAL PROPERTY OR ADJACENT TO RIGHT-OF-WAYS); TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Grovetown, Georgia is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of the City of Grovetown, Georgia;

WHEREAS, the duly elected governing authority of the City of Grovetown, Georgia is the Mayor and City Council thereof;

WHEREAS, Official Code of Georgia Annotated (O.C.G.A.) Section 36-35-3 provides cities the power to adopt clearly reasonable ordinances, resolutions or regulations relating to the cities' property and affairs;

WHEREAS, the governing authority desires to establish provisions in the City Code relating to parking certain vehicles on residential property or adjacent to right-of-ways;

THE COUNCIL OF THE CITY OF GROVETOWN HEREBY ORDAINS AS FOLLOWS:

Section No. 1. Title.

This ordinance shall be known and cited as Chapter 15, Article XV of the Code of Ordinances, City of Grovetown, Georgia.

Section No. 2. Amendment to Code.

Chapter 15 of the Code of Ordinances, City of Grovetown, Georgia is hereby amended by adding Article XV to read as follows:

Chapter 15

“ARTICLE XV. PARKING CERTAIN VEHICLES ON RESIDENTIAL PROPERTY OR ADJACENT TO RIGHT-OF-WAYS

Sec. 15-301. 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:

All-terrain vehicle (ATV) means a small motor vehicle with three or four wheels that is designed for use on various types of terrain.

Boat means a craft or vessel designed for travel on water, propelled by oars, sails, or an engine.

Bus means a large motor vehicle designed to carry passengers usually along a fixed route according to a schedule.

Camper trailer means a trailer as defined in this section which is pulled behind a motorized vehicle and is used for recreational camping as a shelter or carrier for equipment.

Motor home means a large motor vehicle equipped as living quarters.

Personal watercraft (PWC) means a small pleasure craft, more commonly referred to as a jetski, designed for travel on water that uses an inboard jet drive as its primary source of propulsion and is designed to be operated by a person or persons sitting, standing, or kneeling on the PWC rather than inside the pleasure craft.

Portable storage container means a self-storage container that is delivered to and retrieved from a home or business for long term off-site or on-site storage. Portable storage on demand or PODS are a familiar trade name for such containers. These containers are not on a chassis and do not have axles or wheels.

Recreational vehicle (RV) means a vehicle designed for recreational use.

Temporary storage container means a portable storage unit that does not have a permanent foundation or footing and which includes cargo containers, portable storage containers, truck trailers, construction trailers, and bulk solid waste containers. Such containers shall not be considered a building. For the purpose of this definition, a shed is not a temporary storage container.

Tent means a structure, enclosure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents it protects.

Trailer means a transport unit designed to be hauled by an automobile, truck or tractor, or a furnished van drawn by a truck or automobile.

Travel trailer means a motorized camper, converted bus, tent trailer, or other similar vehicular or portable structure used or designed for temporary portable housing or occupancy while on vacation or other trip.

Truck means a motorized vehicle designed and/or used for transporting loads, materials or equipment.

Vehicle means a device, such as a motorized vehicle or a piece of mechanized equipment, used for transporting passengers, goods, apparatuses or equipment.

Sec. 15-302. Definition of major commercial and recreational equipment.

For the purposes of this article, "major commercial and recreational equipment" is defined as including commercial panel and box trucks, utility trailers, box trailers, storage trailers, buses, boats and boat trailers, personal watercraft, all-terrain vehicles, travel trailers, camper trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), RV's, motorized dwellings, tent trailers, trailers for the transport of recreational vehicles, and the like, and shall further include temporary storage containers and portable storage containers (i.e., PODS). Automobiles including sedans and pickup trucks identified with signage as commercial vehicles are not included in the definition of major commercial and recreational equipment.

Sec. 15-303. Purpose.

The purpose of this article is to prevent deterioration of the neighborhoods of the city by storage of vehicles and devices as described in this article. Neighbors have a responsibility to maintain their properties in a manner that permits mutual acceptance and does not cause erosion of property values.

Sec. 15-304. Prohibited location of major commercial and recreational equipment.

No major commercial or recreational equipment shall be parked or stored on any lot, street, or other public right-of-way in a residential zoned district except in a carport or enclosed building or behind the building line of that portion of the primary building the greatest distance from the street right of way. For the purposes of this section the building line of the structure is defined as the vertical wall or wall segments that are generally parallel to the front property line or, in the case of a corner lot, to both the front and street side property lines. Where inadequate side clearance exists that prevents access to a location behind the building line, an agreement between the property owner and the city may be negotiated. However, such equipment may be parked on a residential lot or on a street or other public right-of-way for a period not to exceed one hundred twenty (120) hours in any one thirty-day period.

Sec. 15-305. Occupancy of major recreational equipment.

No major recreational equipment shall be used for continuous living, sleeping, or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use. However, such equipment may be occupied on residential premises for a period not to exceed one hundred twenty (120) hours in any one-hundred-eighty-day period.

Sec. 15-306. Inoperable vehicles on private premises.

(a) *Generally.* No vehicles of any type in inoperable condition or without current license plates and a valid license plate decal shall be parked or stored on any residential zoned premises, without being in a completely enclosed building or a carport.

(b) *Written notice of violation.* Whenever it shall appear that a violation of this section exists, a duly authorized representative of the city shall give, or cause to be given, written notice to the owner or person in lawful possession or control of the private property upon which said inoperable vehicle is located, advising that such motor vehicle violates the provisions of this section and directing that such motor vehicle be moved to a place of lawful storage within seven (7) days. Such notice shall be by certified United States mail or personal service. If such owner or occupant cannot be found upon said property, the posting of the notice on the premises for seven (7) days shall be considered effective notice.

(c) *Impoundment of vehicle for noncompliance with notice.* If the property owner or occupant shall fail, neglect, or refuse to move or store such vehicle in accordance with the notice given pursuant to this section, a duly authorized representative of the city may forthwith impound and remove such vehicle to be held until released from impoundment. No vehicle shall be released from impoundment under any circumstances until all costs, charges, penalties, and/or fines due the City on account thereto have been fully paid. All costs associated with the impoundment of any vehicle shall be ascertained and charged to the property owner.

(d) *Right of city to enter property for enforcement purposes.* A duly authorized representative of the city is hereby authorized to enter upon private property for the purpose of enforcing the provisions of this section. It shall be unlawful for any person to interfere with, hinder, or refuse to allow said official(s) to enter upon private property for the purpose of enforcing the provisions of this section.

Sec. 15-307. Large trucks, etc., in front yards.

No large trucks, trailers, or other major transportation equipment shall be parked in any yard between the building line and a public street in any residential zoned district.

Secs. 15-308—15-350. Reserved.”

Section No. 3. Effective Date.

The provisions of Chapter 15, Article XV of the Code of Ordinances, City of Grovetown, Georgia shall become effective the next business day following the adoption of this Ordinance.

Section No. 4. Ordinances Repealed.

All city code sections, ordinances, parts of ordinances, or resolutions in conflict with the provisions of this Ordinance are hereby repealed.

Section No. 5. Codification.

It is the intention of the City Council, and it is hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Grovetown, Georgia.

Section No. 6. Severability.

If any part of this Ordinance is determined by a Court of competent jurisdiction to be invalid, only such part of this Ordinance declared to be invalid shall become void and all other parts shall remain valid and enforceable.

Read, passed and adopted this 21st day of December, 2018.

Gary E. Jones, Mayor

Attested by: _____
Roxanne Brown
City Clerk

First reading: November 19, 2018

Second reading: December 21, 2018