

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 38

AN ORDINANCE

Revising Article IV of Chapter 3 of the Code (Sections 3-89 through 3-101) to restate the requirements as to stopping, standing and parking of vehicles.

BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and it is hereby ordained:

Section 1. Article IV of Chapter 3 of the Code of the City of Lookout Mountain, Georgia, be and it is hereby completely repealed and replaced so as to provide as follows:

Section 3-89. Definitions: As used in this Article, wherever the context permits or requires:

All night parking: means night time parking in or near the same place for more than six hours.

Attended: means the presence in or within fifty feet of a vehicle of a duly licensed operator, able, willing and equipped to drive or move such vehicle.

Chief of Police: includes any policeman employed by the City, duly authorized by such Chief to grant the permission or perform the acts in question.

Daytime parking: means parking between the hours of 7:00 A.M. and 7:00 P.M.

In front of a building: means both sides of the street or streets on which a building faces for a distance of one hundred fifty feet in each direction from the center of such building.

Licensee: includes all lawful occupants of a property and all employees, agents, servants, guests, customers and invitees of an owner or lawful occupant thereof.

Night time parking: means parking between the hours of 7:00 P.M. and 7:00 A.M.

Owner: includes "owners" where there is more than one owner, and in the case of corporations and associations, includes the officers, and the members of the governing bodies.

Off street parking: means parking any vehicle on private property outside the right-of-way of any street.

On street parking: means parking any vehicle within the right-of-way of any street.

Parking: means causing or permitting any vehicle to stand or remain stopped for any length of time whatsoever, whether or not the motor is running and whether or not the vehicle is attended, but does not include stopping (a) in obedience to traffic control devices or police directions, (b) in order to yield the right-of-way, (c) to obtain directions, or (d) required by traffic conditions or prudent vehicle operation.

Private property: includes all property other than streets.

Street: includes highways, alleys, public squares and sidewalks.

Vehicle: includes motor vehicles, motorcycles, motorscooters, bicycles, minibikes, tractors, trailers, trucks, golf carts, wagons, campers, bulldozers, utility vehicles, construction equipment and maintenance equipment.

Section 3-90. No person shall park a vehicle in or on any of the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within an intersection.

- (4) Within five feet of a fire hydrant.
- (5) On a crosswalk.
- (6) Within ten feet of a crosswalk at an intersection.
- (7) Within thirty feet on the approach side of any flashing beacon, stop sign or traffic-control signal located at the side of a street.
- (8) Within twenty feet of the driveway entrance to any fire station nor on the side of a street opposite the entrance to any fire station within seventy-five feet of the entrance, when properly signposted.
- (9) Alongside or opposite to any street excavation or obstruction when such parking would obstruct traffic.
- (10) Alongside any stopped or parked vehicle.
- (11) Within one foot of another parked vehicle.
- (12) In any place or area marked as a passenger curb loading zone, other than for the immediate, actual and expeditious loading or unloading of passengers for hire.
- (13) Upon any street, other than an alley, leaving less than ten feet of the width of the paved roadway for free movement of vehicular traffic, except that an operator may stop temporarily during the actual loading or unloading of passengers or material.
- (14) In any place where parking is prohibited by any police officer or by any signs authorized by order of the Chief of Police or by the City Council.
- (15) In any place for a longer period of time than permitted by any police officer or by any signs authorized by order of the Chief of Police or by the City Council.

Section 3-91.

All night parking: All on street night parking of vehicles is prohibited except (a) when due to temporary emergency such as ice, snow or need of repair, (b) by owner or licensee of property in front of which parked and only when no reasonably convenient off-street parking available, (c) when expressly permitted by Chief of Police. Such all night parking shall be terminated when the need for same ends. In the case of parking due to necessity for repairs, all on street parking shall end at the close of the next day after the parking for such purpose commenced, Saturdays and Sundays and holidays excluded.

Section 3-91.

Night time parking: There shall be no on street night time parking of any vehicle, except (a) vehicles owned or used by the owner, or licensee of the owner, of a building, parked in front of such building, or (b) as permitted in Section 3-90.

Section 3-92.

Daytime parking: On street parking of vehicles for more than five minutes is prohibited except under the same conditions as all night parking is permitted in Section 3-90.

Section 3-93.

Parking on private property: No vehicle, except vehicles of the owner or a licensee of the owner, shall be parked on private property.

Section 3-94.

Parking on public property: No vehicle shall be parked on any public property such as the City's parking area and the school grounds except to the extent and in the manner, if any, permitted by the authorities in charge of such property.

Section 3-95.

Removal and impounding of illegally parked vehicles; redemption: Any vehicle parked at any place, public or private, within the City, in any manner not in conformity with the ordinances of the City, police directions, or approved traffic signs, may be removed and impounded at the direction of any police officer and a service charge of \$15.00 shall be paid to the City before the vehicle is released from such impoundment. The payment of such service fee shall be in addition to any towing and storage charges which shall be payable by the vehicle owner and shall not release the owner, chauffeur or driver of such vehicle from any penalties imposed for violation of existing traffic laws or ordinances, rules and regulations of the City. If in the judgment of such police officer such removal is necessary or advisable for reasons of safety or the flow of traffic and is unattended, or the person in attendance refuses or neglects to remove the same immediately upon request, the vehicle may be so removed and impounded immediately. If the vehicle does not constitute such a hazard it may be so removed and impounded on and after the expiration of 24 hours from the time at which it was tagged.

Section 2. Sections 3-89 and 3-97 and Section 12-36 of the Code of the City of Lookout Mountain, Georgia, as heretofore written, are hereby repealed and the foregoing substituted in place thereof.

Section 3. It is intended that the provisions of these Regulations be severable and should any portion be held invalid, such invalidity shall not affect any other portion of these Regulations.

Section 4. It is the intention of the governing body

and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lookout Mountain, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 5. This Ordinance shall be effective ten (10) days after its adoption by at least three (3) members of the Council of this City after two (2) readings at least one (1) week apart.

Approved on first reading on February 17, 1972.

Joe B. McGehee  
Member of City Council of Lookout Mountain, Ga.

John Amair  
Member of City Council of Lookout Mountain, Ga.

[Signature]  
Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Herwood S. Dudley  
Mayor of Lookout Mountain, Georgia

Approved and adopted on second reading on March 16, 1972.

Joe B. McGehee  
Member of City Council of Lookout Mountain, Ga.

John Amair  
Member of City Council of Lookout Mountain, Ga.

[Signature]  
Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Herwood D. Dudley  
Mayor of Lookout Mountain, Georgia

ATTEST:

Raymond J. [Signature]  
City Clerk of Lookout Mountain, Ga.

(SEAL)