

**TRUCK RESTRICTIONS CODE AMENDMENT**

IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NORTH HIGH SHOALS, GEORGIA AS FOLLOWS:

WHEREAS, the City Code of North High Shoals was adopted by the Mayor and Council and provides that any portion thereof may be amended from time to time; and

WHEREAS, OCGA 40-6-20 entitled "Obedience to and required traffic-control devices; use of traffic-control signal monitoring devices", mandates as follows:

"(a) The driver of any vehicle shall obey the instructions of an official traffic-control device applicable thereto, placed in accordance with this chapter, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter."; and

WHEREAS, said statute further states:

"(c) Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this chapter, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(d) Any official traffic-control device placed pursuant to this chapter and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this chapter, unless the contrary shall be established by competent evidence.

(e) The disregard or disobedience of the instructions of any official traffic-control device or signal placed in accordance with the provisions of this chapter by the driver of a vehicle shall be deemed prima-facie evidence of a violation of law, without requiring proof of who and by what authority such sign or device has been erected."; and

WHEREAS, the Mayor and Council find that the following amendment to the Code promotes the health, safety, morals, convenience, order, prosperity and general welfare of North High Shoals, Georgia;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council that the Code is hereby amended by adding replacement "Section \_\_\_\_\_. Truck Restrictions," with language as shown on Exhibit A attached hereto. All code sections, ordinances, resolutions, or parts of code sections, ordinances or resolutions in conflict with this Amendment are hereby repealed.

This Amendment shall become effective immediately upon passage. This Amendment is deemed to be severable, and if any section, subsection, paragraph, clause or provision of this Amendment shall be adjudged invalid or held unconstitutional, such decision shall not affect the remaining portions of this Amendment.

ADOPTED AND APPROVED by the Mayor and Council of the City of North High Shoals, Georgia, on \_\_\_\_\_, 2016, after a first reading on \_\_\_\_\_, 2016.

CITY OF NORTH HIGH SHOALS, GEORGIA

By: Mayor \_\_\_\_\_

Mayor Pro Tem \_\_\_\_\_

Council Member \_\_\_\_\_

Council Member \_\_\_\_\_

Council Member \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

**SECTION \_\_\_\_\_ Trucks Over Six Wheels Prohibited on Roads Designated: “No Through Trucks”.**

Trucks over 6 Wheels are prohibited from using roads designated by the City Mayor as “No Through Trucks”, which designation shall be ratified by vote of the mayor and council at the next council meeting after said designation by the Mayor. Such designation is permissible when such trucks are expressly found to be incompatible with the normal and safe movement of traffic in that area. The purpose of this restriction is to protect the public safety in the use of the City's streets, to facilitate and expedite traffic, and to protect the streets from unusual wear and damage. The mayor and council have control and supervision over its roads and streets. This prohibition is based on a Traffic Engineering Investigation and recommendation.

This prohibition shall be posted with appropriate signage so as to apprise drivers of trucks that such trucks are prohibited in areas designated “No Through Trucks”. The signage shall be in proper position and sufficiently legible to be seen by an ordinarily observant person. Any law enforcement officer or code enforcement officer to whom law enforcement authority has been designated who observes a motor vehicle being operated upon a public road of the state and who has reason to believe that any provision hereof is being violated is authorized to stop such vehicle and make investigation of such.

Exemption. Trucks making a delivery to an address on the “No Through Trucks” road, with documentation proving such delivery, are permitted on the “No Through Trucks” road solely for that limited purpose, and shall depart by the shortest route to a road that is not designated “No Through Trucks”. Provided, however, the maximum total gross weight of a vehicle and load shall not exceed 56,000 pounds.

Initial Designation. The following roads are hereby designated as “No Through Trucks” to protect the public safety in the use of the City's streets, to facilitate and expedite traffic, and to protect the streets from unusual wear and damage:

| <b>Street Name</b>   | <b>From</b>          | <b>To</b>            |
|----------------------|----------------------|----------------------|
| Arborwood Ridge Road | Elder Road           | Elder Road           |
| Dickens Lane         | Hillsboro Road       | Jefferson Road       |
| Elder Road           | New High Shoals Road | Town Limits          |
| Falcon Ridge Drive   | Hillsboro Road       | End of Drive         |
| Frazier Hill Road    | Hwy 186/Hopping Road | Gober Road           |
| Gober Road           | Hwy 186/Hopping Road | Town Limits          |
| Hawks Nest Lane      | Rays Church Road     | End of Lane          |
| Hillsboro Road       | Hwy 186/Hopping Road | Town Limits          |
| Jefferson Road       | Hwy 186/Hopping Road | Town Limits          |
| Lakeside Court       | Lakeside Drive       | End of Drive         |
| Lakeside Drive       | Elder Road           | Ridgefield Way       |
| New High Shoals Road | Hwy 186/Hopping Road | Town Limits          |
| Old Elder Road       | Hwy 186/Hopping Road | New High Shoals Road |
| Plantation Road      | Jefferson Road       | Hillsboro Road       |
| Rays Church Road     | Hillsboro Road       | Town Limits          |
| Shadyfield Lane      | Gober Road           | End of Lane          |
| Speedway Road        | Hillsboro Road       | Plantation Road      |

All persons violating the foregoing will guilty of a misdemeanor and, upon conviction, may be punished by a fine not to exceed \$1000 per violation, each instance being considered a separate violation.