

CITY OF HOSCHTON
CITY COUNCIL AGENDA
THURSDAY, JULY 13, 2023
HOSCHTON COMMUNITY CENTER AT 6:00PM
65 CITY SQUARE, HOSCHTON



PUBLIC HEARING

AGENDA

WELCOME AND CALL TO ORDER

PRAYER

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

NEW BUSINESS

- 1. Final Plat, Alma Farms, formerly known as Nunley Farms:** Southeast Peachtree Acquisition, LLC, owner, Evergreen Development and Real Estate Services, Developer, by Alliance Surveying, LLC, seeks final plat approval for 55 lots on 20.71 acres fronting on the north side of Peachtree Road. Map/Parcel 120/010. R-3, Single-Family Moderate Density Residential District, Conditional zoning (Z-21-03); 2,561.78 linear feet and 3.78 acres of street right of way dedication and 567.18 feet (Lizzie Lane, Carter Lane, Charlie Circle, Jay Circle, Gull Road, and Reagan Road) and 0.26 acre of golf cart path/multi-use path dedication; 3,122.87 feet of water lines and 4,307.29 feet of sanitary sewer lines dedicated.
- 2. Preliminary Plat, Henry Street Townhouses:** G.P's Enterprises, Inc., applicant and property owner, by Travis Pruitt & Associates, Inc., seeks preliminary plat approval for 24 lots/units on 2.364 acres (Map/Parcel 119/004N) fronting on the south side of Henry Street. MFR, Multiple-Family Residential Conditional zoning (Z-22-14; V-23-01).
- 3. Ordinance O-2023-03:** An Ordinance Amending the Code of Ordinances of the City of Hoschton, Georgia, Chapter 11, "Traffic and Vehicles," To Adopt a New Article IV, "Stopping, Standing and Parking;" To Repeal Conflicting Ordinances; To Provide for Severability; To Provide For an Effective Date; To Provide for Codification; and For Other Purposes

ADJOURN

CITY OF HOSCHTON
STATE OF GEORGIA

ORDINANCE O-2023-03

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HOSCHTON, GEORGIA, CHAPTER 11, "TRAFFIC AND VEHICLES," TO ADOPT A NEW ARTICLE IV, "STOPPING, STANDING AND PARKING;" TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR CODIFICATION; AND FOR OTHER PURPOSES

IT IS ORDAINED by the Hoschton Mayor and City Council as follows:

Section 1.

The Hoschton Code of Ordinances, Chapter 11, "Traffic and Vehicles," is amended by adding a new Article IV, "Stopping, Standing and Parking" as follows:

Sec. 11-81. Parking prohibitions and time limitations.

- (a) Authority to impose. The city may prohibit parking and impose time limits on parking on designated streets or city properties.
- (b) No parking areas. It shall be unlawful for any person to cause, allow, or permit any vehicle registered in any name, or operated by any person to be parked: in an area where no parking is allowed by ordinance or state law; or beyond the period of the legal parking time established by any signage as described in this article. At least one sign shall be erected on each street on each side of the street where parking is either prohibited or restricted.
- (c) Time limits. It shall be illegal for a motor vehicle to be parked in a parking space past the designated time limit. The city police may use any method deemed necessary to time these vehicles not in compliance and issue citations to the operators of these vehicles. Whenever any parking time limit is imposed or parking is prohibited on designated streets, appropriate signs shall be erected giving notice thereof, and the regulations shall be effective only after the signs are erected and in place at the time of any alleged offense.

Sec. 11-82. Areas where parking is unlawful.

At any time it shall be unlawful to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with directions of a police officer or traffic control device:

- (a) In any intersection;
- (b) In a crosswalk;

- (c) At any place where the standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than 18 feet;
- (d) At any place where the vehicle will block the use of a driveway;
- (e) At any place where the vehicle will block the driveway entrance to any fire department;
- (f) On any sidewalk;
- (g) Upon a street in a residential zoning district, except as specifically allowed otherwise in this article.
- (h) At any place where official signs prohibit parking; and
- (i) Within 12 feet of any fire hydrant.

Sec. 11-83. Off-street parking in residential areas.

- (a) In single-family residential zoning districts, parking in the front yard (not the roadway in front of the home) is allowed for each dwelling unit only within a hard-surfaced driveway (i.e., asphalt, concrete, gravel, or if approved by the city, a turf-reinforced driveway).
- (b) No parking of any vehicles, whether commercial or private, shall be allowed on grass or lawn areas of any single-family residence. The parking or storage of more than four vehicles at a single-family residence in a manner visible from the public street is unlawful.
- (c) No vehicle with a gross vehicle weight rating greater than 6,000 pounds shall be parked past the front plane of the front door of a residential dwelling at any time.

Sec.11-84. Parking for commercial purposes.

- (a) It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for sale, or to park any vehicle upon any public street from which merchandise is peddled, or for purposes of displaying advertising.
- (b) It shall be unlawful to park any vehicle carrying dynamite, propane gas or any other volatile or explosive substance for more than one hour within 200 feet of any building used for assembly or institutional or residential occupancy.

Sec. 11-85. Restrictions for trucks, tractors, buses.

- (a) No person shall park or stand any truck or other freight-carrying vehicle, including any truck tractor, in excess of one-half ton capacity, upon any public street or highway for longer than the time necessary to deliver its cargo, and at no time longer than thirty (30) minutes without police escort.

- (b) No person shall stop or stand any truck or bus with a body more than eight feet wide or ten feet high on any street or public place without the driver or chauffeur being actually present and in charge thereof.
- (c) No person shall stop or stand any truck or bus on any street or public place and idle for more than 15 minutes, except for the following conditions:
 - 1. Emergency vehicles, utility company, construction and maintenance vehicles where the engines must run to perform needed work;
 - 2. Truck or bus is forced to remain motionless because of traffic conditions;
 - 3. Truck or bus is being used to supply heat or air conditioning necessary for passenger safety or comfort, and such truck or bus is being used for commercial passenger transportation or is a transit authority bus or school bus, in which idling shall be limited to a maximum of 25 minutes; If the ambient temperature is less than 32 degrees Fahrenheit, idling shall be limited to a maximum of 25 minutes; or
 - 4. Any vehicle, truck, bus, or transit authority bus in which the primary source of fuel is Natural Gas (CNG) or electricity shall be exempt from the idling limitations set forth in this section.

Sec. 11-86. Enforcement.

- (a) Any police officer who finds a vehicle standing upon a street or highway in violation of this article may at any time have the vehicle towed from the location it is illegally parked and impounded. If the vehicle is towed and impounded, the registered owner of any vehicle parked illegally pursuant to this article shall be responsible for any and all towing and storage fees associated with any such vehicle removed from a city street or property pursuant to the provisions of this article.
- (b) Any police officer who finds a vehicle standing upon a street or highway in violation of this article may, pursuant to O.C.G.A. 40-6-203(2) (B,) write a citation to the registered owner per the tag information and place such citation on the vehicle under its windshield wipers. No improperly parked vehicle may receive more than one citation for every twenty-four (24) hours it is improperly parked.
- (c) Any police officer who finds a vehicle standing upon a street or highway in violation of this article may require the driver or other person in charge of the vehicle to move it to a position off the roadway.
- (d) A citation for parking in an area where parking is prohibited by this article, or for illegally parking past the designated time limit, or for any other violation of this article, can be issued by a member of the city police department.

(e) Any person violating any provision of this article shall, on conviction by the court judge of the city, be punished as follows:

First Offense: \$50.00

Second Offense: \$100.00

Third Offense: \$250.00

Fourth and subsequent offenses: \$500 and impoundment of vehicle with responsibility for towing and storage fees.”

Section 2.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

Section 4.

The effective date of this ordinance shall immediate upon adoption by the City Council.

Section 5.

It is the intent of City Council that this ordinance be integrated into the Code of Ordinances of the City of Hoschton. To that end, the provisions of this ordinance may be renumbered or reorganized to effectuate that intent.

So ORDAINED, this ___ day of _____, 2023.

Mayor

This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Jennifer Kidd-Harrison, City Clerk

Ordinance 2023-03

APPROVED AS TO FORM

Abbott S. Hayes, Jr., City Attorney

F:\Planning & Zoning\Jerry Weil\2020\Parking Regulation\Ordinance Parking 6-22-23.docx